

**PIN:
08-20-304-001**

**PROPERTY ADDRESS:
7S731 OLESEN DRIVE
NAPERVILLE, IL 60540**

**PREPARED BY:
CITY OF NAPERVILLE
LEGAL DEPARTMENT
630/420-4170
400 SOUTH EAGLE STREET**

**RETURN TO:
CITY OF NAPERVILLE
CITY CLERK/COMMUNITY SERVICES DEPT.
400 SOUTH EAGLE STREET
NAPERVILLE, IL 60540**

PZC Case # DEV-0173-2025

ORDINANCE NO. 26 - _____

**AN ORDINANCE REZONING THE PROPERTY
LOCATED AT 7S731 OLESEN DRIVE (KERRIGAN ESTATES)
TO R1A (LOW DENSITY SINGLE-FAMILY RESIDENCE DISTRICT)**

RECITALS

1. **WHEREAS**, D.J.K. Custom Homes, Inc., an Illinois corporation, 532 S. Webster Street, Naperville, IL 60540 ("**Petitioner**"), has petitioned the City of Naperville ("**City**") for a map amendment to rezone the real property located at 7S731 Olesen Drive, Naperville, IL 60540 and legally described on **Exhibit A** and depicted on **Exhibit B** ("**Subject Property**") to R1A (Low Density Single-Family Residence District).
2. **WHEREAS**, the Thomas F. Kerrigan Living Trust dated June 20, 2023 and the Margaret V. Kerrigan Living Trust dated June 20, 2023, the beneficial interest of said trusts being held by Thomas F. Kerrigan and Margaret V. Kerrigan, Co-Trustees, 442 Fish Tale Road, Daniel Island, SC 29492, is the owner of the Subject Property ("**Owner**") and has authorized the Petitioner to submit the request.

3. **WHEREAS**, the Subject Property is currently zoned R-3 in unincorporated DuPage County and is currently vacant due to the recent demolition of the existing single-family home.
4. **WHEREAS**, the Petitioner has petitioned the City for a map amendment to rezone the Subject Property to R1A (Low Density Single-Family Residence District) upon annexation into City in order to construct a new single-family home on the northernmost lot of the proposed subdivision.
5. **WHEREAS**, the requested rezoning of the Subject Property meets the Standards for Granting a Map Amendment as provided in **Exhibit C** (“**Response to Standards**”) attached hereto.
6. **WHEREAS**, on February 18, 2026 the Planning and Zoning Commission conducted a public hearing to consider the rezoning request and recommended approval of the Petitioner’s request.
7. **WHEREAS**, the Petitioner has requested that the City approve this ordinance (“**Ordinance**”) rezoning the Subject Property to R1A (Low Density Single-Family Residence District) upon annexation, along with ordinances approving an annexation agreement for the Subject Property, annexation of the Subject Property, a preliminary/final plat of subdivision, and a variance to the maximum peak building height (hereinafter cumulatively referenced herein as the “**Kerrigan Estates Ordinances**”).
8. **WHEREAS**, the City Council of the City of Naperville has determined that the Petitioner’s request should be granted as provided herein.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF NAPERVILLE, DUPAGE AND WILL COUNTIES, ILLINOIS, in exercise of its home rule powers, as follows:

SECTION 1: The foregoing Recitals are incorporated as though fully set forth in this Section 1. All exhibits referenced in this Ordinance shall be deemed incorporated and made part hereof.

SECTION 3: The Zoning Map of the City of Naperville is hereby amended in accordance with this Ordinance to rezone the Subject Property to R1A (Low Density Single Family Residence District).

SECTION 4: This Ordinance is subject to all conditions and requirements set forth in the Naperville Municipal Code, as amended from time to time.

SECTION 5: The City Clerk is authorized and directed to record a certified copy of this Ordinance, together with the exhibits attached hereto, with the DuPage County Recorder.

SECTION 6: If this Ordinance and the rezoning it approves are not recorded with the office of the Recorder in which the Subject Property is located within one (1) year of their approval and passage by the Naperville City Council, this Ordinance and the rezoning it approves shall be null and void without any further action by the City.

SECTION 7: If any section, paragraph, or provision of this Ordinance shall be held to be invalid or unenforceable for any reason, the invalidity or unenforceability of such section, paragraph, or provision, shall not affect any of the remaining provisions of this Ordinance or any other City ordinance, resolution, or provision of the Naperville Municipal Code. Technical and minor substantive revisions as deemed acceptable to the City Attorney

may be made to this Ordinance and to the exhibits hereto prior to recordation with the office of the DuPage County Recorder.

SECTION 8: This Ordinance shall be in full force and effect upon its passage and approval.

PASSED this _____ day of _____, 2026.

AYES:

NAYS:

ABSENT:

APPROVED this _____ day of _____, 2026.

Scott A. Wehrli
Mayor

ATTEST:

Dawn C. Portner
City Clerk