

VILLAGE OF OWNERS GROVE
Report for the Village
9/9/2025

SUBJECT:	SUBMITTED BY:
4909 and 4915 Pershing Avenue - Lot Reconfiguration with a Variation	Stan Popovich, AICP Director of Community Development

SYNOPSIS

The petitioner is requesting approval of a lot reconfiguration for 4909 and 4915 Pershing Avenue with a variance to permit a north side yard setback at 4909 Pershing Avenue to be 4.85 feet from the north property line where nine (9) feet would be required.

STRATEGIC PLAN ALIGNMENT

The Goals for 2023 to 2025 include *Exceptional Municipal Services*.

FISCAL IMPACT

N/A

UPDATE & RECOMMENDATION

This item was discussed at the September 2, 2025 Village Council meeting. Staff recommends approval on the September 9, 2025 active agenda per the Planning and Zoning Commission's unanimous 6:0 positive recommendation. The Planning and Zoning Commission found that the proposal is compatible with the Comprehensive Plan and meets the standards and review criteria per Section 28.12.090(g).

BACKGROUND

Property Information and Zoning Request

The subject properties, commonly known as 4909 and 4915 Pershing Avenue, are zoned R-3, Residential Detached House 3, and both are improved with single-family homes. The property at 4909 Pershing Avenue is 60 feet wide, while the 4915 Pershing Avenue property is 120 feet wide. The petitioner is proposing to shift the lots' shared interior lot line 30 feet to the south, creating two equally sized lots with widths of 90 feet.

Currently, there are three non-conforming items associated with this petition:

- The 60 foot wide 4909 Pershing Avenue lot does not meet the minimum 75 foot lot width requirement of the R-3 zoning district.
- The existing house at 4909 Pershing Avenue is setback 4.85 feet from the north property line where six (6) feet is required.

- The existing house at 4915 Pershing Avenue is setback 5.62 feet from the south property line where 12 feet is required.

The proposed reconfiguration would result in:

- The 4909 Pershing Avenue lot width become conforming.
- The existing non-conforming setback (4.85 feet) at 4909 Pershing will increase as the side yard setback requirement will now be nine (9) feet.
- The existing non-conforming setback (5.62 feet) at 4915 will be reduced as the side yard setback requirement will now be nine (9) feet.

Compliance with the Zoning Ordinance

As noted above, the proposed request would result in the elimination of a non-conforming lot width for 4909 Pershing Avenue, while also improving the non-conforming setback for 4915 Pershing Avenue. Properties containing setback encroachments and non-conforming lot widths exist throughout the Village and in this neighborhood. To meet the Zoning Ordinance requirements for administrative approval of the proposed lot reconfiguration, the petitioner would need to demolish the existing structure on 4909 Pershing Avenue.

Public Comment

Staff received no public comment regarding this petition.

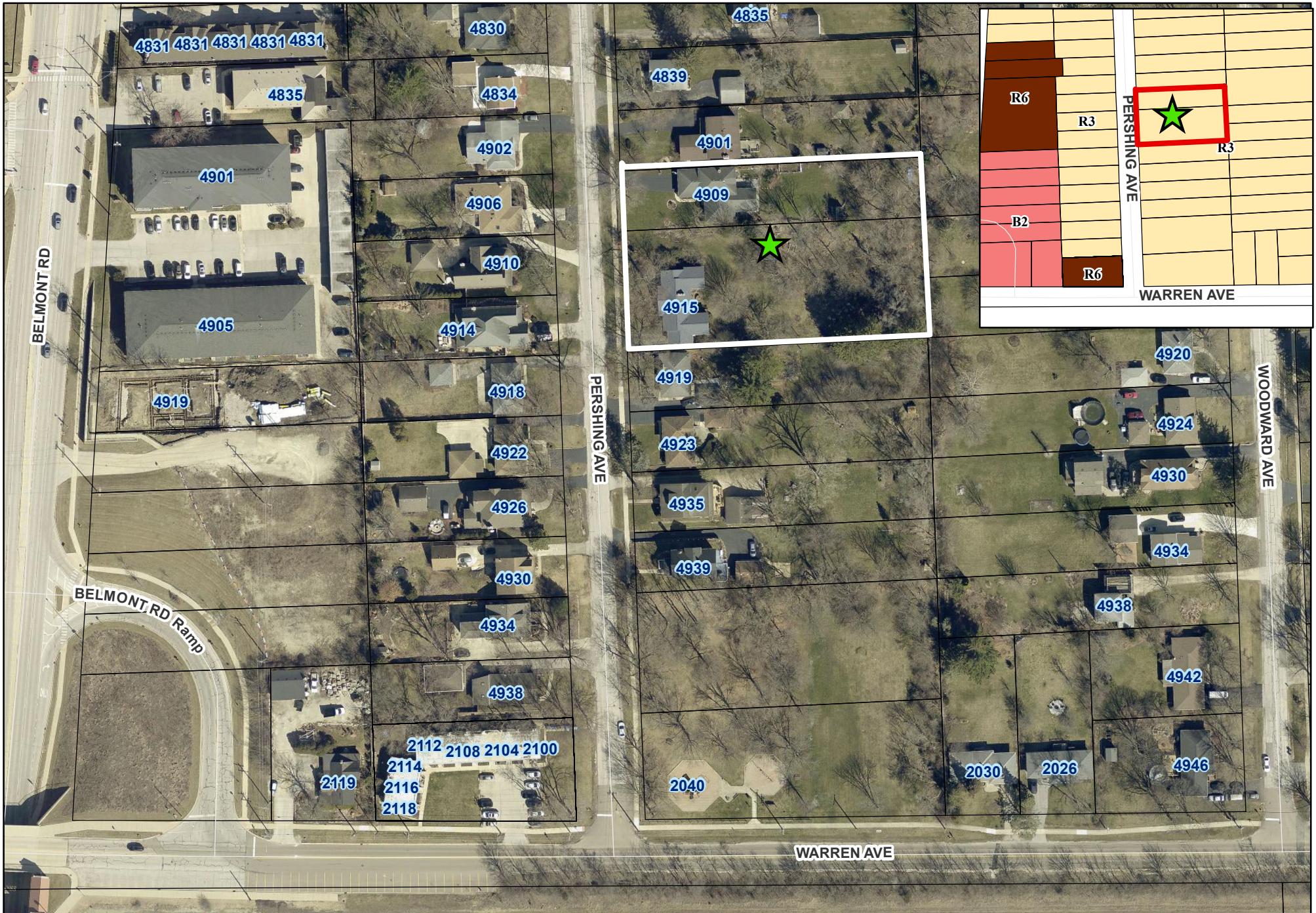
ATTACHMENTS

Aerial Map

Ordinance

Staff Report with attachments dated August 4, 2025

Draft Minutes of the Planning and Zoning Commission Hearing dated August 4, 2025



0 75 150 Feet

4915 & 4909 Pershing Avenue - Location Map

Subject Property
 Site Location

VILLAGE OF DOWNERS GROVE
COUNCIL ACTION SUMMARY

INITIATED: Village Attorney **DATE:** September 9, 2025
(Name)

RECOMMENDATION FROM: _____ **FILE REF:** _____
(Board or Department)

NATURE OF ACTION: **STEPS NEEDED TO IMPLEMENT ACTION:**

- | | |
|---|---|
| <input checked="" type="checkbox"/> Ordinance | Motion to Adopt "AN ORDINANCE AUTHORIZING A LOT RECONFIGURATION WITH A VARIATION FOR THE PROPERTIES LOCATED AT 4909 PERSHING AVENUE AND 4915 PERSHING AVENUE, DOWNERS GROVE, ILLINOIS", as presented. |
| <input type="checkbox"/> Resolution | |
| <input type="checkbox"/> Motion | |
| <input type="checkbox"/> Other | |

gjt

SUMMARY OF ITEM:

Adoption of this ordinance shall authorize a lot configuration with a variation for the properties located at 4909 and 4915 Pershing Avenue.

RECORD OF ACTION TAKEN:

ORDINANCE NO. _____

**AN ORDINANCE AUTHORIZING A LOT RECONFIGURATION WITH A VARIATION
FOR THE PROPERTIES LOCATED AT 4909 PERSHING AVENUE AND
4915 PERSHING AVENUE, DOWNSERS GROVE, ILLINOIS**

WHEREAS, the owners of the property located at 4909 Pershing Avenue (Parcel 1, PIN: 08-12-213-042, legally described in Exhibit A) and the owners of the property located at 4915 Pershing Avenue (Parcel 2, PIN: 08-12-213-011, legally described in Exhibit A), Downers Grove, Illinois have petitioned for a Lot Reconfiguration pursuant to Section 20-601 of the Downers Grove Municipal Code to transfer a portion of land from 4915 Pershing Avenue (Parcel 2) to 4909 Pershing Avenue (Parcel 1); and

WHEREAS, a Lot Reconfiguration with a variation must be approved by the Downers Grove Village Council in accordance with Section 20-601; and

WHEREAS, upon approval of the requested lot reconfiguration with a variance, that the 4909 Pershing Avenue (Parcel 1) will have an increase in lot width by approximately thirty feet (30') for a total of ninety feet (90') feet and 4915 Pershing Avenue (Parcel 2) property will have a decrease in lot width from one hundred twenty feet (120') to ninety feet (90'); and

WHEREAS, the reconfigured parcels would result in required nine foot (9') side setbacks for both lots and 4909 Pershing Avenue would maintain the existing non-conforming setback of 4.85 feet and 4915 Pershing Avenue would maintain the existing non-conforming setback of 5.62 feet; and

WHEREAS, the Planning and Zoning Commission has provided the required public notice and has conducted a public hearing respecting the proposed lot reconfiguration with variation in accordance with the statutes of the State of Illinois and the ordinances of the Village of Downers Grove and has reported its findings and recommendations to the Village Council of the Village of Downers Grove pursuant to the provisions of the Downers Grove Municipal Code; and

WHEREAS, the Planning and Zoning Commission has recommended that the lot reconfiguration with variation be granted for the 4909 Pershing Avenue (Parcel 1) and the 4915 Pershing Avenue (Parcel 2) properties.

NOW, THEREFORE, BE IT ORDAINED, by the Council of the Village of Downers Grove, DuPage County, as follows:

SECTION 1. That the provisions of the preamble are incorporated into this ordinance.

SECTION 2. That the lot reconfiguration is hereby approved to permit the transfer of approximately thirty feet (30') from 4915 Pershing Avenue (Parcel 2) to 4909 Pershing Avenue (Parcel 1).

SECTION 3. That the Village Council finds that the evidence presented in support of said petition, as stated in the aforesaid findings and recommendations of the Plan Commission, is such as to establish that the following standards for granting a variation per Section 28.12.090.G have been met:

- (1) No variation may be approved unless the variation to be approved is consistent with the spirit and intent of this zoning ordinance and that strict compliance with the subject provisions would result in practical difficulties or particular hardships for the subject property owner.
- (2) The consideration of whether a variation request has met the standards of practical difficulties or particular hardships must include all of the following findings from the evidence presented:
 - a. the subject property cannot yield a reasonable return if required to comply with the regulations that apply to it;
 - b. the plight of the owner is due to unique circumstances; and
 - c. the variation, if granted, will not alter the essential character of the locality.

SECTION 4. That the Lot Reconfiguration, with a Variation, is subject to the following conditions:

- a. The properties shall be reconfigured into two (2) parcels and shall be in general conformance with the "Proposed Plat of Reconfiguration" plats dated December 19, 2024, attached hereto and incorporated herein as Exhibit B.
- b. The shed that is currently located on the 4915 Pershing Avenue property shall be demolished prior to the recording of the plat of reconfiguration.

- c. A copy of this ordinance with attachments shall be recorded in the Office of the Recorder of Deeds for DuPage County, at the expense of the applicant.
- d. This recommendation is further conditioned that it is the Petitioner's obligation to maintain compliance with all applicable Federal, State and Village laws, ordinances regulations and policies.

SECTION 5. The Village Manager and staff are authorized and directed to take all steps necessary to implement the Village's approval of the lot reconfiguration with a variation.

SECTION 6. That this ordinance shall be in full force and effect from and after its passage and publication in the manner provided by law.

Mayor

Passed:

Published:

Attest: _____

Village Clerk

l:\mwe\ord.25\4909 Pershing Lot Reconfig

EXHIBIT A

4909 Pershing Avenue (Parcel 1):

LOT 393 (EXCEPT THE NORTHERLY 60.0 FEET THEREOF) IN BRANIGAR BROTHERS' WOODED HOMESITES, BEING A SUBDIVISION IN THE NORTH 1/2 OF SECTION 7, TOWNSHIP 38 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN AND THE NORTH 1/2 OF SECTION 12, TOWNSHIP 38 NORTH, RANGE 10, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED OCTOBER 2, 1920 AS DOCUMENT 144598, IN DUPAGE COUNTY, ILLINOIS.

PIN: 08-12-213-042

4915 Pershing Avenue (Parcel 2):

LOT 394, IN BRANIGAR BROTHERS WOODED HOMESITES, BEING A SUBDIVISION IN THE NORTH 1/2 OF SECTION 7, TOWNSHIP 38 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, AND THE NORTH 1/2 OF SECTION 12, TOWNSHIP 38 NORTH, RANGE 10, EAST OF THE THIRD PRINCIPAL MERIDIAN ACCORDING TO THE PLAT THEREOF RECORDED OCTOBER 2, 1920 AS DOCUMENT 144598, IN DUPAGE COUNTY, ILLINOIS.

PIN: 08-12-213-011

Plat of Reconfiguration



KABAL SURVEYING COMPANY

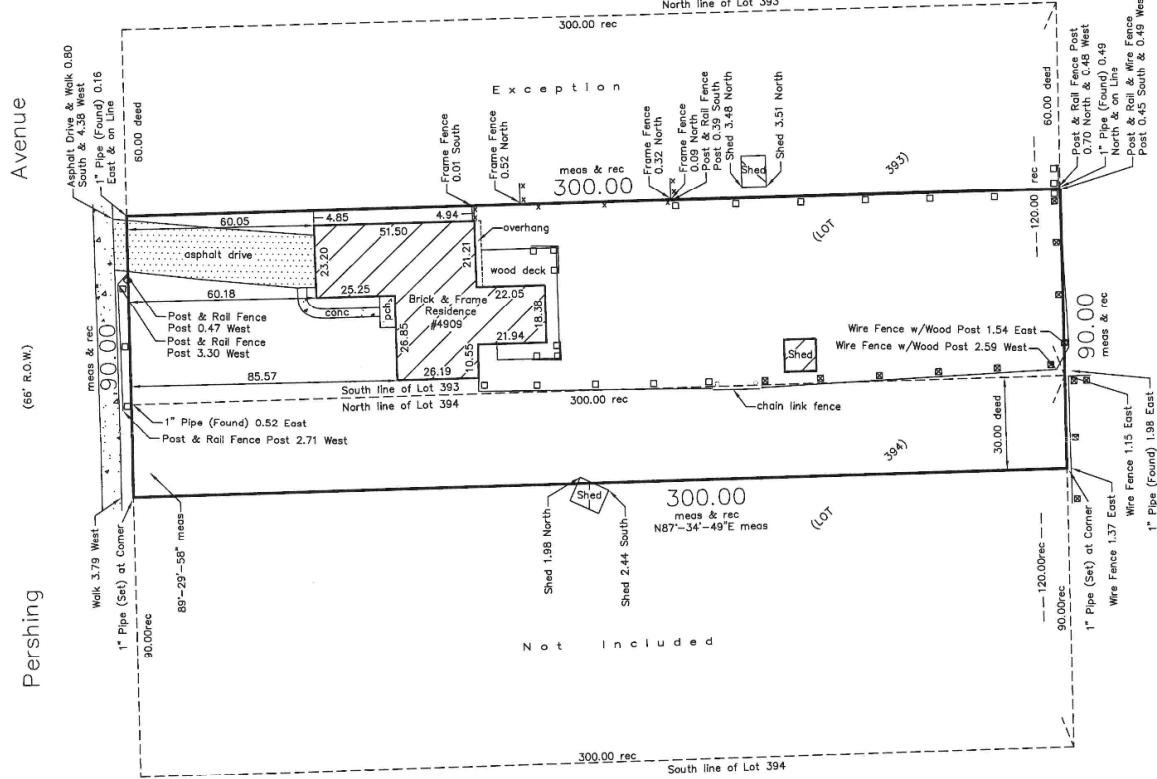
Land Surveying Services

Lot 393 of Survey

10407 West Cermak Road
Westchester, Illinois 60154
(708) 562-2652
Fax (708) 562-7314
email: kabal-surveying@comcast.net
website: KabalSurveyingCompany.com
Registration No. 184-003061

Lot 393 (except the Northerly 60.0 feet thereof) and the North 30.0 feet of Lot 394 in Branigar Brothers' Wooded Homesites, being a Subdivision in the North 1/2 of Section 7, Township 38 North, Range 11, East of the Third Principal Meridian and the North 1/2 of Section 12, Township 38 North, Range 10, East of the Third Principal Meridian, according to the Plat thereof recorded October 2, 1920 as Document 144598, in DuPage County, Illinois.

Address: 4909 Pershing Avenue, Downers Grove

**LEGEND**

R.O.W. = right-of-way, E = East
rec = record, N = North, W = West
meas = measured, S = South
pch = porch, conc = concrete

Area of property is approximately 27,000 square feet

Please check Legal Description with Deed and report
any discrepancy immediately.

Surveyed December 19, 2024

Scale: 1 inch =	40	ft.
Order No.	242304(a)	
Ordered By:	Joan Weeks	



ORIGINAL SEAL IN RED

Measured bearing shown hereon is based on the
Illinois East State Plane Coordinate Zone 1201
(NAD83) determined by GPS measurements

This professional service conforms to the current
Illinois minimum standards for a boundary survey

STATE OF ILLINOIS }
COUNTY OF COOK } s.s.
I, MITCHELL P. BALEK, an Illinois Professional Land Surveyor,
hereby certify that I have surveyed the property described
above and the plat hereon drawn is a correct representation
of said survey.

Dimensions are in feet and decimal parts thereof and are
corrected to a temperature of 62 degrees Fahrenheit.

Illinois Professional Land Surveyor No. 035-003250
My license expires on November 30, 2026

Plat of Reconfiguration



KABAL SURVEYING COMPANY

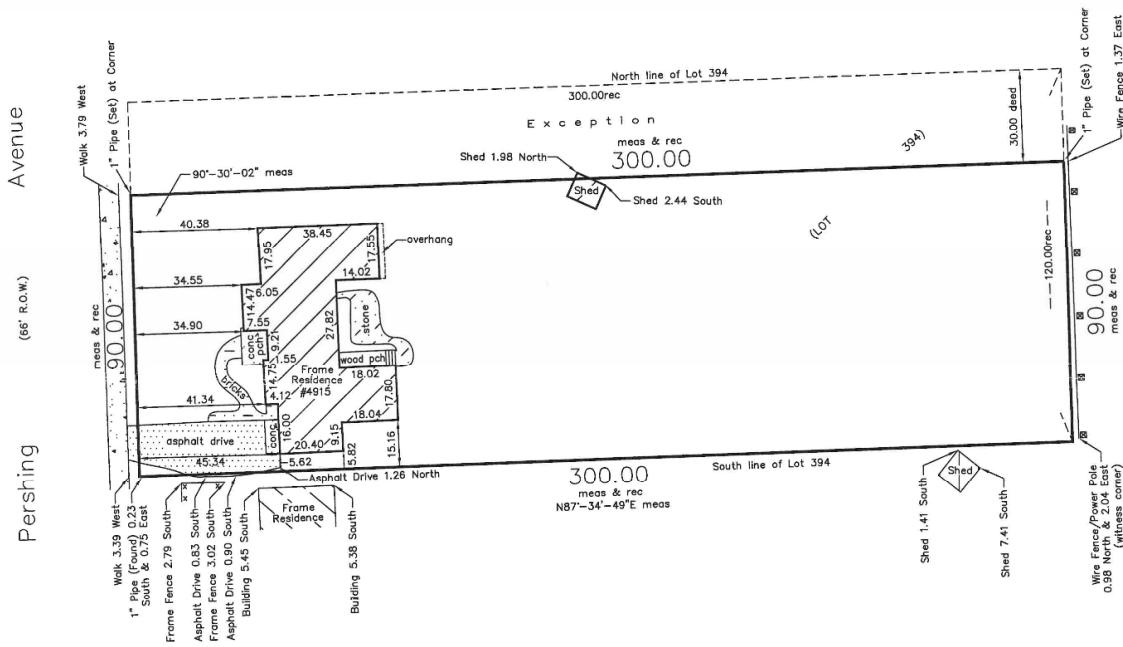
Land Surveying Services

Plant of Survey

10407 West Cermak Road
Westchester, Illinois 60154
(708) 562-2852
Fax (708) 562-7314
email: kabal-surveying@comcast.net
website: KabalSurveyingCompany.com
Registration No. 184-003061

Lot 394 (except the North 30.0 feet thereof) in Branigar Brothers Wooded Homesites, being a Subdivision in the North 1/2 of Section 7, Township 38 North, Range 11, East of the Third Principal Meridian, and the North 1/2 of Section 12, Township 38 North, Range 10, East of the Third Principal Meridian, according to the Plat thereof recorded October 2, 1920 as Document 144598, in DuPage County, Illinois.

Address: 4915 Pershing Avenue, Downers Grove



LEGEND

R.O.W. = right-of-way, E = East
rec = record, N = North, W = West
meas = measured, S = South
pch = porch, conc = concrete

Area of property is approximately 27,000 square feet

Please check Legal Description with Deed and report any discrepancy immediately.

Surveyed December 19, 20 24

Measured bearing shown hereon is based on the Illinois East State Plane Coordinate Zone 1201 (NAD83) determined by GPS measurements

This professional service conforms to the current Illinois minimum standards for a boundary survey

STATE OF ILLINOIS }
COUNTY OF COOK } 55

I, MITCHELL P. BALEK, an Illinois Professional Land Surveyor, hereby certify that I have surveyed the property described above and the plat hereon drawn is a correct representation of said survey.

Dimensions are in feet and decimal parts thereof and are corrected to a temperature of 62 degrees Fahrenheit.



ORIGINAL SEAL IN RED

Scale: 1 inch =	40	ft.
Order No.	242304(c)	
Ordered By:	Joan Weeks	



VILLAGE OF DOWNERS GROVE
REPORT FOR THE PLANNING AND ZONING COMMISSION
AUGUST 4, 2025 AGENDA

SUBJECT:	TYPE:	SUBMITTED BY:
25-PZC-0015 4909 & 4915 Pershing Avenue	Lot Reconfiguration with a Side Setback Variance	Carter Moran Planner

REQUEST

The petitioner is requesting approval of a lot reconfiguration for 4909 and 4915 Pershing Avenue. In conjunction with the lot reconfiguration request, the petitioner is requesting a variance to permit the north side yard setback at 4909 Pershing Avenue to be 4.85 feet from the north property line where nine (9) feet would be required.

NOTICE

The application has been filed in conformance with applicable procedural and public notice requirements.

GENERAL INFORMATION

OWNERS/PETITIONERS: Bruce & Joan Weeks
4909 Pershing Avenue
Downers Grove, IL 60515

PROPERTY INFORMATION

EXISTING ZONING: R-3, Residential Detached House 3
EXISTING LAND USE: Single Family Residential
PROPERTY SIZE: 0.41 acres (17,859 square feet)
PINS: 08-12-213-042, 08-12-213-011

SURROUNDING ZONING AND LAND USES

	ZONING	FUTURE LAND USE
NORTH:	R-3, Residential Detached House 3	Single Family Residential
SOUTH:	R-3, Residential Detached House 3	Single Family Residential
EAST:	R-3, Residential Detached House 3	Single Family Residential
WEST:	R-3, Residential Detached House 3	Single Family Residential

ANALYSIS

SUBMITTALS

This report is based on the following documents, which are on file with the Department of Community Development:

1. Application/Petition for Public Hearing
2. Project Narrative
3. Approval Criteria
4. Location Map
5. Existing and Proposed Plats of Survey

PROJECT DESCRIPTION

The subject properties, commonly known as 4909 and 4915 Pershing Avenue, are located northeast of the intersection of Pershing Avenue and Warren Avenue. The properties are zoned R-3, Residential Detached House 3, and both are improved with single-family homes. The property at 4909 Pershing Avenue is 60 feet wide, while the 4915 Pershing Avenue property is 120 feet wide. The petitioner is proposing to shift the lots' shared interior lot line 30 feet to the south, creating two equally sized lots with widths of 90 feet.

Currently, there are three non-conforming items associated with this petition:

- The 60 foot wide 4909 Pershing Avenue lot does not meet the minimum 75 foot lot width requirement of the R-3 zoning district.
- The existing house at 4909 Pershing Avenue is setback 4.85 feet from the north property line where six (6) feet is required.
- The existing house at 4915 Pershing Avenue is setback 5.62 feet from the south property line where 12 feet is required.

The proposed reconfiguration would result in:

- The 4909 Pershing Avenue lot width will become conforming.
- The existing non-conforming setback (4.85 feet) at 4909 Pershing will increase as the side yard setback requirement will now be nine (9) feet.
- The existing non-conforming setback (5.62 feet) at 4915 will be reduced as the side yard setback requirement will now be nine (9) feet.

The variance request is summarized in the table below:

	Lot Width		Side Setback Requirement		Existing Interior Building Setback
	Existing	Proposed	Existing	Resulting	
4909 Pershing Avenue	60 feet	90 feet	6 feet	9 feet	4.85 feet*
4915 Pershing Avenue	120 feet	90 feet	12 feet	9 feet	5.62 feet^

*increased nonconformity

^ decreased nonconformity

Per Section 20.601(b) of the Zoning Ordinance, the Community Development Director may only administratively approve petitions for lot reconfiguration that will not increase the degree of nonconformity or create any new nonconformity. Therefore, a variance is required to enable the lot owner to reconfigure the lots and increase the existing nonconformity for the 4909 Pershing Avenue setback.

NEIGHBORHOOD COMMENT

Notice was provided to all property owners 250 feet or less from the subject property in addition to posting the public hearing sign and publishing a legal notice in the *Daily Herald*. Staff received no inquiries or comments about the proposed lot reconfiguration.

ZONING ANALYSIS

As noted above, the petitioner is requesting approval of a lot reconfiguration for 4909 and 4915 Pershing Avenue. In conjunction with the lot reconfiguration request, the petitioner is requesting a variance in order to increase a side yard setback nonconformity at 4909 Pershing Avenue, per Section 20.601(b). As noted above, the proposed request would result in elimination of a non-conforming lot width for 4909 Pershing Avenue, while also improving the non-conforming setback for 4915 Pershing Avenue. Properties containing setback encroachments and non-conforming lot widths exist throughout the Village and in this neighborhood.

To meet the Zoning Ordinance requirements for administrative approval of the proposed lot reconfiguration, the petitioner would need to demolish the existing structure on 4909 Pershing Avenue.

STANDARDS OF APPROVAL

The petitioner is requesting approval of a lot reconfiguration for 4909 and 4915 Pershing Avenue. In conjunction with the lot reconfiguration request, the petitioner is requesting a variance in order to increase a side yard setback nonconformity at 4909 Pershing Avenue. The review and approval criteria for this request are listed below. The petitioner has submitted a narrative that attempts to address all the standards of approval. The Planning and Zoning Commission should consider the petitioner's documentation, the staff report and the discussion at the Planning and Zoning Commission meeting in determining whether the standards for approval have been met.

Variation

Section 28.12.090.G Standards and Review Criteria

Zoning Variations require evaluation per Section 28.12.090(g) of the Zoning Ordinance, Standards and Review Criteria: "No variation may be approved unless the variation to be approved is consistent with the spirit and intent of this zoning ordinance and that strict compliance with the subject provisions would result in practical difficulties or particular hardships for the subject property owner. The consideration of whether a variation request has met the standards of practical difficulties or particular hardships must include all of the following findings from the evidence presented: "

1. *The subject property cannot yield a reasonable return if required to comply with the regulations that apply to it.*
2. *The plight of the owner is due to unique circumstances.*
3. *The variation, if granted, will not alter the essential character of the locality.*
4. *That the particular physical surroundings, shape, or topographical conditions of the subject property would result in a particular hardship upon the owner, as distinguished from a mere inconvenience, if the strict letter of the regulations were carried out.*
5. *That the conditions leading to the need of the requested variation are not applicable, generally, to other properties within the same zoning classification.*
6. *That the alleged difficulty or hardship was not created by the current property owner.*
7. *That the proposed variation will not impair an adequate supply of air to adjacent property, or substantially increase the danger of fire, or otherwise endanger the public safety, or substantially diminish or impair property values within the neighborhood.*
8. *That the proposed variation will not alter the essential character of the area.*
9. *That the granting of the variation will not confer on the subject property owner any special privilege that is not available to other properties or structures in the same district.*

25-PZC-0015, 4909/4915 Pershing Ave
August 4, 2025

Page 4

DRAFT MOTION

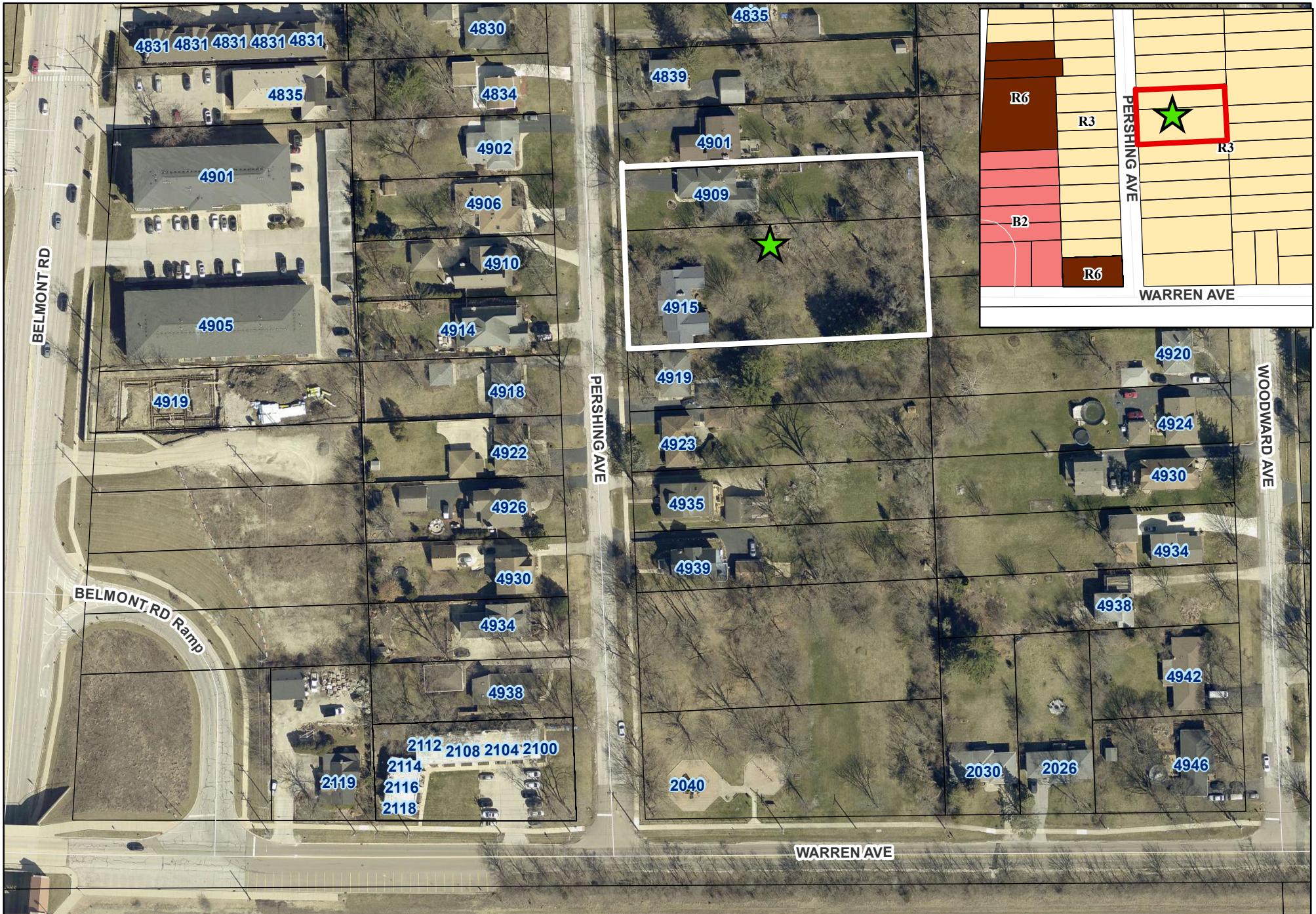
Staff will provide a recommendation at the August 4th meeting. Should the Planning and Zoning Commission find that the request meets the standards of approval for a variance staff has prepared a draft motion that the Planning and Zoning Commission may make for the approval of 25-PZC-0015:

Based on the petitioner's submittal and the testimony presented, I find that the petitioner has met the standards of approval for a variance as required by the Village of Downers Grove Zoning Ordinance and is in the public interest and therefore, I move that the Planning and Zoning Commission approve the variation and lot reconfiguration request.

Staff Report Approved By:



Stan Popovich, AICP
Director of Community Development



4915 & 4909 Pershing Avenue - Location Map

Subject Property
 Site Location



McMahon Law

May 5, 2025

Village of Downers Grove Zoning Commission
801 Burlington Avenue
Downers Grove, IL 60515

Re: Request for Lot Reconfiguration – 4909 and 4915 Pershing Avenue, Downers Grove, IL

Dear Members of the Zoning Commission:

I am writing on behalf of my client, Mrs. Joan Weeks, to formally request approval for a lot reconfiguration involving the adjacent properties located at 4909 and 4915 Pershing Avenue in Downers Grove, Illinois.

Mrs. Weeks (along with her husband, Mr. Bruce Weeks) is the current titleholder of the parcel located at 4909 Pershing Avenue. Her sister, Ms. Nancy Larson, was the record owner of the adjacent parcel at 4915 Pershing Avenue until her passing in August 2023. Title to 4915 Pershing is held by Ms. Larson's Trust. Mrs. Weeks is the executor and beneficiary of Ms. Larson's estate, including, without limitation, the trust holding 4915 Pershing. As a result, Mrs. Weeks is effectively the current owner of both parcels.

The purpose of this request is to shift the existing lot line between these two properties to add approximately 30 feet of land from the 4915 parcel to the 4909 parcel (i.e., moving the lot line 30 feet to the south). Mrs. Weeks holds a deep sentimental value to the land, as her sister, Nancy Larson, owned the adjacent property and lived next to Mrs. Weeks for many years up until her passing in August of 2023. This adjustment is intended to secure the sentimental attachment of Mrs. Weeks' and Ms. Larson's shared space while simultaneously accommodating future plans for 4915 Pershing, including redevelopment of the land. Mrs. Weeks is seeking to complete this reconfiguration prior to listing the 4915 property for sale.

This is a straightforward request to adjust a shared boundary line between two contiguous lots under common ownership, and no new lots are being created as a result. We believe the reconfiguration is consistent with the Village's zoning and land use policies and respectfully request that the Zoning Commission approve this adjustment.

Attached hereto please find the following documentation to accompany our request and application for lot reconfiguration:

1. Proof of Ownership Letter from Mr. Bruce Weeks and Mrs. Joan Weeks;
2. Copy of Deed for 4909 Pershing Avenue;
3. Copy of The Weeks Family Trust dated November 5, 2021;
4. Copy of Deed for 4915 Pershing Avenue;
5. Copy of The Nancy C. Larson Trust Agreement;

6. Surveys as existing for lots at 4909 Pershing and 4915 Pershing;
7. Surveys as proposed for lots at 4909 Pershing and 4915 Pershing;
8. Review and Approval Criteria; and
9. Certification of Public Notice Information and List of Surrounding Property Owners.

If any additional documentation or information is needed to process this request, we would be happy to provide it. Thank you for your time and consideration.

Sincerely,

Katie S. McMahon, esq.



Phone: 630-518-2233
Email: katie@mcmahon.law

Variation Review and Approval Criteria Submission

4909 and 4915 Pershing Avenue, Downers Grove, IL

****Section 28.12.090.G – Approval Criteria (Variations)****

Per the Village of Downers Grove Municipal Code, no variation may be approved unless it meets the standards of practical difficulties or particular hardships. Below are the responses to each required criterion based on the petition submitted by Kathryn S. McMahon, Esq. on behalf of Joan M. Weeks, Trustee.

Required Findings

1. The subject property cannot yield a reasonable return if required to comply with the regulations that apply to it.

The existing structure at 4909 Pershing is legally nonconforming and cannot be relocated. Without the proposed variation (lot width adjustment resulting from the reconfiguration), Mrs. Weeks would be unable to retain the portion of land that carries strong sentimental and personal value, nor facilitate the productive redevelopment and sale of 4915 Pershing. This would diminish both emotional and economic value—yielding an unreasonable return under strict compliance.

2. The plight of the owner is due to unique circumstances.

Yes. The unique familial relationship and shared history between Mrs. Weeks and her late sister (the former owner of 4915 Pershing) make this a highly unusual and deeply personal case. Additionally, both parcels are currently under the control of the same person via trusts—another unique circumstance supporting the variation.

3. The variation, if granted, will not alter the essential character of the locality.

The variation will not alter the character. Lot widths in the neighborhood range from 60–120 feet; post-reconfiguration, both parcels would be 90 feet wide, well within the existing character and pattern of development in the area. No new lots are created, and no intensification of use is proposed.

Additional Considerations (Supportive Factors)

1. Particular physical surroundings, shape, or topographical conditions would result in hardship if the strict letter of the law were followed.

The presence of a legally nonconforming home that cannot be relocated, combined with the desire to preserve wooded land with sentimental value, creates a hardship beyond mere inconvenience.

2. **Conditions leading to the variation are not generally applicable to other properties in the same zoning classification.**

Correct. This request arises from specific trust ownership, a familial inheritance, and a desire to retain shared space. These are not typical zoning-related concerns affecting similarly situated properties.

3. **The hardship was not created by the current property owner.**

It was not. The properties were independently owned by two sisters for years. The current request results from the passing of one sister and the desire to retain a meaningful portion of shared land—not any action taken by Mrs. Weeks.

4. **The variation will not impair adjacent air supply, increase fire danger, or endanger public safety or nearby property values.**

Correct. No physical structure changes or intensification are proposed. All changes are to lot lines only. Public health and safety remain unaffected.

5. **The variation will not alter the essential character of the area.**

Confirmed. The reconfigured lots will be consistent with the lot width norms in the neighborhood. The request promotes revitalization, not disruption.

6. **The variation does not confer a special privilege not available to others in the same district.**

No special privilege is granted. The applicant is following the formal process to seek relief from the literal zoning requirements in a contextually appropriate and justified manner.

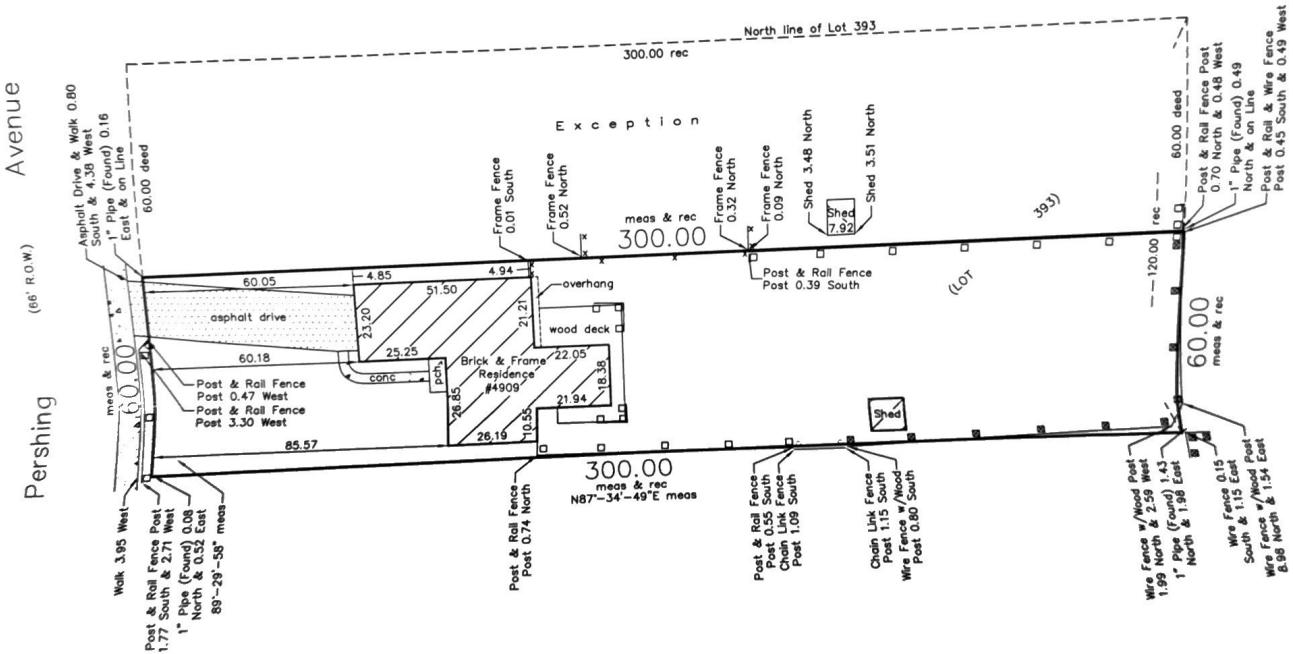


KABAL SURVEYING COMPANY
Land Surveying Services
plat of Survey

Lot 393 (except the Northerly 60.0 feet thereof) in Branigar Brothers' Wooded Homesites, being a Subdivision in the North 1/2 of Section 7, Township 38 North, Range 11, East of the Third Principal Meridian and the North 1/2 of Section 12, Township 38 North, Range 10, East of the Third Principal Meridian, according to the Plat thereof recorded October 2, 1920 as Document 144598, in DuPage County, Illinois.

Address: 4909 Pershing Avenue, Downers Grove

10407 West Cermak Road
Westchester, Illinois 60154
(708) 562-2652
Fax (708) 562-7314
email: kabal-surveying@comcast.net
website: KabalSurveyingCompany.com
Registration No. 184-003061



LEGEND

LEGEND
R.O.W. = right-of-way, E = East
rec = record, N = North, W = West
meas = measured, S = South
pch = porch, conc = concrete

Area of property is approximately 18,000 square feet.

Please check Legal Description with Deed and report any discrepancy immediately.

Surveyed December 19, 20 24

Measured bearing shown hereon is based on the Illinois East State Plane Coordinate Zone 1201 (NAD83) determined by GPS measurements

This professional service conforms to the current Illinois minimum standards for a boundary survey

STATE OF ILLINOIS }
COUNTY OF COOK }

I, MITCHELL P. BALEK, an Illinois Professional Land Surveyor, hereby certify that I have surveyed the property described above and the plat hereon drawn is a correct representation of said survey.

Dimensions are in feet and decimal parts thereof and are corrected to a temperature of 62 degrees Fahrenheit.



ORIGINAL SEAL IN RED

Scale: 1 inch = 40 ft.
Order No. 242304
Ordered By: Joan Weeks



KABAL SURVEYING COMPANY

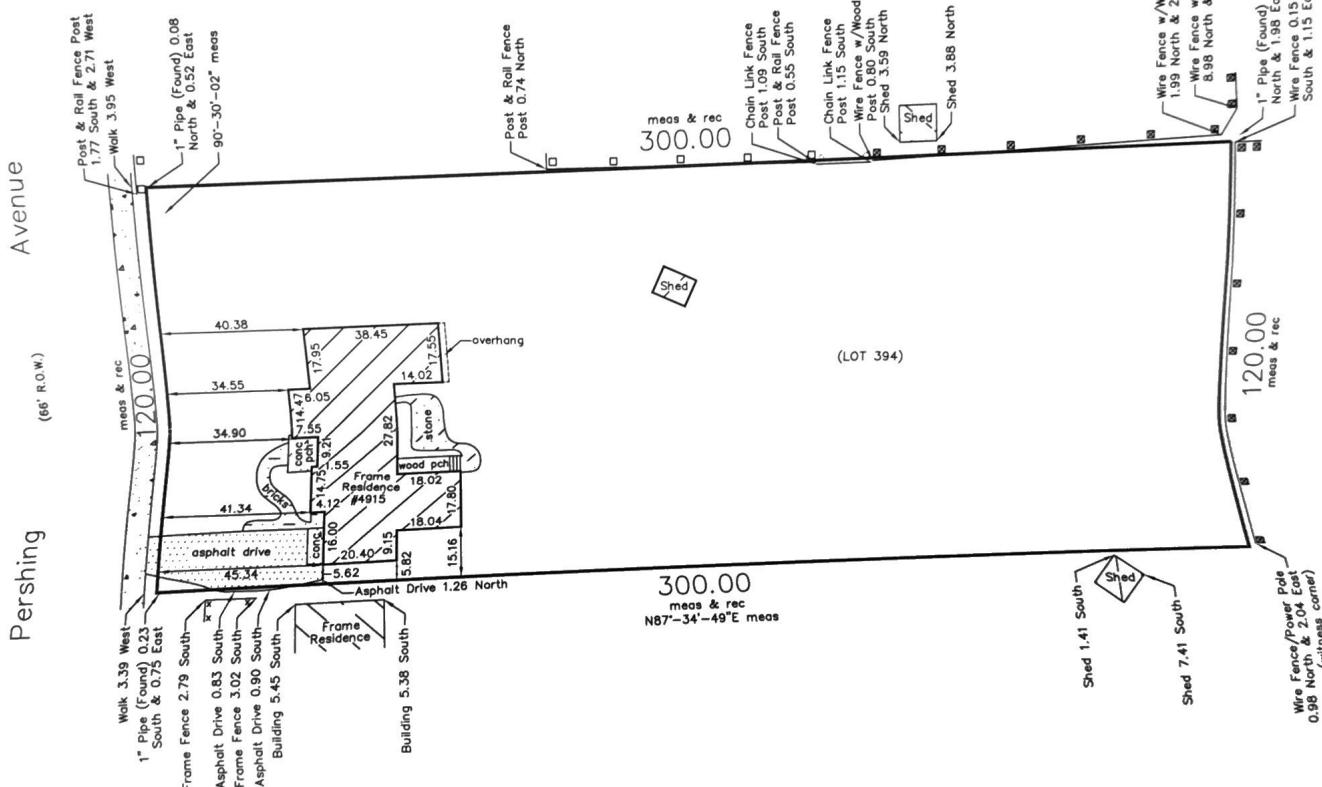
Land Surveying Services

plat of Survey

10407 West Cermak Road
Westchester, Illinois 60154
(708) 562-2652
Fax (708) 562-7314
email: kabal-surveying@comcast.net
website: KabalSurveyingCompany.com
Registration No. 184-003061

Lot 394, in Branigar Brothers Wooded Homesites, being a Subdivision in the North 1/2 of Section 7, Township 38 North, Range 11, East of the Third Principal Meridian, and the North 1/2 of Section 12, Township 38 North, Range 10, East of the Third Principal Meridian, according to the Plat thereof recorded October 2, 1920 as Document 144598, in DuPage County, Illinois.

Address: 4915 Pershing Avenue, Downers Grove



LEGEND

R.O.W. = right-of-way, E = East
rec = record, N = North, W = West
meas = measured, S = South
pch = porch, conc = concrete

Area of property is approximately 36,000 square feet

Please check Legal Description with Deed and report any discrepancy immediately.

Surveyed December 19, 2024

Measured bearing shown hereon is based on the Illinois East State Plane Coordinate Zone 1201 (NAD83) determined by GPS measurements

This professional service conforms to the current Illinois minimum standards for a boundary survey

STATE OF ILLINOIS }
COUNTY OF COOK }



ORIGINAL SEAL IN RED

Scale: 1 inch =	40	ft.
Order No.	242304(b)	
Ordered By:	Joan Weeks	

I, MITCHELL P. BALEK, an Illinois Professional Land Surveyor, hereby certify that I have surveyed the property described above and the plat hereon drawn is a correct representation of said survey.

Dimensions are in feet and decimal parts thereof and are corrected to a temperature of 62 degrees Fahrenheit.

Illinois Professional Land Surveyor No. 035-003250
My license expires on November 30, 2026



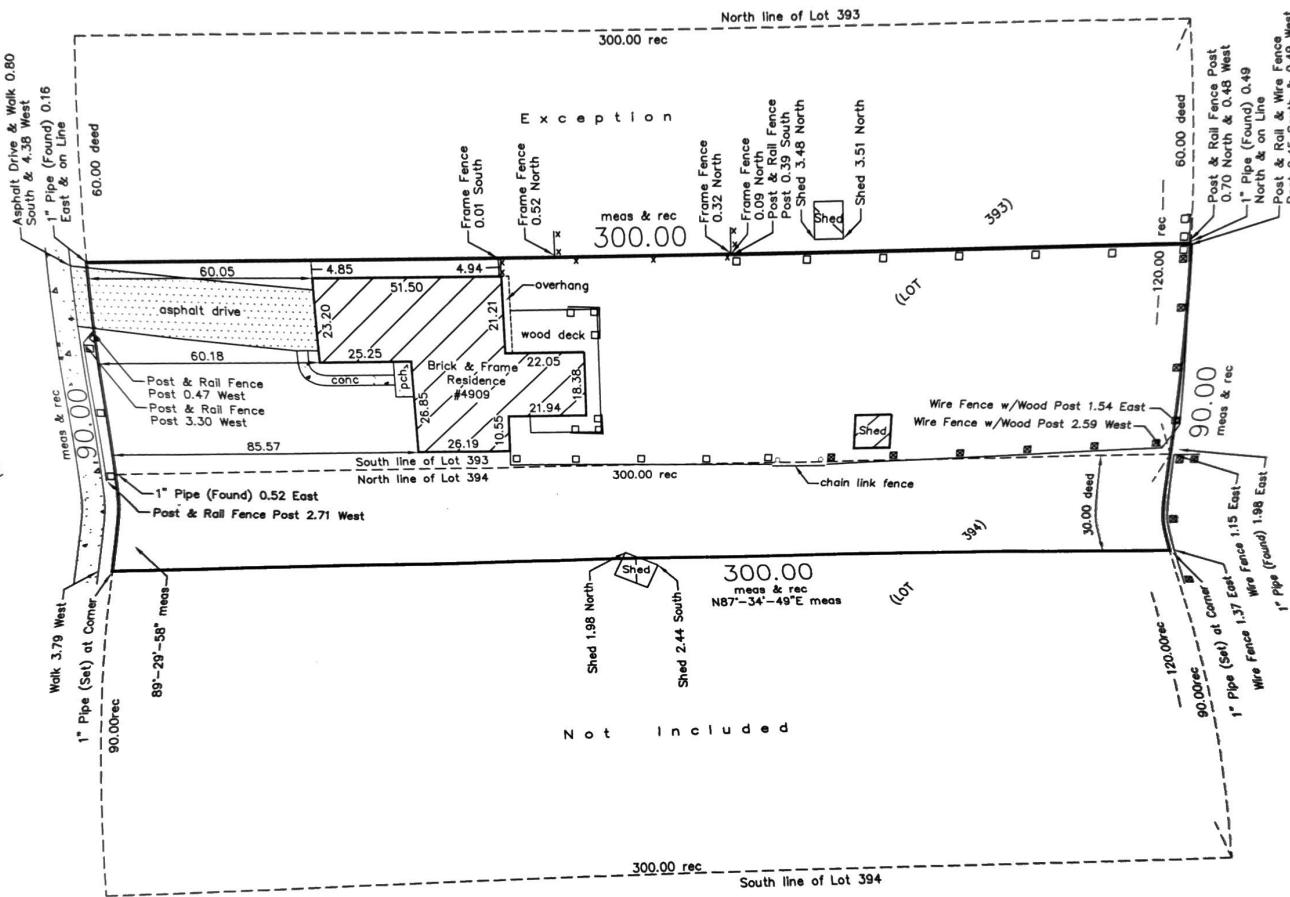
KABAL SURVEYING COMPANY
Land Surveying Services
Plan of Survey

Lot 393 (except the Northerly 60.0 feet thereof) and the North 30.0 feet of Lot 394 in Branigar Brothers' Wooded Homesites, being a Subdivision in the North 1/2 of Section 7, Township 38 North, Range 11, East of the Third Principal Meridian and the North 1/2 of Section 12, Township 38 North, Range 10, East of the Third Principal Meridian, according to the Plat thereof recorded October 2, 1920 as Document 144598, in DuPage County, Illinois.

Address: 4909 Pershing Avenue, Downers Grove

10407 West Cermak Road
Westchester, Illinois 60154
(708) 562-2852
Fax (708) 562-7314
email: kabal-surveying@comcast.net
website: KabalSurveyingCompany.com
Registration No. 184-003061

Pershing Avenue



LEGEND

LEGEND
R.O.W. = right-of-way, E = East
rec = record, N = North, W = West
meas = measured, S = South
pch = porch, conc = concrete

Area of property is approximately 27,000 square feet

Please check Legal Description with Deed and report any discrepancy immediately.

Measured bearing shown hereon is based on the Illinois East State Plane Coordinate Zone 1201 (NAD83) determined by GPS measurements

This professional service conforms to the current Illinois minimum standards for a boundary survey

STATE OF ILLINOIS }
COUNTY OF COOK } S.S.

I, MITCHELL P. BALEK, an Illinois Professional Land Surveyor, hereby certify that I have surveyed the property described above and the plat hereon drawn is a correct representation of said survey.

Dimensions are in feet and decimal parts thereof and are corrected to a temperature of 62 degrees Fahrenheit.

Mitch P. Balch

Illinois Professional Land Surveyor No. 035-003250
My license expires on November 30, 2026

Scale: 1 inch =	40	ft.
Order No.	242304(a)	
Ordered By:	Joan Weeks	





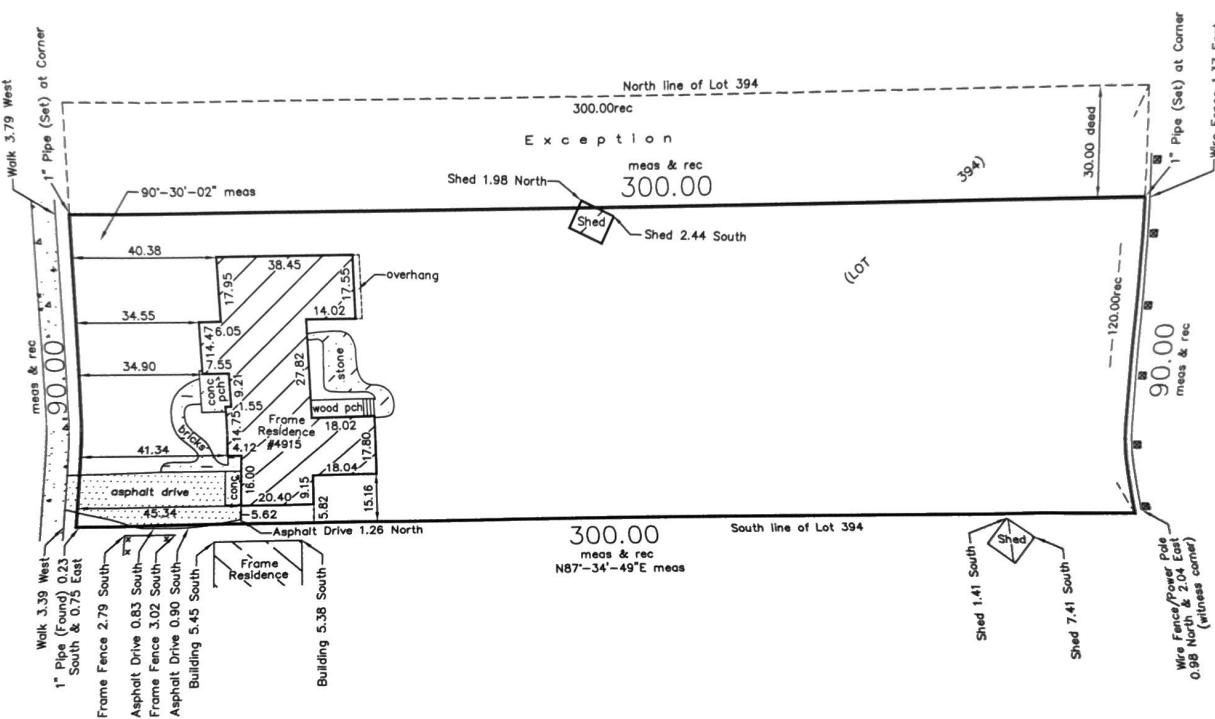
KABAL SURVEYING COMPANY
Land Surveying Services
Plat of Survey

Lot 394 (except the North 30.0 feet thereof) in Branigar Brothers Wooded Homesites, being a Subdivision in the North 1/2 of Section 7, Township 38 North, Range 11, East of the Third Principal Meridian, and the North 1/2 of Section 12, Township 38 North, Range 10, East of the Third Principal Meridian, according to the Plat thereof recorded October 2, 1920 as Document 144598, in DuPage County, Illinois.

10407 West Cermak Road
Westchester, Illinois 60154
(708) 562-2652
Fax (708) 562-7314
email: kabal-surveying@comcast.net
website: KabalSurveyingCompany.com
Registration No. 184-003061

Address: 4915 Pershing Avenue, Downers Grove

Pershing Avenue (66' R.O.W.)



LEGEND

R.O.W. = right-of-way, E = East
rec = record, N = North, W = West
meas = measured, S = South
pch = porch, conc = concrete

Area of property is approximately 27,000 square feet.

Please check Legal Description with Deed and report any discrepancy immediately.

Surveyed December 19.

Scale: 1 inch = 40 ft.
Order No. 242304(c)
Ordered By: Joan Weeks

Measured bearing shown hereon is based on the Illinois East State Plane Coordinate Zone 1201 (NAD83) determined by GPS measurements

This professional service conforms to the current Illinois minimum standards for a boundary survey.

STATE OF ILLINOIS }
COUNTY OF COOK } 5-8

I, MITCHELL P. BALEK, an Illinois Professional Land Surveyor, hereby certify that I have surveyed the property described above and the plat hereon drawn is a correct representation of said survey.

Dimensions are in feet and decimal parts thereof and are corrected to a temperature of 62 degrees Fahrenheit.

Michael P. Balch

Illinois Professional Land Surveyor No. 035-003250
My license expires on November 30, 2026

DRAFT

**VILLAGE OF DOWNERS GROVE
PLANNING AND ZONING COMMISSION MEETING**

August 4, 2025, 7:00 P.M.

FILE 25-PZC-0015: A PETITION REQUESTING APPROVAL OF A PETITION SEEKING A LOT RECONFIGURATION WITH A ZONING VARIANCE. THE PROPERTY IS LOCATED DIRECTLY NORTHEAST OF THE INTERSECTION OF PERSHING AVENUE AND WARREN AVENUE, COMMONLY KNOWN AS 4909 AND 4915 PERSHING AVENUE , DOWNERS GROVE, IL (PINS: 08-12-213-011, 08-12-213-042). KATIE McMAHON, PETITIONER, BRUCE W. WEEKS AND JOAN M. WEEKS. OWNERS.

Katie McMahon, attorney, presented on the petition request seeking the lot reconfiguration with a zoning variance. She explained that homeowners, Bruce and Joan Weeks, lived next door to Joan's sister, Nancy, for 16 years and they enjoyed this lot and wooded area together, but Nancy passed away two years ago and Joan was left as the executive of her estate. She stated that currently Joan owns both properties, so they are requesting to add 30 feet to their property to make both lots 90 feet, as right now one lot is 60 feet and the other is 120 feet. She expressed that there is personal and emotional significance to the lots and preserving this portion of the property would allow Joan to continue Nancy's legacy and enjoy the property they shared together. She added that the reconfiguration would also do a lot for the neighborhood by putting them into conformity with the current regulations for the area. She pointed out that they are not asking for any new lots, changing land use, or building any structures. Ms. McMahon displayed the existing lot configuration and explained why it failed at the administrative level, which was due to a setback issue.

Joan Weeks explained that she and her sister created a sanctuary, planted fruit trees, created and enjoyed wood paths, and would sit out and enjoy the nature of Downers Grove here. She expressed that after her sister's death, she was trying to find a way to keep what they shared to keep a little bit of her alive through the property, which is the reason for the request of the 30 feet. She thanked the Village for the support and guidance she has received through the administrative process so far and for considering this request.

Chairman Rickard asked if there were any questions for the petitioner. There were none.

Chairman Rickard asked for public comment. There were none.

Chairman Rickard asked for the staff report.

Carter Moran, Planner, explained that the petition is for a lot reconfiguration with a zoning variation at 4909 and 4915 Pershing Avenue, and the existing zoning for both lots is R-3 Single Family Dwelling. He stated that all notice requirements were met and they received no public comment or inquiries. He explained that the existing lot dimensions are a 60 foot wide lot and 120 foot wide lot, and because the lot at 4909 Pershing Avenue is 60 feet wide and requires a 6 foot setback, the house encroaches 1.15 feet into the required setback, and because the lot at 4915 Pershing Avenue is 120 feet wide and requires a 12 foot setback, the house encroaches 6.3 feet into the required setback. He displayed a diagram showing the proposed lot configuration, which would create two lots of a width of 90 feet. He added the setback requirement at 4909 Pershing Avenue would be increased by 3 feet

DRAFT

on the north side, and the setback requirement at 4915 Pershing Avenue would be decreased by 3 feet. Staff offered a positive recommendation for approval of the proposed lot reconfiguration.

Chairman Rickard asked if there were any questions for staff.

Commissioner Lincoln asked for more information on the history of the lots. Mr. Moran responded that the houses on these lots are much older than their pre-existing zoning regulations and the boundaries were established before the lots were plotted, so the existing conditions do not reflect the modern expectations.

Commissioner Lincoln asked if there were other examples of a similar situation of moving a lot line with both increasing and decreasing and how often something like that happens. Mr. Moran answered that they deal with lot reconfigurations and lot consolidations on a staff level very frequently, but this case is unique in that it increases a nonconformity, which results in seeking a zoning variation in order to be approved.

Commissioner Lincoln inquired if it is specifically because one is going further in on the building and the driveway. Mr. Moran answered yes, and added that the only reason this petition came to this level is due to the setback encroachment on both lots with no way to move the interior lot line without increasing the setback encroachment on one side.

Chairman Rickard asked if they would have to build to the new setbacks if there was any redevelopment any time in the future on either lot. Mr. Moran responded yes, it would have to meet the requirements of the new setbacks.

Commissioner Eberhardt inquired about if there would be any stipulations based on the existing conformity if they were to be any additions in the future. Mr. Moran answered if they were to build into the nonconformity in any case, they would be right back in the Planning and Zoning Commission level, as any development in an nonconformity triggers a requirement to seek a zoning variation or an exception.

Commissioner Lincoln asked about the house being sold with the nonconformity and any effects on value. Mr. Moran responded that would not affect the house's sell and any current or future owner could make a petition regarding the side setback. Mr. Zawila added that any future owner would have to adhere to the setback relief granted.

Chairman Rickard asked the petitioner if they would like to come back up and respond to any comments or question or add any closing comments. Ms. McMahon did not have anything to add and thanked the Commission for their time.

Chairman Rickard asked the commissioners for discussion.

Commissioner Eberhardt expressed that when she first viewed the petition, she was concerned about making something worse, but after thinking about equalizing the two property widths so they both comply with the minimal requirement, that seemed like a big win. She did not think they met a lot of the requirements for the variance, but believed having the minimum property widths were a bigger win for the Village and the future ownership of those lots.

DRAFT

Commissioner Lincoln stated that setting the sentimental part aside, they have to go through all requirements to see if they are met, and a lot of them may not apply. He added that a majority of them are checked off, but some of them he was not sure on. He agreed that in the future, it would be easier to build on a slightly larger lot, as 60 feet is very small.

Chairman Rickard voiced that these changes would not alter the character. He said that if any future construction happened to the buildings there, they would have certain things they would have to comply with, but they could work around it. He agreed that with regard to redevelopment in the long term, the lots would be more in the standards of the immediate area. He noted it also would get rid of the one encroachment of the northern lot, as right now it is pretty close to the property line.

Commissioner Lincoln said that the way it is written in the code, is that they must meet all the following findings, and that is what he was struggling with. However, he wondered if the really good things outweigh that.

Commissioner Eberhardt commented that the property line they are talking about moving is not creating any nonconformity, but it is the existing north lot's north line and the south lot's south line, so it is a math equation. Commissioner Lincoln agreed that was an interesting way to look at it.

Commissioner Rutledge expressed that she was looking at this in terms of the preexisting conditions and felt the request for the lot reconfiguration has greater benefits. She added she was not sure that the request did not meet the criteria, and felt this was something she would support. Commissioner Frankovic concurred with Commissioner Rutledge and was in support.

Commissioner Patel was also in support, as he felt it added value to both properties and is logical and reasonable. He also felt the standards were met.

Commissioner Lincoln stated that the zoning code says that for approval it should be consistent with the spirit and intent of the zoning ordinance and meet the nine requirements. Therefore, they could think about it as the setbacks are there to not encroach on neighbors, and they had no comments from any neighbors on this. He voiced that with that, he may be more reluctantly leaning towards yes, even though he would still argue that they have only clearly met 6 or 7 of the 9 requirements.

Commissioner Eberhardt pointed out the property line movement did not abut any other neighbors.

Chairman Rickard shared that he would view it differently if the current owner of both lots was trying to increase their lot to the detriment of the other lot and then try to sell it off, but this is actually equalizing them. Commissioner Eberhardt added that if they sell the second property and there is redevelopment, they would have to comply with the current required setbacks for the 60 foot lot.

WITH RESPECT TO FILE 25-PZC-0015 BASED ON THE PETITIONER'S SUBMITTAL AND THE TESTIMONY PRESENTED, IT IS FOUNDED THAT THE PETITIONER HAS MET THE STANDARDS OF APPROVAL FOR THE VARIANCE AS REQUIRED BY THE VILLAGE OF DOWNSERS GROVE ZONING ORDINANCE AND IS IN THE PUBLIC INTEREST, AND THEREFORE, COMMISSIONER PATEL MADE A MOTION THAT THE PLANNING AND ZONING COMMISSION RECOMMEND THE VILLAGE

DRAFT

**COUNCIL APPROVAL OF FILE 25-PZC-0015, REGARDING THE VARIATION AND
LOT RECONFIGURATION REQUEST.**

SECOND BY COMMISSIONER EBERHARDT

ROLL CALL:

**AYE: PATEL, EBERHARDT, FRANKOVIC, RUTLEDGE, LINCOLN, CHAIRMAN
RICKARD**

NAY: NONE

MOTION APPROVED. VOTE: 6-0

/s/ Celeste K. Weilandt
Recording Secretary

(As transcribed by Ditto Transcripts)