

**AN ORDINANCE GRANTING A VARIANCE FROM THE SUBDIVISION CODE
(Fairfax Avenue Resubdivision)**

WHEREAS, on July 28, 2009, the City Council approved the Fairfax Avenue Resubdivision; and

WHEREAS, Section 98-103(f) of Chapter 98 “Subdivisions” provides that Plat of Subdivision approval will expire unless the Plat of Subdivision is recorded within two (2) years of the approval; and

WHEREAS, Section 98-40 of Chapter 98 (“Subdivisions”) provides for granting a variance from the provisions of the Subdivision Regulations of the City where an unnecessary hardship would be caused by a strict adherence to the Subdivision Regulations; and

WHEREAS, the owner of the Fairfax Avenue Resubdivision property has requested a variance from the provisions of Section 98-103(f) of the Subdivision Regulations to grant the owner an additional two (2) year period to record the Plat of Subdivision due to the owner’s recent purchase of the property from the original developer who postponed making the necessary improvements; and

WHEREAS, after publication of notice thereof, as provided by law, the Plan Commission has conducted a public hearing on August 2, 2011 at 7:30 p.m., at City Hall, 3600 Kirchoff Road, Rolling Meadows, Illinois, to consider said variance; and

WHEREAS, the Plan Commission has made its recommendation to the City Council recommending to approve the variance as set forth in said application by finding that strict adherence to the Subdivision Regulations would cause an unnecessary hardship; and

WHEREAS, the City Council has reviewed the minutes and recommendations of the Plan Commission.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Rolling Meadows, Illinois, as follows:

SECTION ONE: The City Council hereby grants a variance from Section 98-103(f) of the Subdivision Regulations to allow the owner until July 28, 2013 to record the Plat of Fairfax Avenue Resubdivision.

SECTION TWO: The City Council has determined that special circumstances exist, in this instance, based upon an unnecessary hardship being caused by the strict adherence to the Subdivision Regulations.

SECTION THREE: This Ordinance shall be in full force and effect from and after its date of passage and approval as required by law.

SECTION FOUR: This Ordinance shall be printed and published in pamphlet form by order of the City Council of the City of Rolling Meadows, Illinois.

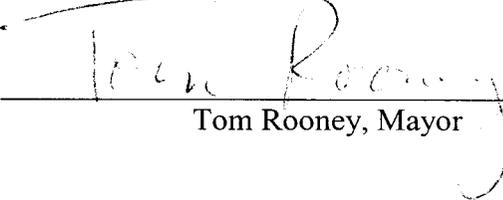
YEAS: Cannon, Allen, Buske, Judd, Banger, D'Astice, Larsen

NAYS: 0

ABSENT: 0

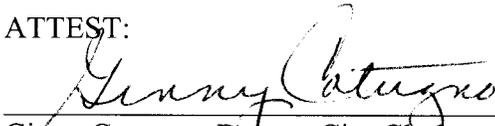
Passed this 13th day of September 2011.

Approved this 13th day of September 2011.



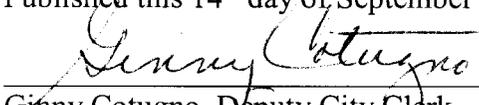
Tom Rooney, Mayor

ATTEST:



Ginny Cotugno, Deputy City Clerk

Published this 14th day of September 2011.



Ginny Cotugno, Deputy City Clerk