



Development Ordinance

421 N. COUNTY FARM
ROAD
WHEATON, IL 60187
www.dupagecounty.gov

File #: DC-O-0065-24

Agenda Date: 12/3/2024

Agenda #: 12.B.

ORDINANCE

Zoning Petition ZONING-24-000071 INVEST A LITTLE, LLC.

WHEREAS, a public hearing was held on November 7, 2024 in the DuPage County Administration Building, 421 North County Farm Road, Wheaton, Illinois at 2:30 P.M. before the DuPage County Zoning Hearing Officer and notice of said hearing was duly given; and

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

Variation to reduce the front yard setback from 30 feet to approximately 22.7 feet for a new house on existing foundation, on the property hereinafter described:

LOT 422 IN ROBERT BARTLETT'S OAK MEADOWS SUBDIVISION UNIT 3, A SUBDIVISION OF LOT 1, EXCEPT THAT PART LYING NORTH OF THE SOUTH RIGHT OF WAY OF THE CHICAGO, AURORA AND ELGIN RAILROAD, ALL OF LOTS 2 THROUGH 15, BOTH INCLUSIVE AND PART OF LOTS 16 AND 17 OF WIAIT AND WHITNEY'S SURVEY AND PART OF THE NORTHEAST QUARTER OF SECTION 28, ALL IN SECTIONS 21 AND 28, TOWNSHIP 40 NORTH RANGE 9, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT OF SAID ROBERT BARTLETT'S OAK MEADOWS SUBDIVISION UNIT 3, AFORESAID, RECORDED ON SEPTEMBER 22, 1953 AS DOCUMENT 695749, IN DUPAGE COUNTY, ILLINOIS; and

WHEREAS, the Zoning Hearing Officer, having considered in relation to the above requested zoning petition presented at the above hearing and at the recommendation meeting held on November 20, 2024 does find as follows:

FINDINGS OF FACT:

- A. That petitioner testified that the subject zoning relief is to reduce the front yard setback from 30 feet to approximately 22.7 feet for a new house on existing foundation.
- B. That petitioner testified that he has owned the subject property for approximately one and a half (1.5) years and that he is not living at the property as there was a fire in the home.
- C. That petitioner testified that the existing home was originally constructed 22.7 feet from the front property line in 1961.
- D. That petitioner testified that as he is rehabilitating more than 50% of the existing home, technically the

Building and Zoning Department is considering the rehabilitation a new home on existing foundation.

- E. That petitioner testified that the home is structurally sound and that he is replacing most of the interior and half of the roof structure.
- F. That the Zoning Hearing Officer finds that petitioner has demonstrated sufficient evidence for a practical difficulty and particular hardship to support a Variation, as petitioner testified that as the proposed rehabilitation is more than 50% of the existing home, the construction is technically considered a new home on existing foundation.
- Furthermore, that the Zoning Hearing Officer finds that the home was constructed 22.7 feet from the front property line in 1961 and that petitioner is not altering the original foundation/exterior front walls.

STANDARDS FOR VARIATIONS:

1. That the Zoning Hearing Officer finds that petitioner **has demonstrated** that the granting of the Variation 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.
2. That the Zoning Hearing Officer finds that petitioner **has demonstrated** the granting of the Variation will not:
 - a. Impair an adequate supply of light and air to the adjacent property as petitioner **has demonstrated** that he is not altering the foundation/existing setbacks of the existing house and therefore will not impair an adequate supply of light and air to the adjacent properties.
 - b. Increase the hazard from fire or other dangers to said property as petitioner **has demonstrated** that he will receive a building permit for the proposed rehabilitation of the existing home and that it will be built pursuant to the current building codes.
 - c. Diminish the value of land and buildings throughout the County as petitioner **has demonstrated** that the proposed rehabilitation of the existing home will restore the fire damaged house and that the proposed construction will be an added benefit to the neighborhood and will not diminish the value of land and buildings throughout the County.
 - d. Unduly increase traffic congestion in the public streets and highways as petitioner **has demonstrated** that the proposed rehabilitation of the existing home will not unduly 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 proposed rehabilitation of the existing home will not increase the potential for flood damages to adjacent property.
 - f. Incur additional public expense for flood protection, rescue or relief as petitioner **has demonstrated** that the

proposed rehabilitation of the existing home will not incur additional public expense for flood protection, rescue, or relief.

- 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 rehabilitation of the existing home will not impair the public health, safety, comfort, morals, or general welfare and will be an added benefit to the neighborhood.

PETITIONER'S DEVELOPMENT FACT SHEET

GENERAL ZONING CASE INFORMATION		
CASE #/PETITIONER	ZONING-24-000071 INVEST A LITTLE, LLC.	
ZONING REQUEST	Variation to reduce the front yard setback from 30 feet to approximately 22.7 feet for a new house on existing foundation.	
OWNER	INVEST A LITTLE, LLC., 30W571 SHADY LANE, WEST CHICAGO, IL 60185/ INVEST A LITTLE, LLC., 353 HEMLOCK LANE, WEST CHICAGO, IL 60185	
ADDRESS/LOCATION	30W571 SHADY LANE, WEST CHICAGO, IL 60185	
PIN	01-28-102-010	
TWSP./CTY. BD. DIST.	WAYNE	DISTRICT 6
ZONING/LUP	R-3 SF RES	0-5 DU AC
AREA	0.4 ACRES (17,424 SQ. FT.)	
UTILITIES	WELL/SEPTIC	
PUBLICATION DATE	Daily Herald: OCTOBER 23, 2024	
PUBLIC HEARING	THURSDAY, NOVEMBER 7, 2024	
ADDITIONAL INFORMATION:		
Building:	No Objections.	
DUDOT:	Our office has no jurisdiction in this matter.	
Health:	No Objections with the concept of the petition. Additional information may be required at time of permit application. "FYI - a new home will require a new septic system."	
Stormwater:	No Objections with the concept of the petition. Additional information may be required at time of permit application.	
Public Works:	"DPC Public Works has no sewer or water in the area."	
EXTERNAL:		
City of West Chicago:	No Comments Received.	
Village of Wayne:	"No issue with this zoning matter. The residential property is south and not adjacent to Village boundary."	
Village of Bartlett:	No Comments Received.	
Wayne Township:	No Comments Received.	

Township Highway:	<i>No Comments Received.</i>
West Chicago Fire Dist.:	<i>No Comments Received.</i>
Sch. Dist. U-46:	<i>No Comments Received.</i>
Forest Preserve:	"We do not have any comments."

GENERAL BULK REQUIREMENTS:

REQUIREMENTS:	REQUIRED	EXISTING	PROPOSED
Front Yard:	30 FT	APPROX. 22.7 FT	APPROX. 22.7 FT

LAND USE

Location	Zoning	Existing Use	LUP
Subject	R-3 SF RES	HOUSE	0-5 DU AC
North	SHADY LANE AND BEYOND R-3 SF RES	HOUSE	0-5 DU AC
South	R-3 SF RES	HOUSE	0-5 DU AC
East	R-3 SF RES	HOUSE	0-5 DU AC
West	WOODLAND AVENUE AND BEYOND R-3 SF RES	HOUSE	0-5 DU AC

WHEREAS, the Zoning Hearing Officer, having considered in relation to the above and at the recommendation meeting held on November 20, 2024, recommends to approve the following zoning relief:

Variation to reduce the front yard setback from 30 feet to approximately 22.7 feet for a new house on existing foundation.

Subject to the following conditions:

1. That the property be developed in accordance with the petitioner's site plan made part of Zoning Petition # **ZONING-24-000071 INVEST A LITTLE** dated November 7, 2024.
2. That the owner/developer is to apply for and receive a Building Permit for all construction and/or excavation that occurs on the property.
3. That the property be developed in accordance with all other codes and Ordinances of DuPage County.

ZHO Recommendation to Approve

WHEREAS, the County Board Development Committee on December 3, 2024, considered the above findings and recommendations of the Zoning Hearing Officer and recommends to concur with the findings and recommends to

approve the following zoning relief:

Variation to reduce the front yard setback from 30 feet to approximately 22.7 feet for a new house on existing foundation.

Subject to the following conditions:

1. That the property be developed in accordance with the petitioner's site plan made part of Zoning Petition # **ZONING-24-000071 INVEST A LITTLE** dated November 7, 2024.
2. That the owner/developer is to apply for and receive a Building Permit for all construction and/or excavation that occurs on the property.
3. That the property be developed in accordance with all other codes and Ordinances of DuPage County.

Development Committee VOTE (Motion to Approve): 5 Ayes, 0 Nays, 1 Absent

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

Variation to reduce the front yard setback from 30 feet to approximately 22.7 feet for a new house on existing foundation, on the property hereinafter described:

LOT 422 IN ROBERT BARTLETT'S OAK MEADOWS SUBDIVISION UNIT 3, A SUBDIVISION OF LOT 1, EXCEPT THAT PART LYING NORTH OF THE SOUTH RIGHT OF WAY OF THE CHICAGO, AURORA AND ELGIN RAILROAD, ALL OF LOTS 2 THROUGH 15, BOTH INCLUSIVE AND PART OF LOTS 16 AND 17 OF WIAIT AND WHITNEY'S SURVEY AND PART OF THE NORTHEAST QUARTER OF SECTION 28, ALL IN SECTIONS 21 AND 28, TOWNSHIP 40 NORTH RANGE 9, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT OF SAID ROBERT BARTLETT'S OAK MEADOWS SUBDIVISION UNIT 3, AFORESAID, RECORDED ON SEPTEMBER 22, 1953 AS DOCUMENT 695749, IN DUPAGE COUNTY, ILLINOIS; and

The Zoning Relief is subject to the following conditions:

1. That the property be developed in accordance with the petitioner's site plan made part of Zoning Petition # **ZONING-24-000071 INVEST A LITTLE** dated November 7, 2024.
2. That the owner/developer is to apply for and receive a Building Permit for all construction and/or excavation that occurs on the property.
3. That the property be developed in accordance with all other codes and Ordinances of DuPage County.

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; INVEST A LITTLE, LLC., 30W571 SHADY LANE, WEST CHICAGO, IL 60185/ INVEST A LITTLE, LLC., 353 HEMLOCK LANE, WEST CHICAGO, IL 60185; and Township Assessor, Wayne Township, 27W031 North Avenue, West Chicago, IL 60185.

Enacted and approved this 10th of December, 2024 at Wheaton, Illinois.



DEBORAH A. CONROY, CHAIR
DU PAGE COUNTY BOARD

Attest:



JEAN KACZMAREK, COUNTY CLERK