

ORDINANCE NO. 13-33

AN ORDINANCE AMENDING THE MANTENO ZONING ORDINANCE TO ELIMINATE THE TEN PERCENT (10%) REQUIREMENT FOR SIDE YARD SETBACKS IN THE R-1, R-2 AND R-3 ZONING DISTRICTS AND A CORRECTION FOR THE MAXIMUM ALLOWABLE PENALTY AMOUNT

WHEREAS, the Village of Manteno is a non-home rule municipality duly existing and subject to the laws of the State of Illinois; and

WHEREAS, Section 9-7B-8(D)2 requires all structures shall be set in from the side lot line a distance not less than eight feet (8') or ten percent (10%) of the lot width, whichever is greater, in the R-1 zoning district; and

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

WHEREAS, Section 9-7D-8(D)2 requires all structures shall be set in from the side lot line a distance not less than fifteen feet (15') or ten percent (10%) of the lot width, whichever is greater, in the R-3 zoning district; and

WHEREAS, Section 9-14-17 allows for a maximum penalty not more than five thousand dollars; and

NOW, THEREFORE, BE IT ORDAINED by the Village President and Board of Trustees 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 Village of Manteno and are expressly incorporated herein as a part of this ordinance.

Section 2

That Title 9, Zoning, Chapter 7, Residential Districts, be changed by amending Section 9-7B-8(D)2, to read as follows:

9-7B-8(D): Yards:

“... ”

2. Side Yard: All structures shall be set in from the side lot line distance not less than eight feet (8').

...”

Section 3

That Title 9, Zoning, Chapter 7, Residential Districts, be changed by amending Section 9-7C-8(D)2, to read as follows:

9-7C-8(D): Yards:

“... ”

2. Side Yard: All structures shall be set in from the side lot line distance not less than ten feet (10’).

...”

Section 4

That Title 9, Zoning, Chapter 7, Residential Districts, be changed by amending Section 9-7D-8(D)2, to read as follows:

9-7D-8(D): Yards:

“... ”

2. Side Yard: All structures shall be set in from the side lot line distance not less than fifteen feet (15’).

...”

Section 5

That Title 9, Zoning, Chapter 14, Section 17, Penalties, of the Municipal Code for the Village of Manteno, be recommended to be amended by changing Section 9-14-17 to read as follows:

“... ”

9-14-17: PENALTIES:

Any person who either intentionally or unintentionally violates, disobeys, omits, neglects or refuses to comply with, or resists enforcement of any provisions of this title, shall be subject to a fine of not less than fifty dollars (\$50.00) nor more than seven hundred fifty dollars (\$750.00) for each offense and suffer the penalties herein provided.

...”

Section 6

If any section, paragraph, clause or provision of this ordinance shall be held invalid, the invalidity thereof shall not affect any of the other provisions of this ordinance.

Section 7

This ordinance shall be immediately in full force and effect after passage, approval and publication. This ordinance is authorized to be published in pamphlet form.

PASSED by the President and Board of Trustees of the Village of Manteno, Illinois and deposited in the office of the Village Clerk this 18th day of February 2014.

DEPOSITED with the Village Clerk
this 18th day of February 2014.



ALISA BLANCHETTE, Village Clerk

APPROVED by me this 18th
day of February 2014.



TIMOTHY Q. NUGENT, Village President

I DO HEREBY CERTIFY that this Ordinance was, after its passage and approval, published in pamphlet form by authority of the Village of Manteno, in accordance with law, this 18th day of February 2014.



ALISA BLANCHETTE, Village Clerk

PLAN COMMISSION RECOMMENDATION NO. 13-14

A RECOMMENDATION APPROVING AN AMENDMENT TO THE MANTENO ZONING ORDINANCE TO ELIMINATE THE TEN PERCENT (10%) REQUIREMENT FOR SIDE YARD SETBACKS IN THE R-1, R-2 AND R-3 ZONING DISTRICTS AND A CORRECTION FOR THE MAXIMUM ALLOWABLE PENALTY AMOUNT

WHEREAS, Section 9-7B-8(D)2 requires all structures shall be set in from the side lot line a distance not less than eight feet (8') or ten percent (10%) of the lot width, whichever is greater, in the R-1 zoning district; and

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

WHEREAS, Section 9-7D-8(D)2 requires all structures shall be set in from the side lot line a distance not less than fifteen feet (15') or ten percent (10%) of the lot width, whichever is greater, in the R-3 zoning district; and

WHEREAS, Section 9-14-17 allows for a maximum penalty not more than five thousand dollars; and

WHEREAS, the Corporate Authorities of the Village of Manteno have proposed to amend the Manteno Zoning Ordinance to eliminate the ten percent (10%) side line setback requirements in the R-1, R-2 and R-3 zoning districts; and correct the maximum penalty amount to be limited to seven hundred fifty dollars (\$750.00); and

WHEREAS, on February 11th, 2014, pursuant to notice, a public hearing was held before the Plan Commission of the Village of Manteno on the above-referenced amendment to the Manteno Zoning Ordinance; and,

WHEREAS, at the hearing, the Plan Commission did consider any and all testimony, comments and exhibits presented.

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 Title 9, Zoning, Chapter 7, Residential Districts, of the Municipal Code for the Village of Manteno, be recommended to be amended by changing Section 9-7B-8(D)2 to read as follows:

“Side Yard: All structures shall be set in from the side lot line distance not less than eight feet (8’).”

Section 3

That Title 9, Zoning, Chapter 7, Residential Districts, of the Municipal Code for the Village of Manteno, be recommended to be amended by changing Section 9-7C-8(D)2 to read as follows:

“Side Yard: All structures shall be set in from the side lot line distance not less than ten feet (10’).”

Section 4

That Title 9, Zoning, Chapter 7, Residential Districts, of the Municipal Code for the Village of Manteno, be recommended to be amended by changing Section 9-7D-8(D)2 to read as follows:

“Side Yard: All structures shall be set in from the side lot line distance not less than fifteen feet (15’).”

Section 5

That Title 9, Zoning, Chapter 14, Section 17, Penalties, of the Municipal Code for the Village of Manteno, be recommended to be amended by changing Section 9-14-17 to read as follows:

“... nor more than seven hundred fifty dollars (\$750.00) for each offence ...”

Section 6

That the Director of Building and Zoning shall incorporate the additional requirements provided for in Section One through Five of the Recommendation from and after its approval by the Village President and Board of Trustees of the Village of Manteno.

PASSED by the Plan Commission of the Village of Manteno at a Regular Meeting thereof held on the 11th day of February, 2014 and approved by me as Chairman on the same day.



Francis Smith
Plan Commission Chairman

ATTEST:

