

## **RESOLUTION R-19-09**

### **A RESOLUTION APPROVING THE PRELIMINARY PLAT OF SUBDIVISION CESARIO ESTATES (106, 108 & 110 Farnham Lane-Cesario Builders)**

**WHEREAS**, application has been made to subdivide certain real estate within the City of Wheaton, Illinois ("City") legally described in this resolution and commonly known as 106, 108, and 110 Farnham Lane, Wheaton, Illinois ("Subject Property"); and

**WHEREAS**, pursuant to notice as required by the Illinois Municipal Code and City Ordinance, a public hearing was conducted by the Wheaton Planning and Zoning Board on February 10 and 24, 2009 to consider the Preliminary Plat of Subdivision for the subject property; and

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and City Council of the City of Wheaton, Illinois that pursuant to its Home Rule powers as follows:

**Section 1.** The City hereby makes and determines the following Findings of Fact:

- A. The proposed subdivision conforms to the City of Wheaton Comprehensive Plan policies for small subdivisions.
- B. The proposed subdivision promotes the objectives and policies of the City of Wheaton Comprehensive Plan by enhancing property values and the attractiveness of the neighborhood.
- C. The proposed subdivision promotes proper stormwater management and does not negatively impact stormwater management in the area immediately surrounding the subdivision.
- D. The proposed subdivision does not increase the density per acre to a number greater than the average density per acre of lots within a 500-foot radius surrounding the proposed subdivision.

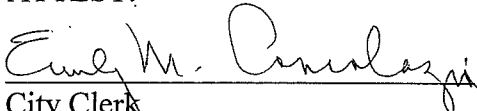
**Section 2.** Pursuant to the Findings of Fact recited in Section 1 of this Resolution, variances from the requirements of the City Subdivision Control Regulations; Section 62-286, *Street Lighting*; Section 62-288, *Street Pavement*; and Section 62-290, *Pavement Edging*; are hereby granted only as they pertain to proposed improvements to Farnham Lane.

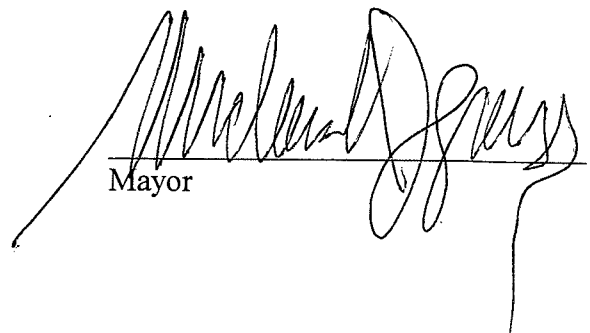
**IT IS FURTHER RESOLVED** that the Mayor is authorized to sign the approval form and the City Clerk is authorized and directed to attest to the signature of the Mayor and attach a certified copy of this resolution of approval to the preliminary plat of Cesario Estates Subdivision, prepared by Jacob & Hefner Associates, Inc. and dated July 28, 2008 with latest revision date of December 2, 2008, subject to the following conditions, restrictions, and requirements:

- A. In lieu of constructing public sidewalks along Farnham Lane, the developer/owner shall donate to the City the cost of installing public sidewalks along the south side of Farnham Lane adjacent to the Subject Property pursuant to Section 58-74 of the City Code.
- B. The final plat of subdivision shall indicate an outlet for public pedestrian access between proposed lots 5 and 6, provided that the property to the east of the Subject Property is subdivided in the future.

**ADOPTED** this 6<sup>th</sup> day of April, 2009.

ATTEST:

  
City Clerk

  
Mayor

Roll Call Vote

Ayes: Councilman Levine  
Mayor Pro Tem Mouhelis  
Councilman Prendiville  
Councilman Suess  
Councilwoman Corry

Nays: None

Absent: Councilman Johnson  
Mayor Gresk

Motion Carried Unanimously