



Development Ordinance

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

File #: DC-O-0017-25

Agenda Date: 4/15/2025

Agenda #: 12.A.

Zoning Petition ZONING-25-000005 Friedman

WHEREAS, a public hearing was held on March 5, 2025 and March 19, 2025 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:

Conditional Use to increase the total permitted area of detached accessory buildings from 1,000 sq. ft. to approximately 1,381 sq. ft., for an existing detached garage and shed, on the property hereinafter described:

LOT 19 IN BLOCK 1 IN GLENBARD ACRE HOMESITES, BEING A SUBDIVISION IN THE NORTH HALF OF SECTION 24C, TOWNSHIP 39 NORTH, RANGE 10, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED FEBRUARY 8, 1923 AS DOCUMENT 162673, 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 April 2, 2025 does find as follows:

FINDINGS OF FACT:

- A. That petitioner testified that the zoning relief is to allow a Conditional Use to increase the total permitted area of detached accessory buildings from 1,000 sq. ft. to approximately 1,381 sq. ft., for an existing detached garage and shed.
- B. That petitioner testified that he purchased the subject property in October 2020.
- C. That petitioner testified that when he purchased the subject property, there was an existing shipping container on the property that he plans to convert into a shed with siding and roofing.
- D. That petitioner testified that he will not add any additional structures to the subject property and that the subject zoning relief is for the existing detached garage and shipping container that will be converted into a shed.
- E. That petitioner testified that no business will be ran out of the proposed shed and that no utilities will service the proposed shed.

- F. That the Zoning Hearing Officer finds that petitioner has demonstrated sufficient evidence for a Conditional Use to increase the total permitted area of detached accessory buildings from 1,000 sq. ft. to approximately 1,381 sq. ft., for an existing detached garage and shed, and that the proposed shed will not have any impact on adjacent properties and roadways, will not impact on drainage, will not impede ventilation and light to the subject property or adjacent properties.

STANDARDS FOR CONDITIONAL USES:

1. That the Zoning Hearing Officer 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 shed will be located in the same location as the existing shipping container on the property, which is located in the rear of the subject property, which does not impact the supply of light and air to adjacent properties.
 - b. Increase the hazard from fire or other dangers to said property as petitioner **has demonstrated** that he will obtain a building permit for the proposed shed and that it will be built in accordance with all building codes.
 - c. Diminish the value of land and buildings throughout the County as petitioner **has demonstrated** that the proposed shed will be converted from an existing shipping container, thereby removing the shipping container from the subject property, which will improve 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 shed will be located completely in the rear of the subject property and 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 shed 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 shed 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 shed will be converted from an existing shipping container on the subject property, and that through the building permit process, petitioner will convert the shipping container into a shed, including siding and roofing, which will be an added benefit to the neighborhood.

PETITIONER'S DEVELOPMENT FACT SHEET

GENERAL ZONING CASE INFORMATION		
CASE #/PETITIONER	ZONING-25-000005 Friedman	
ZONING REQUEST	Conditional Use to increase the total permitted area of detached accessory buildings from 1,000 sq. ft. to approximately 1,381 sq. ft., for an existing detached gara and shed.	
OWNER	MARK FRIEDMAN, 1261 S LLOYD AVENUE, LOMBARD, IL 60148	
ADDRESS/LOCATION	1261 S LLOYD AVENUE, LOMBARD, IL 60148	
PIN	05-24-208-018	
TWSP./CTY. BD. DIST.	MILTON	DISTRICT 4
ZONING/LUP	R-4	0-5 DU AC
AREA	0.45 ACRES (19,602 SQ. FT.)	
UTILITIES	WELL/SEPTIC	
PUBLICATION DATE	Daily Herald: FEBRUARY 18, 2025	
PUBLIC HEARING	WEDNESDAY, MARCH 5, 2025, CONTINUED TO MARCH 19, 2025	
ADDITIONAL INFORMATION:		
Building:	No Objection.	
DUDOT:	No Comments Received.	
Health:	No Objection.	
Stormwater:	No Objection.	
Public Works:	"DPC Public Works doesn't own any sewer or water mains in the area."	
EXTERNAL:		
Village of Lombard:	See attached documentation.	
Village of Glen Ellyn:	No Comments Received.	
Village of Downers Grove:	"The Village of Downers Grove has no comments."	
Milton Township:	No Comments Received.	
Township Highway:	No Objections with the concept of the petition. Additional information may be required at time of permit application.	
Glenbard Fire Dist/Lombard Fire.:	No Objection.	
Sch. Dist. 89:	No Comments Received.	
Sch. Dist. 87:	No Comments Received.	
Forest Preserve:	No Comments Received.	

