



City of
WOODSTOCK

Department of Building & Zoning
121 W. Calhoun Street
Woodstock, Illinois 60098

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bandzdept@woodstockil.gov
www.woodstockil.gov

SIGN VARIATION APPLICATION

ADDRESS OF PROPERTY _____

PROJECT REQUEST _____

DATE FILED _____

CONTACT PERSON FOR THIS APPLICATION

Name: _____

Mailing Address: _____

Daytime Phone: _____

Fax: _____

Email Address: _____

APPLICATION AND PROCEDURES FOR SIGN VARIATIONS

The following information summarizes the Sign Variation process and includes an application form and sample format for legal notices.

The Sign Variation process is coordinated by the Building & Zoning Department, however it is the responsibility of the applicant to publish and mail all required notices. The City's Sign Control regulations are contained in Chapter 13 of the Unified Development Ordinance. This document can be viewed in the Building & Zoning Department or on the City website: www.woodstockil.gov. (Look under the Building & Zoning Department)

The Plan Commission conducts public hearings on petitions for signage outside the Downtown Business Historic Perseveration District and makes recommendations to the City Council. The Historic Preservation Commission hears petitions for signage within the historic district and makes recommendations to the City Council. The City Council makes the final decision to approve or deny any proposed variation. The procedures for sign variations are the same regardless of location.

FILING PROCEDURE

1. File the petition. The completed application/petition for variation should be filed with Building & Zoning Department, accompanied by a \$145 filing fee. The petition should include one copy of a plat of survey including the legal description of the property and 18 copies of any exhibits to be distributed to the Plan Commission or 8 copies of any exhibits to be distributed to the Historic Preservation Commission. Any items over 8 ½" x 11" in size should be folded.
2. Publish a legal notice in a local newspaper (either the Woodstock Independent or the Northwest Herald), after review by Building & Zoning. The notice must be published at least 15 days prior to the public hearing and no more than 30 days prior to the public hearing. The legal notice should utilize the format of the attached example. **PROOF OF PUBLICATION IS REQUIRED.** The newspaper will provide a certificate of publication which should then be filed with the Building & Zoning Department. The legal notice only needs to be published one time.
3. Notify all adjoining property owners. Adjoining properties are all parcels that touch the parcel which is the subject of the petition, or would touch the subject parcel if there were no streets or alleys. The names and addresses of the most receipt taxpayers of record may be obtained at the McHenry County Assessor's Office. A copy of the same legal notice which was submitted to the newspaper should be used. Some applicants also find it helpful to include an informal letter explaining their request, along with the required legal notice. Adjoining property owners must be notified at least 15 days prior to the public hearing and no more than 30 days prior to the public hearing.

PROOF OF NOTIFICATION IS REQUIRED. Notification can be made via certified mail (in which case the green signature cards should be filed with the Building & Zoning Department) or by hand delivery. If hand delivered the property owner (not a tenant) must sign the "Certificate of Direct Notification" which is included in the application packet.

COMMISSION HEARINGS AND CITY COUNCIL ACTION

Upon submittal of a complete application, the Building & Zoning Department will assign a hearing date. The Plan Commission meets on the fourth Thursday of the month at 7:00 p.m. in the Woodstock City Council Chambers. The Historic Preservation Commission meets on the fourth Monday of the month at 7:00 p.m. in the City Council Chambers. Agendas are finalized two weeks prior to the meeting and meeting packets are mailed out to commission members approximately one week before the meeting. Following the conclusion of the public hearing, a recommendation is forwarded to the City Council for inclusion on a future agenda.

The petitioners should be present to explain their request, including the reasons there is a hardship. Commission members and the general public may ask questions. The general public may also offer testimony. At the conclusion of the public hearing, the Plan Commission or Historic Preservation Commission will make a recommendation to the City Council to approve or deny the petition. The City Council meets on the first and third Tuesday of each month. The variation request will be scheduled on the Council agenda after the minutes of the commission meeting are completed.

FINDINGS OF FACT

Petitions for variations shall be based upon particular hardships or difficulties. The Plan Commission or Historic Preservation Commission may determine and recommend to the City Council a variation of the strict application of the terms and provisions of Chapter 13, Sign Regulations, of the Woodstock Unified Development Ordinance when it finds:

1. That such variation is harmonious with the intent and purpose contained in Section 13.1, Statement of Purpose of the Sign Control Ordinance.

13.1. Statement of Purpose:

The Sign Control Ordinance recognizes that outdoor signage places certain demands upon the attention of people passing by; demands which cannot easily be ignored, set aside, or turned off at will as may be done with other media.

The Sign Control Ordinance recognizes the need to protect the safety and welfare of the public; the need to protect and enhance property values and to provide a strong economic base by maintaining the attractive appearance and unique character of this community; the need to protect people from assaults upon their privacy and sensibilities; and the need to provide adequate and effective identification and communication.

