

ORDINANCE

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AMENDING KENDALL COUNTY ZONING ORDINANCE AS AMENDED

WHEREAS, Burton Needham & Helene Needham, Lewis Needham & Mrjorie Needham, Earl Needham & Viola Needham, LeRoy Corbin & Irene Corbin, and Sandwich Redi-Mix Inc., did petition the Zoning Board of Appeals of Kendall County for public hearing in the manner required by law and the ordinances of Kendall County, Illinois for a proposed amendment to the Kendall County Zoning Ordinance adopted May 10, 1960, and

WHEREAS, said Zoning Board of Appeals did thereupon publish notice of a hearing on said proposed amendment to said Zoning Ordinance as provided by the Statutes of the State of Illinois, and did then hold a public hearing on said proposed amendment on the 11th day of December, A.D. 1970, on the site described in the petition and at the conclusion of said hearing said Zoning Board of Appeals voted in favor of recommending to the Board of Supervisors of Kendall County, Illinois that the petition be granted and the Zoning maps and ordinance be amended in the manner required by law.

NOW THEREFORE, BE IT ORDAINED by the Board of Supervisors of Kendall County, Illinois that a "Special Use Permit" under Section 7.2 in Agricultural District, to mine gravel, sand, and crushed rock is granted in accordance with the following agreement:

1. No open pit or shaft shall be less than 300 feet from any public road nor less than 500 feet from any existing residence or residence district under the Kendall County Zoning ordinance.
2. All buildings or structures for the screening, crushing, washing or mixing or storage of materials will be located not less than 1,000 feet from any existing residence or any residential district presently established by the Kendall County zoning ordinance.
3. The area mined and the stock piling of overburden shall be enclosed by a 39 inch woven wire fence with two barbed wire strands at a minimum or by such higher fence as the Zoning Administrator of the County may require for public safety. The Owners shall plant a honey-suckle hedge row along the border of Owners' property adjacent to the property now owned by Gerald Cleveland and shall place such other screening along

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the public road as the Zoning Officer of the County might require.

4. The establishment, maintenance or operation of the special use will not be detrimental to or endanger the public health, safety, moral, comfort or general welfare.
5. That stock piled overburden shall be seeded to prevent the growth of unsightly weeds.
6. Any water that accumulates in the pit or pits as the result of said mining operation shall not be pumped out.
7. That the timberland in the Southwest portion of Owners' property shall be preserved.
8. That all mining and extraction of crushed stone, sand or gravel and the reclamation of the property shall be completed within a period of seven (7) years, unless upon application by the Owners within said seventh year, if not sooner completed, to the Kendall County Board of Supervisors, or such other governing board of the County in existence at that time, said Special Use Permit may be extended for no more than three (3) additional years.
9. That Exhibit "E" of the Owners shall constitute the reclamation plan and at termination of mining operation, the lake area shown shall be constructed and surrounding area used for highest and best residential use.
10. That there shall be no operation of the site sooner than one hour after sunrise nor later than one hour before sundown, except for emergency requests for material and there shall be no mining operation conducted on any Sunday.

11. That trucks used in hauling material from the site of excavation shall be loaded in such manner as to minimize spillage on Needham Road. Any spillage on Needham Road resulting from over-loading or from soil adhering to truck tires shall be removed periodically from Needham Road at intervals of not less than twenty four (24) hours and all safety precautions shall be observed during such process of removal;

and that the County Clerk be and she is hereby ordered and directed to change the zoning map, to show the change in zoning classification on the following described property to wit:

The premises situated Westerly of the center line of Needham Road in that part of Section 26 and of the Southeast Quarter of Section 27, all in Township 37 North, Range 6 East of the Third Principal Meridian, described as follows: Commencing at the Northeast corner of the Southeast Quarter of said Section 27; thence West along the North line of said Southeast Quarter 480 feet for the point of beginning; thence East along the said North line 480 feet to the Northeast corner thereof; thence North along the East line of said Section 27, 7 chains; thence North $57^{\circ} 15'$ East 6.52 chains; thence North $67^{\circ} 20'$ East 7.61 chains; thence North $22^{\circ} 30'$ West 3.56 chains; thence North $56^{\circ} 30'$ East 1 chain; thence South $82^{\circ} 48'$ East 40.10 chains; thence $26^{\circ} 45'$ West 26.64 chains; thence South $89^{\circ} 46.44'$ chains to the center line of a public highway; thence North 50° West along said center line to a line drawn South $15^{\circ} 45'$ West from the point of beginning; thence North $15^{\circ} 45'$ East 557.05 feet to the point of beginning, (except that part described as follows: Commencing at the Northeast corner of the Southeast Quarter of said Section 27; thence South along the East line of said Southeast Quarter 568 feet for the point of beginning;

thence West 58.6 feet; thence South 214 feet; thence West 415.3 feet to the center line of a public highway; thence South 50° East along said center line 22.5 feet; thence South 89° East 723.4 feet; thence North 228 feet; thence West 266.9 feet to the point of beginning; and also excepting that portion of the above described premises lying Westerly of a line drawn from a point on the North line of said premises 940 feet Westerly from the East line of said premises, to a point on the South line of said premises 1108 feet Westerly from the Easterly line of said premises.

Passed this 9th day of February 1971.

Russell Nadin
Chairman County Board of Supervisors
Kendall County

ATTEST:

Ken P. Brady
County Clerk