

AGENDA
REGULAR MEETING OF THE PLANNING & ZONING COMMISSION OF THE
VILLAGE OF FORSYTH, ILLINOIS
5:30 P.M.
THURSDAY, May 28, 2026
VILLAGE HALL, 301 SOUTH ROUTE 51, FORSYTH, IL

CALL TO ORDER

ROLL CALL

APPROVAL OF MINUTES

PUBLIC HEARINGS

- Request by Andrew Hendrian for map amendment to change the zoning on the real property commonly known as 130 E. Cox, Forsyth, Illinois and legally described as a part of Out Lot Four (4) of E.O. Smith's Addition to the Village of Forsyth, as per Plat recorded in Book 70, Page 364 of the Records in the Recorder's Office of Macon County, Illinois (PIN: 07-07-14-151-026). The request is made in accordance with Development Ordinance Section 9.11. The property is currently zoned C-1 and the request is made to change the zoning to R-3 to allow the continued use of the property as a multi-family residence / apartment building.
- Request submitted by Bujar Limani to vary the requirements of Development Ordinance on the real property commonly referred to as 927 S. Route 51, Forsyth, Illinois and legally described as HICKORY POINT MALL PLAZA LOT 3 00BK2979/357 IRREG (PIN: 07-07-15-476-024). The property is currently zoned B and there is no request to change zoning. The variances requested are:
 - Development Ordinance 7.4.C(2)(ii) to allow for a sign to be 48 sq ft per side
 - Development Ordinance 7.4.C.(2)(vii) to allow for a freestanding electronic message sign
 - Development Ordinance 7.4.C.(13)(1) to allow for an electronic message that is 100% of the sign area.

OLD BUSINESS

- Review and discussion of Forsyth Development Ordinances-This will be an ongoing discussion

ADJOURNMENT

**MINUTES OF A REGULAR MEETING OF THE
PLANNING AND ZONING COMMISSION
FOR THE VILLAGE OF FORSYTH, ILLINOIS,
HELD AT 5:30 P.M. ON THURSDAY, MARCH 26, 2026
AT FORSYTH VILLAGE HALL**

CALL TO ORDER

Chairman Cantwell called the meeting to order at 5:30 P.M.

PLEDGE OF ALLEGIANCE

ROLL CALL

Upon call of the roll, the following Commissioners were physically present:

Regular Commissioners: Chairman Tom Cantwell, Dennis Downey, Vice Chair Steve Ragan, Cathy Mitteer, Dan Doerfler, Colleen Brinkoetter

Alternate Commissioners: none

Absent: R.C. Campbell, Larry Perkins, Matt May

Staff Present: Planning and Zoning Director Ryan Raleigh, Village Administrator Jill Applebee, Village Clerk Cheryl Marty

On Telephone: Village Attorney Lisa Petrilli

Attendees: Bob Pittenger

MOTION

Commissioner Downey made a Motion to approve January 15, 2026 minutes with the correction as noted to Commissioner Brinkoetter's name and Vice Chair Ragan seconded the Motion.

Upon a call of the roll, the vote was as follows:

Yeas: 5 – Cantwell, Downey, Brinkoetter, Mitteer, Ragan

Abstain: 1 – Doerfler

Absent: 3 – Campbell, Perkins, May

Motion declared carried.

PUBLIC HEARING #1

- Request by Cole Ritter for variance to Development Ordinance Appendix D Construction Standard 1020 to allow for up to a 43 ft. driveway at the property located at 125 Lea Lane and legally described as Lot 2 of Prairie Winds SUB 2nd ADD, Illinois (PIN: 07-07-14-200-016).

Chairman Cantwell explained the details of the request. Planning and Zoning Director Raleigh said this is a new construction project and the request is asking to accommodate their three-car garage approach. A discussion was held by the Commissioners regarding various dimensions of the planned driveway. Planning and Zoning Director Raleigh confirmed that a variance does not set a precedence, only an approved change in the ordinance can change requirements.

MOTION

Commissioner Mitteer made a motion to approve the request as presented and Commissioner Brinkoetter seconded the motion.

Yeas: 2 – Downey, Mitteer
Nays: 4 – Brinkoetter, Cantwell, Ragan, Doerfler
Absent: 3 – Campbell, Perkins, May

Motion declared Denied.

OLD BUSINESS

- **Review and discussion of Forsyth Development Ordinances - This will be an ongoing discussion.**
This topic was tabled due to incoming inclement weather.

NEW BUSINESS

None.

ADJOURNMENT

Commissioner Mitteer made a Motion to adjourn, Commissioner Downey seconded the Motion, and Village Clerk Marty asked for a voice vote which was then unanimously approved. The meeting was adjourned at 5:45 P.M.

By: Cheryl Marty
Village Clerk

MEMORANDUM

To: Chairman Cantwell and Planning and Zoning Commission
From: Ryan Raleigh, Director of Planning and Zoning
Date: April 27, 2026
Subject: Map Amendment for 130 E. Cox St.

Andrew Hendrian respectfully submits a request for a Map Amendment to rezone the property located at 130 E. Cost St., Forsyth, IL 62535, from C-1 Commercial to R-3 Multi-Family Residential.

Property Description

The subject property currently has an 8 unit apartment and is legally described as SMITHS ADD PT OL 4 - COM INT N LN OL 4 & E LN HWY S298.37 E109.12 TO POB S59 W20 IRREG S134.09 E150.5 N193.03. The surrounding properties within the neighborhood are zoned C-1 Commercial, and OT Old Town/R-1 Single-Family Residential. The lot is approximately 0.64 acres, totaling approximately 27,890 square feet. This configuration complies with the Village Development Ordinance requirements for properties zoned R-3 Multi-Family Residential.

The property is identified with a star on the accompanying map.



VILLAGE OF FORSYTH

301 S. Route 51
Forsyth, IL 62535

Phone: (217) 877-9445 / Fax: (217) 877-9863



MAP AMENDMENT APPLICATION

OWNER: ☒

APPLICANT: ☐

Name: Andrew R. Hendrian

Address: 1242 Raptor Ln., Forsyth IL 62535

Phone Number: (217) 358-1277

E-mail: Taxbuyer@aol.com

Property Address: 130 E. Cox, Forsyth IL 62535

PIN #: 07-07-14-151-026

Legal Description of the Property:

See Attached

Current Zoning District: C-1: Commercial Service District

Proposed Zoning District: R-3: Multiple-Family Residence District

Existing use of the property:

Apartment building / multi-family residential use

Proposed use of the property:

Continued use as an apartment building / multi-family residential use, with no proposed change in intensity. The applicant may consider modest future reinvestment or improvements to the property consistent with R-3 zoning standards, subject to all applicable Village approvals.

*Attach a location map showing the property lines, streets, and such items as the Zoning Official may require.

Address the following items:

1. How does the amendment relate to the Comprehensive Plan?:

See Attached

2. How does the amendment promote the public health, safety, and general welfare?:

See Attached

3. How does the amendment fulfill the standards set form in Section 9.11 F Standards (attached checklist):

See Attached

\$90.00 Application Fee: Required at time of the application. The fee will not be refunded if the request is denied by the Village Board of Trustees.

Signature: _____

Andrew R. Hendrian

Date: _____

04/24/26

For office use only

Date Received: _____

PZC Meeting Date: _____

Application Fee Paid: _____

Board Meeting Date: _____

Approved (Y/N): _____

Ordinance # _____

Legal Description:

A part of Out Lot Four (4) of E. O. Smith's Addition to the Village of Forsyth, as per Plat recorded in Book 70, Page 364 of the Records in the Recorder's Office of Macon County, Illinois, more particularly described as follows: Commencing at a point at the intersection of the North line of said Out Lot Four (4) with the East right of way line of U.S. Route 51; thence South along said East right of way line a distance of 298.37 feet to a point; thence North 89°31'31" East (assumed bearing), 109.12 feet to the point of beginning; thence South 00°06'20" East, 193.03 feet to a point; thence South 89°31'31" West, 130.60 feet to the point of beginning. Subject to an easement for ingress and egress over the West 20 feet thereof. Situated in Macon County, Illinois.

1. How does the amendment relate to the Comprehensive Plan?

The requested map amendment is consistent with the Village's long-range planning objectives because it places the property in the zoning district that best reflects its actual, established, and continuing residential use. The property is currently improved and operated as an apartment building, but its commercial zoning classification creates a legal nonconforming condition that is not ideal for the property owner, tenants, future lenders, insurers, Village staff, or neighboring property owners.

Rezoning the property to R-3 Multi-Family Residential will bring the zoning map into alignment with the existing use of the land, promote orderly land-use administration, and reduce future uncertainty regarding maintenance, financing, improvement, and continued residential occupancy. The request does not seek to introduce a new incompatible use; rather, it seeks to correct the zoning classification so the property is regulated under the appropriate residential district.

2. How does the amendment promote the public health, safety, and general welfare ?

The amendment promotes the public health, safety, and general welfare by eliminating a legal nonconforming zoning status and placing the apartment building into the zoning classification intended for multi-family residential use. This provides a clearer regulatory framework for the Village and the property owner, supports continued code compliance, and helps ensure that future repairs, improvements, occupancy, and property management decisions are reviewed under the proper residential standards.

The property already functions as housing. The requested R-3 zoning will not create a new traffic pattern, new commercial intensity, or a materially different impact on surrounding properties. Instead, it preserves existing housing stock, supports stable residential occupancy, and encourages reinvestment in the property. Proper zoning also benefits the public by reducing ambiguity, making enforcement clearer, and allowing the property to be maintained and improved in a manner consistent with its actual use.

3. How does the amendment fulfill the standards set forth in Section 9.11 F Standards:

The requested amendment satisfies the standards in Section 9.11(F).

First, the amendment promotes the public health, safety, comfort, convenience, and general welfare because it brings an existing apartment building into the zoning district designed for multi-family residential use. The property is already being used residentially, and the amendment will help ensure that future use, maintenance, financing, and improvement of the property are governed by the appropriate zoning classification.

Second, the trend and character of development in the area support the requested amendment. The surrounding area includes residential uses and existing neighborhood-scale development. The request does not introduce a speculative or incompatible use; it recognizes the existing apartment use and aligns the zoning map with conditions already present on the ground.

Third, R-3 Multi-Family Residential is more suitable for the subject property than the current commercial zoning classification. The property is improved with an apartment building, and multi-family residential zoning is the classification that most directly matches the existing and proposed continued use. Commercial zoning is less suitable because it treats the property as a nonconforming residential use rather than as a lawful conforming residential property.

Fourth, continued reliance on the existing commercial zoning creates practical limitations on the reasonable use, financing, improvement, and long-term operation of the property. While the building may continue as a legal nonconforming use, that status creates unnecessary risk and uncertainty. Rezoning to R-3 allows the property to yield a reasonable return as the residential asset it already is.

Fifth, the amendment will not alter the essential character of the neighborhood and will not be a substantial detriment to adjacent property. The apartment building already exists, the use is already established, and the request does not propose a new structure, expansion, or change in intensity. The rezoning simply makes the zoning classification consistent with the property's existing residential use.



MEMORANDUM

To: Chairman Cantwell and Planning and Zoning Commission
From: Ryan Raleigh, Director of Planning and Zoning
Date: April 27, 2026
Subject: Diamonds & Yolk Sign Variance

The owner of the new Diamonds & Yolk have made a request to vary the sign requirements of the Development Ordinance Section 7.4.C. for the real property located at 927 S. Rt 51, Forsyth, IL 62535 and legally described as HICKORY POINT MALL PLAZA L 3 00BK2979/357 IRREG.

The property was formerly occupied by the restaurants O'Charleys and Crab Lobster. They are renovating the building to be a new breakfast and lunch restaurant called Diamonds & Yolk. The property currently has 2 wall signs on the building. They are requesting to install a new sign in front of the building to advertise their business and daily specials.

Diamonds & Yolk is asking for variances to the following Ordinances:

- Development Ordinance 7.4.C.(2)(ii) – The ordinance only allows the sign to be 45 sq ft on each side. They are requesting a variance to allow the sign to be 48 sq ft per side (6 ft by 8 ft viewable area).
- Development Ordinance 7.4.C.(2)(vii) – The ordinance states that freestanding signs may include a manual changeable copy area but may not include an electronic message portion unless a special use permit is obtained. They are requesting to allow a freestanding electronic message sign.
- Development Ordinance 7.4.C.(13)(1) – The ordinance states that the maximum area of the electronic message shall not exceed fifty percent (50%) of the total permitted sign area. They are requesting a variance to allow an electronic sign that is 100% of the sign area.

An image of the sign is attached.

