

ORDINANCE NO. 16-23_

AN ORDINANCE GRANTING A VARIANCE FROM TITLE 9, ZONING, CHAPTER 7, ARTICLE B-8(D)2, SIDE YARD SETBACKS, IN THE R-1 SINGLE-FAMILY RESIDENTIAL DISTRICT, FOR THE PROPERTY KNOWN AS 970 WINDFIELD COURT, 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 Piggush Engineering, Inc. on behalf of Stewart Construction, owner of the real property commonly known as 970 Windfield Court, Manteno, Illinois, with the Planning Commission of the Village of Manteno, Kankakee County, Illinois, seeking a point 46 (.46') foot and point one seven (.17) foot variance respectively, from Manteno Zoning Ordinance 9-7-C-8(D)2 regarding the required eight (8) 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 November 8th, 2016, 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 findings of fact and recommendation to approve the request of a point 46 (.46') foot and point one seven (.17) foot variance to the required eight (8) foot sideline setback set forth in Title 9, Zoning, Chapter 7, Article B-8(D)2 in the R-1 Single Family Residential Zoning District.

Section 2

That this Board of Trustees has reviewed said findings of fact and recommendation and hereby concurs with Planning Commission Recommendation 16-09 to approve said variance listed in Section 1 herein, to Section 9-7B-8(D)2 on the property legally described as follows:

Lot 5 in Windfield Estates Phase 1, being a Subdivision of Part of the South Half of the Northwest Quarter of Section 16, Township 32 North, Range 12 East of the Third Principal Meridian, all in Kankakee County, Illinois.

PROPERTY INDEX NUMBER: 03-02-16-101-005

Section 3

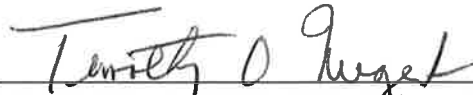
This ordinance shall be immediately in full force and effect after passage, approval, and publication. This ordinance is authorized to be published in pamphlet form.

PASSED by the President and Board of Trustees of the Village of Manteno, Illinois and deposited in the office of the Village Clerk this 21st day of November, 2016.

DEPOSITED with the Village Clerk
this 21st day of November, 2016.


ALISA BLANCHETTE, Village Clerk

APPROVED by me this 21st
day of November, 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 21st day of November, 2016.


ALISA BLANCHETTE, Village Clerk

PLANNING COMMISSION RECOMMENDATION NO. 16-09

A RECOMMENDATION APPROVING A VARIANCE FROM TITLE 9, ZONING, CHAPTER 7, ARTICLE B-8(D)2, SIDE YARD SETBACKS, IN THE R-1 SINGLE-FAMILY RESIDENTIAL DISTRICT, FOR THE PROPERTY KNOWN AS 970 WINDFIELD COURT, MANTENO, ILLINOIS.

WHEREAS, Piggush Engineering, Inc., ("Petitioner"), on behalf of Stewart Construction who is the owner of real property commonly known as 970 Windfield Court, Manteno, Illinois, and legally described as follows (hereinafter "Subject Property"):

LEGAL DESCRIPTION: Lot 5 in Windfield Estates Phase 1, being a Subdivision of Part of the South Half of the Northwest Quarter of Section 16, Township 32 North, Range 12 East of the Third Principal Meridian, all in Kankakee County, Illinois.

PROPERTY INDEX NUMBER: 03-02-16-101-005

WHEREAS, the subject property is located in the R-1 Zoning District; and

WHEREAS, Section 9-7B-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 eight feet (8'); and

WHEREAS, on November 8th, 2016, pursuant to notice, a public hearing was held before the Planning Commission of the Village of Manteno on the above-referenced variance; 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 B-8(D)2 in the Single-Family Residential zoning district of the Village of Manteno, to allow for a structure to remain within seven point five-four feet (7.54') and seven point eight-three feet (7.83') of the side lot lines, respectively, 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 8th day of November, 2016 and approved by me as Chairman on the same day.



Francis Smith
Planning Commission Chairman

ATTEST:

