



CITY OF NAPERVILLE

TRANSPORTATION, ENGINEERING, AND DEVELOPMENT (TED)
BUSINESS GROUP
400 S. Eagle Street
Naperville, IL 60540
www.naperville.il.us

PETITION FOR DEVELOPMENT APPROVAL

November 20, 2019

TRANSPORTATION, ENGINEERING, & DEVELOPMENT (TED) BUSINESS GROUP

Use this packet to request development approval from the City when consideration by the Naperville Planning and Zoning Commission and/or approval from the Naperville City Council is required. This Petition for Development Approval is available on the City's website at <http://www.naperville.il.us/developmentpetition.aspx>. Questions may be directed to the City of Naperville TED Business Group at DRT@naperville.il.us.

E-Plan Review

"E-plan review" is short-hand for electronic plan review. It is the process of reviewing development submittals in a digital format instead of on paper. All development projects submitted to the City require e-plan review. All plans (e.g., site plan, engineering plans, landscape plans, etc.) and application materials (e.g. parking and traffic studies, application forms, etc.) associated with these projects must be submitted to the City of Naperville electronically per the following table:

Required E-Plan Review Submittals	Format*	Page
Development Petition Form	PDF File	4 - 7
Disclosure of Beneficiaries	PDF File	8 - 9
Fees***	Check	10
Response to Standards Exhibits	PDF File	11 - 14
Legal Description**	MS Word File	N/A
Plan Submittals***	PDF File	N/A

***Submittals must comply with the formatting and filename specifications detailed in the Naperville PDF Submittal Requirements and Naperville Required Submittal List.**

****It is the petitioner's sole responsibility to verify that the correct legal description including address and PIN(s) is being submitted. Failure to do so may result in additional resubmittals, additional fees, meeting rescheduling, project delays, etc.**

*****Refer to the Concept Meeting Summary (if applicable) for the required plan submittals and fees or contact your Project Manager if you have questions. If you do not have a Project Manager, please email DRT@naperville.il.us or call 630-420-6100.**

DEVELOPMENT REVIEW PROCESS

1. Prior to submittal of a Petition for Development Approval, please email a brief description of your project to the TED Business Group at DRT@naperville.il.us to determine whether or not a concept meeting is required. A Project Manager will be assigned to you at this time.
2. Following your concept meeting (if required), prepare a complete Petition for Development Approval including all items noted in your Concept Meeting Summary and in the Required E-plan Review Submittals table above. All submittal materials shall comply with the formatting and filename specifications detailed in the Naperville PDF Submittal Requirements and Naperville Required Submittal List.
3. Contact your Project Manager to obtain access to Naperville's e-review submittal portal. See the Naperville E-Review Submittal Instructions for additional details.
4. Electronically submit the complete Petition for Development Approval including all items noted in the Required E-plan Review Submittals table above. *Submittals will not be accepted and/or processed until all of the submittal requirements are met.*

5. Once the complete Petition for Development Approval is accepted, it will be forwarded to City departments (e.g. planning, utilities, engineering, etc.) for review and comment.
 - First submittals are subject to a 21 calendar day review cycle; and
 - Subsequent submittals (as applicable) are subject to a 14 calendar day review cycle.
6. Upon receipt of the submittal, the Project Manager will contact you with the fee requirement for the project. All required fees must be paid in full by check payable to the City of Naperville prior to the end of the first 21-day review cycle and prior to release of the City's review comments. You may drop off the check to the Development Services Counter on the 1st floor of the Municipal Center, 400 S Eagle Street, or mail it to your Project Manager's attention at City of Naperville, 400 S Eagle Street, Naperville IL 60540.
7. Once all required fees are paid, the Project Manager will transmit the City's review comments to the Primary Contact identified on the Development Petition Form. Comments may necessitate revisions to plans prior to scheduling the project for a Planning and Zoning Commission (PZC) and/or City Council meeting.
8. The Project Manager will work with the Primary Contact to schedule a public hearing/meeting before the Planning and Zoning Commission (if required). *The Primary Contact will be notified of the hearing/meeting date approximately three weeks in advance.* As required, City staff will complete newspaper publication requirements; the Petitioner/Owner shall complete the written notice and posting of a sign on the property as defined below:

Case Type	Publication ¹	Sign	Written Notice
<i>Public Hearing Cases:</i> variances, rezoning, conditional use, major changes, PUD deviation, and variances to Section 7-4-4 (Design Standards)	Yes	Yes	Yes
<i>Minor Change:</i> minor changes to conditional uses or PUD	No	Yes	Yes
<i>Administrative Adjustments:</i> administrative adjustments to conditional use or PUD	No	No	No

¹The City will publish notice of the public hearing in a local newspaper of general circulation at least 15 days, but not more than 30 days, prior to the public hearing date.