VILLAGE OF FORSYTH

301 S. Route 51
Forsyth, IL 62535

Phone: (217) 877-9445 / Fax: (217) 877-9863



VARIANCE REQUEST APPLICATION

OWNER: ☒

APPLICANT: ☐

Name: Bujar Limani

Address: _____

Phone Number: (217) 801-0366 E-mail: bujarlimani1@icloud.com

Property Address: 927 S. Route 51 PIN #: 07-07-15-476-024

Legal Description of the Property:

HICKORY POINT MALL PLAZA L 3 00BK2979/357 IRREG

Zoning District: B: Neighborhood Business District

Requested variation(s) to the Development Ordinance (include reference to provisions of the Development Ordinance being affected):

1. Development Ordinance 7.4.C.(2)(ii) – The ordinance only allows the sign to be 45 sq ft on each side. We are requesting a variance to allow the sign to be 48 sq ft per side (6 ft by 8 ft viewable area).
2. Development Ordinance 7.4.C.(2)(vii) – The ordinance states that freestanding signs may include a manual changeable copy area but may not include an electronic message portion unless a special use permit is obtained. We are requesting to allow a freestanding electronic message sign.
3. Development Ordinance 7.4.C.(13)(1) – The ordinance states that the maximum area of the electronic message shall not exceed fifty percent (50%) of the total permitted sign area. We are requesting a variance to allow an electronic sign that is 100% of the sign area.

Brief description of what the proposed plan is for the property:

The property was formerly occupied by the restaurants O'Charleys and Crab Lobster. We are renovating the building to be a new breakfast and lunch restaurant called Diamonds & Yolk. The property currently only has 2 wall signs on the building. We are wanting to install a new sign in front of the building to advertise our business and daily specials.

*Attach a dimensioned site plan or plat to depict the proposed variation(s) and plan for the property.

The questions below shall be answered completely, otherwise the Planning and Zoning Commission shall not recommend a variation and the Village Board shall not grant a variation to the provisions of this Ordinance (for multiple variance requests provide answers for each request):

1. What special or unique circumstances exist that are unique to the property seeking the variance (examples of special circumstances include, but are not limited to the physical character of the land or buildings, dimensions, topography, and soil conditions)?

VISIBILITY IS VERY IMPORTANT TO US, WITH THE REQUESTED VARIANCE WILL ALLOW US AND THE PUBLIC TO SEE BETTER, WE WILL BE POSTING SPECIALS AND INFORMATION, IT WILL ALLOW US TO STAND OUT AS THERE IS OTHER BUSINESSES WITH HIGH SIGNS BECAUSE OF HIGH TRAFFIC WE FEEL LIKE THIS WILL BE MORE EFFECTIVE

2. Are the special circumstances not of so general or recurring a nature throughout the entire Village as to make it reasonably practical to provide for a general regulation?

THIS CONDITIONS ARE SPECIFIC TO THIS PROPERTY'S LOCATION TRAFFIC PATTERN AND VISIBILITY CONDITIONS, WE FEEL LIKE WE ARE EXPERIENCING THE NEED FOR BETTER VISIBILITY AND COMMUNICATION

3. Will the strict application of the Development Ordinance deprive the applicant of rights and/or uses commonly enjoyed by other owners of property in the immediate area under the regulations of this Development Ordinance? Please explain and give examples if available.

STRICT ENFORCEMENT OF THE ORDINANCE WOULD LIMIT THE PROPERTY'S VISIBILITY AND ABILITY TO EFFECTIVELY COMMUNICATE WITH CUSTOMERS AND PUBLIC PUTTING IT AT A DISADVANTAGE COMPARED TO OTHER BUSINESSES THAT BENEFIT FROM BETTER VISIBILITY

4. Will the authorization of such variance not be of substantial detriment to adjacent property and will the granting of the variance not change the character of the district? Please explain.

THE PROPOSED LED SIGN WILL BE DESIGNED AND OPERATED IN A MANNER THAT IS CONSISTENT WITH THE SURROUNDING AREAS AND WILL NOT NEGATIVELY IMPACT ADJACENT PROPERTY. IT WILL ENHANCE PROFESSIONAL APPEARANCE OF PROPERTY AND WILL NOT ALTER OVERALL CHARACTER OF DISTRICT

5. Is the variance the minimum variance that will make possible the reasonable use of the property, building, or structure? Please explain.

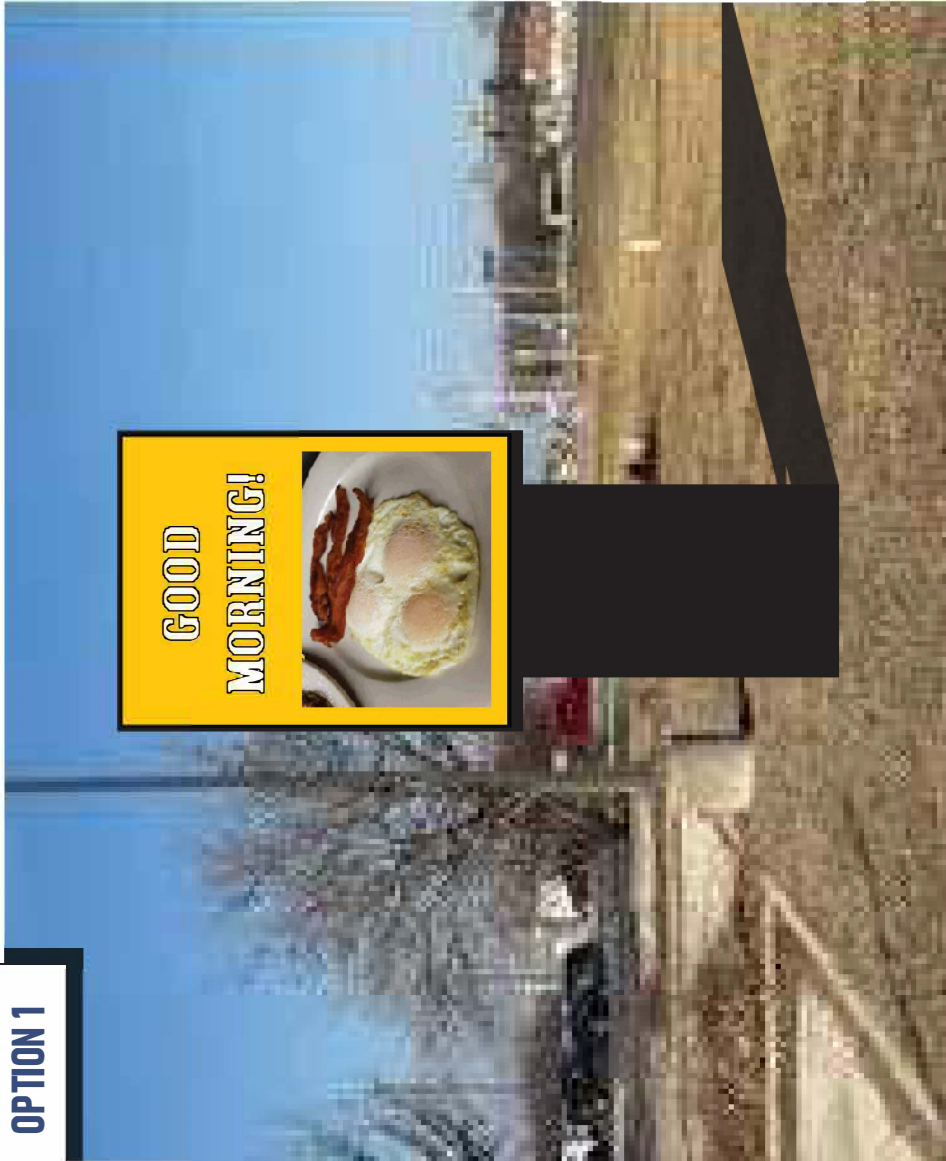
THE REQUESTED VARIANCE IS THE MINIMUM NECESSARY TO ALLOW REASONABLE USE OF THE PROPERTY, IT IS SPECIFICALLY REQUESTED TO IMPROVE VISIBILITY AND COMMUNICATION WITHOUT EXCEEDING WHAT IS NEEDED, NO LARGER OR MORE INTENSIVE SIGNAGE THAN NECESSARY IS BEING REQUESTED

\$90.00 Application Fee: Required at time of the application. The fee will not be refunded if the request is denied by the Village Board of Trustees.

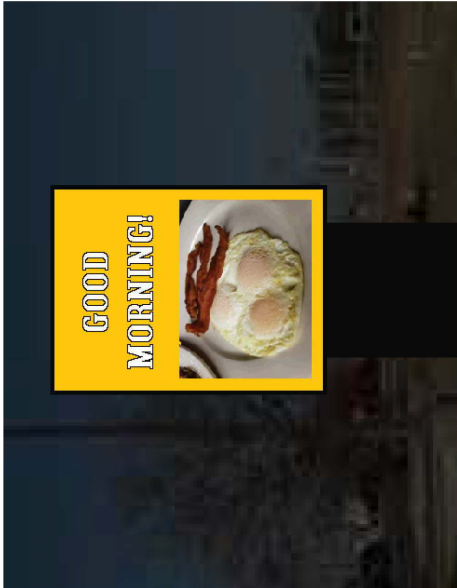
Signature: Bush Date: 4-26-26

For office use only	
Date Received: _____	PZC Meeting Date: _____
Application Fee Paid: _____	Board Meeting Date: _____
Approved (Y/N): _____	Ordinance # _____

OPTION 1



ILLUMINATED:



POLE SIGN

- 8'-5" H x 6'-3" W electronic message center (8'-0" H x 6'-0" W viewable)
- 6'-7" H x 4'-0" W pole cover
- 15'-0" overall height
- double sided

SQUARE FEET: 48.00

 Bendsen Signs & Graphics, Inc.	1506 East McBride Avenue Decatur, Illinois 62526 Phone: 217-877-2345 Fax: 217-877-2347 www.bsg1946.com	REVISIONS:	APPROVAL:
ACCOUNT MANAGER: Jason Tompkins	DESIGNER: C.C.	Customer: _____ Account Manager: _____ Designer: _____	Date: _____ Date: _____ Date: _____
This is an original unpublished drawing confidentially submitted for your personal use in connection with a project being planned for you by Bendsen Signs & Graphics, Inc. It is not to be shown or described to others nor is it to be used, reproduced, copied or exhibited in any fashion.			
Note: The colors depicted here are a graphics representation. Actual color may vary. See color specifications.			

NOTICE OF PUBLIC HEARING

The Village of Forsyth Planning and Zoning Commission will hold public hearings at 5:30 p.m., Thursday, May 28, 2026, at the Village Hall, 301 S. Route 51, Forsyth, IL. The Planning and Zoning Commission will meet to hold a public hearing and discuss the following items:

- Request by Andrew Hendrian for map amendment to change the zoning on the real property commonly known as 130 E. Cox, Forsyth, Illinois and legally described as a part of Out Lot Four (4) of E.O. Smith's Addition to the Village of Forsyth, as per Plat recorded in Book 70, Page 364 of the Records in the Recorder's Office of Macon County, Illinois (PIN: 07-07-14-151-026). The request is made in accordance with Development Ordinance Section 9.11. The property is currently zoned C-1, and the request is made to change the zoning to R-3 to allow the continued use of the property as a multi-family residence/apartment building.
- Request submitted by Bujar Limani to vary the requirements of the Development Ordinance on the real property commonly referred to as 927 S. Route 51, Forsyth, Illinois, and legally described as HICKORY POINT MALL PLAZA LOT 3 00BK2979/357 IRREG (PIN: 07-07-15-476-024). The property is currently zoned B, and there is no request to change zoning. The variances requested are:
 - Development Ordinance 7.4.C(2)(ii) to allow for a sign to be 48 sq ft per side;
 - Development Ordinance 7.4.C.(2)(vii) to allow for a freestanding electronic message sign; and
 - Development Ordinance 7.4.C.(13)(1) to allow for an electronic message that is 100% of the sign area.

Any questions concerning this public hearing should be directed to the Village's Director of Planning and Zoning, Ryan Raleigh, at 217-877-9445. All persons interested may appear and speak at the hearing.

