


NOV 17 2008

**ORDINANCE NO. 2691**

  
City Clerk

**AN ORDINANCE TO GRANT A SIGN VARIANCE TO DAVID AND SUSAN NOBBE D/B/A "AGNES A. ROSS", THE LESSEES, OF COLUMBIA, ILLINOIS AND JAG, INC., AN ILLINOIS CORPORATION, THE PROPERTY OWNER, TO ALLOW SAID LESSEES TO INSTALL AND MAINTAIN SIGNS FOR THEIR "AGNES A. ROSS" BUSINESS AT 113 WEST GUNDLACH AVENUE IN THE CITY WHICH EXCEEDS THE NUMBER OF SIGNS ALLOWED PER STREET FRONTAGE PRESCRIBED BY THE CITY'S SIGN CODE**

WHEREAS, Section 15.44.190 of the City of Columbia, Illinois (the "City") Sign Code permits one (1) exterior sign on each street frontage;

WHEREAS, David and Susan Nobbe, his wife, of Columbia, Illinois d/b/a "Agnes A. Ross" (the "Business") have requested a variance from the City's City Council to allow their Business to display signage at its assigned address of 113 West Gundlach Avenue, in the City, which has one (1) street frontage, in a total of three (3) separate signs;

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 request was held before the Street Graphics Committee of the City on November 6, 2008, at the Columbia City Hall and the members of the Street Graphics Committee in attendance at the public hearing unanimously recommended to the City's City Council that the variance be granted;

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, based upon the evidence presented, that special circumstances involving the property involved in the sign variance request will result in an unreasonable or unnecessary hardship if the variance is not granted, including the following:

(1) The leasehold premises for which the sign variance is requested was designed and constructed to house three (3) separate businesses which would each be allowed one (1) sign per frontage resulting in the same number of street frontage signs if the lessees had not rented all three (3) adjoining locations;

(2) The display of the proposed three (3) signs will give the premises a balanced and finished look and the absence of the additional

signage will result in an unfinished and unbalanced curb appearance for the property;

WHEREAS, as required by Section 15.44.380 of the City's Sign Code, the City's City Council has found and determined and does hereby declare, that the allowance of the installation and maintenance of the proposed signs will not cause substantial injury to the value of property in the vicinity of the signs and will not be detrimental to the public safety and welfare in the neighborhood in which it is located.

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, David and Susan Nobbe, his wife, d/b/a "Agnes A. Ross" of Columbia, Illinois are hereby granted a variance or special exception to allow their "Agnes A. Ross" Business at 113 West Gundlach Avenue in the City to display signage at its said business, which has one (1) street frontage, in a total number of three (3) separate signs in accordance with the "Request for Sign Variance Application" filed with the City Clerk by the Lessees and property owner of the premises which said signs are more particularly described and depicted in said "Request for Sign Variance Application".

**Section 3.** This Ordinance shall be in full force and effect from and after its passage and approval, as provided by law.

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

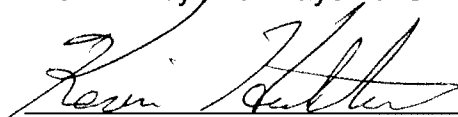
YEAS: Aldermen Ebersohl, Agne, Niemietz, Unnerstall, Row, Hejna, Oberkfell, Stumpf and Mayor Hutchinson.

NAYS: None.

ABSENT: None.

ABSTENTIONS: None.

PASSED by the City Council and APPROVED by the Mayor this 17<sup>th</sup> day of November, 2008.

  
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KEVIN B. HUTCHINSON, Mayor

ATTEST:

  
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WESLEY J. HOEPPKEN, City Clerk

(SEAL)