The identity of businesses, the nature of the business or manufacturing activity on a site, as well as directional instructions to pedestrian and vehicular traffic on a site provide important information necessary for pleasant and effective commerce between the public and business establishments.

In addition, the Sign Control Ordinance provides for a variation process reviewed by a citizen commission with the City Council as the final decision maker. The variation process is provided for those situations where the regulations do not allow solutions to special problems.

2. That there are practical difficulties or particular hardships in carrying out the strict letter of this Ordinance, or any part hereof, relating to the construction, alteration, maintenance, repair, or remodeling of any sign. Practical difficulties or particular hardships shall be proven by evidence demonstrating that (1) the plight of the owner is due to unique circumstances and (2) the variation, if granted, will not alter the essential character of the locality in which it is granted.
3. That the variation will maintain and/or enhance the historic and architectural character of a site or structure.

During the hearing the following points should guide the development of evidence:

1. Visibility problems exist because:
 - a. Existing topography of roadways or adjacent sites diminish the visibility for signage.
 - b. Final topography of the site does not provide a position for signage visibility.
 - c. Existing structures, landscaping or signs on adjacent properties diminish the visibility for signage.
2. When considering the overall physical aspects of the site the ordinance is too limiting in number, size, location, height and/or number of items of information to adequately achieve the goals of the signage as defined by the Statement of Purpose in the Sign Control Ordinance.
3. The illumination allowed by ordinance would invoke the following practical difficulties:
 - a. The allowed intensity of illumination is too low for site conditions.
 - b. The sign would not be readable at night if conforming to the ordinance.
 - c. The color combination method of illumination is essential to the design but is not allowed by ordinance.
 - d. The intended method of illumination is essential to the design but is not allowed by ordinance.
4. Ordinance is too limiting in allowing “logo value” of nation wide promotion or advertising:
 - a. Written evidence should be presented that a franchiser will not approve alterations needed to conform to the ordinance.
 - b. Written evidence should be presented that no alternative signage has been or would be allowed per the franchise agreement.
 - c. Evidence should be presented that the proposed non-conforming sign is truly a nation-wide logo or emblem.
 - d. Evidence should be presented that a “logo” sign will be modified to conform to the intent of the ordinance, if not the details of the ordinance.
5. Evidence should be developed that attempts have been made to conform to the ordinance to some extent, if not entirely.
6. The visual effect the proposed signage will have within the site, and as it relates to nearby signage, old or new, and the nearby neighborhood and trends toward improvement must be considered.

PERMIT

After approval of the variation and adoption of and appropriate ordinance by the Council the applicant still must obtain a sign permit from the Department of Building & Zoning.

CITY OF WOODSTOCK

**APPLICATION FOR A SIGN VARIATION
To the Plan Commission or Historic Preservation Commission:**

1. Common address of the property _____
2. Name of business for which the variation is sought _____
3. Applicant (name and mailing address of applicant)

4. Owner of property (legal name and mailing address of the property owners)

4. State the legal description of the property or attach a legible copy.

5. State the specific variation(s) requested including Unified Development Ordinance section numbers. State the ordinance requirement and the proposed request.

6. State in detail the reasons for the requested variation(s). Attach additional pages if needed.

CERTIFICATION

I/We certify that all of the information submitted as part of this application is true and correct to the best of my/our knowledge and belief:

Signature of property owner Date Print name of property owner

Signature of property owner Date Print name of property owner

Signature of applicant Date Print name of applicant
If different than property owner

Signature of applicant Date Print name of applicant

SAMPLE PUBLICATION NOTICE

NOTICE OF PUBLIC HEARING

Notice is hereby given that on (*hearing date*) at (*hearing time*) at the Woodstock City Hall, 121 W. Calhoun Street, Woodstock, Illinois, a public hearing will be held before the (*name of commission*) for the purpose of hearing and considering testimony as to the petition of (*petitioner's name*) for a variation of the sign control regulations of the Woodstock Unified Development, Section(s) (*appropriate section numbers*).

The proposed variation(s) is/are for property located at (*street address*). Said property has the following property index number ("PIN") or numbers: (*insert PIN number*)

If approved, the variation(s) will allow the petitioner to (*describe the work to be performed and the specific variations requested such as area, height, location, items of information, etc.*)

All interested parties are invited to attend the public hearing and will be given the opportunity to be heard.

Dated this ____ day of _____, 2____.

Chairman

*Name of Commission (Woodstock Plan Commission or
Woodstock Historic Preservation Commission)*

CHECKLIST FOR SIGN REGULATION VARIATIONS

File petition consisting of:

- _____ Sign variation application including project contact information and signature page
- _____ \$145 filing fee
- _____ Plat of survey
- _____ 18 copies of any exhibits (folded if larger than 8 ½ x 11)—for Plan Commission or 8 copies for Historic Preservation Commission

_____ Publish legal notice

_____ Notify adjoining property owners

File copies of:

_____ Certificate of publication

_____ Certificate of notification

_____ Copies of green certified mail signature cards

