

ORDINANCE NO. 14-30

**AN ORDINANCE GRANTING A VARIANCE FROM TITLE 9,
ZONING, CHAPTER 7, ARTICLE C-8(D)2, SIDE YARD SETBACKS, IN
THE R-2 TWO-FAMILY ATTACHED RESIDENTIAL DISTRICT, FOR
THE PROPERTIES KNOWN AS LOTS 50, 51 AND 52 OF SURREY
SUBDIVISION, SECOND ADDITION, MANTENO, ILLINOIS.**

TIMOTHY O. NUGENT

Village President

TIMOTHY J. BOYCE
TODD CROCKETT
DIANE DOLE
JOEL GESKY
SAMUEL J. MARTIN
WENDELL PHILLIPS

Trustees

ALISA BLANCHETTE

Village Clerk

ORDINANCE NO. 14-30

AN ORDINANCE GRANTING A VARIANCE FROM TITLE 9, ZONING, CHAPTER 7, ARTICLE C-8(D)2, SIDE YARD SETBACKS, IN THE R-2 TWO-FAMILY ATTACHED RESIDENTIAL DISTRICT, FOR THE PROPERTIES KNOWN AS LOTS 50, 51 AND 52 OF SURREY SUBDIVISION, SECOND ADDITION, MANTENO, ILLINOIS.

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

WHEREAS, an application has been filed by Stewart Construction, owner of the real properties commonly known as Lots 50, 51 & 52 of Surrey Subdivision, 2nd Addition, Manteno, Illinois, with the Planning Commission of the Village of Manteno, Kankakee County, Illinois, seeking a two (2) foot variance from Manteno Zoning Ordinance 9-7-C-8(D)2 regarding the required ten (10) foot side yard setback; and,

WHEREAS, the Planning Commission held a public hearing on the question of said variance at the Village Board room, on October 14, 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 Village President and Board of Trustees of the Village of Manteno, Kankakee County, Illinois, as follows:

Section 1

That the Village of Manteno Planning Commission has made its recommendation and findings to approve the request of a two (2) foot variance to the required ten (10) foot sideline setback set forth in Title 9, Zoning, Chapter 7, Article C-8(D)2 in the R-2 Two-Family Attached Residential Zoning District.

Section 2

That this Board of Trustees has reviewed said recommendation and findings and hereby concurs with Planning Commission Recommendation 14-11 to approve said variance listed in Section 1 herein, to Section 9-7-C-8(D)2 on the properties legally described as follows:

Lots Fifty, Fifty-One and Fifty-Two, in Surrey Subdivision, Second Addition, being a resubdivision of lot 9 Surrey Subdivision, and a parcel of land in the Southwest quarter of Section Sixteen, Township Thirty-Two North, Range Twelve East of the Third Principal Meridian, in Kankakee County, Illinois,

P.I.N. #'s: 03-02-16-300-053; 03-02-16-300-054; 03-02-16-300-055

Section 3

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 20th day of October, 2014.

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	5			

DEPOSITED with the Village Clerk
this 20th day of October, 2014.


ALISA BLANCHETTE, Village Clerk

APPROVED by me this 20th
day of October, 2014.


TIMOTHY O. 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 20th day of October, 2014.



ALISA BLANCHETTE, Village Clerk

PLANNING COMMISSION RECOMMENDATION NO. 14-11

A RECOMMENDATION APPROVING A VARIANCE FROM TITLE 9, ZONING, CHAPTER 7, ARTICLE C-8(D)2, SIDE YARD SETBACKS, IN THE R-2 TWO-FAMILY ATTACHED RESIDENTIAL DISTRICT, FOR THE PROPERTIES KNOWN AS LOTS 50, 51 & 52 SURREY SUBDIVISION, SECOND ADDITION, MANTENO, ILLINOIS.

WHEREAS, Stewart Construction, ("Petitioner"), is the owner of real property commonly known as Lots 50, 51 & 52, Surrey Subdivision, Second Addition, Manteno, Illinois, and legally described as follows (hereinafter "Subject Property"):

LEGAL DESCRIPTION: Lots Fifty, Fifty-One and Fifty-Two, in Surrey Subdivision Second Addition, being a resubdivision of Lot Nine of Surrey Subdivision, and a parcel of land in the Southwest Quarter of Section Sixteen, Township Thirty-Two North, Range Twelve East of the Third Principal Meridian, in Kankakee County, Illinois,

PIN #'S: 03-02-16-300-053; 03-02-16-300-054; 03-02-16-300-055

WHEREAS, the subject property is to be located in the R-2 Zoning District; and

WHEREAS, Section 9-7C-8(D)2 of the Municipal Code of the Village of Manteno requires all structures to be set in from the side lot line a distance not less than ten feet (10'); and

WHEREAS, on October 14th, 2014, pursuant to notice, a public hearing was held before the Planning Commission of the Village of Manteno on the above-referenced variances; and

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

NOW, THEREFORE, BE IT RESOLVED by the Planning 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 Planning 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 7, Article C-7(D)2 in the Two-Family Attached Residential Zoning District of the Village of Manteno, to allow for a structure to be built within eight feet (8') of the side lot line, is recommended to be granted as described above and shall be applicable to the Subject Properties.

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 Planning Commission of the Village of Manteno at a Regular Meeting thereof held on the 14th day of October, 2014 and approved by me as Chairman on the same day.



Francis Smith
Planning Commission Chairman

ATTEST:

