

Ordinance

DC-O-0070-22

WHEREAS, a public hearing was held on September 29, 2022 in the DuPage County Administration Building, 421 North County Farm Road, Wheaton, Illinois at 6:00 P.M. before the DuPage County Zoning Board of Appeals and notice of said hearing was duly given; and

WHEREAS, a petition was presented at this hearing requesting the following zoning relief:

1. Conditional Use for a school addition to include a new 10,630 sq. ft. classroom addition
2. Variation to reduce the rear setback from required 50' to approximately 5' for a reconfigured automobile parking lot, on the property hereinafter described:

OF THAT PART OF SECTION 16, TOWNSHIP 38 NORTH, RANGE 10 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: COMMENCING AT THE STOUTHEAST CORNER OF STEEPLE RUN DRIVE AS PLATTED IN STEEPLE RUN, UNIT 1, BEING A SUBDIVISION OF PART OF SECTIONS 9 AND 16, TOWNSHIP AND RANGE AFORESAID; THENCE NORTH 67 DEGREES 40 MINUTES 01 SECONDS WEST ALONG THE SOUTH LINE OF SAID STEEPLE RUN, UNIT 1, A DISTANCE OF 40 FEET FOR THE PLACE OF BEGINNING; THENCE SOUTH 22 DEGREES 19 MINUTES 59 SECONDS WEST PARALLEL WITH THE EASTERLY RIGHT OF WAY EXTENDED SOUTHWESTERLY OF SAID STEEPLE RUN DRIVE, A DISTANCE OF 160.0 FEET; THENCE SOUTHERLY ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 549.29 FEET AND BEING TANGENT TO THE LAST DESCRIBED COURSE (THE CHORD OF SAID CURVE BEARS SOUTH 02 DEGREES 21 MINUTES 49 SECONDS EAST 469.61 FEET) AN ARC DISTANCE OF 512.31 FEET; THENCE NORTH 80 DEGREES 25 MINUTES 16 SECONDS EAST, A DISTANCE OF 55.0 FEET; THENCE NORTHEASTERLY ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 844.92 FEET AND BEING TANGENT TO THE LAST DESCRIBED COURSE, (THE CHORD OF SAID CURVE BEARS NORTH 58 DEGREES 41 MINUTES 36 SECONDS EAST, 622.84 FEET) AN ARC DISTANCE OF 637.87 FEET; THENCE NORTHEASTERLY ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 935.43 FEET AND BEING TANGENT TO THE LAST DESCRIBED CURVE (THE CHORD OF SAID CURVE BEARS NORTH 34 DEGREES 41 MINUTES 37 SECONDS EAST 80.69 FEET), AN ARC DISTANCE OF 80.72 FEET; THENCE NORTHWESTERLY ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 406.94 FEET, AN ARC DISTANCE OF 33.11 FEET TO THE MOST SOUTHERLY CORNER OF LOT 300 IN SAID STEEPLE RUN, UNIT 1; THENCE NORTHWESTERLY ALONG THE STOUTWESTERLY LINE OF SAID LOT 300, BEING ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 406.94 FEET, TANGENT TO THE LAST DESCRIBED CURVE (THE CHORD OF SAID CURVE BEARS NORTH 28 DEGREES 28 MINUTES 44 SECONDS WEST, 314.05 FEET) AN ARC DISTANCE OF 322.41 FEET; THENCE NORTH 05 DEGREES 46 MINUTES, 54 SECONDS WEST ALONG THE STOUTHWESTERLY LINE OF SAID LOT 300, BEING TANGENT TO THE LAST DESCRIBED CURVE, A DISTANCE OF 59.28 FEET; THENCE NORTHWESTERLY TO THE LEFT HAVING A RADIUS OF 383.65 FEET, BEING TANGENT TO THE LAST DESCRIBED COURSE (THE CHORD OF SAID CURVE BEARS NORTH 33 DEGREES 43 MINUTES 55 SECONDS WEST, 359.64 FEET) AN ARC DISTANCE OF 374.31 FEET TO THE MOST WESTERLY CORNER OF SAID LOT 300 AND THE EASTERLY LINE OF STEEPLE RUN DRIVE AS PLATTED IN SAID STEEPLE RUN, UNIT 1; THENCE NORTHWESTERLY ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 383.65 FEET, BEING TANGENT TO THE LAST OF SAID STEEPLE RUN DRIVE: THENCE SOUTH 22 DEGREES 19 MINUTES 59 SECONDS WEST ALONG SAID CENTER LINE OF STEEPLE RUN DRIVE, A DISTANCE OF 459.11 FEET TO THE PLACE OF BEGINNING. SUBJECT TO EASEMENTS OF INGRESS AND EGRESS OVER THAT PART OF THE SOUTH EASTERLY 33.0 FEET AND WESTERLY 40.0 FEET OF THE ABOVE DESCRIBED PROPERTY BY DOCUMENT NO. R72 50852, RECORDED AUGUST 24, 1972 IN THE RECORDER'S OFFICE OF DUPAGE COUNTY, ILLINOIS. ALL BEING SITUATED IN Lisle Township, DuPage County, Illinois AND CONTAINING 10.000 ACRES, MORE OR LESS; and

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WHEREAS, the Zoning Board of Appeals, having considered in relation to the above requested zoning petition presented at the above hearing and at the recommendation meeting held on November 2, 2022 does find as follows:

FINDINGS OF FACT:

1. That the Zoning Board of Appeals finds that that petitioner did not fully present sufficient evidence regarding the required a particular hardship, practical difficulty, or unique circumstances in relation to the requested Variation to reduce the rear setback from required 50' to approximately 5' for a reconfigured automobile parking lot.
 - a. Furthermore, that the Zoning Board of Appeals finds that petitioner presented sufficient information regarding the Conditional Use for a school addition to include a new 10,630 sq. ft. classroom addition, however that the standards were not fully met to approve a Variation.
2. That petitioner testified that they seek the subject zoning relief to allow for a Conditional Use for a school addition to include a new 10,630 sq. ft. classroom addition and a Variation to reduce the rear setback from required 50' to approximately 5' for a reconfigured automobile parking lot.
3. That petitioner testified that the current Steeple Run Elementary School is in a state of overcrowding and requires additional classroom space.
4. That petitioner testified that they have designed an 10,630 sq. ft. addition at the northeast end of the building to house the kindergarten program and smaller support functions.
 - a. Furthermore, that petitioner originally applied for an 11,250 sq. ft. addition, however it was determined at the public hearing that 10,630 sq. ft. was the correct size of the proposed addition.
5. That petitioner testified that due to the required addition, the existing parking lot (located approximately 16.5 feet) would need to be pushed further east, approximately five (5) feet.
6. That petitioner testified that the existing parking lot for the adjacent multi-family residential property is located approximately one (1) foot.
7. That petitioner testified that with the new addition, the new parking lot is proposed to have 27 additional parking spaces, for a total of 118 parking spaces on the subject property.
 - a. Furthermore, that the subject parking lot is used for teacher and staff parking.
 - b. In addition, that a new proposed operation for the school would be a new drop-off location on the east side of the property for kindergarten pick-up and drop-off.
8. That petitioner testified that pushing the parking lot further east also helps keep the play and playground areas to the north and protected behind the school, where they will not lose any recreational areas.

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9. That petitioner testified that due to the layout of the subject school on the subject property, if an addition was put on the north side of the school, most recreational areas and two (2) playgrounds would be lost.
10. That petitioner testified that they propose a six-foot high screened fence with landscaping on the subject property.

STANDARDS FOR CONDITIONAL USES:

1. That the Zoning Board of Appeals finds that petitioner **has demonstrated** that the granting of the Conditional Use is in harmony with the general purpose and intent of the Zoning Ordinance, and will not be injurious to the neighborhood, detrimental to the public welfare, or in conflict with the County's comprehensive plan for development; and specifically, that the granting of the Conditional Use will not:
 - a. Impair an adequate supply of light and air to the adjacent property as petitioner **has demonstrated** that the proposed school addition will not impair an adequate supply of light and air to surrounding properties, as they will install a six-foot high screened fence with landscaping on the east side of the property.
 - b. Increase the hazard from fire or other dangers to said property as petitioner **has demonstrated** that they will receive a permit for the proposed school addition and that any improvements will be built to code.
 - c. Diminish the value of land and buildings throughout the County as petitioner **has demonstrated** that the proposed school addition will be a benefit to the surrounding area and an improvement to the subject property.
 - d. Unduly increase traffic congestion in the public streets and highways as petitioner **has demonstrated** through the Traffic Impact Study that the proposed school addition will reassign existing traffic with a new kindergarten addition, and thereby will not increase traffic congestion in the public streets and highways.
 - e. Increase the potential for flood damages to adjacent property as petitioner **has demonstrated** that the Stormwater Department does not have any objections to the concept of the plan.
 - f. Incur additional public expense for flood protection, rescue or relief as petitioner **has demonstrated** that the Stormwater Department does not have any objections to the concept of the plan.
 - g. Otherwise impair the public health, safety, comfort, morals or general welfare of the inhabitants of DuPage County as petitioner **has demonstrated** that the proposed school addition will be an added benefit to the area and DuPage County, and that petitioner is incorporating elements into their development that will improve the public health, safety, comfort, morals, and general welfare of the inhabitants of DuPage County.

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PETITIONER'S DEVELOPMENT FACT SHEET

GENERAL ZONING CASE INFORMATION		
CASE #/PETITIONER	ZONING-22-000041 Steeple Run Elementary School	
ZONING REQUEST	1. Conditional Use for a school addition to include a new 11,250 sq. ft. classroom addition. 2. Variation to reduce the rear setback from required 50' to approximately 5' for a reconfigured automobile parking lot.	
OWNER	SCHOOL DISTRICT NO. 203, 655 S. WEBSTER STREET, NAPERVILLE, IL 60540 / AGENT: WIGHT & COMPANY, 2500 N. FRONTAGE ROAD, DARIEN, IL 60561	
ADDRESS/LOCATION	6S151 STEEPLE RUN DRIVE, NAPERVILLE, IL 60540	
PIN	08-16-104-002	
TWSP./CTY. BD. DIST.	LISLE	DISTRICT 2
ZONING/LUP	R-4 SF RES	0-5 DU AC
AREA	8.42 ACRES (366,775 SQ. FT.)	
UTILITIES	WATER AND SEWER	
PUBLICATION DATE	Daily Herald: SEPTEMBER 14, 2022	
PUBLIC HEARING	THURSDAY, SEPTEMBER 29, 2022	
<u>ADDITIONAL INFORMATION:</u>		
Building:	No Objections.	
DUDOT:	<i>No Comments Received.</i>	
Health:	Our office has no jurisdiction in this matter.	
Stormwater:	No Objections with concept of the petition. Additional information may be required at time of permit application.	
Public Works:	No Objections with concept of the petition. Additional information may be required at time of permit application. "DPC PW is the sewer and water provider for this property - a permit will be required."	
EXTERNAL:		

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Village of Lisle:	<i>No Comments Received.</i>
Village of Woodridge:	No Objections.
City of Naperville:	<i>No Comments Received.</i>
Lisle Township:	<i>No Comments Received.</i>
Township Highway:	<i>No Comments Received.</i>
Lisle-Woodridge Fire Dist.:	No Objections.
Sch. Dist. 203:	<i>No Comments Received.</i>
Forest Preserve:	"The Forest Preserve District of DuPage County staff has reviewed the information provided in this notice and due to the sizable distance between the subject property and District property, we do not have any specific comments. Thank you."

GENERAL BULK REQUIREMENTS:

REQUIREMENTS:	REQUIRED	EXISTING	PROPOSED
Front Yard:	30'	APPROX. 6'	APPROX. 6'
Corner Side Yard:	50'	APPROX. 5'	APPROX. 5'
Rear Yard:	50'	APPROX. 17'	APPROX. 5'

LAND USE

Location	Zoning	Existing Use	LUP
Subject	R-4 SF RES	School	Institutional
North	R-4 SF RES	House	0-5 DU AC
South	Woodcrest Drive and beyond R-4 SF RES	Office/Commercial	Local Commercial
East	R-4 SF RES	Multi-Family	5-15 DU AC
West	Steeple Run Drive and beyond R-4 SF RES	House	0-5 DU AC

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WHEREAS, the Zoning Board of Appeals, having considered in relation to the above and at the recommendation meeting held on November 2, 2022, recommends to deny the following zoning relief:

1. Conditional Use for a school addition to include a new 10,630 sq. ft. classroom addition.
2. Variation to reduce the rear setback from required 50' to approximately 5' for a reconfigured automobile parking lot.

