

ORDINANCE NO. 3229

DEC 21 2015

Debby Haff
City Clerk

**AN ORDINANCE TO GRANT A SIGN VARIANCE TO
STATE BANK OF WATERLOO, HERBERT C. SCHUELER
REVOCABLE LIVING TRUST AND LEOLA M. SCHUELER
REVOCABLE LIVING TRUST FOR THE PROPERTY
HAVING THE ASSIGNED PARCEL IDENTIFICATION
NUMBER OF 04-16-133-002-000 LOCATED IN THE CITY
OF COLUMBIA, ILLINOIS TO ALLOW THE
CONSTRUCTION OF A MONUMENT SIGN TO BE
DISPLAYED WITHIN ONE HUNDRED (100) FEET OF
ANOTHER SIGN IN A COMMERCIALLY ZONED
DISTRICT IN THE CITY**

WHEREAS, Section 15.44.190 "Commercial and Industrial Districts" of the City's Sign Code provides and requires that a Free Standing Sign shall not be located within one hundred (100) feet of another sign;

WHEREAS, State Bank of Waterloo, Herbert C. Schueler Revocable Living Trust and Leola M. Schueler Revocable Living Trust ("Applicants") filed a Request for Sign Variance Application with the Columbia City Clerk on November 2, 2015 requesting that there be allowed construction of a Monument Sign along North Main Street on parcel number 04-16-133-002-000 and be located within one hundred (100) feet of State Bank of Waterloo's proposed Wall Sign on North Main Street;

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 10th day of December, 2015 (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 three (3) of the four(4) committee members voted to recommend to the Columbia City Council to grant a variance from the provisions of section 15.44. 190 "Commercial and Industrial Districts"

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 a sign variance or special exception from the requirements of Section 15.44.190 "Commercial and Industrial Districts" of the City's Sign Code, to allow the construction of a Monument Sign along North Main Street on parcel number 04-16-133-002-000 and be located within one hundred (100) feet of the proposed State Bank of Waterloo's Wall Sign along North Main Street.

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.

ABSENT: None.

ABSTENTIONS: None.

PASSED by the City Council and APPROVED by the Mayor this 21st day of December, 2015.



KEVIN B. HUTCHINSON, Mayor

ATTEST:



WESLEY J. HOEFFKEN, City Clerk

(SEAL)