ORDINANCE NO. 8403-2019

A ZONING ORDINANCE IN RE CASE #67DEC19
M Property Services, LLC

THE CITY OF BELLEVILLE, ST. CLAIR COUNTY, ILLINOIS (THE "CITY"), IS A DULY ORGANIZED AND EXISTING MUNICIPALITY CREATED UNDER THE PROVISIONS OF THE LAWS OF THE STATE OF ILLINOIS.


BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BELLEVILLE, ILLINOIS:

Whereas, an application has been filed requesting a Sign Variance to allow a freestanding graphic and supporting structure to extend more than 20 feet above the ground, exceed 12 feet in graphic height and exceed 100 square feet in graphic area at 9434 South DeMazenod Drive (Parcel number: 07-03.0-300-008) located in a "C-2" Heavy Commercial District. (Applicable sections of the Sign Code: 155.028 (B)(3)(4)(5).

Whereas, a public hearing has been held before the City's Zoning Board of Appeals which has issued its advisory report.

NOW, THEREFORE, be it ordained by the City Council of the City of Belleville, Illinois as follows:

Section 1. That the application requesting a Sign Variance to allow a freestanding graphic and supporting structure to extend more than 20 feet above the ground, exceed 12 feet in graphic height and exceed 100 square feet in graphic area at 9434 South DeMazenod Drive (Parcel number: 07-03.0-300-008) located in a "C-2" Heavy Commercial District is hereby granted. (Applicable sections of the Sign Code: 155.028 (B)(3)(4)(5).

Section 2. That conflicting ordinances or pertinent portions thereof in force at the time of this ordinance takes effect are hereby repealed.

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

PASSED by the City Council of the City of Belleville, Illinois, on this 19th day of December, 2019 on the following roll call vote:
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<tr>
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<th>AYE</th>
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<tr>
<td>Joe Hazel</td>
<td>X</td>
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<td>Ken Kinsella</td>
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<td>Jane Pusa</td>
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<td>Carmen Duco</td>
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<td>Kent Randle</td>
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<td>Scott Ferguson</td>
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<td>Johnnie Anthony</td>
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<td>Raffi Ovian</td>
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<td>Ed Dintelman</td>
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<tr>
<td>Michelle &quot;Shelly&quot; Schaefer</td>
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<td>Chris Rothweiler</td>
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<td>Dr. Mary G. Stiehl</td>
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<td>Dennis C. Weygandt</td>
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<td>Phil Elmore</td>
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<td>Roger Wigginton</td>
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<td>Roger W. Barfield</td>
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<td>Excused</td>
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APPROVED by the Mayor of the City of Belleville, Illinois this 20th day of December, 2019.

MAYOR

ATTEST:

CITY CLERK
ZONING BOARD OF APPEALS, CITY OF BELLEVILLE, ILLINOIS

ADVISORY REPORT

Application for Amendment: M Property Services, LLC
Application Filed: 11/22/19

67-DEC19 M Property Services, LLC

A request for a Sign Variance to allow a freestanding graphic and supporting structure to extend more than 20 feet above the ground, exceed 12 feet in graphic height and exceed 100 square feet in graphic area at 9434 South DeMazenod Drive (Parcel number 07-03.0-300-008) located in a "C-2" Heavy Commercial District. (Applicable sections of the Zoning Code: 155.028 (B)(3)(4)(5) Ward 8

Present Zoning: "C-2" Heavy Commercial District

Meeting Held: 12/12/19

Publication in News Democrat: 11/27/19

Supporters: None

Objectors: None

Additional public comments: None

Aldermen Present: Scott Ferguson, Ward 4

Witnesses having been sworn, evidence presented and the Board fully advised in the premises, the Board has considered the following:

A. Whether the proposed variance is consistent with the general purposes of this Code and

B. Whether the strict application of the district requirements would result in great practical difficulties of hardship to the applicant, and present a reasonable return on the property; and

C. Whether the proposed variance is the minimum deviation from such requirements that will alleviate the difficulties/hardship, and allow a reasonable return on the property; and

D. Whether the plight of the applicant is due to peculiar circumstances not of his own making; and

E. Whether the peculiar circumstances engendering the variance request are applicable to other property with the district, and therefore, that a variance would be a more appropriate remedy than an amendment (rezoning); and

G. Whether the variance, if granted, will alter the essential character of the area where the premises in question are located or materially frustrate implementation of this municipality comprehensive plan.

67-DEC19: A motion was made to APPROVE by Don Rockwell. It was seconded by Steve Zimmerman, Don Rockwell, Tim Price, Andy Gaa, Steve Zimmerman and Danny Nollman voted aye. Rebecca Boyer recused herself. The motion carried 5-0-1.

IT IS THEREFORE the recommendation of the Zoning Board of Appeals that the requested Area/Bulk Variance be GRANTED BY A MAJORITY VOTE OF ALL MEMBERS PRESENT.

________________________________________
Director

________________________________________
Date