



**DUPAGE  
COUNTY**

## BUILDING & ZONING DEPARTMENT

630-407-6700  
fax: 630-407-6702

[www.dupagecounty.gov/building](http://www.dupagecounty.gov/building)

### MEMORANDUM

TO: DuPage County Board

FROM: DuPage County Development Committee

DATE: January 21, 2025

RE: **ZONING-24-000061 Phillips (Downers Grove/District 3)**

---

**DuPage County Board: January 28, 2025:**

**Development Committee: January 21, 2025:** The DuPage County Development Committee recommended to approve the following zoning relief:

Conditional Use to allow a small pier approximately one (1) inch from the interior side property line due to the location of the lake.

**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-24-000061 Phillips** dated November 20, 2024.
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 the property owner/developer is to apply for and receive a Building Permit for all construction and/or excavation that occurs on the property.

4. That petitioner maintains the existing landscaping around the perimeter of the subject property.
5. That the property be developed in accordance with all other codes and Ordinances of DuPage County.

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

**Zoning Hearing Officer: December 4, 2024:** The Zoning Hearing Officer recommended to approve the following zoning relief:

Conditional Use to allow a small pier approximately one (1) inch from the interior side property line due to the location of the lake.

**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-24-000061 Phillips dated November 20, 2024.
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 the property owner/developer is to apply for and receive a Building Permit for all construction and/or excavation that occurs on the property.
4. That petitioner maintains the existing landscaping around the perimeter of the subject property.
5. 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 allow a small pier approximately one (1) inch from the interior side property line due to the location of the lake.

- B. That petitioner testified that they purchased the subject property in 2015 and have had a pier on the property since 2016.
- C. That petitioner testified that they would remove the existing pier and build the proposed pier as indicated in the requested zoning relief.
- D. That petitioner testified that a portion of the lake is on the southwest corner of the subject property and that the proposed pier would be stationary/ constructed at ground level in the portion of the lake that is on the subject property.
- E. That petitioner testified that the proposed small pier would be built completely on the subject property and would not be built over the rear property line.
- F. That at the public hearing, adjacent neighbors testified that they object to the requested zoning relief due to a setback concern and a potential encroachment concern of the proposed pier onto their property over the rear property line of the subject property.
- G. That the Zoning Hearing Officer finds that petitioner has demonstrated that the subject relief for a Conditional Use to allow a small pier approximately one (1) inch from the interior side property line due to the location of the lake, would be 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.
  - Furthermore, that the Zoning Hearing Officer finds that nothing in this order is intended to permit any intrusion on any neighboring property, either by virtue of the construction, maintenance, or use of the pier to be constructed.

**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 pier will not impact or impair 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 they will receive a building permit from the County for the proposed pier and that it will be built pursuant to the current DuPage County Building Code.
  - c. Diminish the value of land and buildings throughout the County as petitioner **has demonstrated** that the proposed pier will be completely located on the subject property and 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 pier will be located behind the front wall of the home and will not impact traffic.
- e. Increase the potential for flood damages to adjacent property as petitioner **has demonstrated** that the County's Stormwater Department has no objections to the proposed pier.
- f. Incur additional public expense for flood protection, rescue or relief as petitioner **has demonstrated** that the County's Stormwater Department has no objections to the proposed pier.
- 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 pier will not impair the public health, safety, comfort, morals, or general welfare of the inhabitants of DuPage County.

**PETITIONER'S DEVELOPMENT FACT SHEET**

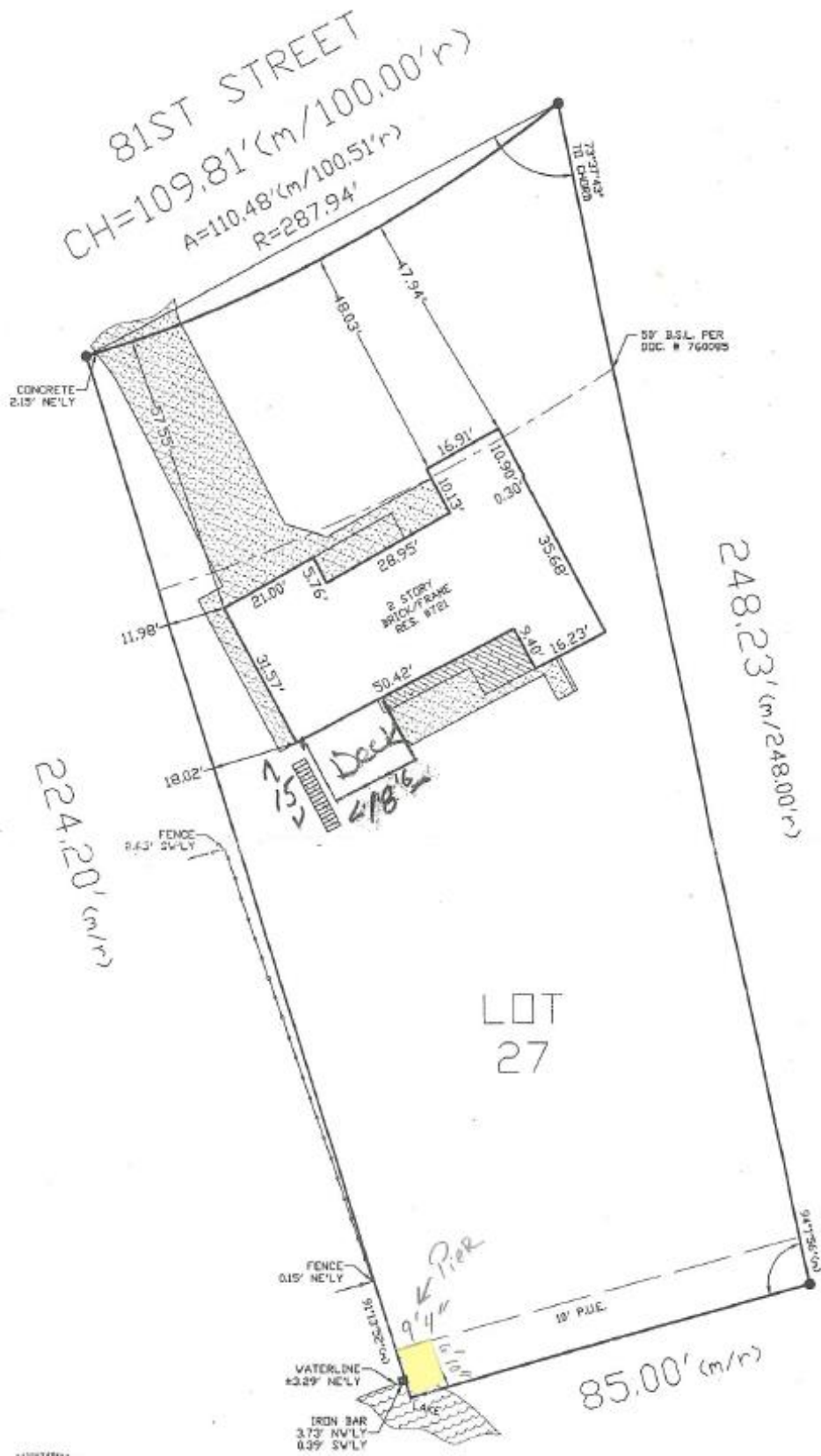
<b>GENERAL ZONING CASE INFORMATION</b>	
<b>CASE #/PETITIONER</b>	<b>ZONING-24-000061 Phillips</b>
<b>ZONING REQUEST</b>	Conditional Use to allow a small pier approximately one (1) inch from the interior side property line due to the location of the lake.
<b>OWNER</b>	DAVID AND SANDRA PHILLIPS, 721 81 <sup>ST</sup> STREET, DOWNERS GROVE, IL 60516
<b>ADDRESS/LOCATION</b>	721 81 <sup>ST</sup> STREET, DOWNERS GROVE, IL 60516
<b>PIN</b>	09-32-202-003
<b>TWSP./CTY. BD. DIST.</b>	DOWNERS GROVE      DISTRICT 3
<b>ZONING/LUP</b>	R-3 SF RES      0-5 DU AC
<b>AREA</b>	0.51 ACRES (22,216 SQ. FT.)
<b>UTILITIES</b>	WATER/SEWER
<b>PUBLICATION DATE</b>	Daily Herald: November 5, 2024
<b>PUBLIC HEARING</b>	WEDNESDAY, NOVEMBER 20, 2024

<b>ADDITIONAL INFORMATION:</b>	
Building:	No Objections.
DUDOT:	Our office has no jurisdiction in this matter.
Health:	<i>No Comments Received.</i>
Stormwater:	No Objections with the concept of the petition. Additional information may be required at time of permit application.
Public Works:	DPC PW owns the sewer main in the ROW of 81 <sup>st</sup> street, this project will not affect our sewer. Water is owned by Darien.
<b>EXTERNAL:</b>	
City of Darien:	<i>No Comments Received.</i>
Village of Woodridge:	<i>No Comments Received.</i>
Village of Downers Grove:	“The Village of Downers Grove has no comments.”
Downers Grove Township:	<i>No Comments Received.</i>
Township Highway:	Our office has no jurisdiction in this matter.
Darien-Woodridge Fire Dist.:	<i>No Comments Received.</i>
Sch. Dist. 66:	<i>No Comments Received.</i>
Sch. Dist. 99:	“D99 has no opinions on this.”
Forest Preserve:	<i>No Comments Received.</i>

**LAND USE**

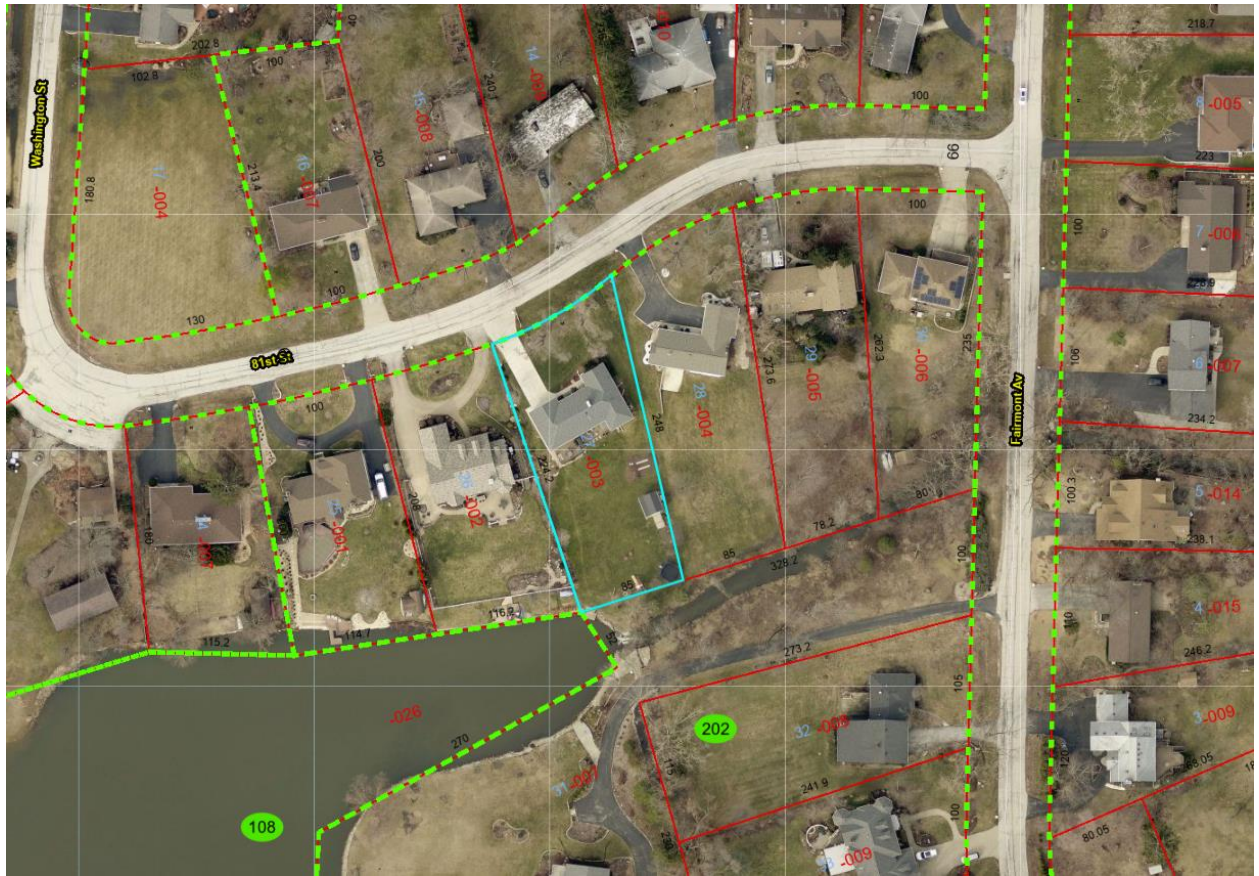
<b>Location</b>	<b>Zoning</b>	<b>Existing Use</b>	<b>LUP</b>
Subject	R-3 SF RES	HOUSE	0-5 DU AC
North	81 <sup>ST</sup> STREET AND BEYOND R-3 SF RES	HOUSE	0-5 DU AC
South	R-3 SF RES	HOUSE	0-5 DU AC