As noted above, notice requirements vary by case type; therefore, please contact the Project Manager to review the requirements. The public notice shall be issued at least 15 days, but not more than 30 days, prior to the scheduled public hearing/meeting date (unless otherwise directed by staff).

9. Following a public hearing and recommendation by the Planning and Zoning Commission, the case will be scheduled for City Council consideration. Cases will not be scheduled for City Council until staff has determined that all plans are in technical compliance. The Primary Contact will be notified of the City Council date approximately four weeks in advance of the meeting. A summary of the meeting format for the Planning and Zoning Commission and City Council is provided as Attachment 1.

EFFECTIVE PERIOD OF PETITION

Please note that Petitions for Development Approval are only valid for a period of two years from the date of Petition submission and that all cases will be closed by the City without further notice to the Petitioner after the two-year period has expired.

CITY OF NAPERVILLE DEVELOPMENT PETITION FORM

DEVELOPMENT NAME (should be consistent with plat): _____

ADDRESS OF SUBJECT PROPERTY: 656 N. Eagle St. Naperville, IL 60563

PARCEL IDENTIFICATION NUMBER (P.I.N.) 07-13-205-004

I. PETITIONER: Kelleen O'Leary, Nathaniel Savona

PETITIONER'S ADDRESS: 111 W. Maple St. Apt. 2105

CITY: Chicago STATE: IL ZIP CODE: 60610

PHONE: 630-730-5880 EMAIL ADDRESS: kelleenoleary@gmail.com

II. OWNER(S): Nathaniel Savona

OWNER'S ADDRESS: 111 W. Maple St. Apt. 2105

CITY: Chicago STATE: IL ZIP CODE: 60610

PHONE: _____ EMAIL ADDRESS: _____

III. PRIMARY CONTACT (review comments sent to this contact): _____

RELATIONSHIP TO PETITIONER: Kelleen O'Leary

PHONE: 630-730-5880 EMAIL ADDRESS: kelleenoleary@gmail.com

IV. OTHER STAFF

NAME: Ken Gerrans

RELATIONSHIP TO PETITIONER: Real Estate Agent

PHONE: 630-946-4688 EMAIL ADDRESS: kengerrans@johnngreenerealtor.com

NAME: _____

RELATIONSHIP TO PETITIONER: _____

PHONE: _____ EMAIL ADDRESS: _____

V. PROPOSED DEVELOPMENT

(check applicable and provide responses to corresponding exhibits on separate sheet)

PZC&CC Process	<input type="checkbox"/> Annexation (Exhibit 3) <input type="checkbox"/> Rezoning (Exhibit 4) <input type="checkbox"/> Conditional Use (Exhibit 1) <input type="checkbox"/> Major Change to Conditional Use (Exhibit 1) <input type="checkbox"/> Planned Unit Development (PUD) (Exhibit 2) <input type="checkbox"/> Major Change to PUD (Exhibit 2) <input type="checkbox"/> Preliminary PUD Plat (Exhibit 2) <input type="checkbox"/> Preliminary/Final PUD Plat <input type="checkbox"/> PUD Deviation (Exhibit 6) <input type="checkbox"/> Zoning Variance (Exhibit 7) <input type="checkbox"/> Sign Variance (Exhibit 7) <input type="checkbox"/> Subdivision Variance to Section 7-4-4
CC Only Process	<input type="checkbox"/> Minor Change to Conditional Use (Exhibit 1) <input type="checkbox"/> Minor Change to PUD (Exhibit 2) <input type="checkbox"/> Deviation to Platted Setback (Exhibit 8) <input type="checkbox"/> Amendment to an Existing Annexation Agreement <input type="checkbox"/> Preliminary Subdivision Plat (creating new buildable lots) <input type="checkbox"/> Final Subdivision Plat (creating new buildable lots) <input type="checkbox"/> Preliminary/Final Subdivision Plat (creating new buildable lots) <input type="checkbox"/> Final PUD Plat (Exhibit 2) <input checked="" type="checkbox"/> Subdivision Deviation (Exhibit 8) <input type="checkbox"/> Plat of Right-of-Way Vacation
Administrative Review Administrative Review	<input type="checkbox"/> Administrative Subdivision Plat (no new buildable lots are being created) <input type="checkbox"/> Administrative Adjustment to Conditional Use <input type="checkbox"/> Administrative Adjustment to PUD <input type="checkbox"/> Plat of Easement Dedication/Vacation <input type="checkbox"/> Landscape Variance (Exhibit 5)
Other	<input type="checkbox"/> Please specify:

ACREAGE OF PROPERTY: less than .25 acres Approximately 7,500 sq ft

DESCRIPTION OF PROPOSAL/USE (use a separate sheet if necessary)

Please see attached petition

VI. REQUIRED SCHOOL AND PARK DONATIONS (RESIDENTIAL DEVELOPMENT ONLY)

(per Section 7-3-5: Dedication of Park Lands and School Sites or for Payments or Fees in Lieu of)

Required School Donation will be met by:

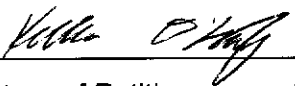
- ☐ Cash Donation (paid prior to plat recordation)
- ☐ Cash Donation (paid per permit basis prior to issuance of each building permit)
- ☐ Land Dedication

Required Park Donation will be met by:

- ☐ Cash Donation (paid prior to plat recordation)
- ☐ Cash Donation (paid per permit basis prior to issuance of each building permit)
- ☐ Land Dedication

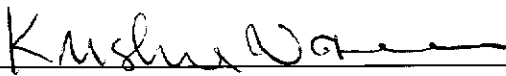
VII. PETITIONER'S SIGNATURE

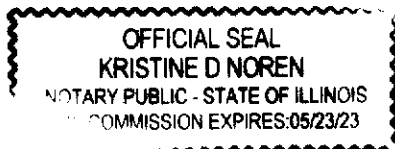
I, Kelleen O'Leary (Petitioner's Printed Name and Title), being duly sworn, declare that I am duly authorized to make this Petition, and the above information, to the best of my knowledge, is true and accurate.


(Signature of Petitioner or authorized agent)

7/2/2020
(Date)

SUBSCRIBED AND SWORN TO before me this 2 day of July, 2020


(Notary Public and Seal)



VIII. OWNER'S AUTHORIZATION LETTER¹

I/we hereby certify that I/we am/are the owner(s) of the above described Subject Property. I/we am/are respectfully requesting processing and approval of the request(s) referenced in this Petition. I/we hereby authorize the Petitioner listed on this Petition to act on my/our behalf during the processing and presentation of this request(s).

Nathaniel Savona

(Signature of 1st Owner or authorized agent)

(Signature of 2nd Owner or authorized agent)

7/23/2020

(Date)

(Date)

Nathaniel Savona

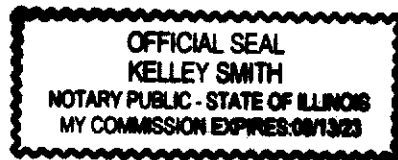
1st Owner's Printed Name and Title

2nd Owner Printed Name and Title

SUBSCRIBED AND SWORN TO before me this 23 day of July, 2020

Kelley Smith

(Notary Public and Seal)



¹ Please include additional pages if there are more than two owners.

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

PETITION TO THE NAPERVILLE CITY COUNCIL
FOR ANNEXATION, DEVIATION TO A PLATTED SETBACK,
REGARDING THE PROPERTY
AT 656 N. EAGLE STREET, NAPERVILLE, ILLINOIS

Kelleen O’Leary and Nathaniel Savona (hereinafter, the “Petitioners”), respectfully petition the City of Naperville (hereinafter, the “City”) to grant a deviation to a platted setback for the property legally described and depicted in Exhibit “A”, which Exhibit is attached hereto and incorporated herein by reference (hereinafter, the “Subject Property”), to permit a single family home to be constructed with a front yard setback of thirty (30’) feet in conformance with the City’s R1-B Standard and such other relief that may be appropriate for the proposed development, all pursuant to the appropriate provisions of the Naperville Municipal Code, as amended (hereinafter, the “Code”).

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

1. That the Petitioners purchased the Subject Property on July 10, 2020.
2. That the Subject Property is located in DuPage County, Illinois.
3. That the Subject Property consists of one rectangular shaped lot with dimensions of 49.5’ x 152’ with an area of approximately less than a quarter of an acre and/or approximately 7,524 square feet.
4. That the Subject Property is generally located north of 6th Avenue and west of N. Webster Street.

