



**DUPAGE
COUNTY**

Building
Division

Zoning &
Planning Division

Environmental
Division

BUILDING & ZONING DEPARTMENT

630-407-6700
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www.dupagecounty.gov/building

MEMORANDUM

TO: DuPage County Board

FROM: DuPage County Development Committee

DATE: August 6, 2024

RE: **ZONING-24-000052 Ruth Lake Woods Condominium Association (Downers Grove/District 3)**

DuPage County Board: August 13, 2024:

DuPage County Development Committee: August 6, 2024: The DuPage County Development Committee recommended to approve the following zoning relief:

Variation to allow the finished side of the proposed privacy fence to face inward instead of outward.

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-24-000052 Ruth Lake Woods Condominium Association** dated July 24, 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 (to Approve): 5 Ayes, 0 Nays, 1 Absent

Zoning Hearing Officer: July 24, 2024: The Zoning Hearing Officer recommended to approve the following zoning relief:

Variation to allow the finished side of the proposed privacy fence to face inward instead of outward.

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-24-00052 Ruth Lake Woods Condominium Association** dated July 24, 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

FINDINGS OF FACT:

- A. That petitioner testified that the subject zoning relief is to replace an existing twenty (20) year old fence in the same direction and location, with the good side of the fence to face inward instead of outward.
- B. That petitioner testified that adjacent north of the proposed fence is the Ruth Lake Country Club maintenance buildings, parking lot, and pickle ball courts and that the good side of the existing fence faces inward due to this reason.
- C. That the Country Club submitted a letter indicating that they do not object to the good side of the proposed fence to face inward instead of outward.
- D. That the Zoning Hearing Officer finds that petitioner has demonstrated sufficient evidence for the subject zoning relief and that petitioner requires the subject zoning relief due to the unique circumstance of the proposed fence located adjacent to a country club's maintenance buildings, parking lots, and pickle ball courts, and that it is not adjacent to a residential use property.

STANDARDS FOR VARIATIONS:

1. That the Zoning Board of Appeals 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 Board of Appeals 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 the proposed fence is replacing a prior fence in the same direction and location, and that it will not impair an adequate supply of light and air to the adjacent property.
- b. Increase the hazard from fire or other dangers to said property as petitioner **has demonstrated** that the proposed fence will not increase the hazard from fire or other dangers to said property.
- c. Diminish the value of land and buildings throughout the County as petitioner **has demonstrated** that the proposed fence is replacing a prior fence in the same direction and location, and that it 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 fence 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 fence 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 fence 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 fence will be replacing an existing fence in the same direction and location, and will not otherwise impair the public health, safety, comfort, morals, or general welfare of the inhabitants of DuPage County.

PETITIONER'S DEVELOPMENT FACT SHEET

GENERAL ZONING CASE INFORMATION		
CASE #/PETITIONER	ZONING-24-000052 Ruth Lake Woods Condominium Association	
ZONING REQUEST	Variation to allow the finished side of the proposed privacy fence to face inward instead of outward.	
OWNER	RUTH LAKE WOODS CONDOMINIUM ASSOCIATION, MANAGED BY REDBRICK PROPERTY MANAGEMENT, 204 E. ST. CHARLES ROAD, LOMBARD, IL 60148/ AGENT: FRED SEEHOLZER, 770 RUTH LAKE COURT, HINSDALE, IL 60521	
ADDRESS/LOCATION	RUTH LAKE WOODS CONDOMINIUM ASSOCIATION COMMON AREA, LOCATED BEHIND ADDRESSES: 60 GODAIR CIRCLE, 54 GODAIR CIRCLE, 42 GODAIR CIRCLE, AND 38 GODAIR CIRCLE, HINSDALE, IL 60521	
PIN	COMMON AREA BEHIND: 09-14-401-006, 09-14-401-004, 09-14-401-003, 09-14-401-005	
TWSP./CTY. BD. DIST.	DOWNERS GROVE	DISTRICT 3
ZONING/LUP	R-5 GEN RES	5-15 DU AC
AREA	COMMON AREA	
UTILITIES	WATER/SEWER	
PUBLICATION DATE	Daily Herald: JULY 9, 2024	
PUBLIC HEARING	WEDNESDAY, JULY 24, 2024	
ADDITIONAL INFORMATION:		
Building:	No Objections.	
DUDOT:	No Objections.	
Health:	Our office has no jurisdiction in this matter.	
Stormwater:	Our office has no jurisdiction in this matter.	
Public Works:	"DPC PW doesn't own any sewer or water mains in the area, it is in the Flagg Creek Sanitary District."	
EXTERNAL:		
Village of Hinsdale:	<i>No Comments Received.</i>	
Village of Clarendon Hills:	<i>No Comments Received.</i>	
Village of Westmont:	<i>No Comments Received.</i>	
Village of Willowbrook:	<i>No Comments Received.</i>	
Village of Burr Ridge:	<i>No Comments Received.</i>	
City of Darien:	<i>No Comments Received.</i>	
Downers Grove Township:	<i>No Comments Received.</i>	
Township Highway:	No Objections with the concept of the petition. Additional information may be required at time of permit application."	
Tri-State Fire Dist.:	<i>No Comments Received.</i>	
Sch. Dist. 62:	<i>No Comments Received.</i>	
Sch. Dist. 86:	No Objections.	

Forest Preserve:	“The Forest Preserve District of DuPage County staff have reviewed the information provided in this Notice and do not have any specific comments. Thank you.”
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LAND USE

Location	Zoning	Existing Use	LUP
Subject	R-5 GEN RES	TOWNHOME	5-15 DU AC
North	R-4 SF RES	RECREATIONAL	0-5 DU AC
South	R-3 SF RES	HOUSE	0-5 DU AC
East	MADISON STREET AND BEYOND VILLAGE OF BURR RIDGE	HOUSE	VILLAGE OF BURR RIDGE
West	R-5 GEN RES	APARTMENTS	5-15 DU AC







