

ORDINANCE NO. 3838

ORDINANCE GRANTING A SPECIAL USE PERMIT TO KIM CERNOVICH, FOR PARCEL NUMBER 20-29-300-012 IN THE CITY OF KEWANEE.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF KEWANEE, ILLINOIS IN COUNCIL ASSEMBLED, AS FOLLOWS:

SECTION ONE: The City Council finds that a Petition has heretofore been filed by Kim Cernovich with the City Clerk, directed to the Plan Commission and the City Council requesting that a Special Use Permit to allow the extraction and sale of raw materials be granted, on the following described real estate, to-wit:
SE SE N OF RD SW SEC 28 T15N R5E now City of Kewanee, Henry County, Illinois.

SECTION TWO: The Plan Commission conducted a hearing upon said Petition on Thursday, June 23, 2016, pursuant to notice published in the Kewanee Star Courier according to law, at which time and place the Commission heard the statements of the Petitioners. There were 4 objectors.

SECTION THREE: The Plan Commission has recommended, by a vote of seven in favor, none opposed, two absent, to the City Council, that a Special Use Permit to allow excavation and sale of raw materials from the site, be granted for the land described in Section One hereof.

SECTION FOUR: The recommendation of the Plan Commission be, and the same is, hereby accepted and approved.

SECTION FIVE: A Special Use Permit shall be and hereby is granted to Kim Cernovich for excavation and sale of raw materials from the site described in Section One hereof, in conformance with the stipulations enumerated in Section Six hereof.

SECTION SIX: The following Eight (8) stipulations and restrictions are hereby placed upon the proposed use on the premises described in Section One hereof:

1. The Special Use Permit is granted to Kim Cernovich only, and is not transferable to any successor property owners.
2. The Special Use Permit would be valid for a period of time not to exceed 24 months from the beginning of excavation.
3. A site plan showing the present topography and also including boundary lines for all properties, water courses, wetlands, and other significant features within 350 feet shall be submitted to the City.
4. A site plan showing the proposed finished grade and landscape plan, shall be submitted to the City. Erosion control measures shall be provided on such plan. Final grade shall not adversely affect the surrounding land or the development of the site on which the excavation is being conducted. Top soil shall be of a quality capable of establishing normal vegetative growth.

5. The plan should include a written description of the procedures to be utilized to ensure that the proposed activity will in no way jeopardize the public health, safety and general welfare of the public including whether the area will be appropriately fenced to provide adequate protection.
6. The petitioner will provide a statement that he will comply with all conditions prescribed by the City or its officers or agents.
7. Any violation of the terms and condition of the Special Use Permit are subject to review and possible revocation by the Plan Commission and City Council.
8. A performance bond will be required by the City.

SECTION SEVEN: This Ordinance shall be in full force and effect immediately upon its passage and approval as provided by law.

Passed by the City Council of the City of Kewanee, Illinois, this 27th day of June, 2016.

ATTEST:


Melinda K. Edwards, City Clerk


Steve Looney, Mayor

RECORD OF THE VOTE	Yes	No	Abstain	Absent
Mayor Steve Looney	X			
Council Member Deann Schweitzer		X		
Council Member Andrew Koehler	X			
Council Member Kellie Wallace – McKenna	X			
Council Member Michael Yaklich	X			

