

ORDINANCE NO. F-1553

AN ORDINANCE AMENDING ORDINANCE F-1547, "AN ORDINANCE GRANTING MULTIPLE FRONT YARD SETBACK VARIATIONS ON A CERTAIN PIECE OF PROPERTY COMMONLY KNOWN AS 535-571 WEST LIBERTY DRIVE – ADELLE'S"

WHEREAS, on February 22, 2011, the City of Wheaton, Illinois ("City"), enacted City Ordinance No. F-1547, "AN ORDINANCE GRANTING MULTIPLE FRONT YARD SETBACK VARIATIONS ON A CERTAIN PIECE OF PROPERTY COMMONLY KNOWN AS 535-571 WEST LIBERTY DRIVE – ADELLE'S" ("Original Ordinance"), authorizing the issuance of multiple front yard setback variations for a new entry and two outdoor dining areas on the property legally described on Exhibit "A" attached hereto and commonly known as 535 -571 West Liberty Drive, Wheaton, Illinois; and

WHEREAS, following the enactment of the Original Ordinance, an application has been made to amend the elevations and floor plan referenced in Ordinance No. F-1547 to address various budget and aesthetic concerns; and the City has determined that the requested amendment is a minor amendment and 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: An amendment to the Original Ordinance is hereby granted to accommodate various changes to the elevations and floor plan in substantial compliance with the plans entitled "*Adelle's Restaurant, 535-571 West Liberty Drive, Wheaton, IL*", prepared by *Psiharis Architects, Sleepy Hollow, IL*, sheets A2, A2.1 and A1.1R, dated and revised March 28, 2011.

Section 2: In all other respects, the terms and provisions of the original ordinance are ratified and remain in full force and effect.

Section 3: All ordinances and parts of ordinances in conflict with these provisions are hereby repealed.

Section 4: This ordinance shall become effective after its passage, approval, and publication in pamphlet form in the manner prescribed by law.



Michael J. Gross
Mayor

ATTEST:



Shawna Bennett Hagan
City Clerk

Roll Call Vote

Ayes: Councilman Mouhelis
Councilman Prendiville
Mayor Gresk
Councilman Scalzo
Councilman Suess
Councilwoman Corry

Nays: None

Absent: Councilman Rutledge

Motion Carried Unanimously

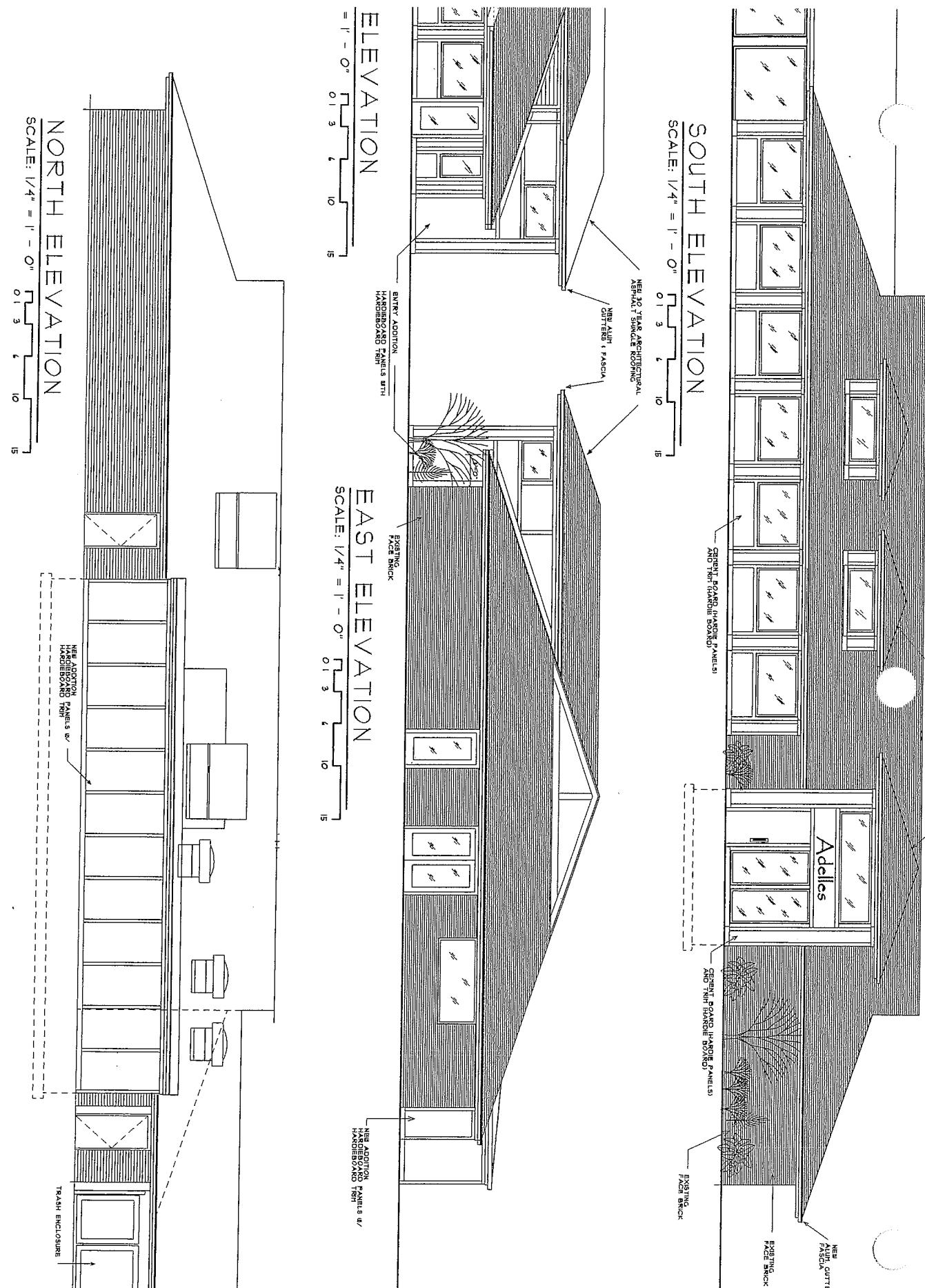
Passed: April 4, 2011
Published: April 5, 2011

EXHIBIT "A"

THAT PART OF THE NORTHEAST $\frac{1}{4}$ OF THE SOUTHEAST $\frac{1}{4}$ OF SECTION 17, TOWNSHIP 39 NORTH, RANGE 10, EAST OF THE THIRD PRINCIPAL MERIDIAN, BOUNDED AND DESCRIBED AS FOLLOWS: BEGINNING AT A POINT ON THE NORTH LINE OF LIBERTY DRIVE (AS NOW LOCATED) DISTANT 515 FEET EASTERLY FROM THE WEST LINE OF SAID NORTHEAST $\frac{1}{4}$ OF THE SOUTHEAST $\frac{1}{4}$ OF SECTION 17; THENCE NORTH AT RIGHT ANGLES TO THE NORTH LINE OF LIBERTY DRIVE (AS NOW LOCATED) 102.5 FEET, SAID LINE BEING THE EAST BOUNDARY LINE OF PROPERTY HERETOFORE CONVEYED TO THE STANDARD OIL COMPANY UNDER DOCUMENT NUMBER 117211, FILED JULY 9, 1914; THENCE IN A NORTHWESTERLY DIRECTION (MAKING AN ANGLE OF 105 DEGREES 23 MINUTES, MEASURED FROM SOUTH TO WEST, WITH THE LAST DESCRIBED LINE) 104.55 FEET, SAID LINE BEING NORTH LINE OF PROPERTY THEREFORE CONVEYED TO STANDARD OIL COMPANY UNDER SAID DOCUMENT NUMBER 117211; THENCE IN A NORTHERLY DIRECTION (MAKING AN ANGLE OF 105 DEGREES 23 MINUTES, MEASURED FROM EAST TO NORTH, WITH THE LAST DESCRIBED LINE), SAID LINE BEING AT RIGHT ANGLES TO THE NORTH LINE OF LIBERTY DRIVE (AS NOW LOCATED) TO A POINT DISTANT 75 FEET SOUTHWESTERLY, MEASURED RADIALLY, FROM THE CENTER LINE OF THE MAIN TRACK OF THE GALENA UNION RAILROAD COMPANY (NOW THE CHICAGO AND NORTHWESTERN RAILWAY COMPANY) AS SAID MAIN TRACK CENTER LINE WAS ORIGINALLY LOCATED AND ESTABLISHED ACROSS SAID SECTION 17; THENCE NORTHWESTERLY PARALLEL WITH SAID ORIGINAL MAIN TRACK CENTER LINE TO A POINT ON THE WEST LINE OF SAID QUARTER SECTION; THENCE NORTHERLY ALONG SAID WEST LINE TO A POINT DISTANT 35 FEET SOUTHWESTERLY, MEASURED RADIALLY, FROM THE CENTER LINE OF THE SOUTH MAIN TRACK OF THE CHICAGO AND NORTHWESTERN RAILWAY COMPANY, AS SAID MAIN TRACK CENTER LINE NOW EXISTS; THENCE SOUTHEASTERLY PARALLEL WITH SAID MAIN TRACK CENTER LINE TO A POINT 185.0 FEET WESTERLY, MEASURED AT RIGHT ANGLES, FROM THE EAST LINE OF SAID SECTION 17; THENCE SOUTHERLY PARALLEL WITH SAID EAST LINE OF SECTION 17 TO A POINT ON THE EASTERLY EXTENSION OF THE NORTH LINE OF SAID LIBERTY DRIVE (AS NOW LOCATED); THENCE WESTERLY ALONG SAID NORTH LINE, AND THE EASTERLY EXTENSION THEREOF, TO THE PLACE OF BEGINNING, IN DUPAGE COUNTY, ILLINOIS.

P.I.N.: 05-17-407-005; 05-17-408-002

The subject property is commonly known as 535-571 West Liberty Drive, Wheaton, IL 60187.



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| PROJECT | OWNER | ARCHITECT | CONSTRUCTION MANAGER |
|--|---|--|--|
| PROJECT NO. 2011-I DATE: MARCH 28, 2011 REVISED 3-28-08 | LIBERTY DRIVE LLC 535 COOLIDGE AVE. GLEN ELLYN, IL 847-421-9220 FAX 421-9594 | PSIHARIS ARCHITECTS 520 STEVENS COURT SLEEPY HOLLOW, IL 60118 847-284-0025 FAX 421-9594 | TRIDENT CONSTRUCTION CO 520 STEVENS CT. SLEEPY HOLLOW, IL 60118 847-421-9594 FAX 421-9594 |

NORTH FLOOR PLAN

