

FEB - 5 2018

ORDINANCE NO. 3372

*Dale J. Shaff*  
City Clerk

**AN ORDINANCE GRANTING TWO (2) SIGN VARIANCES  
TO BROADWAY RESTAURANT GROUP FOR THE  
PROPERTY HAVING THE ASSIGNED PARCEL  
IDENTIFICATION NUMBER OF 04-17-481-026-000 WITH  
THE COMMON ADDRESS OF 360 COLUMBIA CENTRE  
LOCATED IN THE CITY OF COLUMBIA, ILLINOIS TO  
PERMIT THE DISPLAY OF TWO (2) FREE STANDING  
SIGNS WITHIN ONE HUNDRED (100) FEET OF  
ANOTHER FREE STANDING SIGN IN A COMMERCIALLY  
ZONED DISTRICT IN THE CITY**

WHEREAS, Section 15.44.190 (F) (4) "Free Standing Signs" of the City's Sign Code provides and requires that a free standing sign shall not be located closer than one hundred (100) feet to another sign;

WHEREAS, Broadway Restaurant Group ("Applicants") filed Requests for Sign Variances Application with the Columbia City Clerk requesting that there be allowed a total of two (2) free standing signs fronting Columbia Centre on parcel number 04-17-481-026-000 and which both would be located within one hundred feet of an existing free standing sign located on the adjacent parcel having the tax identification number 04-17-481-024-000;

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 4th day of January, 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 five (5) committee members voted unanimously to recommend to the Columbia City Council to grant a variance from the provisions of Section 15.44.190 (F) (4) "Free Standing Signs";

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 two (2) sign variances or special exceptions from the requirements of Section 15.44.190 (F) (4) "Free Standing Signs" of the City's Sign Code to permit a total of two (2) free standing signs fronting Columbia Centre on parcel number 04-17-481-026-000 both of which are located within one hundred (100) feet of an existing free standing sign on the adjacent property;

**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 Holtkamp, and the roll call vote was as follows:

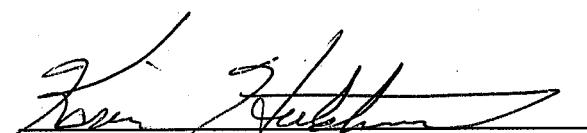
YEAS: Aldermen Ebersohl, Agne, Niemietz, Huch, Reis, Holtkamp and Martens.

NAYS: None.

ABSTENTIONS: None.

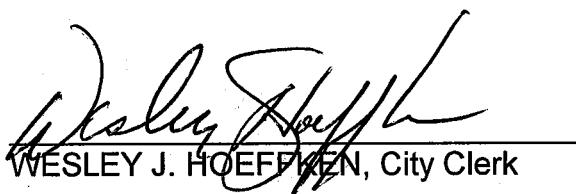
ABSENT: Alderman Roessler.

PASSED by the City Council and APPROVED by the Mayor this 5<sup>th</sup> day of February, 2018.



KEVIN B. HUTCHINSON, Mayor

ATTEST:



WESLEY J. HOEFFKEN, City Clerk

(SEAL)