5. That the Subject Property was platted in 1925 with a 40' building line and was improved with a single-family structure and detached garage.

6. That the Subject Property is zoned R1-B, which only requires a 30' front yard setback.

7. That Petitioners intend to demolish the existing home and detached garage and build a new single-family home, in accordance with the Site Plan (Exhibit B).

8. That the narrow width of the Subject Property along with its overall small size presents difficulty for building a new home.

9. That the existing land uses surrounding the Subject Property are as follows:

- a. North: Single Family Residential R1-B
- b. East: Single Family Residential R1-B
- c. South: Single Family Residential R1-B
- d. West: Single Family Residential R1-B

10. That the requested deviation from a platted setback meets the requirements and all applicable requirements under the Naperville Municipal Code, Section 7-1-13, and 7-1-8 respectively and is appropriately based on the following factors:

- a. The Petitioner has shown that strict adherence to the provisions of this Title would cause unnecessary hardship due to conditions which are unique to the site and not caused by the owner or petitioner; and*

Strict adherence to the provisions of this Title would cause unnecessary hardship due to conditions which are unique to the site and not caused by the owner or petitioner. The Petitioner's request arises from the fact that the subdivision established a forty (40') foot front yard building setback along N. Eagle St. City of Naperville's R1-B zoning district provides setbacks at thirty (30') feet. The Subject Property also has unique constraints, which cause practical difficulties in relation to preserving the forty (40') foot front yard platted setback including the Subject Property's narrow width of 49.5' and overall small size. Therefore, such conditions are generally

conditions are generally not found on other properties in the same zoning district. Without the deviation to the platted setback, the proposed home would have to be constructed at forty (40') feet from N. Eagle St., thereby eliminating an additional ten (10') feet of useable house and back yard area precluding the Petitioner's ability to locate and build a suitable house on the property.

b. The requested subdivision deviation is not contrary to the intent and purpose of the provisions of this Title.

The Petitioner intends to construct a single family detached home on the Subject Property which is consistent with the character of the neighborhood, comprehensive land use plan, and in harmony with the residential intent of the City's R1-B zoning district. The Petitioner will fully comply with all City R1-B zoning district requirements. In addition, several existing homes in the subdivision currently encroach into the 40' platted setback, including one on the same block (619 N. Eagle St.)¹. The encroachment resulting from the proposed single family house will have minimal impact on the neighborhood streetscape and will not be a substantial detriment to the adjacent properties. It is important to point out that the Petitioners' requested deviation arises not from any City requirements, but from the subdivision's plat from 1925. The Plat established a building line forty (40') feet back from the front line of each lot in the subdivision which is inconsistent with the City's thirty (30') foot front yard setback contained in R1-B district zoning ordinance. Therefore, to insure conformance to the City's zoning ordinance and to provide for the construction of a new home on the Subject Property with adequate area for a usable back yard, the Petitioner is requesting a deviation from the subdivision's platted front yard setback of forty (40') feet so that the Petitioner may construct the home pursuant to the City's R1-B front yard setback requirement of thirty (30') feet.

¹ Other neighborhood properties that encroach on the 40' setback include 519 N. Webster St., 533 N. Main St., 846 and 850 N. Main St., 836 N. Main St., 140 W. 5th Ave., and 309 W. Ogden Ave.

WHEREFORE, by reason of the foregoing, the undersigned Petitioner requests the Planning and Zoning Commission and the Naperville City Council take the necessary steps to grant the Petitioner's request for deviation and such other relief as they may deem appropriate for the proposed development.

RESPECTFULLY SUBMITTED this 2nd day of July, 2020.

[SIGNATURE PAGE FOLLOWS]

PETITIONER:

Kelleen O'Leary
Kelleen O'Leary

STATE OF ILLINOIS)

) SS.

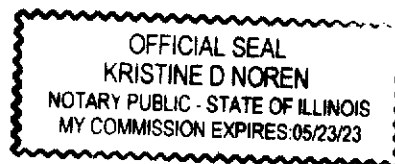
COUNTY OF DUPAGE)

I, the undersigned, a Notary Public in and for said County, in the State aforesaid, DO HEREBY CERTIFY that KELLEEN O'LEARY, whose name is subscribed to the foregoing instrument, appeared before me this day in person, and acknowledged that he signed, sealed and delivered the said instrument, as his free and voluntary act, for the uses and purposes therein set forth.

Given under my hand and official seal, this 2 day of July, 2020.

Kristine D Noren

Notary Public



STATE OF ILLINOIS)

) SS.

COUNTY OF DUPAGE)

Nathaniel R. Savona

Nathaniel R. Savona

I, the undersigned, a Notary Public in and for said County, in the State aforesaid, DO HEREBY CERTIFY that Nathaniel Savona, whose name is subscribed to the foregoing instrument, appeared before me this day in person, and acknowledged that she signed, sealed and delivered the said instrument, as her free and voluntary act, for the uses and purposes therein set forth.

Given under my hand and official seal, this 2 day of July, 2020.

Kristine D Noren

Notary Public

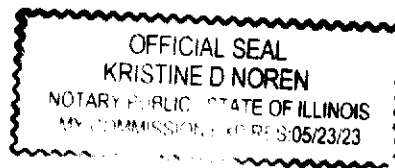


EXHIBIT "A"

LEGAL DESCRIPTION

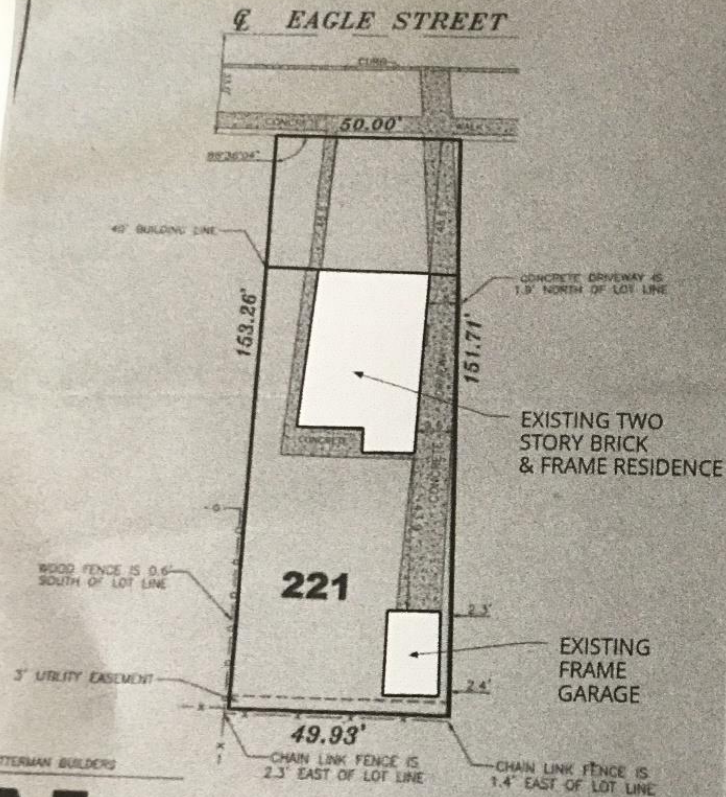
LOT 221 IN OGDEN AVENUE ADDITION TO NAPERVILLE, BEING A SUBDIVISION IN SECTIONS 12 AND 13, TOWNSHIP 38 NORTH, RANGE 9, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED MAY 2, 1925, AS DOCUMENT 192270, IN DUPAGE COUNTY, ILLINOIS.

PERMANENT INDEX NUMBER: **07-13-205-004**

COMMONLY KNOWN AS: 656 N. Eagle St., Naperville, Illinois 60563

PLAT OF SURVEY

LOT 221 IN DOCKEN AVENUE ADDITION TO NAPERVILLE, BEING A SUBDIVISION IN SECTIONS 12 AND 13, TOWNSHIP 38 NORTH, RANGE 3 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED MAY 2, 1925 AS DOCUMENT 192270, IN DUPAGE COUNTY, ILLINOIS.
COMMON ADDRESS: 656 NORTH EAGLE STREET



N T
SURVEYING SERVICES INC.

Alomino Ct. (708) 645-1136
60441 Fax (708) 645-1138

If be made on the basis of this plat shown, all other points should be established prior any and all construction.
Restrictions not shown herein refer to your contracts and local building and zoning

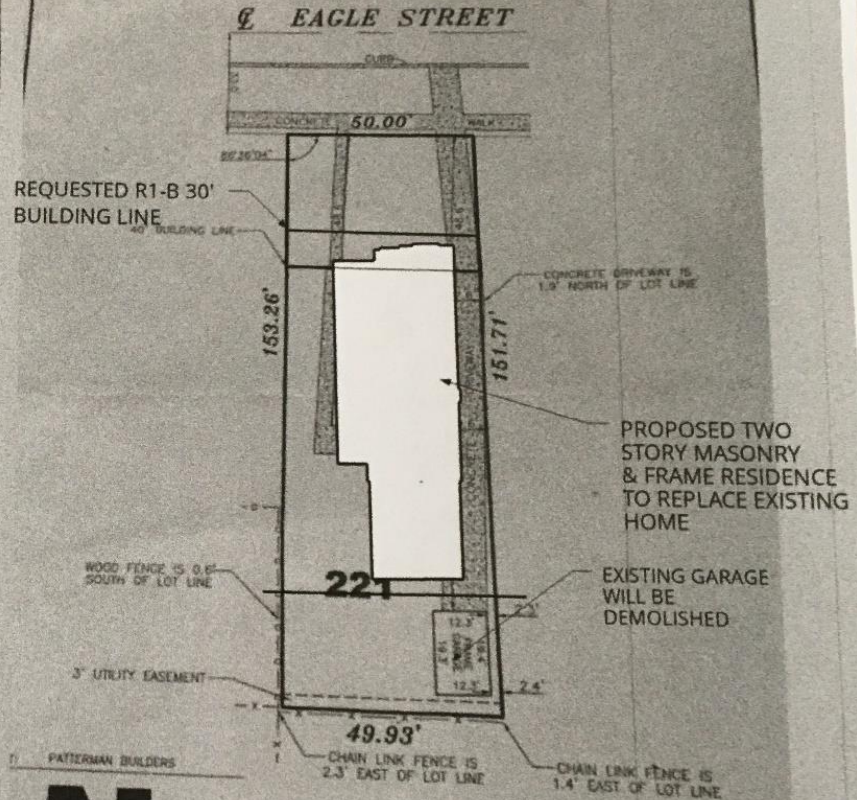


THIS PROFESSIONAL SERVICE CONFORMS TO THE CURRENT ILLINOIS MINIMUM STANDARDS FOR A BOUNDARY SURVEY.
LICENSE EXPIRES 11/30/06

STATE OF ILLINOIS }
COUNTY OF WILL } S. S.
JNT LAND SURVEYING SERVICES INCORPORATED HER
CERTIFIES THAT IT HAS SURVEYED THE TRACT OF
ABOVE DESCRIBED, AND THAT THE HEREON DRAWN
IS A CORRECT REPRESENTATION THEREOF.
Dated this 21ST Day of APRIL, 2005.

PLAT OF SURVEY

LOT 221 IN DOCKEN AVENUE ADDITION TO NAPERVILLE, BEING A SUBDIVISION IN SECTIONS 12 AND 13, TOWNSHIP 38 NORTH, RANGE 3 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED MAY 2, 1925 AS DOCUMENT 192270, IN DUPAGE COUNTY, ILLINOIS.
COMMON ADDRESS: 656 NORTH EAGLE STREET



N T
SURVEYING SERVICES INC.

Alomino Ct. (708) 645-1136
60441 Fax (708) 645-1138

If be made on the basis of this plat shown, all other points should be established prior any and all construction.
Restrictions not shown herein refer to your contracts and local building and zoning



THIS PROFESSIONAL SERVICE CONFORMS TO THE CURRENT ILLINOIS MINIMUM STANDARDS FOR A BOUNDARY SURVEY.

STATE OF ILLINOIS }
COUNTY OF WILL } S. S.
JNT LAND SURVEYING SERVICES INCORPORATED HER
CERTIFIES THAT IT HAS SURVEYED THE TRACT OF
ABOVE DESCRIBED, AND THAT THE HEREON DRAWN
IS A CORRECT REPRESENTATION THEREOF.
Dated this 21ST Day of APRIL, 2005.

Exhibit C

PETITION IN SUPPORT

We support Kelleen O'Leary and Nate Savona's request to the City of Naperville to demolish the existing single family residential home and construct a new single family residential home on the property located at 656 N. Eagle St., Naperville, Illinois.

	Name	Address
1.	<i>[Signature]</i>	648 N. Eagle St
2.	<i>[Signature]</i>	648 N. Eagle St.
3.	<small>DocuSigned by:</small> Jeff Baumgartner	660 N Eagle Street
4.		
5.		
6.		
7.		
8.		
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12.		
13.		