

STATE OF ILLINOIS)

COUNTY OF DUPAGE)

CITY OF NAPERVILLE)

**PETITION TO THE NAPERVILLE CITY COUNCIL AND PLANNING ZONING COMMISSION
FOR LAND USE ENTITLEMENTS**

THE UNDERSIGNED Petitioner, Heriberto Martinez and Megan Martinez, (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 Petitioner as owner of the Property: (i) zone the Property in the City’s R1A Low Density Single-Family Residence District; and (ii) 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 Owners of the property Heriberto Martinez and Megan Martinez
2. As Owner, Petitioner filed a separate petition with the City of Naperville to annex the property to the City of Naperville. (“Annexation Petition”)
3. The petitioner Seeks to incorporate existing lot and home into the City of Naperville along with subdividing parcel in to 2 separate lots.
 - a. Lot 1: Incorporate existing home in to the city of Naperville. Connect home to city water, electric and sewer. Relocate existing garage to sit on proposed lot 1 as described in preliminary engineering plan.
 - b. Lot 2: Construct Custom Home on the Property
4. The Subject Property is zoned R-4 in unincorporated DuPage County and consists of one (1) lot Totaling approximately 1.1 acres.
5. The existing Land uses surrounding the Property are as follows:
 - a. North: R1A Single Family Residential
 - b. East: R1A Single Family Residential
 - c. South: R1A Single Family Residential
 - d. West: R1A Single Family Residential

APPROVAL OF REZONING TO R1A

6. Upon annexation of the property to the City of Naperville, Petitioner respectfully requests that both properties described as Lot 1 and Lot 2 be zoned R1A, Low density single-family residence district.
7. The rezoning requests 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 6-3-7 of the Code, the petitioner shall request a zoning classification for the Property upon annexation to the city of Naperville. The requested zoning promotes the public health, safety, comfort, and general welfare by allowing low-density single-family residential use consistent with surrounding properties and existing infrastructure. It promotes orderly development and ensures compatibility with neighboring land uses. Adjacent incorporated properties are zoned R1A. In Addition, Naperville's Comprehensive Plan Designates the future land use for the property as single-family residential, with applicable zoning districts including R1A, R1B. Accordingly, the request complies with the City's intent for the Property under the Land Use Master Plan.

- 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 in the city of Naperville. Further, the requested zoning will permit the development of a new custom home 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-4 in unincorporated DuPage County. The Owner submitted a separate petition for Annexation to the City of Naperville and upon annexation, Petitioner Requests the both properties be zoned R1A, which is consistent with the existing zoning designations for nearby and adjacent properties that have been incorporated to the city of Naperville.

- 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-4 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 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.

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) and such other relief from the Naperville Municipal code as may be deemed necessary and appropriate to develop the Property

RESPECTFULLY SUBMITTED this 7 day of Jan. 2026

PETITIONER:

Heriberto Martinez and Megan Martinez

