

ORDINANCE NO. 2014-26

AN ORDINANCE GRANTING A VARIANCE UNDER CHAPTER 6 ADVERTISING, ARTICLE III, BILLBOARDS, SECTION 6-49 AND CHAPTER 6 ADVERTISING, ARTICLE III, ELECTRONIC MESSAGE SIGNS, SECTION 6-101 OF THE CODE OF ORDINANCES FOR THE VILLAGE OF CHERRY VALLEY, ILLINOIS (Bachrodt Auto Mall Sign Variance)

WHEREAS, the Board of Trustees has been presented with a request by the owner of the Lou Bachrodt Auto Mall business to construct a 66 square foot sign which is internally illuminated at the southwest corner of the Lou Bachrodt Auto Mall property which is located at 7070 Cherryvale North Boulevard; and,

WHEREAS, Chapter 6 Advertising, Article III Electronic Message Boards, Section 6-100 et. seq. of the Code of Ordinances for the Village of Cherry Valley, Illinois outlines the regulations for Electronic Message Signs; and

WHEREAS, Chapter 6 Advertising, Article III Electronic Message Boards, Section 6-101(b) of the Code of Ordinances for the Village of Cherry Valley, Illinois prohibits all electronic message displays from being a freestanding sign or secondary sign, and Chapter 6 Advertising, Article III Electronic Message Boards, Section 6-101(d) of the Code of Ordinances for the Village of Cherry Valley, Illinois prohibits that the maximum square footage on the main sign and the electronic message display from exceeding 100 square feet. Each electronic message display's total area may not exceed 20 square feet; and

WHEREAS, a variance may be granted to Chapter 6 Advertising, Article III Electronic Message Boards, Section 6-101(b) and Section 6-101(d) under Chapter 6 Advertising, Article II Billboards, Section 6-49 of the Code of Ordinances for the Village of Cherry Valley, Illinois, provided that in granting the variance, the following findings of fact have been met:

- 1) The sign, as submitted, is in harmony with the general purpose and intent of this article.
- 2) The plight of the petitioner is due to unusual circumstances.
- 3) There are practical difficulties and particular hardship in the way of carrying out the strict requirements of this Article.
- 4) The variation will not alter the essential character of the locality.

WHEREAS, the Board of Trustees of the Village of Cherry Valley, Illinois, have made specific findings that the four requirements for a variance, as stated above, have been met due to the fact that the proposed sign is in harmony with the general intent and purpose of the Electronic Message sign article, unusual circumstances are present which prohibit the petitioner from attaching the proposed sign to the pre-existing commercial sign on the property, practical difficulties are present which prohibit adding the proposed sign to the pre-existing commercial sign, the variation will not alter the essential character of this commercial corridor.

NOW, WHEREFORE, be it ordained by the President and Board of Trustees for the Village of Cherry Valley, Illinois, as follows:

**SECTION 1:** A variance, shall and hereby is granted pursuant to Chapter 6 Advertising, Article II Billboards, Section 6-49 to the provisions of Chapter 6 Advertising, Article III Electronic Message Boards, Section 6-101 (b) and (d) of the Code of Ordinances for the Village of Cherry Valley, Illinois, to allow for the construction of a commercial sign at the southwest corner of the Lou Bachrodt Auto Mall property. Said variance shall allow the construction of a sign to advertise Lou Bachrodt Auto Mall on a 66 square foot sign, 12 feet from the ground which is internally illuminated. Attached hereto and marked as Exhibit "A" is a drawing indicating the proposed height and width of the proposed sign subject to the variance. Attached as Exhibit "B" is the location for the sign.

**SECTION 2:** This **ORDINANCE** shall be in full force and effect from and after its approval, passage, and publication in pamphlet form.

PASSED UPON MOTION BY: NANCY BELT

SECONDED BY: STEPHEN APPELL

BY ROLL CALL VOTE THIS 1ST DAY OF DECEMBER, 2014

AS FOLLOWS:

VOTING "AYE": STEPHEN APPELL, NANCY BELT, SALLY HOLLEMBEAK,  
JOANN HUDSON, GARY MAITLNAD AND DAVID SCHROEDER

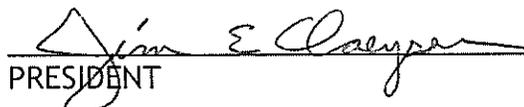
VOTING "NAY": NONE

ABSENT, ABSTAIN, OTHER: NONE

ATTEST:

  
CLERK

APPROVED DECEMBER 1, 2014

  
PRESIDENT

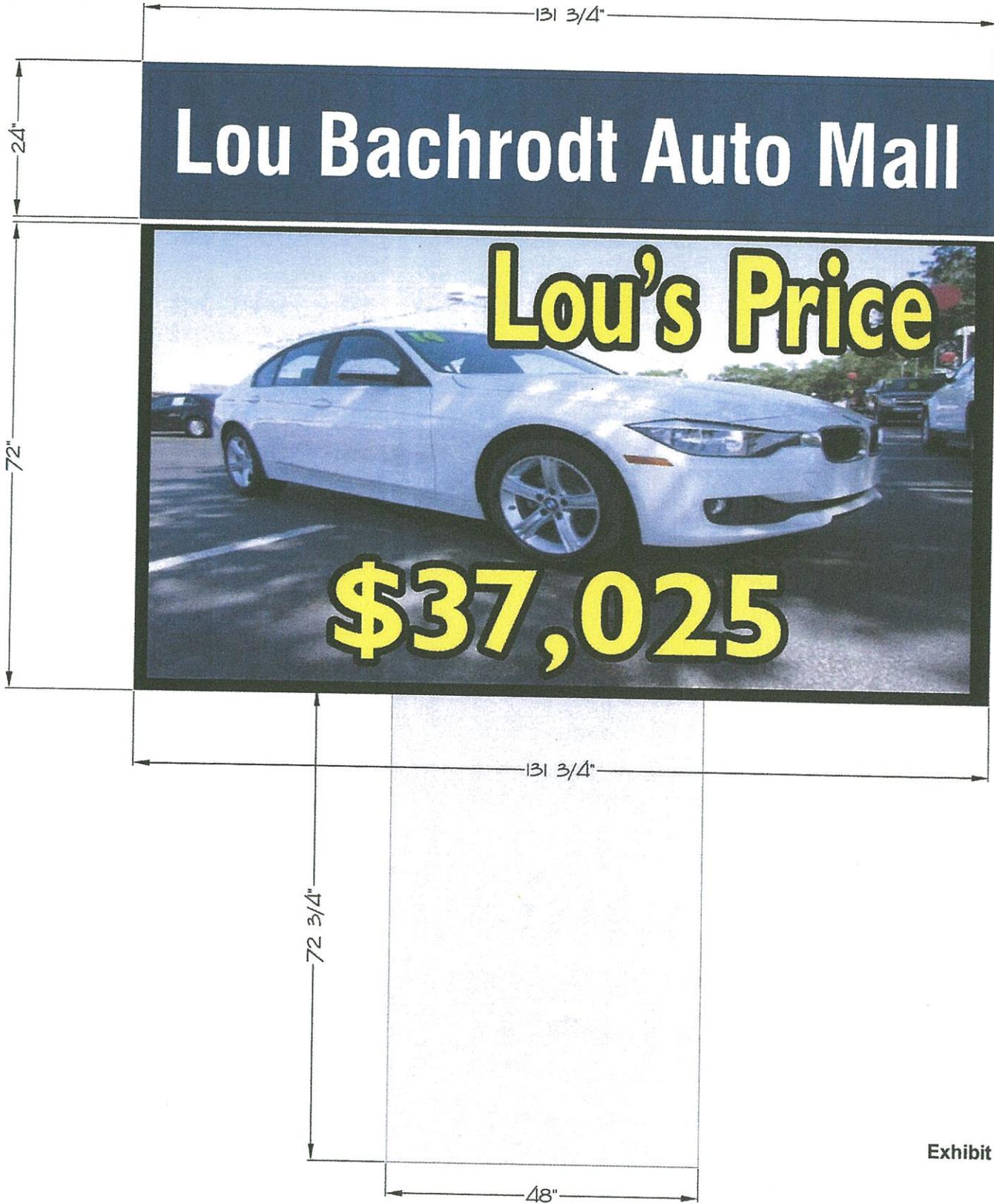


Exhibit A

<b>IMAGE</b> <b>IS</b> <b>SIGNS</b>	ROCKFORD BELVIDERE PH: 282-4141 FAX: 282-4157	11/5/14 SCALE	Notes: <hr/> <hr/> <hr/>	<b>Copyright Notice ©</b> This drawing and all reproductions thereof are the property of IMAGE SIGNS and may not be reproduced, published, changed or used in any way without written consent.
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To



Exhibit B

IMAGE  
**IS**  
 SIGNS

ROCKFORD  
 BELVIDERE  
 PH: 282-4141  
 FAX: 282-4157

11/5/14

SCALE

Notice

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