

ORDINANCE NO. 16-11

AN ORDINANCE AMENDING TITLE 8, BUILDING REGULATIONS, CHAPTER 1, BUILDING CODE, BY CHANGING SECTION 8-1-15, ACCESSORY BUILDING / STRUCTURE FOUNDATIONS; AND AMENDING TITLE 9 ZONING, CHAPTER 2, BY CHANGING SECTION 9-2-3, DEFINITIONS; AND AMENDING TITLE 9 ZONING, CHAPTER 7 RESIDENTIAL DISTRICTS, BY CHANGING SECTION 9-7B-8, SITE AND STRUCTURE REQUIREMENTS, OF THE MUNICIPAL CODE FOR THE VILLAGE OF MANTENO.

TIMOTHY O. NUGENT

Village President

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

Trustees

ALISA BLANCHETTE

Village Clerk

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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, on August 9th, 2016, pursuant to notice, a public hearing was held before the Plan Commission of the Village of Manteno on an amendment to the Manteno Zoning Ordinance in order to provide for the regulation of Accessory Buildings, Structures and Uses. The Plan Commission did consider all testimony and exhibits and, thereafter, recommended that the amendment be adopted through Plan Commission Recommendation No. 16-02;

WHEREAS, Section 8-1-15 of the Manteno Municipal Code sets forth the requirements for Accessory Building/Structure Foundations; and,

WHEREAS, Section 9-2-3 of the Manteno Municipal Code sets forth Definitions for the Zoning Title; and,

WHEREAS, Section 9-7B-8(H) of the Manteno Municipal Code sets forth requirements for Site and Structure Requirements for the R-1 Single-Family Residential District; and,

WHEREAS, the Village of Manteno deems it necessary, desirable and in its best interests to amend § 8-1-15; 9-2-3 and 9-7B-8(H) of the Manteno Municipal Code to add definitions, change definitions and further clarify the requirements for accessory buildings, structures and uses, 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 findings set forth in Plan Commission Recommendation No. 16-02 are adopted as the findings of the corporate authorities of the Village of Manteno and are incorporated herein as a part of this Ordinance.

Section 2

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 3

That Title 8, BUILDING REGULATIONS, Chapter 1, Building Code, be changed by amending Section 8-1-15, Accessory Building/Structure Foundations: to read as follows:

"8-1-15: ACCESSORY BUILDINGS:

No accessory building shall be constructed or added onto without first obtaining a building permit. Accessory buildings must have an approved floor, concrete, wood, or other similar surface. All accessory buildings shall be built with a minimum four inch (4") gravel base or manufactured floor kit of a moisture resistant nature and be built to avoid rodent or varmint infestation. All accessory buildings shall be anchored to avoid uplift from wind. Accessory buildings not framed on-site over a concrete slab will be required to have at least two (2) attached ground anchors at opposite corners of the building.

...

No accessory building shall be sided with metal.

Minimum two by two (2 x 2) framing construction will be required.

..."

Section 4

That Title 9, ZONING, Chapter 2, Rules and Definitions, be changed by amending Section 9-2-3, Definitions, to read as follows:

"9-2-3: DEFINITIONS:

...

ACCESS: Freedom of approach, action or communication.

ACCESSORY BUILDING: Any covered structure that fits the definition of "Accessory Use", including, but not limited to garages, carports, sheds, work-shops, storage buildings, guest houses, pool houses, gazebos and pergolas.

ACCESSORY STRUCTURE: Anything constructed or erected, or any piece of work artificially built up or composed of parts joined together in some definite manner that fits the definition of "Accessory Use", including, but not limited to buildings, pools, decks, patios, sidewalks, driveways and hard-surface athletic courts.

ACCESSORY USE: One which:

- (A) In the case of a building, is a detached structure; and
- (B) Is subordinate to and serves a principal building or principal use; and
- (C) Is subordinate in area, extent, or purpose to the principal building or principal use served; and
- (D) Contributes to the comfort, convenience, or necessity of occupants of the principal building or principal use served; and
- (E) Is located on the same zoning lot as the principal building or potential use served with the single exception of such accessory off street parking facilities as are permitted to locate elsewhere than on the same zoning lot with the building or use served.

ACREAGE, GROSS: The overall total area of real property.

...

BUFFER STRIP OR ZONE: An area established to protect one type of land use from the undesirable characteristics of another.

BUILDING: Any covered structure built for the support, shelter or enclosure of persons, animals, chattels, or movable property of any kind.

BUILDING AREA: The space remaining on a zoning lot after the minimum yard requirements of this title have been complied with.

...

STAFF REPORT: A report prepared for the village by staff regarding a matter to be presented either formally or informally to a commission, usually including a recommendation.

**STORAGE BUILDING/
SHED:** A detached accessory building limited to no more than three hundred fifty (350) square feet in area, used for storage of yard equipment, tools and other items.

STORAGE, OUTDOOR: The outdoor accumulation of vehicles, equipment, or products, or materials for permanent or temporary holding.

..."

Section 5

That Title 9, Zoning, Chapter 7: RESIDENTIAL DISTRICTS, be changed by amending Section 9-7B-8(H), Maximum Lot Coverage, to read as follows:

- (H) Maximum Lot Coverage: Principal building not to exceed thirty percent (30%). Accessory buildings not to exceed ten percent (10%).

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

All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed insofar as they conflict herewith.

Section 8

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.

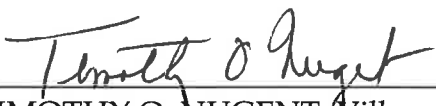
PASSED by the President and Board of Trustees of the Village of Manteno, Illinois and deposited in the office of the Village Clerk this 15th day of August, 2016.

DEPOSITED with the Village Clerk
this 15th day of August, 2016.



ALISA BLANCHETTE, Village Clerk

APPROVED by me this 15th
day of August, 2016.



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 15th day of August, 2016.



ALISA BLANCHETTE, Village Clerk

PLAN COMMISSION RECOMMENDATION NO. 16-02

A RECOMMENDATION APPROVING AN AMENDMENT TO THE MANTENO BUILDING REGULATIONS ORDINANCE AND ZONING ORDINANCE TO DEFINE AND CLARIFY REQUIREMENTS FOR ACCESSORY BUILDINGS, STRUCTURES AND USES IN ALL ZONING DISTRICTS.

WHEREAS, Section 8-1-15 sets forth requirements for an Accessory Building / Structure Foundation; and

WHEREAS, Section 9-2-3 sets forth Definitions for the Zoning Title; and

WHEREAS, Section 9-7B-8 sets forth Site and Structure Requirements for the R-1 Single-Family Residential District; and

WHEREAS, the Corporate Authorities of the Village of Manteno have proposed to amend the Manteno Building Regulations Ordinance and Zoning Ordinance to better clarify and define the requirements for accessory buildings, structures and uses; and

WHEREAS, on August 9th, 2016, 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 Building Ordinance and 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 8, BUILDING REGULATIONS, Chapter 1, Building Code, be changed by amending Section 8-1-15, Accessory Building/Structure Foundations: to read as follows:

"8-1-15: ACCESSORY BUILDINGS:

No accessory building shall be constructed or added onto without first obtaining a building permit. Accessory buildings must have an approved floor, concrete, wood, or

other similar surface. All accessory buildings shall be built with a minimum four inch (4") gravel base or manufactured floor kit of a moisture resistant nature and be built to avoid rodent or varmint infestation. All accessory buildings shall be anchored to avoid uplift from wind. Accessory buildings not framed on-site over a concrete slab will be required to have at least two (2) attached ground anchors at opposite corners of the building.

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(A) In the case of a building, is a detached structure; and

(B) Is subordinate to and serves a principal building or principal use; and

(C) Is subordinate in area, extent, or purpose to the principal building or principal use served; and

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Section 4


That Title 9, Zoning, Chapter 7: RESIDENTIAL DISTRICTS, be changed by amending Section 9-7B-8(H), Maximum Lot Coverage, to read as follows:

- (H) Maximum Lot Coverage: Principal building not to exceed thirty percent (30%). Accessory buildings not to exceed ten percent (10%).

Section 5

That the Director of Building and Zoning shall incorporate the additional requirements provided for in section one through four 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 9th day of August, 2016 and approved by me as Chairman on the same day.


Francis Smith
Plan Commission Chairman

ATTEST:



Darla Hurley