

MCHENRY COUNTY PLANNING AND DEVELOPMENT  
 2200 N. SEMINARY AVENUE, WOODSTOCK, IL 60098  
 815-334-4560

Office Use Only
Petition #/Permit # <u>2023-051</u>

**APPLICATION FOR ZONING PETITION, ADMINISTRATIVE VARIATION OR SITE PLAN REVIEW**

<p><b>OWNER INFORMATION:</b></p> <p>Name <u>Maple Valley Materials LLC</u></p> <p>Address <u>1100 Borden Lane</u></p> <p>City, St, Zip <u>Woodstock, IL 60098</u></p> <p>Daytime Phone <u>815-482-8350</u></p> <p>Email <u>stevegavers@yahoo.com</u></p>	<p><b>ATTORNEY or AGENT CONTACT INFORMATION (If Applicable):</b></p> <p>Name <u>Mark S. Saladin / Zanck, Coen, Wright &amp; Saladin, P.C.</u></p> <p>Address <u>40 Brink Street</u></p> <p>City, St, Zip <u>Crystal Lake, IL 60014</u></p> <p>Phone <u>815-459-8800</u></p> <p>Email <u>msaladin@zcvlaw.com</u></p>
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<p><b>APPLICANT (If other than owner):</b></p> <p>Name <u>Same as above</u></p> <p>Address _____</p> <p>City, St, Zip _____</p> <p>Daytime Phone _____</p> <p>Email _____</p>	<p><b>TRUSTEE/BENEFICIARY/OFFICERS/DIRECTORS/CONTRACT PURCHASER (please use separate page for additional information):</b></p> <p>Name <u>See attached Schedule 1 for LLC Disclosures</u></p> <p>Address _____</p> <p>City, St, Zip _____</p> <p>Phone _____</p> <p>Email _____</p>
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<p><b>PARCEL INFORMATION:</b></p> <p>Address <u>no common address, Maple Street</u></p> <p>City <u>Marengo</u> Zip <u>60152</u></p> <p>Parcel/Tax Number <u>16-13-300-006</u></p> <p>Number of Acres <u>111+/-</u></p>	<div style="border: 2px solid blue; padding: 10px;"> <p style="font-size: 24px; color: blue; margin: 0;"><b>RECEIVED</b></p> <p style="color: red; font-weight: bold; margin: 10px 0 10px 0;">DEC - 8 2023</p> <p style="font-size: 18px; color: blue; margin: 0;"><b>ZONING DIVISION</b></p> </div>
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<p>Applying For:</p> <p>(Check all that apply)</p>	<p><input type="checkbox"/> Reclassification</p> <p><input checked="" type="checkbox"/> Conditional Use &amp; Site Plan Review</p> <p><input type="checkbox"/> Variation, Administrative</p> <p><input type="checkbox"/> Variation, Zoning</p> <p><input type="checkbox"/> Site Plan Review</p> <p><input type="checkbox"/> Text Amendment</p> <p><input type="checkbox"/> Appeal</p>	<p>Current Zoning: A1C      Requested Zoning: A1C</p> <p>CUP Request: Renewal of CUP O-201404-ZBA 011 to allow earth extraction per prior approval with a CUP for a ready-mix batch plant</p> <p>Type: _____</p> <p>UDO Section(s): _____</p> <p>Type: _____</p>
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Please provide additional information on the back of this page.

**NARRATIVE:** Please use this space to explain your request in detail.

See Narrative attached.

**CONSENT**

I/We hereby authorize that the aforementioned applicant, attorney, and agent may act and testify on my behalf as my agent in the matter of this zoning application regarding the property listed above that is the subject of this application.

**VERIFICATION**

I/We hereby verify and attest to the truth and correctness of all facts, statements and information presented herein.

Maple Valley Materials LLC

By: Steve Gavers  
 Owner's Signature

\_\_\_\_\_  
 Signature

Steve Gavers, Its Manager

\_\_\_\_\_  
 Print Name

\_\_\_\_\_  
 Print Name

SUBSCRIBED and SWORN to before me this 29<sup>th</sup> day of November, 2023.

Mark S. Saladin  
 NOTARY PUBLIC



**NARRATIVE FOR A  
RENEWAL OF A CONDITIONAL USE PERMIT  
FOR MAPLE VALLEY MATERIALS LLC**



The Applicant, MAPLE VALLEY MATERIALS LLC, by and through their attorneys, Zanck, Coen, Wright & Saladin, P.C., for its Narrative respectfully states as follows:

1. The Applicant is the owner of record and has a fee simple interest in the real estate which is approximately 111 acres described on Exhibit “A”, attached hereto. Hereinafter referred to as “Premises”.

2. Premises is zoned A-1C Agriculture with a Conditional Use Permit which allows a commercial sand and gravel business, including but not limited to the extraction, processing, crushing, storing, washing, screening and trucking of sand, gravel, aggregate and other earth materials pursuant to a Conditional Use Permit issued by the County of McHenry, Illinois as Ordinance #O-201404 ZBA-011 on April 15, 2014, which was a renewal of a Conditional Use Permit originally issued on August 19, 2003, by Petition 03-08.

3. Premises is located immediately west of Maple Street, approximately 1,180 feet north of Beck Road, McHenry County, Illinois. The Premises is located in Riley Township.

4. Premises is currently zoned “A-1C” - Agriculture District with a Conditional Use Permit under the terms of the McHenry County Zoning Ordinance as stated above.

5. The current assessed valuation of Premises and the two prior quadrennial assessment information is set forth in Exhibit “B” attached hereto and made a part hereof.

6. The property surrounding the Premises is zoned as follows:

To the north: “A-1” - Agriculture District in McHenry County

To the east: “A-1” - Agriculture District, “R1” – Single Family Residential District, and “E-2” Estate District in McHenry County

To the south: “A-1” – Agriculture District and “A-1C” – Agriculture District with a Conditional Use (to the southwest) in McHenry County

To the west: “A-1” Agriculture District and “A-1C” - Agriculture District with a Conditional Use in McHenry County

7. Applicant requests a renewal of the existing Conditional Use Permit (Ordinance #O-201404-ZBA-011) for Premises under the terms of Section 16.56.030 P. of the Unified Development Ordinance (“UDO”) in order to allow Applicant to finish mining the Premises. In addition, the Petitioner requests the addition of a concrete ready-mix plant in the location legally described on Exhibit “C” attached hereto and made a part hereof.

8. All maps, plans and other documents required pursuant to Section 16.56.030.P of the UDO of McHenry County have been or will be filed with the McHenry County Department of Planning and Development and shall be available for inspection in said office.

9. The Applicant has not been able to finish mining the acreage described in the Conditional Use Permit and, therefore, requests renewal of the aforesaid Conditional Use Permit for the Premises for an additional ten (10) years from the effective date of the ordinance granting the renewal in order to allow the sand and gravel operation on the Premises, including but not limited to the extraction, processing, crushing, storing, washing, screening and trucking of sand, gravel, aggregate and other earth materials and to allow the operation of a concrete ready-mix plant/batch plant in the location shown on the mining plans.

Respectfully submitted,

Maple Valley Materials LLC

By: Steve Gavers  
Owner's Signature

Steve Gavers, Its Manager  
Print Name

EXHIBIT A  
LEGAL DESCRIPTION

The East half of the Southwest Quarter of Section 13 lying West of the Right-of-Way of Maple Street as dedicated by Document No. 2009R0051767; ALSO the Southeast Quarter of the Northwest Quarter of said Section 13, lying West of the Right-of-Way of Maple Street as dedicated by Document No. 2009R0051767, all in Township 43 North, Range 5 East of the Third Principal Meridian (except that part of the West half of Section 13, Township 43 North, Range 5 East of the Third Principal Meridian, described as follows: Commencing at the South Quarter corner of said Section 13; thence Northerly, along the East line of the West half of said Section 13, a distance of 1531.9 feet for the Place of Beginning; thence continuing Northerly along the East line of said West half, a distance of 466.69 feet; thence Westerly, at right angles to the East line of said West half, a distance of 466.69 feet; thence Southerly, parallel with the East line of said West half, a distance of 466.69 feet; thence Easterly, at right angles to the last described course, a distance of 466.69 feet to the Place of Beginning), in McHenry County, Illinois.

EXHIBIT "B"  
CURRENT ASSESSED VALUATION AND  
TWO PRIOR QUADRENNIAL ASSESSMENTS

	2022	2019	2015
16-13-300-006	37,513	25,856	14,691

EXHIBIT "C"  
LEGAL DESCRIPTION FOR LOCATION OF READY-MIX BATCH PLANT

Part of the Southeast Quarter of the Northwest Quarter of Section 13, Township 43 North, Range 5 East of the Third Principal Meridian, being described as follows: Commencing at the Northeast corner of the said Southeast Quarter of the Northwest Quarter; thence South 00 degrees 05 minutes 19 seconds East along the East line thereof, 601.47 feet; thence South 89 degrees 54 minutes 41 seconds West, 928.66 feet to the Place of Beginning; thence South 00 degrees 06 minutes 43 seconds West, 240.00 feet; thence North 89 degrees 53 minutes 17 seconds West, 300.00 feet; thence North 00 degrees 06 minutes 43 seconds East, 320.00 feet; thence South 89 degrees 53 minutes 17 seconds East, 175.00 feet; thence South 57 degrees 16 minutes 08 seconds East, 148.41 feet to the Place of Beginning in McHenry County Illinois.

**SCHEDULE 1**

MCHENRY COUNTY PLANNING AND DEVELOPMENT  
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**CORPORATE DISCLOSURE**

Applications shall be brought in the name of the record title owner or the owner(s) of the beneficial interest through authorized agents. If application is made by a corporation or partnership for any zoning map amendment, variation, or conditional use permit, the application and notice shall identify the names and addresses of all officers and directors and all shareholders/stockholders owning an interest in excess of seven and one-half percent (7.5%)

If an owner, officer, director, shareholder/stockholder is another legal entity and not an individual, we require the same information (name, title, address) for that entity.

<b>Name of Entity:</b>			
<b>Name</b>	<b>Title (officers, directors, shareholders/stockholders)</b>	<b>Address (address, city, state, zip)</b>	<b>Percent of ownership interest</b>
Steve Gavers	Manager/Member	1100 Borden Ln, Woodstock, IL 60098	49%
Daniel Digger Gavers	Manager/Member	1100 Borden Ln. Woodstock, IL 60098	49%
Donald R. Gavers Trust	Manager/Member	1100 Borden Ln, Woodstock, IL 60098	1%
Sally J. Gavers Trust	Manager/Member	1100 Borden Ln, Woodstock, IL 60098	1%

Please attach additional information, if needed.

\*Extracted from Title 16: Unified Development Ordinance §16.16.020 §§ A1-4 (2014).



**Approval Standards for Conditional Use**  
(McHenry County Unified Development Ordinance §16.20.040E)

This form must be completed for requests for conditional use. Yes and No answers are insufficient, please provide a minimum one or two sentence explanation.

1. Please describe how the conditional use meets all applicable standards of UDO §16.56 (Use Standards) and §16.60 (Site Development Standards)? **The request is a renewal of an existing CUP for the Premises previously granted and which met the conditions twice before.**
  
2. Is the conditional use compatible with the existing or planned future development of the area? **The CUP is compatible with existing earth extraction operations adjacent to the Premises and is consistent with the 2030 Land Use Map.**
  
3. Is the conditional use detrimental to or endanger the public health, safety, morals, comfort or general welfare of the area? **No, the operation shall take into account the various standards required of such operation by the State of Illinois and McHenry County and shall comply with conditions approved therewith.**
  
4. Will the conditional use be injurious to the use and enjoyment of other property in the area? **No for the same reasons stated in 3 above.**
  
5. Will the conditional use substantially diminish and impair property value in the area? **No for the same reasons stated in 2 and 3 above.**
  
6. Are adequate utilities, access roads, drainage, and other necessary facilities provided? **Yes**
  
7. Has conditional use operation been designed to provide ingress and egress to minimize traffic congestion and hazard on the public streets? **Yes. The request is supported by the traffic report as presented.**
  
8. Will the conditional use conform to the applicable standards of the underlying zoning district? **Yes. The request is a renewal of an existing CUP.**
  
9. Will the conditional use be reasonably in the interest of the public welfare? **Yes. The sand and gravel operation is a necessary product for public and private property development and maintenance and is a benefit to the population. .**
  
10. Will there be adequate measures taken to provide protection to groundwater recharge and groundwater quality? **Yes. The McHenry County ordinance provides certain standards for compliance and groundwater wells have been installed.**

**CONSENT TO ON-SITE INSPECTION**

I/We are the owners of record of the real estate which is the subject of this application. Owners of the described real estate do hereby freely and voluntarily consent to inspection of the site of the parcel in question for purposes of determining the appropriateness of the pending proposed zoning petition by the Zoning Enforcement Officer and/or designated representative, McHenry County Zoning Board of Appeals or where applicable, the McHenry County Hearing Officer, and hereby release such persons from any liability based in whole or in part on the inspection of the parcel in question. That in exchange for the above actions by the Applicant(s), McHenry County agrees that the Zoning Enforcement Officer and/or designated representative, member of the Zoning Board of Appeals or, if applicable, the McHenry County Hearing Officer, will inspect the parcel in question prior to considering the evidence presented upon the above application. In the case of Conditional Use applications, if approved by the McHenry County Board, the Zoning Enforcement Officer and/or designated representative may inspect the property periodically to ensure compliance with the adopting ordinance and any conditions therein.

**ACCEPTANCE OF FEES FOR TRANSCRIPTION SERVICES**

I/We, the applicant(s), verify that I/we are aware of the use of a transcription service utilized by McHenry County to prepare a record of public hearings. Applicant(s) agree to directly reimburse the Department of Planning and Development for all incurred transcript fees and associated costs for hearings before the McHenry County Zoning Board of Appeals or where applicable, the McHenry County Hearing Officer unless determined otherwise by McHenry County. The applicant(s) further recognizes failure to fully reimburse the County prior to the scheduled County Board Date will grant McHenry County the unconditional right to withhold the application from McHenry County Board action. Applicant(s) further understand that transcripts shall be retained by McHenry County as part of the permanent zoning application file.

**ZONING APPLICATION INTERPRETATION**

I/We understand that the McHenry County Department of Planning and Development Staff will review and evaluate this application per the text of the McHenry County Unified Development Ordinance, the Official Zoning Maps, and any relevant documentation provided by the applicant and otherwise available to the Department, and consult with other staff to create a Legal Notice and staff report.

**ACCEPTANCE OF FEES FOR NOTIFICATION**

I/We, the applicant(s), authorize the McHenry County Department of Planning and Development Staff to produce the Legal Notice of Public Hearing to be published and mailed per the requirements of Chapter 16.16 (Zoning Application Process) of the McHenry County Code of Ordinances. I/We agree to reimburse the County for the cost of certified mailing and publication to the newspaper, prior to a vote by the McHenry County Board, in order to meet the notification requirements for a public hearing by Illinois State Statute.

Maple Valley Materials LLC

By: Steve Gavers  
Owner's Signature

Steve Gavers, Its Manager  
Print Name

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Print Name

SUBSCRIBED and SWORN to before me  
this 29th day of November

Mark S. Saladin  
NOTARY PUBLIC

