ORDINANCE NUMBER 99-17

MAP AMENDMENT & GRANTING SPECIAL USE
AURORA BLACKTOP, INC.
Rezone from M-2 and A-1 to M-3 Special Use for
Asphalt and Asphalt Products

WHEREAS, Jerome E. Leifheit of Aurora Blacktop, Inc. did file a petition for a Map
Amendment with a Special Use within an M-3 District, for property located at 1250 East
Beecher Road in Section 8 of Bristol Township; and

WHEREAS, said property is identified with the tax identification number 02-08-100-003 and
is legally described on the attached Exhibit A: Legal Description; and

WHEREAS, said property is currently zoned A-1 and M-2 with an existing asphalt plant;
and

WHEREAS, the petitioner desires to replace the existing asphalt plant with a newer, more
efficient asphalt plant in accordance with the current zoning requirements; and

WHEREAS, all procedures required by the Kendall County Zoning Ordinance were
followed including notice for public hearing, findings of fact, and recommendation by the
Zoning Board of Appeals; and

WHEREAS, the Kendall County Board finds that said petition, along with the conditions
specified in this ordinance, is in conformance with the provisions of the Kendall County
Zoning Ordinance;

NOW, THEREFORE, BE IT ORDAINED, that the Kendall County Board hereby grants the
following:

1. A zoning map amendment from M-2 and A-1 to M-3 on the tract of land at 1250
   East Beecher Road and legally described on Exhibit A.
2. A Special Use Permit to produce asphalt and asphalt products.
3. Said Special Use Permit shall be in conformance with the Kendall County Zoning
   Ordinance, Building Codes, and the following conditions:
   a. The existing asphalt plant shall be dismantled and inoperable within two (2)
      years after the date of this ordinance.
   b. Only one (1) asphalt batch plant shall be running at production capacity at
      any given time.
   c. Trees and/or evergreens shall be planted and maintained as a buffer on the
      north edge of the property in accordance with the approved landscape plan.
   d. The storage tanks, as noted and signed by the petitioner on the approved
      Plat of Survey and Topographical Map, shall be moved to a location at least
one hundred fifty (150) feet from Beecher Road within two (2) years after the
date of this ordinance.
e. The private asphalt drive along the south edge of this tract, between Rob
Roy Creek and East Beecher Road, shall be paved within two (2) years after
the date of this ordinance.
f. The new asphalt batch plant shall be located within the area as noted and
signed by the petitioner on the approved Plat of Survey and Topographical
Map.
g. Any future ancillary office for this business to be located on this site shall be
located within the area as noted and signed by the petitioner on the
approved Plat of Survey and Topographical Map.
h. The petitioner shall prepare a Plat of Dedication for East Beecher Road to
dedicate at least forty (40) from the centerline of said road.
i. Said Plat of Dedication shall be to Bristol Township and its successors and
assigns. Owners of said land shall not be responsible for the cost of or for
removal of trees, fences, or other structures in said Dedication prior to any
road widening project. Kendall County shall not be responsible for the cost
of relocating, replacing or otherwise compulsating owners for said trees,
fences or other structures removed from said Dedication.
j. The petitioner shall designate the eastern twenty-five (25) feet of the
property, parallel to the eastern property line, as open space, as noted and
signed by the petitioner on the approved Plat of Survey and Topographical
Map.
k. This special use ordinance shall be subject to review every five (5) years.

Failure to comply with the terms of this ordinance may be cited as a basis for amending or
revoking this special use permit.

IN WITNESS OF, this ordinance has been enacted on May 18, 1999.

John A. Church
Kendall County Board Chairman

Paul Anderson
Kendall County Clerk
EXHIBIT A: LEGAL DESCRIPTION

That part of the Northwest Quarter of Section 8, Township 37 North, Range 7 East of the Third Principal Meridian, described as follows: Commencing at the Northwest Corner of the said Northwest Quarter Section for the point of beginning; thence North 88°32'04" East along the North Line of said Quarter Section, 953.68 feet to a point in the center line branch of Rob Roy Creek; thence South 28°38'25" East along the said center line, 1134.39 feet; thence South 87°53'03" West, 1498.53 feet to a point in the West Line of said Quarter Section; thence North 00°01'23" East along the said West Line, 1026.52 feet to the point of beginning; all in the Township of Bristol, Kendall County, Illinois.