

2013

**ORDINANCE NO. F-0828**  
**AN ORDINANCE AMENDING CITY OF WHEATON ORDINANCE NO. E-3972**  
**“AN ORDINANCE AMENDING THE WHEATON ZONING ORDINANCE MAP AND**  
**GRANTING A SPECIAL USE PERMIT FOR A PLANNED UNIT DEVELOPMENT ON A**  
**CERTAIN PIECE OF PROPERTY COMMONLY LOCATED AT THE**  
**NORTHEAST CORNER OF EAST LOOP ROAD AND BUTTERFIELD ROAD**  
**GRADY’S/COZYMEL’S RESTAURANTS”**

WHEREAS, on March 21, 1994, the City of Wheaton, Illinois (“City”) enacted City Ordinance No. E-3972 recorded on May 2, 1994, as document No. R94-100840 in the Office of the DuPage County Recorder, “AN ORDINANCE AMENDING THE WHEATON ZONING ORDINANCE MAP AND GRANTING A SPECIAL USE PERMIT FOR A PLANNED UNIT DEVELOPMENT ON A CERTAIN PIECE OF PROPERTY COMMONLY LOCATED AT THE NORTHEAST CORNER OF EAST LOOP ROAD AND BUTTERFIELD ROAD/ GRADY’S/ COZYMEL’S RESTAURANTS”(“Original Ordinance”), authorizing the construction of a two restaurants; and

WHEREAS, application has been made to amend the Original Ordinance to alter the exterior elevation of one of the restaurant buildings.

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 property that is subject of the original ordinance and proposed amendment is legally described as:

LOT 11, IN DANADA FARMS EAST UNIT 1, BEING A SUBDIVISION OF SECTION 28, AND THE NORTH HALF OF SECTION 33, IN TOWNSHIP 39 NORTH, RANGE 10, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED DECEMBER 10, 1987 AS DOCUMENT NUMBER R87-7175209 IN DUPAGE COUNTY, ILLINOIS. P.I.N. 05-28-403-024

Section 2: Section 2 of the original ordinance is hereby amended by including a reference to the building elevation plans entitled “Big Bowl Restaurant, Brinker International, dated June 10, 2003, Sheets 1 and 2”.

Section 3: In all other respects, the terms and conditions of 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Section 4: All ordinances or parts of ordinances in conflict with these provisions are repealed.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.

  
\_\_\_\_\_  
Mayor

ATTEST

  
\_\_\_\_\_  
City Clerk

Ayes: Roll Call Vote  
Councilman Mouhelis  
Councilman Bolds  
Councilwoman Corry  
Councilman Johnson  
Mayor Carr  
Councilman Mork

Nays: None

Absent: Councilwoman Johnson

Motion Carried Unanimously

Passed: June 16, 2003  
Published: June 17, 2003