GENERAL BULK REQUIREMENTS:

REQUIREMENTS:	REQUIRED	EXISTING	PROPOSED
Floor Area Ratio:	1,000 SQ. FT.	APPROX. 1,381 SQ. FT.	APPROX. 1,381 SQ. FT.

LAND USE:

Location	Zoning	Existing Use	LUP
Subject	R-4 SF RES	HOUSE	0-5 DU AC
North	R-4 SF RES	HOUSE	0-5 DU AC
South	R-4 SF RES	HOUSE	0-5 DU AC
East	VILLAGE OF LOMBARD	MULTI-FAM	VILLAGE OF LOMBARD
West	LLOYD AVENUE AND BEYOND R-4 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 April 2, 2025, recommends to approve the following zoning relief:

Conditional Use to increase the total permitted area of detached accessory buildings from 1,000 sq. ft. to approximately 1,381 sq. ft., for an existing detached garage and shed.

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-25-000005 Friedman** dated March 19, 2025.
2. That the Conditional Use zoning relief shall expire after ten (10) years from the date of approval of the subject zoning relief by the DuPage County Board or upon one of the following circumstances, whichever shall come first:
 - a. The structure or use is destroyed or damaged by fire or other casualty or act of God to the extent that the cost of restoration for the above ground portion of the building, structure, or use to the condition it was prior to the destruction or damage exceeds fifty percent (50%) or more of its replacement value.
 - b. The structure is voluntarily removed.

3. That owner/developer is not permitted to operate a business out of the subject shed and can only be used for domestic storage.
4. That the owner/developer is to apply for and receive a Building Permit for all construction and/or excavation that occurs on the property.
5. That petitioner maintains the existing landscaping around the perimeter of the subject property.
6. 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 April 15, 2025, 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:

Conditional Use to increase the total permitted area of detached accessory buildings from 1,000 sq. ft. to approximately 1,381 sq. ft., for an existing detached garage and shed.

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-25-000005 Friedman** dated March 19, 2025.
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 - a. The structure or use is destroyed or damaged by fire or other casualty or act of God to the extent that the cost of restoration for the above ground portion of the building, structure, or use to the condition it was prior to the destruction or damage exceeds fifty percent (50%) or more of its replacement value.
 - b. The structure is voluntarily removed.
3. That owner/developer is not permitted to operate a business out of the subject shed and can only be used for domestic storage.
4. That the owner/developer is to apply for and receive a Building Permit for all construction and/or excavation that occurs on the property.
5. That petitioner maintains the existing landscaping around the perimeter of the subject property.

6. 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:

Conditional Use to increase the total permitted area of detached accessory buildings from 1,000 sq. ft. to approximately 1,381 sq. ft., for an existing detached garage and shed, on the property hereinafter described:

LOT 19 IN BLOCK 1 IN GLENBARD ACRE HOMESITES, BEING A SUBDIVISION IN THE NORTH HALF OF SECTION 24C, TOWNSHIP 39 NORTH, RANGE 10, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED FEBRUARY 8, 1923 AS DOCUMENT 162673, 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-25-000005 Friedman** dated March 19, 2025.
2. That the Conditional Use zoning relief shall expire after ten (10) years from the date of approval of the subject zoning relief by the DuPage County Board or upon one of the following circumstances, whichever shall come first:
 - a. The structure or use is destroyed or damaged by fire or other casualty or act of God to the extent that the cost of restoration for the above ground portion of the building, structure, or use to the condition it was prior to the destruction or damage exceeds fifty percent (50%) or more of its replacement value.
 - b. The structure is voluntarily removed.
3. That owner/developer is not permitted to operate a business out of the subject shed and can only be used for domestic storage.
4. That the owner/developer is to apply for and receive a Building Permit for all construction and/or excavation that occurs on the property.
5. That petitioner maintains the existing landscaping around the perimeter of the subject property.
6. 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; MARK FRIEDMAN, 1261 S LLOYD AVENUE, LOMBARD, IL 60148; and Township Assessor, Milton Township, 1492 N. Main Street, Wheaton, IL 60187.

Enacted and approved this 22nd day of April, 2025 at Wheaton, Illinois.



DEBORAH A. CONROY, CHAIR
DU PAGE COUNTY BOARD

Attest:



JEAN KACZMAREK, COUNTY CLERK