



**DUPAGE
COUNTY**

BUILDING & ZONING DEPARTMENT

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www.dupagecounty.gov/building

MEMORANDUM

TO: DuPage County Board

FROM: DuPage County Development Committee

DATE: September 2, 2025

RE: **ZONING-25-000038 GIN/SODY Investments, LLC. (Downers Grove/District 3)**

DuPage County Board: September 9, 2025:

Development Committee: September 2, 2025: The DuPage County Development Committee recommended to approve the following zoning relief:

1. Variation to allow an 8' privacy fence within the 40' front yard setback.
2. Variation to allow an 8' privacy fence within the 30' corner side yard setback.

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-25-000038 GIN/SODY Investments, LLC.** dated July 16, 2025.
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 (Motion to Approve): 4 Ayes, 0 Nays, 2 Absent

DuPage County Zoning Hearing Officer: August 20, 2025: The Zoning Hearing Officer recommended to approve the following zoning relief:

1. Variation to allow an 8' privacy fence within the 40' front yard setback.
2. Variation to allow an 8' privacy fence within the 30' corner side yard setback.

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-25-000038 GIN/SODY Investments, LLC.** dated July 16, 2025.
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 for a Variation to allow an 8' privacy fence within the 40' front yard setback and a Variation to allow an 8' privacy fence within the 30' corner side yard setback.
- B. That petitioner testified that subject property is a wellness center that has guests/clients visiting their grounds, both indoors and outdoors.
- C. That petitioner testified that they require a taller privacy fence in the front and corner side yard setbacks due to the location of the subject property directly adjacent to Route 83/Kingery Highway and located on a dead-end street.
 - a. That petitioner testified that they frequently have trespassers on the subject property and that in order to protect the safety of their guests, petitioner requires an 8' privacy fence.
- D. That petitioner testified that the proposed privacy fence will also act as a sound barrier to protect exterior noises from Route 83 from impacting their guests/clients.
- E. That the Zoning Hearing Officer finds that petitioner has demonstrated evidence for a practical difficulty and particular hardship as the subject property is located directly adjacent to Route 83/Kingery Highway and a dead end street, and that in order to protect the subject property from trespassers and increased sound from Route 83, petitioner requires an 8' privacy fence in both the front and corner side setbacks.

STANDARDS FOR VARIATIONS:

1. That the Zoning Hearing Officer 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 Hearing Officer 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 subject property is located directly adjacent to Route 83 and that the proposed fence 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 they will obtain a building permit for all proposed work and therefore will not increase the hazard from fire or other dangers.
- c. Diminish the value of land and buildings throughout the County as petitioner has demonstrated that the proposed fence will be an added benefit to the area 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 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 an added benefit to the surrounding area and will not impair the public health, safety, comfort, morals, or general welfare.

PETITIONER'S DEVELOPMENT FACT SHEET

GENERAL ZONING CASE INFORMATION		
CASE #/PETITIONER	ZONING-25-000038 GIN/SODY Investments, LLC.	
ZONING REQUEST	1. Variation to allow an 8' privacy fence within the 40' front yard setback 2. Variation to allow an 8' privacy fence within the 30' corner side yard setback.	
OWNER	GIN/SODY INVESTMENTS, LLC., 16W501 NIELSON LANE, WILLOWBROOK, IL 60527 / AGENT: CHAD SODERHOLM, 16W501 NIELSON LANE, WILLOWBROOK, IL 60527	
ADDRESS/LOCATION	16W501 NIELSON LANE, WILLOWBROOK, IL 60527	
PIN	10-11-100-022	
TWSP./CTY. BD. DIST.	DOWNERS GROVE	DISTRICT 3
ZONING/LUP	B-1 LOCAL BUSINESS	0-5 DU AC
AREA	2.16 ACRES (94,090 SQ. FT.)	
UTILITIES	WATER/SEWER	
PUBLICATION DATE	Daily Herald: JULY 1, 2025	
PUBLIC HEARING	WEDNESDAY, JULY 16, 2025	
ADDITIONAL INFORMATION:		
Building:	No Objections.	
DUDOT:	Our office has no jurisdiction in this matter.	

Health:	No Objections with the concept of the petition. Additional information may be required at the time of permit application.
Stormwater:	No Objections with the concept of the petition. Additional information may be required at the time of permit application. “The proposed fence locations cross a deep channel and are adjacent to stormwater detention basins, necessitating specialized engineering to prevent adverse impacts on this and surrounding properties.”
Public Works:	“DPC owns a sewer and water main on the east side of Kingery and a sewer main on the south side of Nielson, based on the drawing they submitted, these lines will not be affected by the proposed fence.”
EXTERNAL:	
Village of Burr Ridge:	<i>No Comments Received.</i>
City of Darien:	<i>No Comments Received.</i>
Village of Lemont:	<i>No Comments Received.</i>
Downers Grove Township:	<i>No Comments Received.</i>
Township Highway:	<i>No Comments Received.</i>
Tri-State Fire Dist.:	No Objections.
Sch. Dist. 180:	“We have No Objection.”
Sch. Dist. 86:	No Objections.
Forest Preserve:	“We do not have any comments.”

LAND USE:

Location	Zoning	Existing Use	LUP
Subject	B-1 LOCAL BUSINESS	COMMERCIAL	0-5 DU AC
North	NIELSON LANE AND BEYOND R-6 MULTI-FAM	MULTI-FAMILY	5-15 du ac
South	R-4 SF RES	PLACE OF ASSEMBLY	0-5 DU AC
East	ROUTE 83 AND BEYOND VILLAGE OF BURR RIDGE	HOUSE	VILLAGE OF BURR RIDGE
West	R-4 SF RES	HOUSE	0-5 DU AC





