

Waterloo Township Board Resolution on Application for Registering Nonconforming Setbacks or Grades under the Sand and Gravel Ordinance.

WHEREAS: Waterloo Township has adopted a Sand and Gravel Ordinance (02-05-21-2), and

WHEREAS: Aggregate Industries has filed an APPLICATION FOR REGISTERING OF NONCONFORMING FINISHED GRADES AND/OR SETBACKS AT A SITE OF A SAND AND GRAVEL EXTRACTION OPERATION (Section 23.03 of Sand and Gravel Ordinance),

NOW THEREFORE BE IT RESOLVED that the Waterloo Township Board addresses each of the following requests accompanied by exhibit:

Request No. 1 – Ordinance Section 9.10 – The slope on the southeastern corner of the 78.16 acre parcel does not comply with the 3:1 requirement in the ordinance. Aggregate Industries is requesting that this con-conformance be registered as Non-Conforming, because the slope was mined prior to the promulgation of any Ordinance in Waterloo Township regulating slopes.

Action: The substantial documentation and/or information contained in Aggregate Industries application convinces the Township Board that the applicant has met the requirements of Section 23.03 and recognizes as a nonconforming condition under Section 23.03 of the Sand and Gravel Ordinance, the slope on the southeastern corner of the 78.16 acre parcel that was remotely mined and as it existed on June 26, 2002 .

Request No. 2 – Ordinance Section 9.01 – In addition to item #1, the mining at the top of the slope (need inserted here is where the slope is) is within the 150-foot setback requirement of the ordinance. Aggregate Industries is requesting that this non-conformance be registered, because the top of the slope was mined prior to the promulgation of any Ordinance in Waterloo Township regulating setbacks.

Action: The substantial documentation and/or information contained in the application convinces the Township Board that the applicant has met the requirements of Section 23.03 and registers as a nonconforming condition under Section 23.03 of the Sand and Gravel Ordinance the setback at the top of the slope on the southeastern corner of the 78.16 acre parcel that was remotely mined and as it existed on June 26, 2002 .

The foregoing resolution offered by _____ second offered by _____ on a voice vote is passed.

The Waterloo Township Clerk declares the resolution with attached Exhibit adopted November 26, 2002

David J. Sweet Waterloo Township Clerk date

I hereby certify that the foregoing is a true and complete copy of a Resolution adopted by the Waterloo Township Board at a rescheduled regular meeting held on November 26, 2002