

Resolution No. 2013-09

**RESOLUTION OF THE CITY COUNCIL REGARDING THE
ACCEPTANCE/REJECTION OF A FINAL PLAT**

Whereas, Dan Davidson (Owner) has submitted a final plat for a two-lot minor subdivision named Davidson Place located at 1008 Troy O'Fallon Road, Troy, Illinois with parcel ID # 09-1-22-22-00-000-001.001; and

Whereas, the City Council reviewed the final development plan for compliance with the provisions of Chapter 153 of the Troy Code of Ordinances and voted as recorded below:

Aldermen:

DeCarli <u>Absent</u>	Italiano <u>4</u>	Total:
Evans <u>4</u>	Jackson <u>4</u>	<u>7</u> Ayes
Greenfield <u>4</u>	Lanahan <u>4</u>	<u>0</u> Nays
Hendrickson <u>4</u>	Partney <u>4</u>	


Now Therefore, the City Council of the City of Troy, Illinois

- Approves the final plat
- Rejects the final plat

One copy of this resolution shall be given to the Owner and the City Clerk shall give the Code Administrator a certified copy of the Council's resolution of approval or disapproval to be attached to the final plat.

Dated this 5th day of August, 2013.

By 
Allen P. Adomite, Mayor

Attest 
Jamie Myers, City Clerk

City Seal

RECOMMENDATION No. 2013 ~ 01PC

Of the Planning Commission of the City of Troy, Illinois
Recommending/Not Recommending an Application for Variations to the
Subdivision Ordinance Requested By: Dan Davidson

WHEREAS, the Planning Commission met on March 14, 2013 to consider an application for variations to the Subdivision Ordinance filed by Dan Davidson. A copy of the application and certification regarding publication of the notice of hearing and of notification to surrounding property owners are incorporated by reference; and

WHEREAS, this application applies to property located 1008 Troy O'Fallon Road with permanent parcel ID number 09-1-22-22-00-000-001.001; and

WHEREAS, the Planning Commission considered the testimony and exhibits offered on behalf of the application and the following citizens also testified regarding the application: ; and

WHEREAS, the Planning Commission considered the variance standards as described in the City of Troy Subdivision Ordinance, Section 153.194 Review by the Planning Commission and has attached as Exhibit A their findings to support this recommendation; and

WHEREAS, following the testimony and deliberations, members of the Planning Commission voted as recorded below:

Burnett N Hellrung Y Nehrt - Total:
Cissell Y Johnson Y Turner Y 6 Yeas
Hale Y Lawrenz Y 1 Nays

NOW THEREFORE, BE IT RESOLVED BY THE PLANNING COMMISSION AS FOLLOWS:

- 1. That the application for the following: To permit variations from § 153.024 Street Frontage Required and § 153.067 Dedication for Public Use of the Troy Code of Ordinances to allow "flag lots" without public street frontage and private streets in Davidson Place, a proposed minor subdivision at 1008 Troy O'Fallon Road.

Variation IS NOT recommended: Variation IS recommended: X with the following stipulations:

Both variances w/ the stipulation that the private drive be on the north side for use by all three lots and remove the current drive. All three property owners will maintain the entire drive from front to back.

- 2. A copy of this recommendation is presented to the City Council; the original shall be filed with the Code Administrator.

ADOPTED this 14th day of March, 2013.

By: [Signature]
Chairman, Planning Commission

Attest: [Signature]
Secretary, Planning Commission

Addendum A

Planning Commission's Advisory Report

As per Section 153.194 Review by the Planning Commission, the Planning Commission shall review the application for variation and the Code Administrator's comments, and submit its advisory report to the City Council together with its recommendation. The Planning Commission's advisory report shall be responsive to all of the variance standards:

Variance Standards:	Findings:
(1) The proposed variation is consistent with the general purposes of this chapter;	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
(2) Strict application of the subdivision design and improvement requirements would result in great practical difficulties or hardship to the applicant, not a mere convenience;	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
(3) The proposed variance is the minimum deviation from the subdivision requirements that will alleviate the difficulties/hardship; <i>a</i>	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
(4) The plight of the applicant is due to peculiar circumstances not of his or her own making;	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
(5) The peculiar circumstances engendering the variation request are not applicable to other tracts and, therefore, that a variation would be a more appropriate remedy than an amendment; and	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
(6) The variation, if granted, will not <u>substantially</u> impair implementation of the Comprehensive Plan, including the Official Map.	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>

Additional comments:

The By requiring the private drive be used by all three lots (and the existing lot be removed), entrance/exit on Troy O'Fallon Road is safer. Additionally if all three lots use the drive they are more likely to agree on maintenance.

JL

 Chairman, Planning Commission

3/14/13

 Date

Elizabeth Hillung 3-14-13

 Secretary, Planning Commission Date