

ORDINANCE NO. 3063

NOV 18 2013

*J. Ronald Colyer*  
City Clerk

**AN ORDINANCE TO GRANT A SIGN VARIANCE TO BOB BROCKLAND BUICK GMC HAVING THE ASSIGNED ADDRESS OF 580 OLD STATE ROUTE 3 IN THE CITY OF COLUMBIA, ILLINOIS TO ALLOW MORE SQUARE FEET OF SIGNAGE THAN THE CITY'S SIGN CODE ALLOWS FOR AN ESTABLISHMENT IN A COMMERCIALLY ZONED DISTRICT IN THE CITY**

WHEREAS, Section 15.44.100 of the City's Sign Code provides that the total area of all signs which a particular establishment is permitted to display shall be one (1) square foot of sign area per one (1) foot of building frontage, not to exceed one hundred (100) lineal feet of such building frontage; and, no establishment in any zoned district shall be permitted to display more than one hundred (100) square feet of signage;

WHEREAS, Section 15.44.190 of the City's Sign Code provides and requires, in pertinent part, an establishment located in any commercial district shall not be allowed more than one exterior sign on each street frontage;

WHEREAS, Bob Brockland Buick GMC ("Applicant") filed a Request for Sign Variance Application with the Columbia City Clerk on August 15, 2013 requesting that there be allowed for Bob Brockland Buick GMC to be located at 580 Old State Route 3 to have three hundred sixty seven (367) total square feet of signage comprised of four (4) flush mounted signs totaling one hundred twenty two (122) square feet and one (1) free standing sign of two hundred forty five (245) square feet.

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;

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;

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;

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;

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 5<sup>th</sup> day of September, 2013 (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 was present and all four (4) committee members voted unanimously to recommend to the Columbia City Council to grant the variance to allow three hundred sixty seven (367) total square feet of signage comprised of four (4) flush mounted signs totaling one hundred twenty two (122) square feet and one (1) free standing sign of two hundred forty five (245) square feet.

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 may or may not exist involving the size, location and surroundings of the subject property and in the circumstances involved in the granting of the sign variance requested which may or may not result in unreasonable and unnecessary hardship if the variance is not granted, including:

(1) To grant the variance to the City Sign Code to allow three hundred sixty seven (367) total square feet of signage comprised of four (4) flush mounted signs totaling one hundred twenty two (122) square feet and one (1) free standing sign of two hundred forty five (245) square feet.

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 Applicant is hereby granted a sign variance or special exception from the requirements of Section 15.44.100 and Section 15.44.190 of the City's Sign Code to allow Bob Brockland Buick GMC three hundred sixty seven (367) total square feet of signage comprised of four (4) flush mounted signs totaling one hundred twenty two (122) square feet and one (1) free standing sign totaling two hundred forty five (245) square feet.

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

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

YEAS: Aldermen Ebersohl, Niemietz, Huch, Mathews, Reis and Holtkamp.

NAYS: Alderman Agne.

ABSENT: Alderman Roessler.

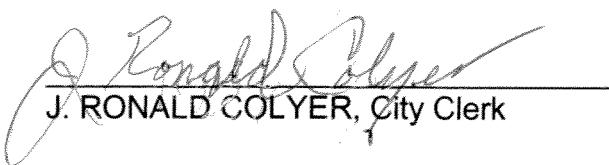
ABSTENTIONS: None.

PASSED by the City Council and APPROVED by the Mayor this 18<sup>th</sup> day of November, 2013.



KEVIN B. HUTCHINSON, Mayor

ATTEST:



J. RONALD COLYER, City Clerk

(SEAL)