ARTICLE VII

SIGNS

SIGNS	
7.1 GENERAL PROVISIONS	7-1
7.2 DEFINITIONS	7-1
7.3 GENERAL REGULATIONS	7-1
7.4 SIGNS REGULATED BY ZONING DISTRICT	7-7
7.5 PERMIT APPLICATION AND FEES	7-13
	7-22

7.1 GENERAL PROVISIONS:

- A. **Applicability** – The regulations set forth in this Article shall apply to and govern signs in all zoning districts in the Village of Forsyth. No sign shall be erected, repaired, altered, relocated or maintained except in conformance with this article unless the sign is otherwise specifically regulated by special use provision or provisions relating to variances.
- B. **Purpose** – The purpose of these regulations are to:
- (1) Encourage the effective use of signs as a means of identification for businesses and organizations in the Village of Forsyth.
 - (2) Regulate signs to support and complement land use and community aesthetic objectives set forth in the Comprehensive Plan and this Ordinance.
 - (3) Ensure that all signs within the Village of Forsyth are compatible with existing land uses and buildings within the general vicinity of the sign and the community as a whole, with regard to size, location, color, construction, materials, and manner of display.
 - (4) Permit such signs that do not confuse, mislead, inhibit traffic safety, or otherwise endanger the public health, safety, morals, or general welfare of the Village of Forsyth.
- C. **Off-Site** – It is the intent of this Article to prohibit all off-site advertising.

7.2 DEFINITIONS:

The following words, terms and phrases used in this Article shall be defined according to the following:

Abandoned

Sign:

A sign which no longer directs attention to or advertises any person, business, lessor, owner, product, idea, place, activity, institution, or service which is conducted or available.

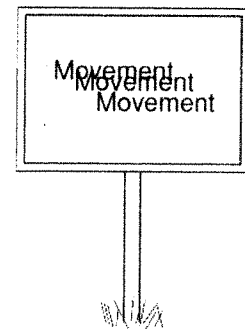
Advertising

Message:

The words on a sign describing products or services being offered or available to the public.

Animated Sign:

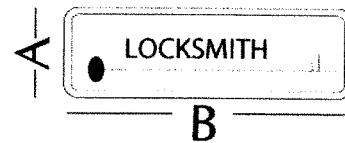
A sign that incorporates or includes movement either physically or electronically with lights or figures.



Animated Sign

Area of Sign: Sign area shall be the gross surface area within a single continuous perimeter composed of a single rectangle enclosing the extreme limits of characters, lettering, illustrations, ornamentations, or other figures, together with any material, or color forming an integral part of the display or to differentiate the sign from the background to which it is placed. Structural supports bearing no sign copy shall not be included in gross surface area.

Attached Sign: A sign, which is structurally connected to a building or depends upon that building for support. (Am. Ord. 946, passed 6-1-2015)



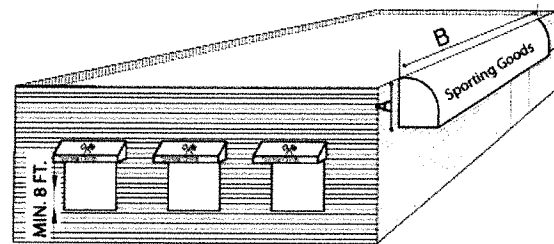
Awning: A temporary shelter supported entirely from the exterior wall of a building and composed of non-rigid materials except for the supporting framework when an awning contains, embodies or displays any words, trademark, logo illumination or similar representation, these elements shall constitute a "sign".



$$\text{Sign Area} = A * B$$

Background Area:

The entire area of a sign on which copy could be placed, as opposed to the copy area, when referred to in connection with wall signs.



Banner: A sign made of paper, plastic, or fabric of any kind which is intended to be hung either with or without a frame, with or without applied characters, letters, illustrations, or ornamentations, excluding national, state or governmental flags.

Awning Sign



Beacon: A stationary or revolving light (also known as a "searchlight") which flashes or projects illumination, single color or multi-colored, in any manner which is intended to attract or divert attention. This term is not intended, however, to include any kind of lighting device which is required or necessary under the safety regulations described by the Federal Aviation Administration or similar agencies.

Banner Sign

Billboard: A sign which advertises a business service, organization, event, person, place, or thing, not offered at or relating to the zoning lot upon which the sign is placed.

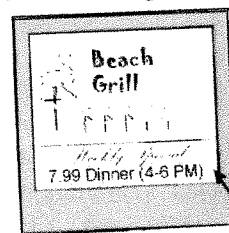
Building Face or Wall: The wall and window area of a building in one plane or elevation.

Building Frontage: The linear length of a building facing the right-of-way.

Business Frontage: The frontage of a lot on a public right-of-way or privately owned circulation road.

Canopy: A structure other than an awning made of cloth, metal or other materials with frames affixed to a building and carried by a frame which is supported by the ground. When a canopy contains, embodies or displays any words, trademark, logo lighting or similar representation, those elements constitute a sign.

Changeable Copy: Letters, numerals, or other graphics which are not permanently affixed to a structure and/or set for permanent display, and are intended to be alterable through manual means.



Changeable Copy

Construction Sign: Any sign announcing the names of architects, engineers, contractors, or other individuals or firms involved with the construction, alteration, or repair of a building. (Am. Ord. 2016-3, passed 3-7-2016)

Decal Sign: A type of window sign placed on the interior or exterior of a window using adhesive. (Am. Ord. 2016-3, passed 3-7-2016)

Directional Sign: A sign which directs the reader to public parks, buildings, historical structures or areas, schools and other public institutions; or provides information concerning traffic circulation or parking. (Am. Ord. 2016-3, passed 3-7-2016)

Double-Faced Sign: A sign consisting of no more than two parallel faces supported by a single structure. (Am. Ord. 946, passed 6-1-2015)

Electronic Message Signs: A sign that uses changing lights to form a message or messages wherein the sequence of messages and the rate of change are electronically programmed and may be modified by electronic processes.

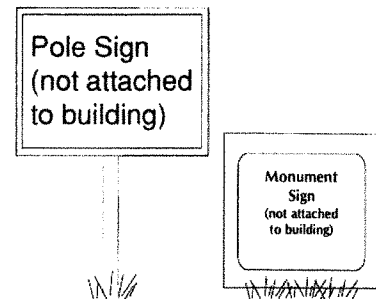
Facade: The face of a building from grade to the top of the roof or parapet in height, and from side wall to side wall or front wall to rear wall in width.

Flashing Sign:

Any sign which contains an intermittent or flashing light source, or which includes the illusion of intermittent or flashing light by means of animation, or an externally mounted intermittent light source. Automatic changing signs such as the public service time, temperature and date signs, or electronically controlled message centers shall be classified as "changeable copy signs", not "flashing signs".