ZBA VOTE (to Deny): 5 Ayes, 1 Nays, 1 Absent

Dissenting Opinion: That the one (1) dissenting Zoning Board of Appeals member finds that petitioner presented sufficient evidence to approve both the proposed Conditional Use and Variation, as additional kindergarten classroom space is required on the east side of the school building, which would then shift the existing parking lot further east, requiring the subject Variation.

WHEREAS, the County Board Development Committee on November 15, 2022, considered the above findings and recommendations of the Zoning Board of Appeals and recommends to not concur with the findings and recommends to approve the following zoning relief:

1. Conditional Use for a school addition to include a new 10,630 sq. ft. classroom addition.
2. Variation to reduce the rear setback from required 50' to approximately 5' for a reconfigured automobile parking lot.

Development Committee VOTE (to Approve): 6 Ayes, 0 Nays, 0 Absent

DEVELOPMENT COMMITTEE FINDINGS OF FACT:

1. The DuPage County Development Committee finds that petitioner provided sufficient evidence to approve both the Conditional Use and Variation.
2. That the Development Committee finds that the requested zoning relief is required for additional kindergarten classroom space on the east side of the school building, and that the

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new addition would then shift the existing parking lot further east, requiring the subject Variation.

3. That the Committee finds that petitioner has demonstrated that the proposed Variation is reasonable, as the parking and drop-off areas in the setback will be at fixed times and manned by school staff. Furthermore, petitioner will provide landscaping on the east side of the parking area to screen said area to the adjacent multi-family development to the east for the property.

NOW, THEREFORE, BE IT ORDAINED by the County Board of DuPage County, Illinois that the following zoning relief be granted:

1. Conditional Use for a school addition to include a new 10,630 sq. ft. classroom addition.
2. Variation to reduce the rear setback from required 50' to approximately 5' for a reconfigured automobile parking lot, on the property hereinafter described:

OF THAT PART OF SECTION 16, TOWNSHIP 38 NORTH, RANGE 10 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: COMMENCING AT THE STOUTHEAST CORNER OF STEEPLE RUN DRIVE AS PLATTED IN STEEPLE RUN, UNIT 1, BEING A SUBDIVISION OF PART OF SECTIONS 9 AND 16, TOWNSHIP AND RANGE AFORESAID; THENCE NORTH 67 DEGREES 40 MINUTES 01 SECONDS WEST ALONG THE SOUTH LINE OF SAID STEEPLE RUN, UNIT 1, A DISTANCE OF 40 FEET FOR THE PLACE OF BEGINNING; THENCE SOUTH 22 DEGREES 19 MINUTES 59 SECONDS WEST PARALLEL WITH THE EASTERLY RIGHT OF WAY EXTENDED SOUTHWESTERLY OF SAID STEEPLE RUN DRIVE, A DISTANCE OF 160.0 FEET; THENCE SOUTHERLY ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 549.29 FEET AND BEING TANGENT TO THE LAST DESCRIBED COURSE (THE CHORD OF SAID CURVE BEARS SOUTH 02 DEGREES 21 MINUTES 49 SECONDS EAST 469.61 FEET) AN ARC DISTANCE OF 512.31 FEET; THENCE NORTH 80 DEGREES 25 MINUTES 16 SECONDS EAST, A DISTANCE OF 55.0 FEET; THENCE NORTHEASTERLY ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 844.92 FEET AND BEING TANGENT TO THE LAST DESCRIBED COURSE, (THE CHORD OF SAID CURVE BEARS NORTH 58 DEGREES 41 MINUTES 36 SECONDS EAST, 622.84 FEET) AN ARC DISTANCE OF 637.87 FEET; THENCE NORTHEASTERLY ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 935.43 FEET AND BEING TANGENT TO THE LAST DESCRIBED CURVE (THE CHORD OF SAID CURVE BEARS NORTH 34 DEGREES 41 MINUTES 37 SECONDS EAST 80.69 FEET), AN ARC DISTANCE OF 80.72 FEET; THENCE NORTHWESTERLY ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 406.94 FEET, AN ARC DISTANCE OF 33.11 FEET TO THE MOST SOUTHERLY CORNER OF LOT 300 IN SAID STEEPLE RUN, UNIT 1; THENCE NORTHWESTERLY ALONG THE STOUTWESTERLY LINE OF SAID LOT 300, BEING ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 406.94 FEET, TANGENT TO THE LAST DESCRIBED CURVE (THE CHORD OF SAID CURVE BEARS NORTH 28 DEGREES 28 MINUTES 44 SECONDS WEST, 314.05 FEET) AN ARC DISTANCE OF 322.41 FEET; THENCE NORTH 05 DEGREES 46 MINUTES, 54 SECONDS WEST ALONG THE STOUTHWESTERLY LINE OF SAID LOT 300, BEING TANGENT TO THE LAST DESCRIBED CURVE, A DISTANCE OF 59.28 FEET; THENCE NORTHWESTERLY TO THE LEFT HAVING A RADIUS OF 383.65 FEET, BEING