East	R-3 SF RES	HOUSE	0-5 DU AC
West	R-3 SF RES	HOUSE	0-5 DU AC













Bruce Lake Homeowners Association  
901 81<sup>st</sup> Street  
Downers Grove IL, 60516  
Email: blhaboard@googlegroups.com



To: DuPage County Zoning

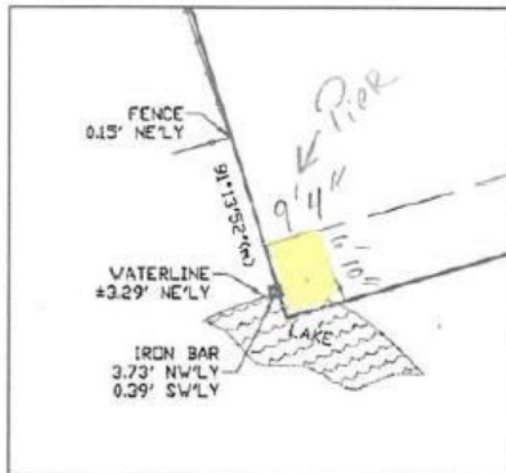
Date: September 18, 2024

The Bruce Lake Homeowners Association approves of the installation of a pier at the Phillips residents at 721 81<sup>st</sup> Street per the location provided.

Per the Bruce Lake HOA Rules and Regulations:

*"Docks – Members with lakefront property may extend docks into Bruce Lake past their property line with the approval of the BLHA Board. It should be understood that the Board may require removal or modification of such structures at any time and for any reason. Docks cannot exceed 20 feet in length".*

[BLHA-RULES-AND-REGULATIONS-revised-2018.pdf \(brucelake.org\)](#)



Sincerely,

Mark Ihde

President of Bruce Lake HOA

## **BLHA RULES AND REGULATIONS**

**Membership Dues** – The membership dues shall be \$250 per year. BLHA members who are 62 or older and on a fixed income may opt to pay only \$150. Currently initiation fees will be waived.

**Guests** – The use of Bruce Lake and Park facilities is limited to members of the BLHA (and their guests) who have paid all dues through the current fiscal year. Members and their guests should wear identification tags issued upon payment of dues each year. Individuals without tags will be asked to leave the park. Guests of any one property owner should not exceed ten in number, unless proper reservation has been made (see below).

**Park Rental** – Members who have paid all dues through the current fiscal year may reserve the park for private parties, not to exceed 50 people. Parties greater than 50 people put undue stress on the facilities provided by the Homeowners Association, and a rental fee will apply for Porta-Pottie fees as charged by the current company. In addition, large private parties booked for consecutive nights, with no scheduled garbage pick-up or Porta-Pottie servicing in between, will need to share in the cost to adequately clean and service the park in preparation for the next event. Private parties shall not inhibit access to the beach and other park facilities to the rest of the BLHA members. Reservations will be taken on a first come, first served basis by the Bruce Lake website, after March 1. Notice of the reservation will be posted on the on-line calendar on the day of the party. A \$150 deposit will be required, to be returned if the facilities have been restored to their original status within 24 hours. This does not include the cabana. In the event that further cleanup is necessary after a private party, the reserving member is responsible to pay all expenses. Members also have the option of renting the cabana. There will be a \$50 deposit on the cabana, returned when the cabana is returned to a clean state. A damage waiver must be signed prior to the event.

Parking is limited to spots in front of park, and street parking along the vacant lot. Parking on private property is prohibited. Cars parked illegally will result in a phone call to the sheriff.

**Boat Storage** – Every boat must have its owner's name and address on the side, and be registered with a designated Board member. Assignment of limited boat storage space will be on a first come, first served basis each year. BLHA will not be held responsible for theft or damage to boats kept at the park. The Board may require the removal of boats at any time for any reason.

**Docks** – Members with lakefront property may extend docs into Bruce Lake past their property line with the approval of the BLHA Board. It should be understood that the Board may require removal or modification of such structures at any time and for any reason. Docks cannot exceed 20 feet in length.

**Boating & Other Recreational Vehicles** – All vehicles/boats with gas/diesel powered engines are prohibited on the lake or in the park, except for lake management services. Sail, row, and electric powered are permitted.