ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF IOWA COLONY, TEXAS GRANTING A VARIANCE TO CERTAIN REQUIREMENTS OF THE SIGN ORDINANCE FOR A SIGN LOCATED AT 2038 MERIDIANA PARKWAY; FINDING FACTS; PROVIDING CONDITIONS AND EXCEPTIONS, AND CONTAINING RELATED PROVISIONS

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF IOWA COLONY, TEXAS:

Section 1. Background

The request is stated on the Application for Variance Request to allow for a tall wall sign above the maximum height due to site specific visibility due to building setback and intervening parking area as the building is physically farther away from the roadway, attached plans and drawings, and the Letter of Recommendation dated October 28, 2026, recommending against the variance, all of which are attached hereto and incorporated herein in full.

Section 2. Findings of Fact

The City Council has determined that a variance should be granted on the terms herein stated, because the facts and circumstances satisfy the criteria in Section 30-36 the wall sign standards in Section 25of the Sign Ordinance, No. 2016-19, as follows:

a. The granting of this variance will not in any way be materially detrimental to the subject property where the sign is located, to any other property or improvements, or to the integrity, soundness, or safeness of the sign.

b. The granting of this variance will not be materially detrimental to the public health, safety, or well-being.

c. The literal enforcement of the Sign Ordinance would create an undue hardship in the case in question.

d. The granting of this variance will not in any way be contrary to the purpose or intent of the Sign Ordinance.

Section 3. Grant of Variance

Accordingly, the City Council hereby grants a variance, on the terms herein stated, to only the above specified requirements of the Sign Ordinance and only as to the above specified violations by the above specified existing sign.

Section 5. Nonwaiver of Immunity

Nothing herein shall ever be construed as a full or partial waiver of governmental immunity, official immunity, or any other immunity of the City or its personnel or agents.

Section 6. Nonwaiver by Nonenforcement

The failure or omission of the City, upon one or more occasions, to enforce any right, obligation, or remedy hereunder shall never be construed as a waiver of the City's right to strictly enforce such right, obligation, or remedy, and the City may resume such strict enforcement without advance notice.

Section 7. Savings Clause

Except as specifically herein provided, all provisions of Ordinance No. 2016-19, and all other ordinances of the City shall remain in full force and effect.

Section 8. Severance Clause

If any part of this ordinance, of whatever size, is ever declared invalid or unenforceable for any reason, the remainder of this ordinance shall remain in full force and effect.

Section 9. Open Meetings Act

That it is hereby officially found and determined that this meeting was open to the public, and public notice of the time, place, and purpose of said meeting was given, all as required by the Open Meetings Act, Chapter 551, Texas Government Code.

Section 10. Effective Date

This ordinance shall be effective from its passage and adoption.

READ, PASSED AND ADOPTED ON 16TH DAY OF NOVEMBER 2026.

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WIL KENNEDY, MAYOR
CITY OF IOWA COLONY, TEXAS

ATTEST:

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KAYLEEN ROSSER, CITY SECRETARY
CITY OF IOWA COLONY, TEXAS