

ORDINANCE NO. 3142

NOV 17 2014

AN ORDINANCE TO GRANT SIGN VARIANCES TO WALLIS COMPANIES HAVING THE ASSIGNED ADDRESS OF 123 ADMIRAL TROST ROAD IN THE CITY OF COLUMBIA, ILLINOIS TO ALLOW MORE SQUARE FEET OF SIGNAGE AND ALLOW MORE SIGNS THAN THE CITY'S SIGN CODE ALLOWS FOR AN ESTABLISHMENT IN A COMMERCIAL ZONED DISTRICT IN THE CITY


City Clerk

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, Wallis Companies ("Applicant") filed Requests for Sign Variance Applications with the Columbia City Clerk on October 7, 2014 requesting that there be allowed for Wallis Companies Car Wash to be located at 123 Admiral Trost Road to have one hundred seventy six and sixty six hundredths (176.66) total square feet of signage comprised of two (2) flush mounted signs totaling eighty eight and sixteen hundredths (88.16) square feet and one (1) free standing monument sign of thirty nine and forty eight hundredths (39.48) square feet. The remaining forty nine and two hundredths (49.02) square feet of signage is comprised of informational and directional signage.

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 requests 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 variances requested was held before the Street Graphics Committee of the City on the 30th day of October, 2014 (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 five (5) committee members voted unanimously to recommend to the Columbia City Council to grant the variance to allow one hundred seventy six and sixty six hundredths (176.66) total square feet of signage comprised of two (2) flush mounted signs totaling eighty eight and sixteen hundredths (88.16) square feet and one (1) free standing monument sign of thirty nine and forty eight hundredths (39.48) square feet. The remaining forty nine and two hundredths (49.02) square feet of signage is comprised of informational and directional signage.

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 one hundred seventy six and sixty six hundredths (176.66) total square feet of signage comprised of two (2) flush mounted signs totaling eighty eight and sixteen hundredths (88.16) square feet and one (1) free standing monument sign of thirty nine and forty eight hundredths (39.48) square feet. The remaining forty nine and two hundredths (49.02) square feet of signage is comprised of informational and directional signage.

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 Wallis Companies one hundred seventy six and sixty six hundredths (176.66) total square feet of signage comprised of two (2) flush mounted signs totaling eighty eight and sixteen hundredths (88.16) square feet and one (1) free standing monument sign of thirty nine and forty eight hundredths (39.48) square feet. The remaining forty nine and two hundredths (49.02) square feet of signage is comprised of informational and directional signage.

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

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


YEAS: Aldermen Agne, Niemietz, Roessler, Huch, Mathews, Reis, and Holtkamp

NAYS: None.

ABSENT: None.

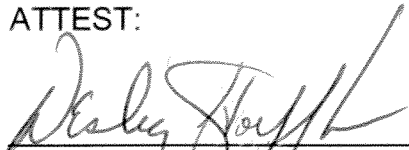
ABSTENTIONS: None.

PASSED by the City Council and APPROVED by the Mayor this 17th day of November, 2014.



GENE EBERSOHL, Mayor Pro-tem

ATTEST:



WESLEY J. HOEFFKEN, City Clerk

(SEAL)