

ORDINANCE NO. O-2022-02

AN ORDINANCE AUTHORIZING AN EXTENSION OF TIME ON THE VALIDITY OF ORDINANCE NO. O-2019-55 - "AN ORDINANCE GRANTING A SPECIAL USE PERMIT TO ALLOW A KENNEL TO OCCUPY THE EXISTING BUILDING LOCATED AT 300 S. CARLTON AVENUE - STAY FUR FUN, LLC"

WHEREAS, on November 18, 2019 the Mayor and City Council approved Ordinance No. O-2019-55 (Original Ordinance) which granted a special use permit to allow a Kennel to occupy the existing building, all on certain property legally described herein and commonly known as 300 S. Carlton Avenue, Wheaton, Illinois 60187; and

WHEREAS, Article 4.4 of the City of Wheaton Zoning Ordinance provides that upon written application and for good cause shown, the corporate authorities may, in their sole discretion, authorize the extension of the validity of an Ordinance granting a special use permit, not to exceed one (1) year each; and

WHEREAS, the contract purchaser, the prospective tenant, and the current property owner are all seeking an extension of time request to the validity of the Original Ordinance to obtain building permit approvals and renovate the building/ property for the previously approved kennel use.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and City Council of the City of Wheaton, DuPage County, Illinois, that an extension is granted to allow the Original Ordinance to be valid so long as the improvements allowed by the special use permit are commenced and substantially completed by January 18, 2023.

The property that is subject of the special use permit extension of time request is legally described as:

PARCEL 1: THAT PART OF OUTLOT 5 OF THE COUNTY CLERK'S ASSESSMENT DIVISION OF THE SOUTHEAST QUARTER OF SECTION 17, TOWNSHIP 39 NORTH, RANGE 10, EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED BY COMMENCING AT A POINT 33.0 FEET NORTH OF THE INTERSECTION OF THE SOUTH LINE OF THE NORTH HALF OF THE SOUTHEAST QUARTER OF SAID SECTION AND THE EAST LINE OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION; THENCE WESTERLY PARALLEL WITH THE SOUTH LINE OF THE NORTH HALF OF THE SOUTHEAST QUARTER OF SAID SECTION 17, BEING ALONG THE NORTH LINE OF CHILDS STREET A DISTANCE OF 200.0 FEET FOR A TRUE PLACE OF BEGINNING; THENCE CONTINUING WESTERLY ALONG THE NORTH LINE OF CHILDS STREET, A DISTANCE OF 45.0 FEET; THENCE NORTHERLY PARALLEL WITH THE EAST LINE OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 17 A DISTANCE OF 200.0 FEET; THENCE NORTHEASTERLY ON A STRAIGHT LINE TO A POINT IN THE WEST LINE OF LAND HERETOFORE CONVEYED TO GORDON L. COPPAGE, 225.0 FEET NORTHERLY OF THE NORTH LINE OF CHILDS STREET AND THE TRUE PLACE OF BEGINNING; THENCE SOUTHERLY PARALLEL WITH THE EAST LINE OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 17, A DISTANCE OF 225.0 FEET TO THE TRUE PLACE OF BEGINNING, AS CREATED BY INSTRUMENT BY AND BETWEEN CHICAGO, AURORA, AND ELGIN RAILWAY COMPANY TO GORDON L. COPPAGE, DECEMBER 15, 1950, AND RECORDED APRIL 7, 1952, AS DOCUMENT 648662 (EXCEPTING THERE FROM THAT FROM THAT PORTION FALLING WITHIN LOT 9 IN WHEATON CENTER FOR COMMERCE, AND INDUSTRY PLANNED UNIT DEVELOPMENT, ACCORDING TO THE PLAT THEREOF RECORDED AUGUST 19, 1980 AS DOCUMENT R80-48013) ALL IN DU PAGE, COUNTY, ILLINOIS.

PARCEL 2: EASEMENT FOR INGRESS AND EGRESS OVER THE PROPERTY DESCRIBED AS FOLLOWS, CREATED BY GRANT RECORDED APRIL 7, 1952 AS DOCUMENT 648662; THAT PART OF LOT 9 IN WHEATON CENTER FOR COMMERCE AND INDUSTRY PLANNED UNIT DEVELOPMENT, ACCORDING TO THE PLAT THEREOF RECORDED AUGUST 19, 1980 AS DOCUMENT R80-48013, DESCRIBED BY BEGINNING AT THE SOUTHEAST CORNER OF SAID LOT 9; THENCE WESTERLY ALONG THE SOUTH LINE OF SAID LOT 9 A DISTANCE OF 45.0 FEET; THENCE NORTH PARALLEL WITH THE EAST LINE OF SAID LOT 9 A DISTANCE OF 50.5 FEET; THENCE NORTHEASTERLY ON A STRAIGHT LINE TO A POINT ON THE EAST LINE OF SAID LOT 9 WHICH IS 75.5 FEET NORTH, AS MEASURED ALONG SAID EAST LINE, OF THE SOUTHEAST CORNER OF SAID LOT 9; THENCE SOUTH ALONG SAID EAST LINE A DISTANCE OF 75.5 FEET TO THE PLACE OF BEGINNING, IN DU PAGE COUNTY, ILLINOIS.

PARCEL 3: THAT PART OF LOT 5 OF COUNTY CLERK'S ASSESSMENT DIVISION OF THE SOUTHEAST QUARTER OF SECTION 17, TOWNSHIP 39 NORTH, RANGE 10, EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: COMMENCING AT A POINT 33.0 FEET NORTH OF THE INTERSECTION OF THE SOUTH LINE OF THE NORTH HALF OF THE SOUTHEAST QUARTER OF SAID SECTION AND THE EAST LINE OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION; THENCE WESTERLY, PARALLEL WITH THE SOUTH LINE OF THE NORTH HALF OF THE SOUTHEAST QUARTER OF SAID SECTION 17, ALONG THE NORTH LINE OF CHILDS STREET, A DISTANCE OF 200.0 FEET; THENCE NORTHERLY, PARALLEL WITH THE EAST LINE OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 17, A DISTANCE OF 200.0 FEET FOR A TRUE PLACE OF BEGINNING; THEN CONTINUING NORTHERLY, PARALLEL TO SAID EAST LINE OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION A DISTANCE OF 160.0 FEET; THENCE ON A CURVE TO THE RIGHT IN A SOUTHEASTERLY DIRECTION WITH A RADIUS OF 160.0 FEET TO A POINT WHICH IS 233.0 FEET NORTHERLY OF THE SOUTH LINE OF NORTH HALF OF THE SOUTHEAST QUARTER OF SAID SECTION AND 160.0 FEET EASTERLY OF THE TRUE PLACE OF BEGINNING; THENCE WESTERLY PARALLEL WITH SAID SOUTH LINE OF SAID SECTION, A DISTANCE OF 160.0 FEET TO THE TRUE PLACE OF BEGINNING, IN DU PAGE COUNTY, ILLINOIS.

PARCEL 4: THAT PART OF THE SOUTHEAST QUARTER OF SECTION 17, TOWNSHIP 39 NORTH, RANGE 10, EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED BY BEGINNING AT A POINT OF THE EAST LINE OF THE NORTHWEST QUARTER OF SAID SOUTHEAST QUARTER THAT IS 233.0 FEET NORTH MEASURED ALONG SAID EAST LINE FROM THE SOUTHEAST CORNER OF SAID NORTHWEST QUARTER OF SOUTHEAST QUARTER AND RUNNING THENCE WEST PARALLEL WITH THE SOUTH LINE OF SAID NORTHWEST QUARTER OF THE SOUTHEAST QUARTER 40.0 FEET TO THE SOUTHEAST CORNER OF A TRACT OF LAND FORMERLY OWNED BY WIRECO, INCORPORATED, AS DESIGNATED IN DEED RECORDED MARCH 2, 1964 AS DOCUMENT R64-6653; THENCE NORTHERLY AND WESTERLY ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 160.0 FEET, AND BEING ALONG SAID WIRECO'S LINE A CHORD DISTANCE (BEING THE SUMMATION OF FOUR CHORDS OF SAID CURVE) 246.5 FEET TO THE NORTHWEST CORNER OF SAID WIRECO'S TRACT (BEING ALSO THE WEST LINE OF THE COPPAGE TRACT); THENCE NORTH 0 DEGREES 5 MINUTES WEST ALONG SAID WEST LINE 247.05 FEET TO THE SOUTH LINE OF LIBERTY (AS NOW OCCUPIED AND USED 60.0 FEET IN WIDTH); THENCE EAST ALONG SAID SOUTH LINE 200.0 FEET TO SAID EAST LINE OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION

17; THENCE SOUTH 0 DEGREES 05 MINUTES EAST ALONG SAID EAST LINE 400.0 FEET TO THE POINT OF BEGINNING, EXCEPT THE NORTH 222.05 FEET AS MEASURED ON THE EAST LINE AND ON THE WEST LINE, THEREOF, IN DU PAGE, ILLINOIS.

PIN: 05-17-410-006

The subject property is commonly known as 300 S. Carlton Avenue, Wheaton, IL 60187.



Mayor

ATTEST:



City Clerk

Roll Call Vote

Ayes: Councilwoman Robbins
Councilman Weller
Councilman Barbier
Councilwoman Bray-Parker
Councilman Brown
Mayor Suess
Councilwoman Fitch

Nays: None

Absent: None

Motion Carried Unanimously

Passed: January 18, 2022

Published: January 19, 2022