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TANGENT TO THE LAST DESCRIBED COURSE (THE CHORD OF SAID CURVE BEARS NORTH 33 DEGREES 43 MINUTES 55 SECONDS WEST, 359.64 FEET) AN ARC DISTANCE OF 374.31 FEET TO THE MOST WESTERLY CORNER OF SAID LOT 300 AND THE EASTERLY LING OF STEEPLE RUN DRIVE AS PLATTED IN SAID STEEPLE RUN, UNIT 1; THENCE NORTHWESTERLY ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 383.65 FEET, BEING TANGENT TO THE LAST OF SAID STEEPLE RUN DRIVE: THENCE SOUTH 22 DEGREES 19 MINUTES 59 SECONDS WEST ALONG SAID CENTER LINE OF STEEPLE RUN DRIVE, A DISTANCE OF 459.11 FEET TO THE PLACE OF BEGINNING. SUBJECT TO EASEMENTS OF INGRESS AND EGRESS OVER THAT PART OF THE SOUTH EASTERLY 33.0 FEET AND WESTERLY 40.0 FEET OF THE ABOVE DESCRIBED PROPERTY BY DOCUMENT NO. R72 50852, RECORDED AUGUST 24, 1972 IN THE RECORDER'S OFFICE OF DUPAGE COUNTY, ILLINOIS. ALL BEING SITUATED IN LISLE TOWNSHIP, DUPAGE COUNTY, ILLINOIS AND CONTAINING 10.000 ACRES, MORE OR LESS; and

BE IT FURTHER ORDAINED by the County Board of DuPage County, Illinois that should any section, clause or provision of this Ordinance be declared by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of the Ordinance as a whole or any part thereof, other than the part so declared to be invalid; and

BE IT FURTHER ORDAINED that a certified copy of this Ordinance be transmitted by the County Clerk to the DuPage County Finance Department; DuPage County Auditor; DuPage County Treasurer; Paul J. Hoss, Zoning; State's Attorney's Office; DuPage County Health Department; DuPage County Division of Transportation; SCHOOL DISTRICT NO. 203, 655 S. WEBSTER STREET, NAPERVILLE, IL 60540 / AGENT: WIGHT & COMPANY, 2500 N. FRONTAGE ROAD, DARIEN, IL 60561; and Township Assessor, Lisle Township, 4721 Indiana Avenue, Lisle, IL 60532

Enacted and approved this 22nd day of November, 2022 at Wheaton, Illinois.


DANIEL J. CRONIN, CHAIRMAN
DU PAGE COUNTY BOARD

Attest:


JEAN LACZMAREK, COUNTY CLERK

AYES 18
NAYS 0
ABSENT 0