

ORDINANCE NO. 13-17

**AN ORDINANCE GRANTING A
VARIANCE FROM TITLE 9, ZONING, CHAPTER 7, RESIDENTIAL DISTRICTS, ARTICLE B,
R-1 SINGLE-FAMILY RESIDENTIAL DISTRICT, SECTION 8(D)2, SIDE YARD SETBACK FOR
THE PROPERTY LOCATED AT 500 ROCK CREEK DRIVE, MANTENO, ILLINOIS**

WHEREAS, an application has been filed by Kalen and Theresa Schulteis, owners of real property commonly known as 500 Rock Creek Drive, Manteno, Illinois with the Plan Commission of the Village of Manteno, Kankakee County, Illinois, seeking a variance from Manteno Zoning Ordinance, 9-7B-8(D)2, regarding side yard setbacks; and,

WHEREAS, the Plan Commission held a public hearing, on the question of said variance at the Village Board Room of this Village, on October 8, 2013, at which time all persons desiring to be heard were given the opportunity to be heard; and,

WHEREAS, legal notice of said public hearing was published in the manner and form as required by law; and,

NOW, THEREFORE, be it ordained by the President and Board of Trustees of the Village of Manteno, Kankakee County, Illinois, as follows:

Section 1

That the Village of Manteno Plan Commission has made its recommendation and findings to approve the variance request of 3.2' to the side lot line setback requirement set forth in Title 9, Zoning, Chapter 7, Residential Districts, Article 8(D)2, Site and Structure Requirements; Side Yards.

Section 2

That this Board of Trustees has reviewed said recommendation and findings and hereby concurs with Plan Commission Recommendation 13-09 to approve said variance listed in Section 1 herein, to Section 9-7B-8(D)2 of the Manteno Zoning Ordinance on property legally described as follows:

LOT SIXTY-EIGHT (68), ROCK CREEK ESTATES, SECOND ADDITION, BEING A SUBDIVISION OF A PART OF THE SOUTHWEST QUARTER (SW1/4) OF SECTION FOURTEEN (14), TOWNSHIP THIRTY-TWO (32) NORTH, RANGE TWELVE (12) EAST OF THE THIRD PRINCIPAL MERIDIAN, IN KANKAKEE COUNTY, ILLINOIS

P.I.N: (03)-02-14-301-068

Section 3

That said approval of the aforementioned variance is based upon the following findings of fact as provided in the attached document supplied by the applicant.

Section 4

This ordinance shall be immediately in full force and effect after passage and approval.

RECORD OF THE VOTE	Yes	No	Abstain	Absent
President Timothy Nugent				
Trustee Timothy Boyce	✓			
Trustee Samuel Martin	✓			
Trustee Diane Dole	✓			
Trustee Todd Crockett	✓			
Trustee Joel Gesky	✓			
Trustee Wendell O. Phillips	✓			
TOTAL VOTES <i>or</i>				
BY OMNIBUS VOTE	6			

THIS ORDINANCE was passed by the Village President and Board of Trustees and filed in the office of the Village Clerk of the Village of Manteno this 21st day of October, 2013.



Alisa Blanchette, Village Clerk

APPROVED by me this 21st day
of October 2013.



Timothy O. Nugent, Village President

PLAN COMMISSION RECOMMENDATION NO. 13- 09

A RECOMMENDATION APPROVING A VARIANCE FROM TITLE 9, ZONING, CHAPTER 7, RESIDENTIAL DISTRICTS, ARTICLE B, R-1 SINGLE-FAMILY RESIDENTIAL DISTRICT, SECTION 9-7B-8(D)2, SIDE YARD SETBACK, FOR THE PROPERTY LOCATED AT 500 ROCK CREEK DRIVE, MANTENO, ILLINOIS.

WHEREAS, Kalen & Theresa Schulteis, ("Petitioner"), is the owner of real property commonly known as 500 Rock Creek Drive; Manteno, Illinois, and legally described as follows (hereinafter "Subject Property"):

LEGAL DESCRIPTION: Lot Sixty-Eight (68), Rock Creek Estates, 2nd Addition, being a Subdivision of a part of the Southwest Quarter (SW1/4) of Section Fourteen (14), Township Thirty-Two (32) North, Range Twelve (12) East of the Third Principal Meridian, in Kankakee County, Illinois.

PIN NUMBER: 03-02-14-301-068

WHEREAS, the subject property is located in the R-1 Zoning District;

WHEREAS, Section 9-7-B-8(D)2 of the Municipal Code of the Village of Manteno requires all structures shall be set in from the side lot line a distance not less than eight (8') feet or ten percent (10%) of the lot width, whichever is greater ; and

WHEREAS, the existing setback requirement would prevent the petitioner from having enough space to be able to add onto the existing garage, thereby correcting a design flaw in the original garage construction; and

WHEREAS, on October 8th, 2013, pursuant to notice, a public hearing was held before the Plan Commission of the Village of Manteno on the above-referenced variance; and

WHEREAS, at the hearing, the Plan Commission did consider the testimony and exhibits entered into evidence.

NOW, THEREFORE, BE IT RESOLVED by the Plan Commission of the Village of Manteno, Kankakee County, Illinois, as follows:

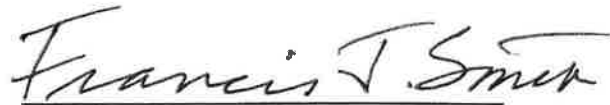
Section 1

The recitals set forth in the above prefatory clauses are hereby adopted as the findings of the Plan Commission of the Village of Manteno and are expressly incorporated herein as a part of this Recommendation.

Section 2

That the application of the Petitioner seeking a variance from the requirements set forth in Title 9, Zoning, Chapter 7, Residential Districts, Article 9-7B-8(D)2, Site & Structure Requirements; Side Yards; is recommended to be granted a 3.2' variance to the side lot line setback requirement, and shall be applicable to the Subject Property.

PASSED by the Plan Commission of the Village of Manteno at a regular meeting thereof held on the 8th day of October, 2013 and approved by me as Chairman on the same day.



Francis Smith
Plan Commission Chairman

ATTEST:

