

ORDINANCE 16-28

AN ORDINANCE GRANTING VARIANCES FROM TITLE 9, ZONING, CHAPTER 7, ARTICLE C-8(B), (C) & (D), SITE AND STRUCTURE REQUIREMENTS, IN THE R-2 TWO-FAMILY ATTACHED RESIDENTIAL DISTRICT, FOR THE PROPERTY KNOWN AS 590 WATER TOWER NORTH AND 491 HESBURGH DRIVE, MANTENO, ILLINOIS.

TIMOTHY O. NUGENT

Village President

TIMOTHY J. BOYCE

TODD CROCKETT

DIANE DOLE

JOEL GESKY

SAMUEL MARTIN

WENDELL PHILLIPS

Trustees

ALISA BLANCHETTE

Village Clerk

Prepared by
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Village Attorney

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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 Wanda Brown, owner of the real property commonly known as 590 Water Tower North and 491 Hesburgh, Manteno, Illinois, with the Planning Commission of the Village of Manteno, Kankakee County, Illinois, seeking variances to allow the separation of an existing duplex into two separate parcels, as shown on the plat provided, and attached hereto as exhibit "A". Tract 1 - variances from the requirements set forth in Title 9, Chapter 7, Article C-8(C) and (D) in the Two-Family Attached Residential zoning district of the Village of Manteno, 1) a front yard variance of .92 feet; 2) a lot depth variance of 16.78 feet; and 3) a rear yard setback variance of 30 feet to 0 feet in approximately 20 feet of length along the angle of the rear lot line; and, Tract 2 - variances from the requirements set forth in Title 9, Chapter 7, Article C-8(B), (C) and (D) in the Two-Family Attached Residential zoning district of the Village of Manteno, 1) a front yard variance of .80 feet; 2) a lot width variance of 24.61 feet; 3) a sideline setback variance of 1.91 feet; and 4) a rear yard setback variance of 20 feet to 0 feet in approximately 37 feet of length along the angle of the rear lot line; and

WHEREAS, the Planning Commission held a public hearing on the question of said variance at the Village Board room, on December 13th, 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 front yard variance of .92 feet; a lot depth variance of 16.78 feet; and a rear yard setback variance of 30 feet to 0 feet in approximately 20 feet of length along the angle of the rear lot line for Tract 1; and a front yard variance of .80 feet; a lot width variance of 24.61 feet; a sideline setback variance of 1.91 feet; and a rear yard setback variance of 20 feet to 0 feet in approximately 37 feet of length along the angle of the rear lot line for Tract 2 in the R-2 Two-Family Attached 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 16-12 to approve said variances listed in Section 1 herein, to Section 9-7C-8(B), (C) and (D), on the property legally described as follows:

LEGAL DESCRIPTION: Lot 4 and Lot 13, EXCEPT the North 37 feet of said Lot 13 in Park West Subdivision, being a subdivision of part of the East half of Section 16, Township 32 North, Range 12 East of the Third Principal Meridian, in Kankakee County, Illinois.

PROPERTY INDEX NUMBER: 03-02-16-200-084

Section 3

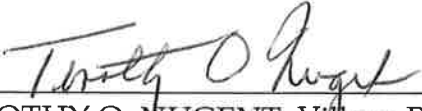
This ordinance shall be immediately in full force and effect after passage, approval, and publication. This ordinance is authorized to be published in pamphlet form.

PASSED by the President and Board of Trustees of the Village of Manteno, Illinois and deposited in the office of the Village Clerk this 19th day of December, 2016.

DEPOSITED with the Village Clerk
This 19th day of December, 2016.


ALISA BLANCHETTE, Village Clerk

APPROVED by me this 19th
day of December, 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 19th day of December, 2016.



ALISA BLANCHETTE, Village Clerk

PLAT OF SURVEY

590 WATER TOWER NORTH
MANTENO, ILLINOIS

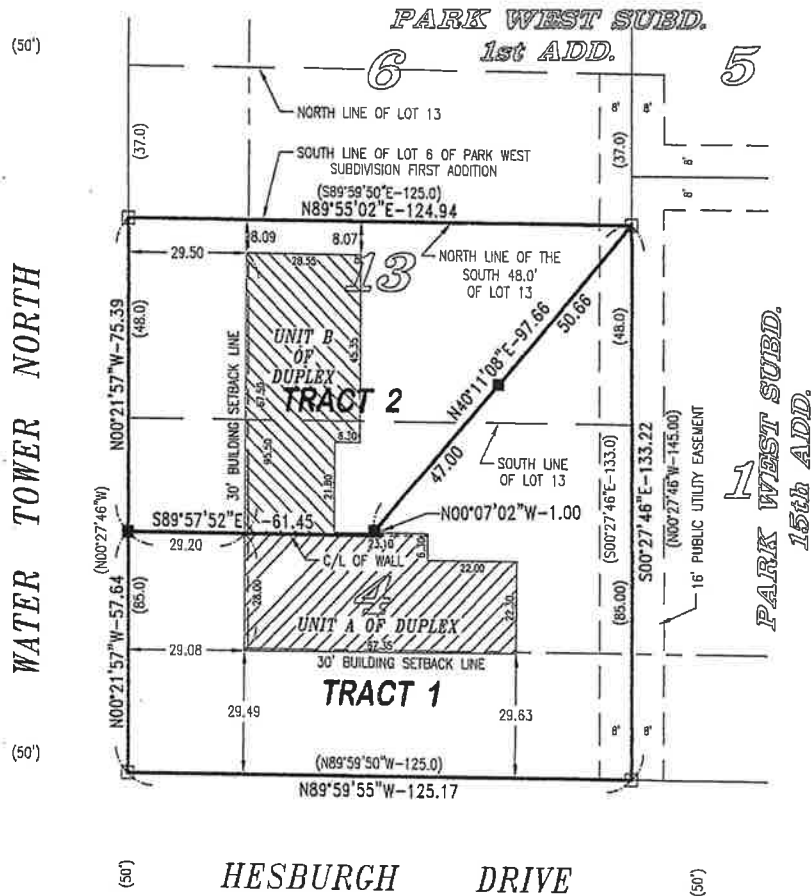


SCALE 1" = 30'

LEGEND

- IRON ROD RECOVERED
- IRON ROD SET
- (100.0) RECORDED DIMENSION
- 100.00 MEASURED DIMENSION

NOTE: BEARINGS ARE RELATIVE TO SUBDIVISION PLAT.




*LEGAL DESCRIPTION

Tract 1: A part of Lot 4 and the South 48.00 feet of Lot 13 in Park West Subdivision being a Subdivision of part of the East Half of Section 16, Township 32 North, Range 12 East of the Third Principal Meridian, in Kankakee County, Illinois, described as follows: Beginning at an iron rod at the Southwest corner of said Lot 4; thence North 00°21'57" West along the West line of said Lot 4 a distance of 57.64 feet to an iron rod; thence South 89°57'52" East a distance of 61.45 feet to a point; thence North 00°07'02" West a distance of 1.00 feet to an iron rod; thence South 00°27'46" East a distance of 133.22 feet to an iron rod at the Southeast corner of said Lot 4; thence North 89°59'55" West along the South line of said Lot 4 a distance of 125.17 feet to the point of beginning.

Tract 2: A part of Lot 4 and the South 48.00 feet of Lot 13 in Park West Subdivision being a Subdivision of part of the East Half of Section 16, Township 32 North, Range 12 East of the Third Principal Meridian, in Kankakee County, Illinois, described as follows: Commencing at an iron rod at the Southwest corner of said Lot 4; thence North 00°21'57" West along the West line of said Lot 4 a distance of 57.64 feet to an iron rod, said point to be known as the point of beginning; thence North 00°21'57" West along the West line of said Lots 4 and 13 a distance of 75.39 feet to an iron rod at the Northwest corner of the South 48.00 feet of said Lot 13; thence North 89°55'02" East a distance of 124.94 feet to an iron rod at the Northeast corner of the South 48.00 feet of said Lot 13; thence South 40°11'08" West a distance of 97.66 feet to an iron rod; thence South 00°07'02" East a distance of 1.00 feet to a point; thence North 89°57'52" West a distance of 61.45 feet to the point of beginning.

This is to certify that on October 13, 2016, at the request of WANDA BROWN, Agent, I, John C. Barrett, an Illinois Professional Land Surveyor, certify that this survey was made on the ground, that this plat correctly represents the facts found at the time of survey and that this professional service conforms to the current applicable Illinois Professional Land Surveyor Association Standards. This survey does not guarantee title information. Valid only if original Surveyor's Seal is affixed.

Given under my hand and seal this 18th day of October, 2016.


John C. Barrett, I.P.L.S. #2997 Expires 11-30-16
367 South Schuyler Avenue
Tyson Engineering, Inc. Kankakee, IL 60901
Design Firm License #184-001136



Job #16-T0548

NOTES:

1. This professional service conforms to the current Illinois minimum standards for a boundary survey.
2. Please check Land Description with Deed and report any discrepancy immediately.
3. Compare all points before building by same and report any discrepancies at once.
4. Building lines, if any, shown hereon are building lines shown on the recorded subdivision plat.
5. Consult local authorities for building lines established by local ordinance.
6. No title or easement documentation was provided by the Agent. Property lines, easements and rights-of-way shown hereon are based solely on information furnished by the agent. The Land Surveyor did not do a title search to locate any other easements or agreements of record.

PLANNING COMMISSION RECOMMENDATION NO. 16-12

A RECOMMENDATION APPROVING VARIANCES FROM TITLE 9, ZONING, CHAPTER 7, ARTICLE C-8(B), (C) & (D) SITE AND STRUCTURE REQUIREMENTS, IN THE R-2 TWO-FAMILY ATTACHED RESIDENTIAL DISTRICT, FOR THE PROPERTY KNOWN AS 590 WATER TOWER NORTH AND 491 HESBURGH DRIVE, MANTENO, ILLINOIS.

WHEREAS, Wanda Brown, ("Petitioner"), who is the owner of real property commonly known as 590 Water Tower North and 491 Hesburgh Drive, Manteno, Illinois, and legally described as follows (hereinafter "Subject Property"):

LEGAL DESCRIPTION: Lot 4 and Lot 13, EXCEPT the North 37 feet of said Lot 13 in Park West Subdivision, being a subdivision of part of the East half of Section 16, Township 32 North, Range 12 East of the Third Principal Meridian, in Kankakee County, Illinois.

PROPERTY INDEX NUMBER: 03-02-16-200-084

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

WHEREAS, Section 9-7C-8(B) of the Municipal Code of the Village of Manteno requires a minimum lot width of one hundred (100') feet; and

WHEREAS, Section 9-7C-8(C) of the Municipal Code of the Village of Manteno requires a minimum lot depth of one hundred fifty (150') feet for a reverse corner lot; and

WHEREAS, Section 9-7C-8(D) of the Municipal Code of the Village of Manteno requires a minimum front yard setback of thirty (30') feet; a minimum side yard setback of ten (10') feet; and a minimum rear yard setback of thirty (30') feet; and

WHEREAS, on December 13th, 2016, 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 variances from the requirements set forth in Title 9, Chapter 7, Article C-8(C) and (D) in the Two-Family Attached Residential zoning district of the Village of Manteno, for Tract 1 as shown on the plat provided, and attached hereto as exhibit "A", to allow for the separation of an existing duplex into two separate parcels with the following variances; 1) a front yard variance of .51 feet; 2) a lot depth variance of 16.78 feet; and 3) a rear yard setback variance of 30 feet to 0 feet in approximately 20 feet of length along the angle of the rear lot line, is recommended to be granted as described above and shall be applicable to the Subject Property.

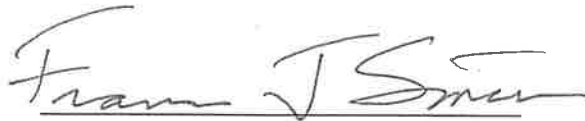
Section 3

That the application of the Petitioner seeking variances from the requirements set forth in Title 9, Chapter 7, Article C-8(B), (C) and (D) in the Two-Family Attached Residential zoning district of the Village of Manteno, for Tract 2 as shown on the plat provided, and attached hereto as exhibit "A", to allow for the separation of an existing duplex into two separate parcels with the following variances; 1) a front yard variance of .92 feet; 2) a lot width variance of 24.61 feet; 3) a sideline setback variance of 1.91 feet; and 4) a rear yard setback variance of 20 feet to 0 feet in approximately 37 feet of length along the angle of the rear lot line, is recommended to be granted as described above and shall be applicable to the Subject Property.

Section 4

That the Director of Building and Zoning shall incorporate the additional requirements provided for in Section One and Two and Three 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 13th day of December, 2016 and approved by me as Chairman on the same day.



Francis Smith
Planning Commission Chairman

ATTEST:

