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**2017R00182**

STATE OF ILLINOIS  
MADISON COUNTY

01/03/2017 4:14 PM  
AMY M. MEYER, RECORDER

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Jamie Myers  
City Clerk  
116 E. Market Street  
Troy, Illinois 62294



27.00

### **Resolution No. 2016-27**

**A RESOLUTION OF THE CITY OF TROY, ILLINOIS  
ACCEPTANCE OF VARIANCE TO THE SIGN ORDINANCE,  
SPECIFICALLY FOR 530-534 EDWARDSVILLE ROAD,  
FOR THE CITY OF TROY, ILLINOIS**

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Adopted by the City Council  
of the City of Troy, Illinois  
This 21<sup>ST</sup> Day of NOVEMBER, 2016.

**RESOLUTION OF THE CITY COUNCIL REGARDING THE GRANTING OF A VARIANCE TO THE SIGN ORDINANCE**

**Whereas**, Coldwell Banker Brown and Unger Eye Care, applicants and owners of record, filed an application for a variance to the Sign Ordinance that will permit the installation of an electronic message center that is 48 square feet in area as opposed to §155.04(D)(9)(c) Electronic Message Center Signs that states an EMCS shall not, in any case, exceed 32 square feet in area; and

**Whereas**, the Planning Commission held a public hearing on November 11, 2016 to consider the application that applies to property located at 530-534 Edwardsville Road with a parcel numbers 09-2-22-08-02-201-016.01C, 09-2-22-08-02-201-016.02C and 09-2-22-08-02-201-016.03C; and

**Whereas**, the Planning Commission reviewed the application for compliance with the provisions of the Sign Ordinance and recommended granting the application with the following stipulations, if any: See Planning Commission Recommendation 2016-09PC attached.; and

**Whereas**, on November 21, 2016 the City Council accepted the Planning Commission's Recommendation No. 2016-09PC as per the meeting minutes as hereto referenced.

**Now Therefore**, be it resolved by the City Council of the City of Troy, Illinois to



Grant the variance to the Sign Ordinance with the following amendments, if noted:

\_\_\_\_\_  
\_\_\_\_\_



Deny the variance to the Sign Ordinance

One copy of this resolution shall be given to the Applicants and the City Clerk shall give the Code Administrator a certified copy of the Council's decision, clearly stating their reasons therefor and the exact terms of any variance granted, that shall be attached to the sign permit application, if applicable.

Dated this 21<sup>st</sup> day of November, 2016.

By   
Allen P. Adomite, Mayor

Attest:   
Jamie Myers, City Clerk

Seal

RECOMMENDATION No. 2016 ~ 09PC

Of the Planning Commission of the City of Troy, Illinois
Recommending/Not Recommending an Application for a Variance to the
Sign Ordinance Requested By: Coldwell Banker Brown Realtors and Unger Eye Care

WHEREAS, the Planning Commission met on November 10, 2016 to consider an application for a variance to the Sign Ordinance filed by Coldwell Banker Brown Realtors and Unger Eye Care. A copy of the application and certification regarding publication of the notice of hearing and of notification to surrounding property owners are incorporated by reference; and

WHEREAS, this application applies to property located 530-534 Edwardsville Road with permanent parcel ID numbers 09-2-22-08-02-201-016.01C, 09-2-22-08-02-201-016.02C, 09-2-22-08-02-201-016.03C ; and

WHEREAS, the Planning Commission considered the testimony and exhibits offered on behalf of the application and the following citizens also testified regarding the application (See attached Sign-in Sheet); and

WHEREAS, the Planning Commission considered the variance standards as described in the City of Troy Sign Ordinance, §155.06 Standards for variances and has attached as Addendum A their findings to support this recommendation; and

WHEREAS, following the testimony and deliberations, members of the Planning Commission voted as recorded below:

Table with 4 columns: Name, Vote, Name, Vote, Name, Vote, Total. Rows include Burnett (Y), Delgado (Y), Dorsey (—), Hellrung (ABSTAIN), Johnson (N), Lasseigne (—), Lawrenz (Y), Nehrt (Y), Reiter (Y), and Total (5 Yeas, 1 Nays).

NOW THEREFORE, BE IT RESOLVED BY THE PLANNING COMMISSION AS FOLLOWS:

1. That the application for the following: To permit an electron message center sign that is 48 square feet in area as opposed to §155.04(D)(9)(c) Electronic Message Center Signs that states an EMCS shall not, in any case, exceed 32 square feet in area

Variance IS NOT recommended; [X] Variance IS recommended with the following stipulations, if noted: N/A

2. A copy of this recommendation is presented to the City Council; the original shall be filed with the Code Administrator.

ADOPTED this 10th day of November, 2016.

Attest: [Signature] Secretary, Planning Commission

By: [Signature] Chairman, Planning Commission

**Addendum A**

**Planning Commission's Advisory Report**

As per §155.06(C)(4) Standards for variances, the Planning Commission shall review the application for a variance and the Code Administrator's comments, and submit its advisory report to the City Council together with its recommendation. The Planning Commission's advisory report shall be responsive to all of the variance standards:

Variance Standards:	Findings:
(1) The proposed variance is consistent with the spirit and purpose of this chapter and will not cause injury to the area in which the graphic is/will be located or be detrimental to the public welfare in any way; and	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
(2) The proposed variance is the minimum deviation from such requirements that will alleviate the difficulties/hardship while protecting the broader public interest; and	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
(3) The plight of the applicant is due to peculiar circumstances not of his or her own making; and	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
(4) The peculiar circumstances of the variance request are not applicable to other graphics in the city, and therefore, that a variance would be a more appropriate remedy than an amendment.	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>

Additional comments:

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Elizabeth Halbrug 11-10-16      Yvonne Gale 11/10/16  
Chairman, Planning Commission      Secretary, Planning Commission      Date