

ORDINANCE # 2018- 06

REVOKING A SPECIAL USE for
**A GRAVEL MINING OPERATION ON PROPERTY OWNED BY MARY C. AUER
APPROXIMATELY 2.5 MILES SOUTH OF GALENA ROAD ON THE EAST SIDE OF
WEST BEECHER ROAD IN BRISTOL TOWNSHIP
(PARCEL ID NUMBER 02-06-400-005)**

WHEREAS, the Old Second National Bank of Aurora, as Trustee under trust No. 1582, Paul Schultz, August F. Schultz and Mildred Hankes, and Feltes Gravel Co. and Feltes Land, Inc. petitioned Kendall County in the manner required by law and the ordinance of Kendall County, Illinois for obtaining a special use permit for the operation of a gravel mining operation in Sections 6 of Bristol Township, now identified by Parcel Identification Number 02-06-400-005; and

WHEREAS, said property is located on the east side of West Beecher Road approximately 2.5 miles south of Galena Road; and

WHEREAS, said property is legally described in attached document Exhibit "A"; and

WHEREAS, the County Board of Kendall County, Illinois did grant the petitioner said request as Ordinance 72-8 on April 11, 1972; and

WHEREAS, restriction number 4 of the special use permit awarded by Ordinance 72-8 requires the special use be subject to annual inspection and renewal; and

WHEREAS, Mary C. Auer acquired the property in August 1996; and

WHEREAS, Section 13.08.F of the Kendall County Zoning Ordinance allows a special use permit holder to request revocation of said special use by written request to the County Board; and

WHEREAS, pursuant to Section 13.08.F of the Kendall County Zoning Ordinance, no public hearing is required for an owner-initiated revocation; and

WHEREAS, Mary C. Auer, owner, no longer desire the special use permit and have stated in a letter as provided in attached Exhibit "B" that they voluntarily requests that Kendall County revoke the special use permit on the above-referenced property; and

NOW, THEREFORE, BE IT ORDAINED, by the County Board of Kendall County, Illinois that the special use permit granted under Ordinance 72-8 for the subject property be revoked as of the date of this Ordinance; and

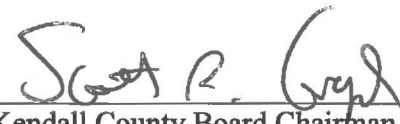
BE IT FURTHER ORDAINED, that the Zoning Administrator and other appropriate County officials are hereby authorized and directed to update the Official Zoning Map of Kendall County to reflect the revocation of the special use permit granted under Ordinance 72-8 for the subject property.

IN WITNESS OF, this Ordinance has been enacted by the Kendall County Board this 17th day of April, 2018.

Attest:



Kendall County Clerk
Debbie Gillette



Kendall County Board Chairman
Scott R. Gryder

Exhibit A

That part of the Southeast Quarter of Section 6, Township 37 North, Range 7, East of the Third Principal Meridian, described as follows: Beginning at the Southwest Corner said Southeast Quarter;

thence East along the South line of said Southeast Quarter 445.59 feet; thence North along a line forming an angle of 88 degrees 16 Minutes 42 Seconds measured to the left of the last described line of said Section 6, a distance of 99.74 feet to a point which is 99.70 feet perpendicularly distant North of said South line of Section 6; thence Northeasterly along a line forming an angle of 26 degrees 56 minutes 20 seconds to the right of the prolongation of the last described line, a distance of 1049.98 feet to a point which is 1021.04 feet perpendicularly distant North of the South line of said Section 6, thence West along a line forming an angle of 117 Degrees 58 Minutes 59 Seconds to the left of the prolongation of the last described line 646.8 feet to a point on the center line of a road (presently known as West Beecher Road); thence Southwesterly along the center line of said Road, 107306 feet to the point of beginning, all in Kendall County, Illinois.

Exhibit B

March 5, 2018

Kendall County
Planning, Building and Zoning
Attn: Matthew H. Asselmeier
111 West Fox Street Room 203
Yorkville, IL 60560-1498
Phone: 630-553-4139 Fax: 630.553.4179

I, Mary Auer, am the owner of the parcel 02-06-400-005.

On April 11, 1972, the property was granted a special use (Ordinance 72-08). The special use granted in 1972 was granted for the operation of a gravel mine.

Pursuant to Section 13.08.F of the Kendall County Zoning Ordinance, I hereby voluntarily request that Kendall County revoke my special use on the above-referenced property. By signing below, I acknowledge that no public hearing shall be conducted for revocation of the special use. I understand that the requested revocation shall not become effective unless and until approved by a majority vote of the Kendall County Board. By signing below, I hereby waive my right to a public hearing and formally request the above-referenced special use be removed from my property.

Mary C. Auer
(Signature)

3/5/18
(Date)

Mary C. Auer
(Printed Name)

Attest: Denise Wilcox
Notary Public

