

VILLAGE OF VERNON HILLS

ORDINANCE NO. 2011-041

AN ORDINANCE GRANTING APPROVAL TO AMEND ORDINANCE 2011-022 FOR A
FAST FOOD RESTAURANT KNOWN AS PHILLY CHEESE STEAK EXPRESS TO
ALLOW THE SERVICE OF ALCOHOLIC BEVERAGES ON PROPERTY LOCATED AT
701 NORTH MILWAUKEE AVENUE, SUITES 104 & 108, IN THE VILLAGE OF VERNON
HILLS, LAKE COUNTY

THE 4TH DAY OF OCTOBER, 2011

Published in pamphlet form by the Authority of the
President and Board of Trustees of the Village of
Vernon Hills, Lake County, Illinois, this 6th Day of
October, 2011

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HILLS, LAKE COUNTY**

WHEREAS, Vladislav Kostic, business owner and lessee, in regard to 701 N. Milwaukee Avenue, Units 104 & 108, being in the Rivertree Court Shopping Center, said property legally described in Exhibit A, has petitioned the Village of Vernon Hills to grant approval to amend Ordinance 2011-022, being the approved Special Use Permit for a carry-out restaurant, known as Philly Cheese Steak Express, to allow the service of alcoholic beverages (beer and wine).

WHEREAS, said approval will allow Philly Cheese Steak Express to serve beer and wine at the current location; and

WHEREAS, upon due notice and after public hearings held August 31, 2011 by the Planning and Zoning Commission of the Village of Vernon Hills, pursuant to the Vernon Hills Zoning Ordinance of 1982, as amended, said Planning and Zoning Commission has filed its report concerning said petition and recommended approval to amend the approved Special Use Permit for a carry-out restaurant, known as Philly Cheese Steak Express, to allow the service of alcoholic beverages (beer and wine) subject to certain conditions; and

WHEREAS, based upon the evidence adduced at said hearings and in their application, the petitioner has entered into the record evidence and findings of fact that addresses the conditions in Section 18.3.

NOW, THEREFORE, BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF VERNON HILLS, COUNTY OF LAKE AND STATE OF ILLINOIS:

SECTION I. Pursuant to the Vernon Hills Zoning Ordinance of 1982, as amended, the amendment to Ordinance 2011-022, to amend the special use permit for a carry-out restaurant, known as Philly Cheese Steak Express, to allow the service of alcoholic beverages (beer and wine), at the location as described in Exhibit A, is hereby granted, subject to the following conditions:

1. Receipt of the required liquor license from the Village and the required training of employees.
Such liquor license will be for consumption on the premises only, only with an order of food, a maximum of two drinks with a sandwich, and no carry out of liquor.
2. Compliance with the conditions as set forth in Ordinance 2011- 022.
3. Compliance with all ordinances and standards of the Village except as may otherwise be provided.

SECTION II. SEVERABILITY. In the event that any section, clause, provision, or part of this ordinance shall be found and determined to be invalid by a court of competent jurisdiction, all valid parts that are severable from the invalid parts shall remain in full force and effect. If any part of this ordinance is found to be invalid in any one or more of its several applications, all valid applications that are severable from the invalid applications shall remain in effect.

SECTION III. REPEAL AND SAVINGS CLAUSE. All ordinances or parts of ordinances in conflict herewith are hereby repealed; provided, however, that nothing herein contained shall affect any rights, actions or causes of action which shall have accrued to the Village of Vernon Hills prior to the effective date of this ordinance.

SECTION IV. EFFECTIVE DATE. This ordinance shall be in full force and effect from and after its passage, approval and publication as provided by law.

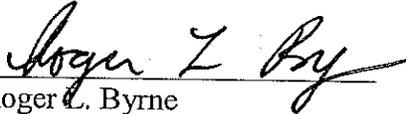
SECTION V. ORDINANCE NUMBER. This ordinance shall be known as Ordinance Number 2011-041.

Adopted by roll call vote as follows:

AYES: 5 – Schultz, Schwartz, Hebda, Koch, Marquardt

NAYS: 0 - None

ABSENT AND NOT VOTING: 1 - Williams



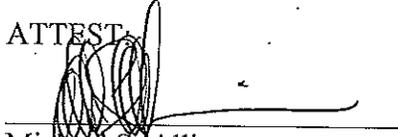
Roger L. Byrne
Village President

PASSED: 10/04/2011

APPROVED: 10/04/2011

PUBLISHED IN PAMPHLET FORM: 10/06/2011

ATTEST



Michael S. Allison
Village Clerk

EXHIBIT A
Legal Description

701 North Milwaukee Avenue, Units 104 & 108, in the Rivertree Court Shopping Center and located on the legally described property as follows:

LEGAL DESCRIPTION
Hawthorn Hills Fashion Square

Lot 5 on the final plat of Subdivision of Hawthorn Hills Fashion Square, being a subdivision of part of the Northwest Quarter of Section 3 and the Northeast Quarter of Section 4, Township 43 North, Range 11, East of the Third Principal Meridian, according to the plat thereof recorded August 1, 1986 as document number 2467230, in the Village of Vernon Hills, in Lake County, Illinois.

AFFIDAVIT OF SERVICE

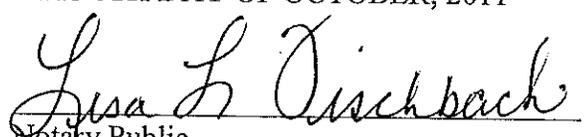
STATE OF ILLINOIS)
)
COUNTY OF LAKE)

I, MICHAEL S. ALLISON, BEING FIRST DULY APPOINTED, DEPOSES AND SAYS ON OATH THAT AS VILLAGE CLERK OF THE VILLAGE OF VERNON HILLS, HE DID CAUSE THE FOREGOING CERTIFICATE FOR ORDINANCE 2011-041, AN ORDINANCE GRANTING APPROVAL TO AMEND ORDINANCE 2011-022 FOR A FAST FOOD RESTAURANT KNOWN AS PHILLY CHEESE STEAK EXPRESS TO ALLOW THE SERVICE OF ALCOHOLIC BEVERAGES ON PROPERTY LOCATED AT 701 NORTH MILWAUKEE AVENUE, SUITES 104 & 108, IN THE VILLAGE OF VERNON HILLS, LAKE COUNTY



MICHAEL S. ALLISON, VILLAGE CLERK

SUBSCRIBED AND SWORN TO BEFORE
THIS 6TH DAY OF OCTOBER, 2011



Notary Public

