

ORDINANCE NO. F-0479

**AN ORDINANCE AMENDING CITY OF WHEATON ORDINANCE NO. F-0247,
"AN ORDINANCE GRANTING A SPECIAL USE PERMIT IN ORDER TO
CONSTRUCT A 40' x 60' CONCRETE SLAB TO ACCOMMODATE A TENT AT THE
NORTHWEST CORNER OF MANCHESTER AND COUNTY FARM ROADS -
DUPAGE COUNTY ANIMAL CONTROL, DATED JUNE 1, 1998
("ORIGINAL ORDINANCE")**

WHEREAS, on June 1, 1998, the City of Wheaton, Illinois ("City"), enacted the Original Ordinance, No. F-0247, authorizing the temporary use of a tent facility for animal education day camp on the property legally described herein and commonly known as the DuPage County Animal Control Shelter, Wheaton, Illinois; and

WHEREAS, application has been made to amend the Original Ordinance and special use permit to provide for the construction of a permanent prefabricated pavilion to be used on the subject property, in lieu of the temporary tent facility; and the City has determined that the amendment to the Original Ordinance may be implemented without public hearing, pursuant to the provisions of Section 5.10.6 of the Wheaton Zoning Ordinance.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Wheaton, DuPage County, Illinois, pursuant to its home rule powers, as follows:

Section 1: The following described property has been and continues to be zoned and classified in the I-1 Institutional District zoning classification:

THAT PART OF THE NORTHWEST QUARTER OF SECTION 18, TOWNSHIP 39 NORTH, RANGE 10, EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED BY COMMENCING AT THE POINT OF INTERSECTION OF THE CENTER LINE OF COUNTY FARM ROAD WITH THE CENTER LINE OF MANCHESTER ROAD AND RUNNING THENCE NORTH ALONG THE CENTER LINE OF COUNTY FARM ROAD, 725.88 FEET FOR A PLACE OF BEGINNING; THENCE WEST AT RIGHT ANGLES TO SAID CENTER LINE, 577.13 FEET; THENCE NORTH PARALLEL WITH SAID CENTER LINE, 251.03 FEET; THENCE EAST AT RIGHT ANGLES TO SAID CENTER LINE, 142.66 FEET; THENCE NORTH 00 DEGREES 19 MINUTES 00 SECONDS WEST, 334.55 FEET; THENCE NORTH 88 DEGREES 48 MINUTES 30 SECONDS EAST 79.60 FEET; THENCE NORTH PARALLEL WITH SAID CENTER LINE, 215.28 FEET; THENCE EAST AT RIGHT ANGLES TO SAID CENTER LINE, 256.90 FEET; THENCE SOUTH PARALLEL WITH SAID CENTER LINE, 48.00 FEET; THENCE EAST AT RIGHT ANGLES TO SAID CENTER LINE, 99.84 FEET TO A POINT ON SAID CENTER LINE WHICH IS 754.51 FEET NORTH OF THE PLACE OF BEGINNING; THEN SOUTH ALONG SAID CENTER LINE 754.51 FEET TO THE PLACE OF BEGINNING IN DUPAGE COUNTY, ILLINOIS.

PIN 05-18-107-001

The subject property is located at the northwest corner of Manchester and County Farm Roads, Wheaton, Illinois 60187 ("subject property").

Section 2: The Original Ordinance is amended as follows:

- A. All references to "tent" are deleted and "prefabricated pavilion" is added in lieu thereof;
- B. The prefabricated pavilion may remain in place, so long as this ordinance remains in full force and effect;
- C. Subparagraph A of Section 2 is deleted in its entirety;
- D. Subparagraph B of Section 2 is deleted in its entirety, and the following subparagraph is included in lieu thereof:

"The prefabricated pavilion/concrete slab may be used from Memorial Day to Labor Day, only, between the hours of 9:00 a.m. and 3:00 p.m. five times per week, Monday through Friday, in strict conformance with the May 8, 2000, letter from Mark Roman, Facilities Manager-Construction, DuPage County Public Works Department, to Jim Kozik, City Director of Planning; a copy of the letter is on file in the office of the Wheaton City Clerk and which is incorporated as if fully set forth into this Ordinance by this reference as Exhibit A."

Section 3: In all other respects, the terms and provisions of, and the special use permit granted in, the Original Ordinance are ratified and remain in full force and effect.

Section 4: All ordinances or parts of ordinances in conflict with these provisions are repealed.

Section 5: This ordinance shall become effective from and after its passage, approval, and publication in pamphlet form in the manner prescribed by law.

ATTEST:

Erin M. Connelley
City Clerk

[Signature]
Mayor

Ayes:

Roll Call Vote:
Councilwoman Davenport
Councilman Eckhoff

Mayor Carr
Councilman Johnson
Councilwoman Johnson
Councilman Mork

Nays: None

Absent: Councilman Gresk

Motion Carried Unanimously

Passed: June 19, 1999
Published: June 20, 2000