Freestanding Sign:

Any sign supported by structures or supports that is placed on, or anchored in, the ground, and are independent from any building.



Grand Opening:

A publicized event at which a new establishment announces its opening to the public for no more than 30 calendar days. (Am. Ord. 2016-3, passed 3-7-2016)

Freestanding Signs

Height of a Sign:

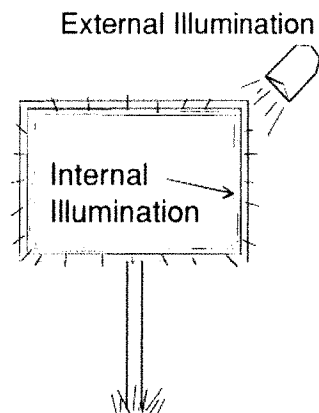
The vertical distance from the upper surface of the nearest street curb (other than an elevated roadway), to the highest point of the sign.

Illuminated

Sign, External: Any sign which is illuminated by lamps not installed on or within the sign face.

Illuminated

Sign, Internal: Any sign which is illuminated by means of light transited through the sign face. Internally illuminated signs include signs where the lamps are mounted on the sign face.



Menu Board Sign:

A permanent sign used to inform the public of the list of food and drink items available at a restaurant, including the corresponding prices. Menu boards are typically associated with a drive-through facility.

Illuminated Sign

Monument Sign:

Any sign where the bottom side of the sign is placed, or mounted on a base at least as wide as the sign that is permanently placed, on the ground. A monument sign shall have no visible posts, poles, pylons, or other supports designed to raise the sign above the ground. Monument signs are also referred to as ground signs.

Non-Conforming

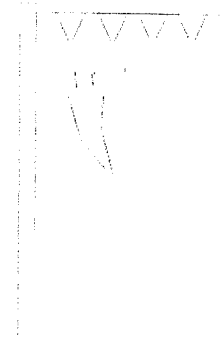
Sign (Legal): A non-conforming sign shall be any sign which:

- (1) Was lawfully erected and maintained prior to such time as it came within the purview of this Article and any amendments hereto, and which fails to conform to all applicable regulations and restrictions contained in this Article; or
- (2) A non-conforming sign for which a permit has been issued.

Obscene: Statements, words, suggestions, or pictures of an indecent or immoral character, such as will offend public morals or decency.

Parapet: That portion of the wall of a building that rises above the roof level.

Pennant: Any lightweight plastic, fabric, or other material, whether or not containing a message of any kind, suspended from a rope, wire, or string, usually in a series, designed to move in the wind.

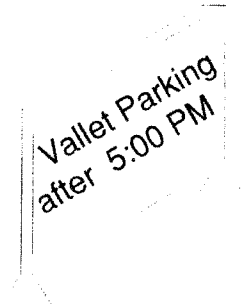


Pennant

Pole Sign: A sign mounted on one or more freestanding pole(s) or pylons.

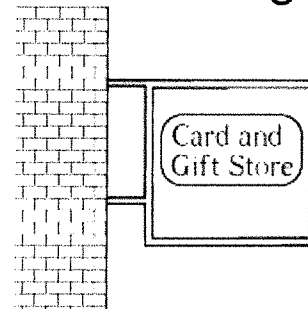
Portable Sign: Any sign not permanently attached to the ground or other permanent structure, or a sign designed to be transported, including, but not limited to:

- (1) Signs designed to be transported by means of wheels.
- (2) Signs converted to "A" or "T" frames.
- (3) Sidewalk signs.



Portable Sign

Projecting Sign: Any sign affixed to a building or wall in such a manner that its leading edge extends more than twelve inches beyond the surface of such building or wall.

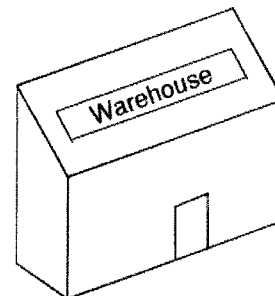


Projecting Sign

Residential Development Sign: Permanent residential development signs at major entrances designed to identify a residential subdivision, and containing no advertising.

Roof Sign: Any sign erected, constructed, and maintained entirely or partially upon or over the roof of any building, with the principal support on the roof.

Roof Sign, Integral: Any sign erected or constructed as an integral or essentially integral part of a normal roof structure of any design, such that no part of the sign extends vertically above the highest portion of the roof and such that no part of the sign is separated from the rest of the roof by a space of more than six inches.



Roof Sign

Setback: For the purpose of this Article, the setback of a sign shall be defined as the shortest horizontal distance between a property line and the closest edge of a sign, including the structure and base:

- (1) Where a property line extends into a street right-of-way, the setback of a sign shall be the shortest horizontal distance between the closest edge of a sign, including the structure and base, and the back of the curb of the adjacent street.
- (2) Where a sign is located along an access drive, the setback of a sign shall be the shortest horizontal distance between the closest edge of a sign, including the structure and base, and the back of curb of the adjacent access drive.

Sign: A symbol, lettering, pictorial representation, or combination thereof used for information, identification, or directional purposes or to sell or advertise products, services, activities, or events.

Sign Face: The entire area of a sign on which copy could be placed.

Sign Type: A functional description of the use of an individual sign. (Am. Ord. 946, passed 6- 1- 2015)

Temporary

Sign: A sign installed, affixed, or maintained for a short, fixed, period of time.

**Tenant
Identification**

Sign: A sign used where more than one business occupies a building or development, for the sole purpose of identifying which businesses are located within that building or development.

Unlawful

Sign: A sign which does not meet the terms of this Article or which the Village has declared to be unlawful because it poses a danger to public safety by reason of dilapidation or abandonment; a non-conforming sign for which any permit required under any previous ordinance was not obtained.

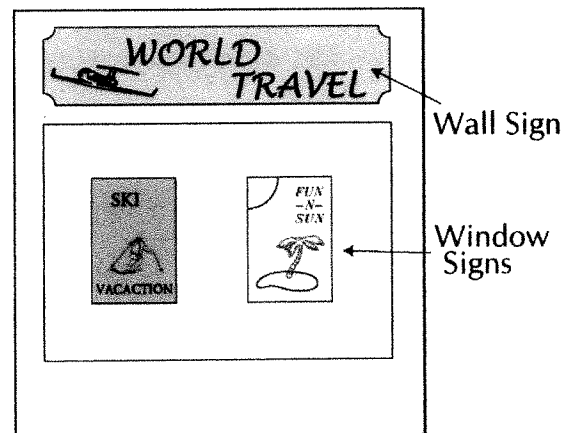
Vehicular

Signs: Any advertising or business sign attached to or painted on a motor vehicle or trailer, which is parked or placed in position for display to the public.

Wall Sign: A sign which is placed against a building or other structure and which is attached to the exterior of a building.

Window

Sign: A sign that is posted on the interior or exterior of a window of a building or structure which is intended to be read from the exterior of the building or structure.



7.3 GENERAL REGULATIONS:

- A. **Prohibited Signs** – The following signs shall be expressly prohibited:
- (1) Inflatable signs and tethered balloons.
 - (2) Pennants.
 - (3) Strings of lights, except those exempt by the terms of this Article (see Decorations and Displays Section 7.3 C(3)). (Am. Ord. 946, passed 6-1-2015)
 - (4) Flashing lights.
 - (5) Obscene signs.
 - (6) Billboards.
 - (7) Signs that resemble or conflict with traffic signs and may mislead people. (Am. Ord. 946, passed 6-1-2015)
- B. **Authorization by Owner** – Except as provided in Section 7.3C, no person shall erect, alter, or relocate any sign within the Village without first obtaining the express consent of the owner of the land upon which the sign shall be erected, altered or relocated, in addition to obtaining a sign permit from the Village.
- C. **Signs Not Requiring Permits** – No permits shall be required for the following signs when erected or displayed as set forth below and in accordance with all other requirements of the zoning district in which they are located. Except as noted, such signs shall not be illuminated, except as expressly permitted before, and shall not be placed in or otherwise erected upon any public right-of-way, nor be attached to any building, tree or structure.
- (1) **Interior Signs** – Any sign which is completely within an enclosed building and which is not visible from outside the building.
 - (2) **Monuments and Markers** – Tablets, grave markers, headstones, statuary, or remembrances of persons or events which are non-commercial in nature.
 - (3) **Decorations and Displays** – Non-commercial decorations or displays celebrating the occasion of legal or religious holidays and which are erected and/or maintained for a period of less than forty-five (45) days. Such decorations or displays may be illuminated. Upon expiration of said forty-five (45) day period, such decorations or displays shall not be reinstalled for a period of six (6) months.
 - (4) **Real Estate Signs** – Signs used to offer for sale, lease or rent the property upon which the sign is placed.
 - (5) **No Trespassing and No Dumping Signs** – No trespassing or no dumping signs not exceeding two (2) square feet in area per sign.
 - (6) **Political Signs:**
 - (a) Signs or posters announcing or describing candidates seeking public political office, announcing or describing political issues and data pertinent thereto.
 - (b) Such signs shall contain a sign surface area not to exceed sixteen (16) square feet.

- (7) Garage/Rummage Sale Signs – Temporary signs announcing the sale of new or used personal property from a private residence where the sale activity is occasional and infrequent and not associated with a permanent commercial establishment.
- (8) Employment or Help Wanted – Employment or help wanted signs which are placed on the premises of the establishment which intends to employ the personnel described in the sign.
 - (a) Employment or help wanted signs shall, in the aggregate, not exceed four (4) square feet for any one establishment.
 - (b) No more than two (2) such signs shall be displayed for any one (1) establishment.
- (9) Window Signs – Window signs describing or advertising a retail sale, promotion, or special sale or event, shall be subject to regulations in Section 7.4 C(5).

D. **Illumination** – In addition to other applicable requirements set forth in this Article, all illuminated signs must comply with the following provisions:

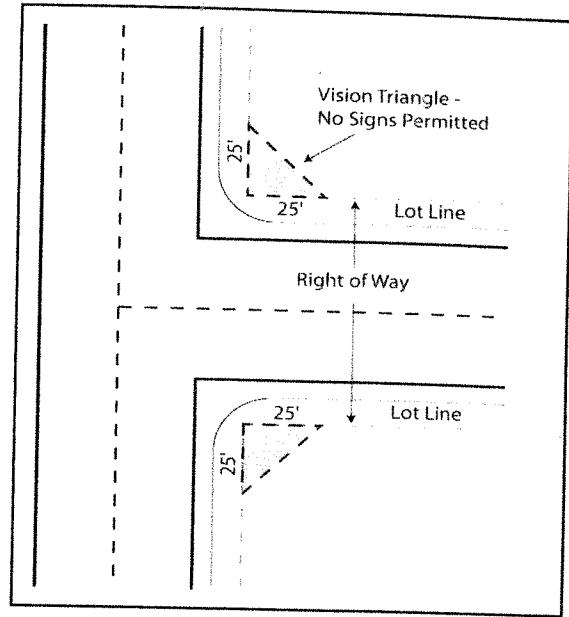
- (1) With the exception of changing signs (automatic) as defined herein, all illuminated signs within one hundred fifty (150) feet of any residential zoning district shall be turned off between the hours of eleven (11:00) P.M. and seven (7:00) A.M. unless the establishment is engaged in the operation of business during such period, in which case the sign may be lit during the hours of operation only.
- (2) Illumination shall be installed or applied only through a translucent surface; or recessed into the sign structure; or if the light source is external to the sign, directed to and concentrated on the sign.
- (3) Signs shall be shaded as necessary to avoid casting a bright light upon property located in any residential district or upon any public street or park.
- (4) Floodlights, gooseneck reflectors, or other external sources of illumination shall be contained within a protective casing.

E. **Vertical and Horizontal Extension:**

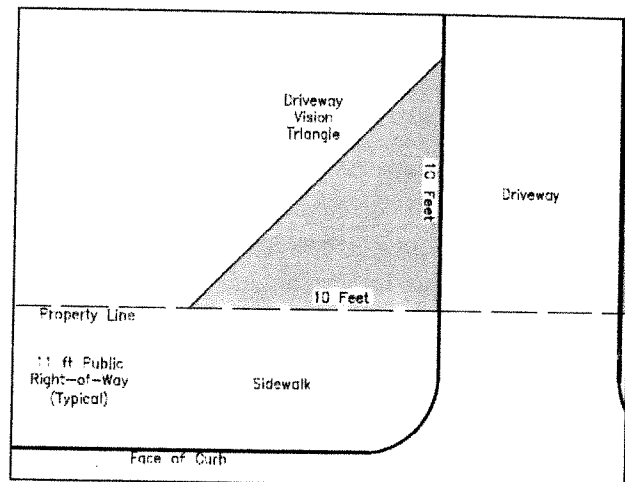
- (1) Any sign placed flat against a wall, mansard roof, canopy or awning shall not extend more than twelve (12) inches beyond any vertical corner edge of such wall, canopy, awning, roofline or parapet;
- (2) In addition to the above requirements, placement of any wall sign must meet the following provisions:
 - (a) Signs shall not project beyond the edges of the wall or roof surface to which it is affixed.
 - (b) Signs shall not project from the wall on which they are mounted, in such a manner as to pose an obstruction or hazard to pedestrians or vehicles.

