

STATE OF ILLINOIS)
)
COUNTY OF DUPAGE)
)
CITY OF NAPERVILLE)

PETITION TO THE NAPERVILLE CITY COUNCIL AND PLAN COMMISSION TO GRANT A MAP AMENDMENT (REZONING), AND PRELIMINARY/FINAL PLAT OF SUBDIVISION FOR THE PROPERTY AT 27W130 BAUER ROAD.

THE UNDERSIGNED Petitioner, Scott M. Barenbrugge (hereinafter “the Petitioner”) respectfully petitions the City of Naperville (the “City”) to, upon annexation of the property legally described on Exhibit A (the “Property”) pursuant to a separate petition submitted by the Owners of Record of the Property: (i) zone the Property in the City’s R1A Low Density Single-Family Residence District; (ii) approve a preliminary and final plat of subdivision; and (iii) such other relief from the City of Naperville Municipal Code (the “Code”) as may be deemed necessary and appropriate to develop the Property.

In support of this Petition, the Petitioner represents to the City as follows:

1. The Owner of the Property is Scott M. Barenbrugge (“Owner”).
2. Owner filed a separate petition with the City of Naperville to annex the Property to the City of Naperville (“Annexation Petition”).
3. The Subject Property is zoned R-3 in unincorporated DuPage County and consists of one (1) lot totaling approximately 1.06 acres.
4. The existing land uses surrounding the Property are as follows:
 - a. North: Unincorporated DuPage County
 - b. East: Unincorporated DuPage County & R1A single family residential
 - c. South: R1B single-family residential
 - d. West: Unincorporated DuPage County

APPROVAL OF REZONING TO R1A

5. Upon annexation of the Property to the City of Naperville, Petitioner respectfully

requests that the Property be zoned R1A, low density single-family residence district.

6. The rezoning request is appropriate based on the following factors:

- a. *The amendment promotes the public health, safety, comfort, convenience and general welfare and complies with the policies and official land use plan and other official plans of the City; and*

Pursuant to section 6-5-3 in the Code, the Petitioner shall request a zoning classification for the Property upon annexation to the City of Naperville. The requested zoning is consistent with both the proposed use of the Property and the existing use of the properties in the immediate vicinity. Specifically, the R1A zoning district is compatible with existing incorporated properties on the north side of Bauer and Petitioner's request provides a logical transition for the Property. In addition, Naperville's comprehensive plan designates the future land use for the Property for low-density residential use.

- b. *The trend of development in the area of the subject property is consistent with the requested amendment; and*

The trend of development in the area of the Property has been and continues to be single-family residential. Upon annexation to the City, the requested zoning is consistent with the nearby adjacent properties, all of which are zoned R1A or R1B in the City of Naperville, or are zoned for residential use in unincorporated DuPage County. Further, the requested zoning will permit the development of four (4) new custom homes in keeping with the trend of development in the neighborhood.

- c. *The requested zoning classification permits uses which are more suitable than the uses permitted under the existing zoning classification; and*

The existing zoning classification of the Property is R-3 in unincorporated DuPage County. The Owner submitted a separate petition for Annexation to the City of Naperville and upon annexation, Petitioner requests the Property be zoned R1A, which is consistent with existing

incorporated properties and adjacent properties that are zoned for residential use in unincorporated DuPage County.

- d. The subject property has not been utilized under the existing zoning classification for a substantial period of time; and*

The Property has never been utilized under a City of Naperville zoning designation as the Property is zoned R-3 in unincorporated DuPage County and upon annexation to the City, the Code requires Petitioner to request a zoning designation for the Property.

- e. The amendment, if granted, will not alter the essential character of the neighborhood and will not be a substantial detriment to adjacent property.*

As mentioned above, zoning the Property R1A is consistent with the single-family residential character of the neighborhood. The surrounding properties that remain unincorporated are zoned for residential use in DuPage County. All surrounding properties are intended for single-family residential homes, which is the very use for which Petitioner plans to utilize the Property.

APPROVAL OF A PRELIMINARY AND FINAL PLAT OF SUBDIVISION

7. Petitioner seeks approval of a Preliminary and Final Plat of Subdivision, a copy of which has been submitted herewith, to establish easements and create legal lots of record. The proposed subdivision meets the standards for a subdivision consistent with the standards set forth in the Code.

WHEREFORE, by reason of the foregoing, the undersigned Petitioner respectfully requests the City Council and Plan Commission take the necessary steps to, upon annexation of the Property: (i) zone the Property in the City's R1A Low Density Single-Family Residence District; (ii) approve a preliminary and final plat of subdivision; and (iii) such other relief from the Naperville Municipal Code as may be deemed necessary and appropriate to develop the Property.

RESPECTFULLY SUBMITTED this 26th day of May, 2021

PETITIONER:

SCOTT M. BARENBRUGGE

By: 

ROSANOVA & WHITAKER, LTD.
ATTORNEY FOR PETITIONER

EXHIBIT A
LEGAL DESCRIPTION

THAT PART OF LOT A OF CLEMENS-MEISCH ASSESSMENT PLAT OF PART OF SECTIONS 1 AND 12, TOWNSHIP 38 NORTH, RANGE 9, EAST OF THE THIRD PRINCIPAL MERIDAN ACCORDING TO SAID PLAT RECORDED JULY 11, 1944 AS DOCUMENT 464757 AND SECTIONS 6 AND 7, TOWNSHIP 38 NORTH, RANGE 10, EAST OF THE THIRD PRINCIPAL MERIDAN DESCRIBED AS FOLLOWS:
COMMENCING AT THE SOUTH EAST CORNER OF SAID LOT "A" BEING ON THE CENTER LINE OF BAUER ROAD (FEY STREET); THENCE NORTHWESTERLY ALONG THE CENTER LINE OF BAUER ROAD, A DISTANCE OF 300.0 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING ALONG THE LAST DESCRIBED COURSE A DISTANCE OF 163.0 FEET; THENCE NORTHERLY AND PARALLEL TO THE EAST LINE OF SAID LOT "A" OF CLEMENS-MEISCH ASSESSMENT PLAT A DISTANCE OF 326.24 FEET; THENCE SOUTHEASTERLY AND PARALLEL TO THE CENTER LINE OF BAUER ROAD A DISTANCE OF 163.0 FEET; THENCE SOUTHEASTERLY AND PARALLEL TO THE EAST LINE OF SAID LOT "A" (SAID LINE ALSO BEING THE WEST LINE AND THE WEST LINE EXTENDED OF KNIGHT'S RESUBDIVISION DOCUMENT 721077) A DISTANCE OF 334.24 FEET TO THE POINT OF BEGINNING (EXCEPT THE SOUTHERLY 450.0 FEET DEDICATED FOR HIGHWAY PURPOSES) ALL IN DUPAGE COUNTY ILLINOIS.

COMMONLY KNOWN AS: 27W130 Bauer Road, Naperville, IL 60563

PIN: 07-12-211-012