



Development Ordinance

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

File #: DC-O-0006-25

Agenda Date: 1/21/2025

Agenda #: 12.E.

Zoning Petition T-3-2024
(Waive First Reading)

WHEREAS, a public hearing was held on December 10, 2024 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 text amendment:

T-3-24 proposed Text Amendments to the DuPage County Zoning Ordinance relative to the principal arterial conversion of a single dwelling unit into not more than two (2) dwelling units; and

WHEREAS, the Zoning Board of Appeals, having considered in relation to the above requested text amendment presented at the above hearing and at the recommendation meeting held on January 9, 2025 does find as follows:

FINDINGS OF FACT:

1. That the Zoning Board of Appeals finds that over the past several months, County Board members have asked staff to research various housing topics relevant to their constituents. In response, staff has completed the research and developed the proposed text amendment to the DuPage County Zoning Ordinance regarding the principal arterial conversion of a single dwelling unit into not more than two (2) dwelling units.
2. That the Zoning Board of Appeals finds that on November 19, 2024, the Development Committee voted to direct staff to present the proposed text amendment for consideration at a public hearing before the Zoning Board of Appeals.
3. That the Zoning Board of Appeals finds that Text Amendment T-3-24 was presented during a public hearing held on December 10, 2024, before the Zoning Board of Appeals. The proposed text amendments, which pertain to the conversion of a single dwelling unit into no more than two (2) dwelling units along principal arterial roadways, are considered vital to the County's ongoing efforts to promote sustainable development. These amendments are aligned with the County's broader goals of protecting and enhancing the health, welfare, and safety of its residents, while also addressing the evolving housing needs of the community

WHEREAS, the Zoning Board of Appeals, having considered in relation to the above and at the recommendation meeting held on January 9, 2025, recommends to approve the following text amendment:

T-3-24 proposed Text Amendments to the DuPage County Zoning Ordinance relative to the principal arterial conversion of a single dwelling unit into not more than two (2) dwelling units.

ZBA VOTE (to Approve): 7 Ayes, 0 Nays, 0 Absent

WHEREAS, the County Board Development Committee on January 21, 2025, considered the above findings and recommendations of the Zoning Board of Appeals and recommends to concur with the findings and recommends to approve the following text amendment:

T-3-24 proposed Text Amendments to the DuPage County Zoning Ordinance relative to the principal arterial conversion of a single dwelling unit into not more than two (2) dwelling units.

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

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

T-3-24 proposed Text Amendments to the DuPage County Zoning Ordinance relative to the principal arterial conversion of a single dwelling unit into not more than two (2) dwelling units; 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; and DuPage County Division of Transportation.

Enacted and approved this 28th day of January, 2025 at Wheaton, Illinois.



DEBORAH A. CONROY, CHAIR
DU PAGE COUNTY BOARD

Attest:



JEAN KACZMAREK, COUNTY CLERK

EXHIBIT A.

Add to and Amend Section 37-418: HOME OCCUPATIONS, PRINCIPAL ARTERIAL OFFICE USE, AND PRINCIPAL ARTERIAL CONVERSION OF A SINGLE DWELLING INTO TWO (2) DWELLING UNITS.

37-418.1: HOME OCCUPATIONS, PRINCIPAL ARTERIAL OFFICE USE, AND PRINCIPAL ARTERIAL CONVERSION OF A SINGLE DWELLING INTO TWO (2) DWELLING UNITS.

C. PRINCIPAL ARTERIAL CONVERSION OF A SINGLE DWELLING INTO TWO (2) DWELLING UNITS REQUIREMENTS:

1. The principal arterial dwelling conversion use shall be subject to the following:

- a. **The property is zoned in a R-3 or R-4 Single Family Residential Dwelling District:**
- b. **The property fronts on a designated principal arterial roadway as follows:**
 - **Illinois Route 59,**
 - **County Farm Road,**
 - **Main Street - Wheaton between Illinois Route 38 (Roosevelt Road) to Illinois Route 64 (North Avenue),**
 - **Illinois Route 64 (North Avenue),**
 - **Naperville-Wheaton Road, Naper Boulevard,**
 - **Illinois Route 53 south of Illinois Route 38 (Roosevelt Road),**
 - **Illinois Route 83 (Kingery Highway),**
 - **Illinois Route 19 (Irving Park Road),**
 - **U.S. Route 20 (Lake Street),**
 - **Illinois Route 38 (Roosevelt Road),**
 - **22nd Street from Interstate 294 to Illinois Route 56 (Butterfield Road)**
 - **Illinois Route 56 (Butterfield Road) from 22nd Street west to the DuPage-Kane county line,**
 - **U.S. Route 34 (Ogden Avenue) from DuPage-Cook county line to North Aurora Avenue and from 75th Street to the DuPage-Kane county line,**
 - **North Aurora Avenue from U.S. Route 34 (Ogden Avenue) to Illinois Route 59,**
 - **75th Street from U.S. Route 34 (Ogden Avenue) to Illinois Route 83,**

- Army Trail Road from U.S. Route 20 (Lake Street) to the DuPage-Kane County line, and
- Lemont Road
- c. The property takes direct and exclusive access to the Principal Arterial Roadway.
- d. The property is not defined as a reserve lot.
- e. The property is not part of a planned unit development.

2. The principal arterial dwelling conversion use shall be subject to the following site requirements:

- a. The principal buildings or structures in which the principal arterial conversion is located shall be subject to the front, side, and rear setbacks of the applicable single-family residential zoning district.
- b. The principal arterial dwelling conversion shall only be for the principal building.
- c. All building facades of the principal building shall maintain the existing single-family residential character of the structure.
 - 1. Other than necessary building code requirements to convert the dwelling into not more than two (2) dwelling units, the exterior of the existing dwelling unit may only be altered or rehabilitated provided the alteration is a nonstructural repair of the building including the replacement of the roof covering, veneering or outer walls and incidental repairs which do not extend or intensify the existing dimensions of the building.
 - 2. The building, however, shall not be enlarged, expanded, or extended.
 - 3. Repairs and alterations may be made to the exterior or interior of the building to return the building to a safe condition in accordance with the county codes.
 - 4. The principal building shall be oriented toward the principal arterial roadway.
 - 5. The principal building shall have been constructed prior to the effective date of this Ordinance Amendment.
- d. Existing landscaping on the site shall be preserved and maintained.
- e. Parking requirements shall be based upon the current parking requirements for a two-family dwelling. All other parking requirements for the principal arterial dwelling conversion use shall be provided per the minimum requirements of article XII, "Off Street Parking And Loading Requirements," of this chapter.
- f. The principal arterial dwelling conversion use shall be subject to landscape review.
- g. All driveways, parking areas and refuse containers shall require a full landscape screen and the remainder of the property shall maintain at least a partial landscape screen around the structures on the property used for the principal arterial dwelling conversion use as well as any additional landscape requirements within the respective single-family residential zoning district.
- h. The building conversion and use shall meet all other DuPage County Codes for such uses.
- i. Property owners meeting the requirements and qualifications and intending to conduct a principal

arterial dwelling conversion use on their premises shall require a building permit from the DuPage County prior to the conversion.

- j. One of the dwelling units in the Principal Arterial Conversion shall be occupied by the owner of the property

Add to R-3 and R-4 Single Family Zoning Districts as a Permitted Use:

Principal arterial conversion of a single dwelling into two (2) dwelling units.

END