

OCT 15 2018

ORDINANCE NO. 3434

AN ORDINANCE TO GRANT SIGN VARIANCES TO THE CITY OF COLUMBIA FOR THE PROPERTY HAVING THE ASSIGNED PARCEL IDENTIFICATION NUMBER OF 04-22-200-003-000 LOCATED IN THE CITY OF COLUMBIA, ILLINOIS TO ALLOW THE CONSTRUCTION OF A MONUMENT SIGN THAT EXCEEDS THE MAXIMUM ALLOWABLE HEIGHT AND BE LOCATED WITHIN THE REQUIRED SETBACK

Stacy Stahl
City Clerk

WHEREAS, Section 15.44.070 "Selected definitions" of the City's Sign Code provides and requires that the total height of a monument sign measured from the surface of the ground at the highest elevation closest to the base of the sign to the top of the sign shall not exceed six (6) lineal feet; and

WHEREAS, Section 15.44.44.190 (J)(12)(D) "Electronic Message Board" of the City's Sign Code provides and requires that free standing signs conjoining with an electronic message sign exceeding seventy-five (75) square feet in sign area shall not be closer than twenty (20) feet from any public right-of-way or side line; and

WHEREAS, City of Columbia ("Applicants") filed Requests for Sign Variance Applications with the Columbia City Clerk requesting that the construction of a monument sign with a maximum ten (10) foot in height and zero (0) foot setback from the property line/right-of-way be permitted at parcel 04-22-200-003-000; and

WHEREAS, Subsection B (Public Hearing Notice) of Section 15.44.380 (Variances) of the City's Sign Code provides and requires that the street graphics advisory committee shall hold a public hearing on the variance request within sixty (60) days after the variance application is submitted to them following publication of notice of the hearing and first class mailing of the notice to the variance applicant not less than fifteen (15) days and not more than thirty (30) days before the hearing, at which hearing interested persons may appear and testify; and

WHEREAS, Subsection C (Advisory Report) of Section 15.44.380 (Variances), of the City's Sign Code provides and requires that the street graphics advisory committee shall submit its report regarding the variance request to the City Council within ten (10) days of the public hearing (or seventy (70) days after it receives the variance application) or shall be deemed to have approved the variance request; and

WHEREAS, Subsection D (Decision of the City Council) of Section 15.44.380 (Variances), of the City's Sign code provides and requires that the City Council shall act upon the variance request at their next regular meeting following receipt of the street graphics advisory committee's advisory report or ninety (90) days after filing of the variance application with the City Clerk, whichever is less; that the City Council shall grant or deny the request by simple majority vote of a quorum of all members of the City Council then holding office; and if the City Council fails to have acted upon the variance request within the deadline aforesaid the City Council shall be deemed to have approved the request; and

WHEREAS, Subsection E (Standards for Variances) of Section 15.44.380 (Variances) of the City's Sign Code provides and requires that the City Council shall not grant any street graphic variance unless, based upon the evidence presented to them, they find that special circumstances involving size, shape, topographic, location or surrounds affect the property referred in the application and denial of the application would cause unreasonable or unnecessary hardship; and further, that the sign will not cause substantial injury to the value of other property in the vicinity nor be detrimental to the public safety or welfare and the neighborhood in which it is located; and

WHEREAS, in accordance with the requirement of Section 15.44.380 of the City's Sign Code, a public hearing with regard to the variance requested was held before the Street Graphics Committee of the City on the September 27, 2018 (and within the sixty (60) day deadline required by the Sign Code) at the Columbia City Hall and a quorum of the members of the Street Graphics Committee were present and all four (4) committee members voted unanimously to recommend to the Columbia City Council to grant a variance from the provisions of section 15.44.070 "Selected Definitions" and 15.44.190 (J)(12)(D) "Electronic message board"; and

WHEREAS, in accordance with the requirements of Section 15.44.380 of the City's Sign Code, the City's City Council has found and determined and does hereby declare, that based upon the evidence presented, special circumstances that may exist involving the size, location and surroundings of the subject property and in the circumstances involved in the granting of the sign variance request which may result in unreasonable and unnecessary hardship if the variance is not granted.

NOW, THEREFORE, BE IT ORDAINED, by the City Council of the City of Columbia, Illinois, as follows:

Section 1. The recitals contained above in the preamble of this Ordinance are hereby incorporated herein by reference, the same as if set forth in this Section of this Ordinance verbatim, as findings of the City Council of the City of Columbia, Illinois.

Section 2. The Applicants are hereby granted sign variances or special exceptions from the requirements of Section 15.44.070 "Selected definitions" and 15.44.190(J)(12)(D) "Electronic message board" of the City's Sign Code to allow the construction of a monument sign with a maximum allowable height of ten (10) foot and for the setback to be reduced to zero (0) foot from the property line/right-of-way on parcel number 04-22-200-003-000.

Section 3. This Ordinance shall be in full force and effect from and after its passage.

Alderman Reis moved the adoption of the above and foregoing Ordinance; the motion was seconded by Alderman Martens, and the roll call vote was as follows:

YEAS: Aldermen Ebersohl, Niemietz, Roessler, Huch, Reis, Holtkamp, and

Martens.

NAYS: Alderman Agne.

ABSTENTIONS: None.

ABSENT: None.

PASSED by the City Council and **APPROVED** by the Mayor this 15th day of October, 2018.


KEVIN B. HUTCHINSON, Mayor

ATTEST:



WESLEY J. HOEFFKEN, City Clerk

(SEAL)