

**RESOLUTION #2012-19**

**A RESOLUTION OF THE LEMOORE PLANNING COMMISSION APPROVING  
VARIANCE #2012-03 FOR ELITE ACID TO ALLOW FLEXIBILITY  
FROM THE SIGN ORDINANCE SECTION 9-5F-5-B1**

At a Regular Meeting of the Planning Commission of the City of Lemoore duly called and held on January 14, 2013 at 7:00 p.m. on said day, it was moved by Commission member \_\_\_\_\_, seconded by Commission member \_\_\_\_\_ and carried that the following Resolution be adopted:

**WHEREAS**, Elite Acid has submitted an application for variance to allow flexibility from Tables 9-5F-5-B1 and Section 9-5F-4-B.6e of the new 2012 Zoning Code to allow a 4' x 8' wall sign at 317 S. Lemoore Avenue; and

**WHEREAS**, the code currently allows for building attached signs to be in scale with the overall building and frontage signs and should generally not take up more than ten (10) percent of the height of the building for NC (Neighborhood Commercial) zone districts; and

**WHEREAS**, City staff report was prepared and a public hearing conducted; and

**NOW, THEREFORE, BE IT RESOLVED** that the Planning Commission of the City of Lemoore does hereby:

- I. Find that based on the particular circumstances of the proposed sign, as per Section 9-2B-16D-2, the following:
  - There are special circumstances applicable to the property (e.g. location, shape, size, surrounding, topography, or other conditions) so that the strict application of this zoning code denies the property owner privileges enjoyed by other property owners in the vicinity and within the same zoning district.*
  - Granting the variance is necessary for the preservation and enjoyment of substantial property rights enjoyed by other property owners in the same vicinity and zoning district and denied to the property owner for which the variance is sought.*
  - Granting the variance will not adversely affect the interests of the public or the interests of residents and property owners in the vicinity of the premises in question.*
  - The variance is consistent with the general plan, any applicable specific plan or development agreement, and the intent of the Zoning Code so long as the below conditions are applied.*
- II. Approve a sign variance with modifications as shown in Exhibit A and the location shown in Exhibit B with the following conditions of approval pertaining thereto:
  1. The property will need to adhere to the sign regulations for any and all new and additional signage for the area located at and described as Assessor Parcel #023-130-020 which consist of 315, 317 and 321 S. Lemoore Avenue before any signs are allowed to be placed at this location. Any changes to the attached approvals will need to be resubmitted and fees paid for processing by this department.
  2. Sign shall be placed to the south of their entrance awning in line with the other signs (as shown in Exhibit B), and the faded sign area shall be painted to match the existing building base.

"In God We Trust"

3. Building Department must be contacted at (559) 924-6730 or in person at 711 Cinnamon Drive in Lemoore prior to the installation of any signs to obtain any necessary approval and building permits. The installation of all signs shall be per City standards and as per building codes.
4. If the Sign Company listed on the application does not have a license to do business in the City of Lemoore, they must contact the Business License Department at (559) 924-6710 or in person at 119 Fox Street to obtain any necessary business licenses prior to the installation of any signs.
5. Signs and sign structures shall be constructed, operated and maintained in such a manner as to comply with all applicable Federal, State and Local statutes, ordinances and regulations. Every sign and all its associated parts, portions and materials shall be kept neatly painted, clean and free of rust and corrosion, as determined by the City. Any missing copy, malfunctioning light, crack, tearing, fading, broken surface or other not maintained, deteriorated or damaged portion of a sign shall be repaired or replaced within thirty (30) days following notification from the City.

Passed and adopted at a Regular Meeting of the Planning Commission of the City of Lemoore held on January 14, 2013, by the following votes:

**AYES:**

**NOES:**

**ABSTAINING:**

**ABSENT:**

**APPROVED:**

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**Chairman**

**ATTEST:**

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**Holly P. Smyth, Secretary**

**CERTIFICATE**

**STATE OF  
CALIFORNIA            )  
COUNTY OF KINGS )    ss.  
CITY OF LEMOORE )**

**I, Holly P. Smyth, Secretary of the City of Lemoore’s Planning Commission, do hereby certify the foregoing Resolution of the Planning Commission of the City of Lemoore was duly passed and adopted at a Regular Meeting of the Planning Commission held on January 14, 2013.**

**DATED: \_\_\_\_\_, 2013**

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**Holly P. Smyth, Secretary  
Lemoore Planning Commission**