

OCT - 3 2016

ORDINANCE NO. 3285

*Stanley Haff*  
City Clerk

AN ORDINANCE TO GRANT SIGN VARIANCES TO ELEVEN SOUTH BUILDING ONE, LLC FOR THE PROPERTY HAVING THE ASSIGNED ADDRESS 1000 ELEVEN SOUTH LOCATED IN THE CITY OF COLUMBIA, ILLINOIS TO PERMIT THE CONSTRUCTION OF A MONUMENT SIGN MEASURING SIXTEEN (16) FEET IN HEIGHT AND HAVING A TOTAL AREA OF ONE HUNDRED FIFTY-THREE AND SIX TENTHS (153.6) SQUARE FEET IN A COMMERCIALLY ZONED DISTRICT IN THE CITY

WHEREAS, Section 15.44.070 "Selected Definitions" limits and restricts a maximum monument sign height of six (6) feet, Section 15.44.100 "Sign area allowance" and Section 15.44.190 "Commercial and industrial districts" limits and restricts the total area of all signs a particular establishment is permitted to display shall be one (1) square foot of sign area per one (1) lineal 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, Eleven South Building One, LLC ("Applicants") filed a Sign Variance Application request with the Columbia City Clerk on August 3, 2016, requesting that there be allowed the construction of a Monument Sign along West Sand Bank Road on the property commonly known as 1000 Eleven South measuring sixteen (16) feet in height and have a total area of one hundred fifty-three and six tenths (153.6) 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 8th day of September, 2016 (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 a majority of committee members voted to recommend to the Columbia City Council to grant the variances from the provisions of Section 15.44.070 "Selected Definitions", Section 15.44.100 "Sign Area Allowance" and 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 sign variances or special exceptions from the requirements of Section 15.44.070 "Selected Definitions", Section

15.44.100 "Sign Area Allowance" and Section 15.44.190 "Commercial and Industrial Districts" of the City's Sign Code to permit the construction of a Monument Sign along West Sand Bank Road on the property commonly known as 1000 Eleven South measuring sixteen (16) feet in height and having total area of one hundred fifty-three and six tenths (153.6) 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 Martens, and the roll call vote was as follows:

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

NAYS: None.

ABSENT: None.

ABSTENTIONS: Alderman Niemietz.

PASSED by the City Council and APPROVED by the Mayor this 3<sup>rd</sup>, day of October, 2016.

  
KEVIN B. HUTCHINSON, Mayor

ATTEST:

  
WESLEY J. HOEFFKEN, City Clerk

(SEAL)