

**ORDINANCE 15-27**

**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 PROPERTY KNOWN AS 1017 LINCOLN DRIVE, MANTENO,  
ILLINOIS**

TIMOTHY O. NUGENT

Village President

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Village Clerk

Prepared by

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Village Attorney

**ORDINANCE NO. 15-27**

**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 PROPERTY KNOWN AS 1017 LINCOLN DRIVE, 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, the Village of Manteno did grant a two (2') foot sideline setback variance from Manteno Zoning Ordinance 9-7C-8(D)2 from the required ten (10') feet to allow the structure to be built within eight (8') feet of the sideline; and

WHEREAS, an application has been filed by Stewart Construction, owner of the real property commonly known as 1017 Lincoln Drive, Manteno, Illinois, with the Planning Commission of the Village of Manteno, Kankakee County, Illinois, seeking a point 8 (.8') foot variance from Manteno Zoning Ordinance 9-7-C-8(D)2 regarding the required ten (10) foot side yard setback and the two (2') foot variance granted by ordinance 14-30; and,

WHEREAS, the Planning Commission held a public hearing on the question of said variance at the Village Board room, on October 13, 2015, 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 point 8 (.8') 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 and the two (2') variance provided in ordinance 14-30.

**Section 2**

That this Board of Trustees has reviewed said recommendation and findings and hereby concurs with Planning Commission Recommendation 15-09 to approve said variance listed in Section 1 herein, to Section 9-7C-8(D)2 on the property legally described as follows:

Lot Fifty-One, 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. #03-02-16-300-054

**Section 3**

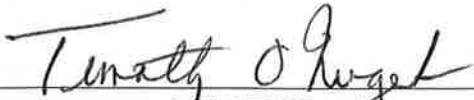
This ordinance shall be immediately in full force and effect after passage, approval, and publication. This ordinance is authorized to be published in pamphlet form.

PASSED by the President and Board of Trustees of the Village of Manteno, Illinois and deposited in the office of the Village Clerk this 19<sup>th</sup> day of October, 2015.

DEPOSITED with the Village Clerk  
this 19<sup>th</sup> day of October, 2015.

  
ALISA BLANCHETTE, Village Clerk

APPROVED by me this 19<sup>th</sup>  
day of October, 2015.

  
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 19<sup>th</sup> day of October, 2015.

  
ALISA BLANCHETTE, Village Clerk

**PLANNING COMMISSION RECOMMENDATION NO. 15-09**

**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 PROPERTY KNOWN AS 1017 LINCOLN DRIVE, MANTENO, ILLINOIS.**

**WHEREAS**, Stewart Construction, ("Petitioner"), is the owner of real property commonly known as 1017 Lincoln Drive, Manteno, Illinois, and legally described as follows (hereinafter "Subject Property"):

**LEGAL DESCRIPTION:** Lot Fifty-One, 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 #: 03-02-16-300-054

**WHEREAS**, the subject property is 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 20th, 2014, the Village Board did grant a sideline setback variance from the required ten feet (10') to eight feet (8') per ordinance 14-30; and

**WHEREAS**, on October 13th, 2015, 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.

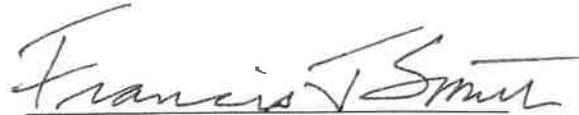
**Section 2**

That the application of the Petitioner seeking a variance from the requirements set forth in Title 9, Chapter 7, Article C-8(D)2 in the Two-Family Attached Residential Zoning District of the Village of Manteno, to allow for a structure to remain within seven point two feet (7.2') of the side lot line, 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 Planning Commission of the Village of Manteno at a Regular Meeting thereof held on the 13<sup>th</sup> day of October, 2015 and approved by me as Chairman on the same day.



Francis Smith  
Planning Commission Chairman

ATTEST:

