

Ordinance

DC-O-0025-19

Zoning Petition Z18-077 Baab

WHEREAS, a public hearing was held on March 20, 2019 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:

1. Variation to locate a detached accessory structure (detached garage) in front of the front wall of the house.
2. Variation to increase the height for a detached accessory structure (detached garage) from 15 feet to 18 feet, on the property hereinafter described:

LOT FIVE (5) IN BLOCK THREE (3) IN ARTHUR T. MCINTOSH AND COMPANY'S LISLE FARMS, BEING A SUBDIVISION OF LOTS 2 TO 12 INCLUSIVE, EXCEPT PARTS OF 10 AND 11 OF ASSESSMENT PLAT OF PARTS OF SECTIONS 10, 11, 14, AND 15, TOWNSHIP 38 NORTH, RANGE 10 EAST OF THE THIRD PRINCIPAL MERIDIAN, DUPAGE COUNTY, ILLINOIS TOGETHER WITH THE TENEMENTS AND APPURTENANCES THEREUNTO BELONGING; 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 March 20, 2019 does find as follows:

FINDINGS OF FACT:

- A. The Hearing Officer finds that petitioner has demonstrated evidence for a Variation to locate a detached accessory structure (detached garage) in front of the front wall of the house and Variation to increase the height for a detached accessory structure (detached garage) from 15 feet to 18 feet.
- B. The Hearing Officer finds that petitioner has demonstrated that due to the location of floodplain on the subject property, the only location to place a detached garage on the subject property is in front of the front wall of the house.
- C. The Hearing Officer finds that petitioner has demonstrated evidence for a Variation to increase the height for a detached accessory structure (detached garage) from 15 feet to 18

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feet, for increased storage, due to the size of the principal building on the subject property (less than 1,000 sq. ft.) with no attached garage, causing limited storage on the subject property.

- D. That petitioner testified that he has owned the subject property for approximately two (2) years.
- E. That petitioner testified that he moved the subject detached garage onto the subject property.
- F. That petitioner testified that the subject detached garage stores petitioner's two (2) vehicles, as well as petitioner's household accessory equipment, such as a lawn tractor and garden tools.
- G. That petitioner testified that the subject detached garage is not serviced with heat or plumbing, and that the garage will maintain lighting typically found on a residential garage.
- H. That petitioner testified that there is no business operated on the subject property or out of the subject detached garage.
- I. That petitioner has demonstrated that adjacent property owners have signed a petition in support of Z18-077 Baab and do not object to a Variation to locate a detached accessory structure (detached garage) in front of the front wall of the house and Variation to increase the height for a detached accessory structure (detached garage) from 15 feet to 18 feet.
- J. The Hearing Officer finds that petitioner has demonstrated that the existing detached garage does not have any impact on adjacent properties and roadways; does not impact drainage; and does not impede on the supply of air and light to the subject or adjacent properties.

GENERAL ZONING CASE INFORMATION
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CASE #/PETITIONER	Z18-077 Baab	
ZONING REQUEST	1. Variation to locate a detached accessory structure (detached garage) in front of the front wall of the house. 2. Variation to increase the height for a detached accessory structure (detached garage) from 15 feet to 18 feet.	
OWNER	KEVIN BAAB, 6722 DALE ROAD, DARIEN, IL 60561	
ADDRESS/LOCATION	5608 RIVERVIEW DRIVE, LISLE, IL 60532	
PIN	08-15-206-012	
TWSP./CTY. BD. DIST.	Lisle	District 2
ZONING/LUP	R-4 SF RES	0-5 DU AC
AREA	0.69 (30,056 sq. ft.)	
UTILITIES	Well and Septic	
PUBLICATION DATE	Daily Herald: March 5, 2019	
PUBLIC HEARING	Wednesday, March 20, 2019	
<u>ADDITIONAL INFORMATION:</u>		
Building:	No Objections.	
DUDOT:	Our office has no jurisdiction in this matter.	
Health:	No Objections.	
Stormwater:	No Objections with the concept of the petition. Additional information may be required at time of permit application. (See attached documentation)	
Public Works:	No Comment.	
EXTERNAL:		
Village of Lisle:	No Comment.	
Village of Downers Grove:	Our office has no jurisdiction in this matter and has no comments.	
Village of Woodridge:	No Comment.	
Lisle Township:	No Comment.	

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Township Highway:	No Comment.
Lisle-Woodridge Fire Dist.:	"N/A"
Sch. Dist. 202:	No Comment.
Forest Preserve:	No Comment.

GENERAL BULK REQUIREMENTS:

REQUIREMENTS:	REQUIRED	EXISTING	PROPOSED
E. Front Yard:	In front wall and at least 30 FT	In front of the front wall & APPROX. 66 FT	In front of the front wall & APPROX. 66 FT
N. Int. Side Yard:	10 FT	APPROX. 51 FT	APPROX. 51 FT
S. Int. Side Yard:	10 FT	APPROX 23 FT	APPROX 23 FT
W. Rear Yard:	3 FT	APPROX. 203 FT	APPROX. 203 FT
Height:	15 FT	APPROX. 18 FT	APPROX. 18 FT

LAND USE

Location	Zoning	Existing Use	LUP
Subject	R-4 SF RES	Residential	0-5 DU AC
North	R-4 SF RES	Residential	0-5 DU AC
South	Village of Lisle	Residential	Village of Lisle
East	Riverview Drive and Village of Lisle	Residential	Village of Lisle
West	Village of Lisle	Golf Course	Village of Lisle

WHEREAS, the Zoning Hearing Officer, having considered in relation to the above and at the recommendation meeting held on March 20, 2019 recommends to approve the following zoning relief:

1. Variation to locate a detached accessory structure (detached garage) in front of the front wall of the house.

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2. Variation to increase the height for a detached accessory structure (detached garage) from 15 feet to 18 feet.

Subject to the following conditions:

1. That the Variation zoning relief is for the existing detached garage only, as depicted on petitioner's site plan made part of Zoning Petition Z18-077 Baab on March 20, 2019.
2. That the owner/developer is to apply for and receive a Building Permit for all construction and/or excavation relative to the existing detached garage on the subject property.
3. That the property be developed in accordance with all other codes and Ordinances of DuPage County.

WHEREAS, the County Board Development Committee on May 7, 2019, 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:

1. Variation to locate a detached accessory structure (detached garage) in front of the front wall of the house.
2. Variation to increase the height for a detached accessory structure (detached garage) from 15 feet to 18 feet.

Subject to the following conditions:

1. That the Variation zoning relief is for the existing detached garage only, as depicted on petitioner's site plan made part of Zoning Petition Z18-077 Baab on March 20, 2019.
2. That the owner/developer is to apply for and receive a Building Permit for all construction and/or excavation relative to the existing detached garage on the subject property.
3. That the property be developed in accordance with all other codes and Ordinances of DuPage County.

DuPage County Development Committee Vote to Approve: 5 Ayes, 0 Nays, 1 Absent

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

1. Variation to locate a detached accessory structure (detached garage) in front of the front wall of the house.
2. Variation to increase the height for a detached accessory structure (detached garage) from 15 feet to 18 feet, on the property hereinafter described:

LOT FIVE (5) IN BLOCK THREE (3) IN ARTHUR T. MCINTOSH AND COMPANY'S LISLE FARMS, BEING A SUBDIVISION OF LOTS 2 TO 12 INCLUSIVE, EXCEPT PARTS OF 10 AND 11 OF ASSESSMENT PLAT OF PARTS OF SECTIONS 10, 11, 14, AND 15, TOWNSHIP 38 NORTH, RANGE 10 EAST OF THE THIRD PRINCIPAL MERIDIAN, DUPAGE COUNTY, ILLINOIS TOGETHER WITH THE TENEMENTS AND APPURTENANCES THEREUNTO BELONGING; and

The Zoning Relief is subject to the following conditions:

1. That the Variation zoning relief is for the existing detached garage only, as depicted on petitioner's site plan made part of Zoning Petition Z18-077 Baab on March 20, 2019.
2. That the owner/developer is to apply for and receive a Building Permit for all construction and/or excavation relative to the existing detached garage on the subject 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

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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; KEVIN BAAB, 6722 DALE ROAD, DARIEN, IL 60561; and Township Assessor, Lisle Township, 4721 Indiana Avenue, Lisle, IL 60532

Enacted and approved this 14th day of May 14, 2019 at Wheaton, Illinois.


JAMES F. ZAY VICE-CHAIRMAN
DU PAGE COUNTY BOARD

Attest:


JEAN KACZMAREK, COUNTY CLERK

Ayes 18

Nays 0