

ORDINANCE NO. 14-06

**AN ORDINANCE GRANTING A
VARIANCE FROM TITLE 9, ZONING, CHAPTER 12, OFF STREET PARKING AND LOADING,
ARTICLE 5, OFF STREET PARKING DESIGN, DEVELOPMENT AND MAINTENANCE,
SECTION (C)1(g), LOCATION FOR PAVEMENT AND CURBS FOR THE PROPERTY
LOCATED AT 52 SOUTH WALNUT STREET, MANTENO, ILLINOIS**

WHEREAS, an application has been filed by the Village of Manteno, owner of real property commonly known as 52 South Walnut Street, Manteno, Illinois with the Plan Commission of the Village of Manteno, Kankakee County, Illinois, seeking a variance from Manteno Zoning Ordinance, 9-12-5-(C)1(g), regarding a required five foot (5') setback for the location of pavement and curbing; and,

WHEREAS, the Plan Commission held a public hearing, on the question of said variance at the Village Board Room of this Village, on August 12, 2014, 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 a zero foot (0') setback to the north and south lot line setback requirement set forth in Title 9, Zoning, Chapter 12, Off Street Parking and Loading, Article 5(C)1(g), Location.

Section 2

That this Board of Trustees has reviewed said recommendation and findings and hereby concurs with Plan Commission Recommendation 14-01 to approve said variance listed in Section 1 herein, to Section 9-12-5(C)1(g) of the Manteno Zoning Ordinance on property legally described as follows:

THE SOUTH 55 FEET OF LOT THIRTEEN (13) IN BLOCK ELEVEN (11), VILLAGE OF MANTENO, SITUATED IN KANKAKEE COUNTY, ILLINOIS

P.I.N: 03-02-22-104-007

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 | x | | | |
| Trustee Samuel Martin | x | | | |
| Trustee Diane Dole | x | | | |
| Trustee Todd Crockett | x | | | |
| Trustee Joel Gesky | x | | | |
| Trustee Wendell O. Phillips | x | | | |
| TOTAL VOTES or BY OMNIBUS VOTE | | | | |

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 18th day of August, 2014.

Alisa Blanchette by Darla Hurley
Alisa Blanchette, Village Clerk *Deputy*

APPROVED by me this 18th day
of August 2014.

Timothy O. Nugent

Timothy O. Nugent, Village President

PLAN COMMISSION RECOMMENDATION NO. 14-01

A RECOMMENDATION APPROVING A VARIANCE FROM TITLE 9, ZONING, CHAPTER 12, ARTICLE 5(C)1(g), LOCATION, FOR THE PROPERTY LOCATED AT 52 SOUTH WALNUT STREET, MANTENO, ILLINOIS

WHEREAS, the Village of Manteno, (“Petitioner”), is the owner of real property commonly known as 52 South Walnut Street, Manteno, Illinois, and legally described as follows (hereinafter “Subject Property”):

LEGAL DESCRIPTION: The South 55 feet of Lot Thirteen (13) in Block Eleven (11), Village of Manteno, situated in Kankakee County, Illinois.

PIN NUMBER: 03-02-22-104-007

WHEREAS, the subject property is located in the R-3 Residential Zoning District; and

WHEREAS, Section 9-12-5(C)1(g) of the Municipal Code of the Village of Manteno requires no pavement or curbing shall be located closer than five feet (5’) from any property line unless it can be specifically demonstrated that the intent is to extend the parking to adjacent properties; and

WHEREAS, on August 12th, 2014, pursuant to notice, a public hearing was held before the Plan Commission of the Village of Manteno on the above-referenced variances; 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, Chapter 12, Article 5(C)1(g) in the R-3 Zoning District of the Village of Manteno, to allow for zero lot line construction of curbs and pavement on the North and South lot lines, is recommended to be granted as described above and shall be applicable to the Subject Property.

Section 3

That the Director of Building and Zoning shall incorporate the additional requirements provided for in Section One and Two 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 12th day of August, 2014 and approved by me as Chairman on the same day.



Francis Smith
Plan Commission Chairman

ATTEST:

