

**City of St. Charles, Illinois**

**Ordinance No. 1999-Z-7**

**An Ordinance Approving a Special Use  
for 312 W. Main Street  
(Billy Biru's)**

**Adopted by the  
City Council  
of the  
City of St. Charles  
May 17, 1999**

**Published in pamphlet form by  
authority of the City Council  
of the City of St. Charles,  
Kane and Du Page Counties,  
Illinois, May 21, 1999**

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

**(S E A L)**

DATE OF PUBLICATION 5/21/99  
NEWSPAPER Pamphlet Form

REFER TO:  
MINUTES 5/17/99  
PAGE \_\_\_\_\_

ORDINANCE NO. 1999-Z-7

AN ORDINANCE APPROVING A SPECIAL USE  
FOR 312 W. MAIN STREET  
(BILLY BIRU'S)

**WHEREAS**, a petition for a special use for an outdoor sales area (outdoor dining area) for the real estate described in Exhibit A: (hereinafter referred to as ""SUBJECT REALTY") has been filed by Bob Natale and Bill Bellah, (hereinafter referred to as "OWNERS"); and

**WHEREAS**, the Plan Commission has held a public hearing on said petition in accordance with law; and

**WHEREAS**, the City Council of the City of St. Charles has received the recommendations of the Plan Commission and has considered same;

**WHEREAS**, the City Council of the City of St. Charles hereby makes the following findings of facts :

1. **That the establishment, maintenance or operation of the special use will not be detrimental to or endanger the public health, safety, comfort or general welfare.**

The patrons of the outdoor dining area will be limited to the subject site and not encroach upon adjacent property. The dining area will be have a fence around it and patrons will be required to enter through the main building or through the one gate at the north end of the outdoor area.

2. **That the special use will not be injurious to the use and enjoyment of the property in the immediate vicinity for the purpose already permitted, nor substantially diminish or impair property values within the neighborhood.**

The special use for the outdoor seating will enhance this portion of downtown by adding activity and a distinct character to the area. The St. Charles Historic Preservation Commission reviewed the petition and recommended approval.

- 3. That the establishment of the special use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district.**

Much of the surrounding area is developed. The outdoor dining area is being constructed as part of the recent renovation of the building into a restaurant. The Comprehensive Plan encourages a mixture of uses for downtown and more activity-generating businesses, such as restaurants.

- 4. That adequate utilities, access roads, drainage and/or necessary facilities have been, or are being, provided.**

Adequate utilities and drainage facilities exist in the area. No access roads are proposed into the development.

- 5. That adequate measures have been, or will be, taken to provide ingress and egress so designed as to minimize traffic congestion in public streets.**

No ingress or egress for vehicles is proposed. The subject site is within Special Service Area that does not require any on-site parking. A public parking facility exists directly north and there is one to the south across Rt. 64 (behind Clark gas station).

- 6. That the special use shall, in all other respects, conform to the applicable regulations of the district in which it is located, except as such regulations may, in each instance, be modified by the City Council pursuant to the recommendations of the Plan Commission.**

The special use will meet all applicable regulations of the B-2-C District.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ST. CHARLES, KANE AND DUPAGE COUNTIES, ILLINOIS, as follows:**

**SECTION 1.** That a Special Use for an outdoor sales area (outdoor dining area) be granted for the Subject Realty.

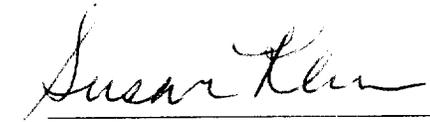
**SECTION 2.** That the Subject Realty may be developed and used only in accordance with all ordinances of the City now in effect or hereafter amended, and in substantial conformance with the Site Plan dated 10/15/98, a reduction which is attached as Exhibit B.

**SECTION 3.** That this Ordinance shall become effective from and after its passage and approval in accordance with law.

**PRESENTED** to the City Council of the City of St. Charles, Kane and DuPage Counties, Illinois this 17th day of May, 1999.

**PASSED** by the City Council of the City of St. Charles, Kane and DuPage Counties, Illinois this 17th day of May, 1999.

**APPROVED** by the Mayor of the City of St. Charles, Kane and DuPage Counties, Illinois this 17th day of May, 1999

  
\_\_\_\_\_  
MAYOR

ATTEST:

  
\_\_\_\_\_  
CITY CLERK

COUNCIL VOTE:

AYES: 4

NAYS: 0

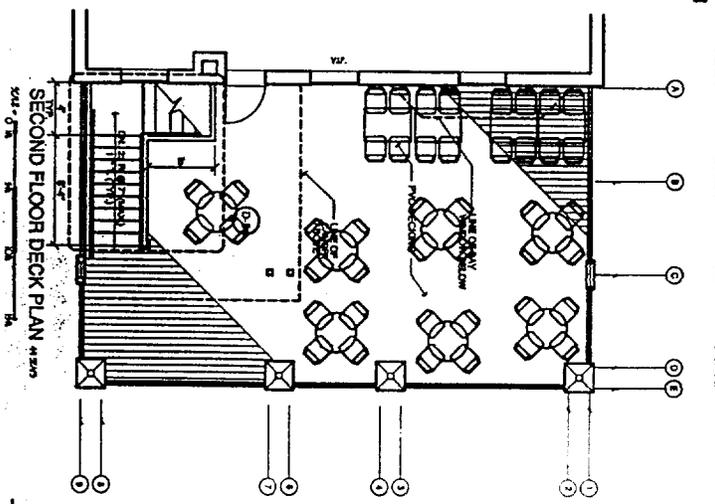
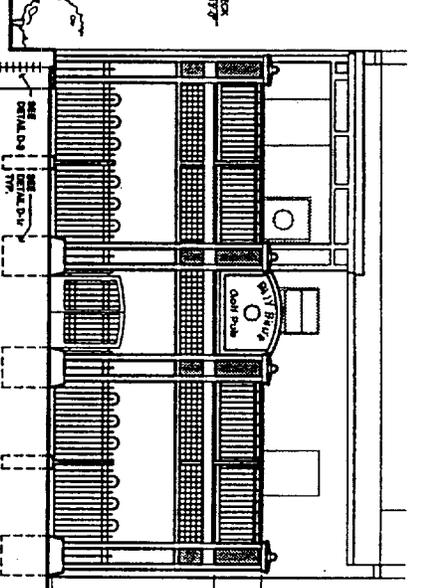
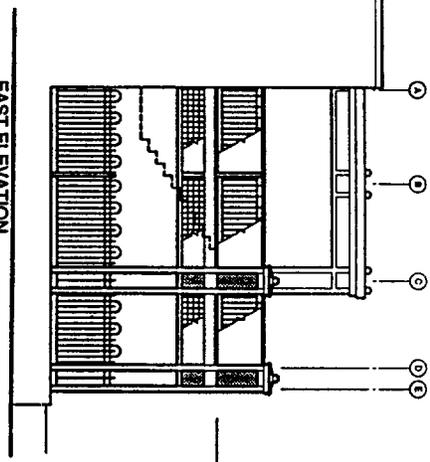
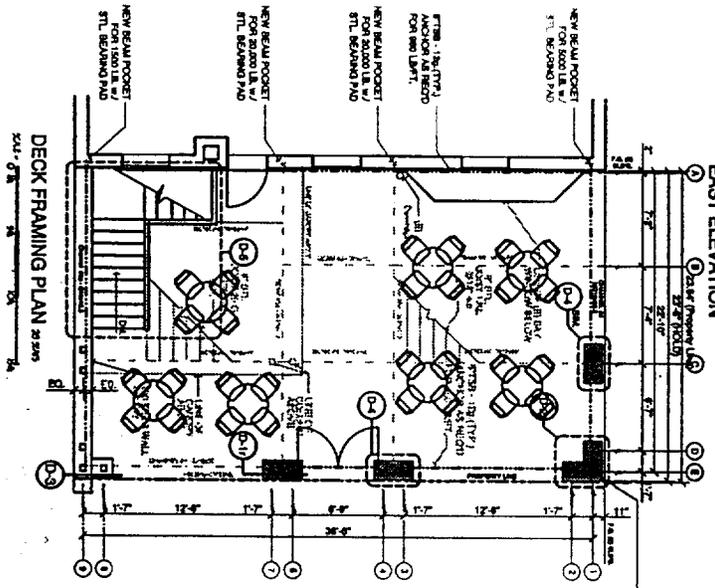
ABSENT: 0

Abstain: 1

## **Exhibit A**

The easterly 16 feet of Lot 6 and the westerly 33 feet of Lot 7, all in Block 48 (Except the northerly 12 feet of the westerly 33.0 feet of Lot 7 and the northerly 12 feet of the easterly 16.0 feet of Lot 6 in Block 48) of the Original Town, now City of St. Charles, in Kane County, Illinois

# Exhibit B



NEW 2x10 BEARING STL COLUMN  
 HELD TO CONCRETE SLAB  
 BY BEARING THROUGH  
 ANCHOR BOLTS THROUGH  
 1\"/>



7/16\"/>

**Billy Biru's Golf Pub**  
 312 West Main  
 St. Charles, IL 60174

**Norris & Paine Architects**  
 223 West Main Street  
 St. Charles, Illinois 60174  
 All Copy Rights Reserved ©

No.	Revisions/Notes	Date
1	Revised Plan	07/14/16
2	Revised Plan	07/14/16
3	Change Color, Material	07/14/16
4	Change Quantity, Material	07/14/16

Change Order

State of Illinois )  
 )  
 ) ss.  
Counties of Kane and DuPage )

## Certificate

I, KRISTIE A. NEPHEW, certify that I am the duly elected and acting municipal clerk of the City of St. Charles, Kane and DuPage Counties, Illinois.

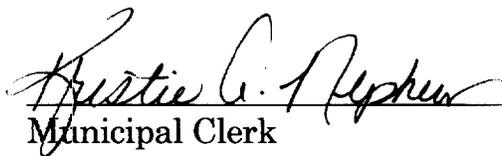
I further certify that on May 17, 1999, the Corporate Authorities of such municipality passed and approved Ordinance No. 1999-Z-7, entitled

"An Ordinance Approving a Special Use  
for 312 W. Main Street  
(Billy Biru's)",

which provided by its terms that it should be published in pamphlet form.

The pamphlet form of Ordinance No. 1999-Z-7, including the Ordinance and a cover sheet thereof was prepared, and a copy of such Ordinance was posted in the municipal building, commencing on May 21, 1999, and continuing for at least ten days thereafter. Copies of such Ordinance were also available for public inspection upon request in the office of the municipal clerk.

**DATED** at St. Charles, Illinois, this 17<sup>th</sup> day of May, 1999.

  
Municipal Clerk

(S E A L)