F. Sign Placement:

- (1) Public Areas – Except for official signs erected by an agency or unit of government, no sign shall be erected on any public property or public right-of-way, tree, utility pole, traffic standard or other public sign standard. (Am. Ord. 946, passed 6-1-2015)
- (2) Corner Lots – No sign having a height of more than thirty (30) inches above the crown of the adjacent streets shall be constructed or placed within a triangular area of twenty-five (25) feet from the point of intersection of the two (2) street right-of-way lines forming such corner lot.
- (3) Driveways – No sign having a height of more than thirty (30) inches above the driveway edge shall be placed within a triangular area created by a line connecting points along the public right-of-way and the outer edge of a driveway, which points are established ten feet distant from the intersection of the right-of-way (typically the sidewalk) and the outer edge of the driveway.



Corner Lot Vision Triangle



Driveway Vision Triangle

- G. Planned Unit Development Signs – Signs located within a planned unit development shall be governed by those standards set forth in the underlying zoning district. Such standards may, however, be modified by the Village Board in accordance with the provisions of the Planned Unit Development Section of this Ordinance (Article V) of the Village of Forsyth.

H. **Flags** – Unless recommended by the Planning and Zoning Commission and approved by the Village Board, flags other than those of any nation, state, political subdivision, or non-commercial flags which represent a not-for-profit affiliation or institution shall be prohibited. There shall be a maximum of three (3) flag poles for each zoning lot:

(1) The height of a flag pole shall be in proportion to the scale of the building to which it relates, and in no case shall be higher than the following height limitations:

Building, 1-2 stories 20 foot pole

Building, 3-5 stories 25 foot pole

Building, 6-10 stories 35 foot pole

(2) The vertical length of a permitted flag on a flag pole shall not exceed one-third (1/3) the length of the pole upon which it is hung. All flags are to be maintained in an orderly fashion. Torn flags shall be taken down and replaced.

I. **Inspection** – Every new sign requiring a permit in the Village of Forsyth shall be subject to a general inspection; electrical inspection; footing inspection; and any other inspection(s) deemed necessary by the Village.

J. **Maintenance** – Every sign in the Village of Forsyth, regardless of whether any permit is required for such sign, shall be maintained in a safe, presentable and good structural condition at all times, including the replacement of nonfunctioning, broken or defective parts, painting, repainting, cleaning and any other acts required for the maintenance of such sign. All signs and sign supports shall be kept painted or otherwise treated to prevent rust, rot, or deterioration.

K. **Abandoned and Obsolete Signs:**

(1) Any sign which no longer identifies a bonafide business, activity, event, service conducted, or product sold on the premises where the sign is located, shall be taken down by the owner of the building, structure or property upon which said sign is located. In lieu of complete sign removal, an abandoned or obsolete sign may have a blank white or black panel inserted into the sign frame provided the sign otherwise meets all requirements of this ordinance. Legal non-conforming multi-tenant or directory signs may remain in place if partially abandoned or obsolete, provided at least one advertised business is still in operation at that location.

(2) If such sign is not removed, the Village shall issue written notification to the owner of the building, structure or property, and the sign shall be removed within sixty (60) days of receipt of such notification.

L. **Non-Conforming Signs** – It is reasonable that special conditions be placed upon the continuance of existing non-conforming signs. This special non-conforming program permits the current owner to continue using the non-conforming sign while at the same time assuring that the district in which the non-conforming sign exists will eventually comply:

(1) **Continuance of Non-Conforming Signs** – Subject to the termination provisions of this Article, any non-conforming sign may be continued in operation and maintained after the effective date of this Ordinance provided, however, that no such sign shall be changed in any manner; and, provided further, that the burden of establishing a sign to be non-conforming under this Article rests entirely upon the person or persons, firm or corporation claiming a non-conforming status for a sign.

(2) Termination of Non-Conforming Signs:

- (a) By Abandonment – Abandonment or cessation for a period of ninety (90) days or the change of the principal use to which the non-conforming sign is accessory shall terminate immediately the right to maintain such sign.
- (b) By Violation of the Ordinance – Any violation of the provisions of this Article shall terminate immediately the right to maintain a non-conforming sign.
- (c) By Destruction, Damage, or Obsolescence – The right to maintain any non-conforming sign shall terminate whenever the sign:
 - (i) Is damaged or destroyed, from any cause whatsoever, to the extent that its repair or replacement cost exceeds fifty (50) percent of its replacement cost as of the date it became non-conforming; or
 - (ii) Becomes obsolete or substandard under any applicable ordinance of the Village; or
 - (iii) Becomes a hazard or a danger to the safety or welfare of the general public.
- (d) By New Ownership, or Change in Tenant or Use – Transfer of ownership, or change in the use or tenant shall terminate immediately the right to maintain a non-conforming sign. The new owner has 180 days from close of sale within which to bring the non-conforming sign into compliance.
- (e) By New Development on the Zoning Lot – Where new construction occurs on a zoning lot, any non-conforming sign which may exist on said lot shall be removed or modified as necessary to conform to the requirements of this Article. This shall occur before permits are issued for site development and building construction on the premises.
- (f) By Redevelopment – Non-conforming signs which are moved or affected by the redevelopment of a property; facade improvement program; or roadway widening shall not be reinstalled, but shall instead be brought into conformance with all elements of this code.

(3) Notification to Remove:

- (a) If the Village finds that any sign is unsafe or insecure, or is a menace to the public, or has been constructed or erected or is being maintained in violation of the provisions of this Article, the Village shall issue written notice of such condition or violation to the person to whom the permit for said sign has been issued.
- (b) All notices issued by the Village shall describe the sign and its location and shall specify the manner in which the sign is in violation of the ordinance(s) of the Village of Forsyth. All notices issued by the Village shall be sent by certified mail and regular mail to the current owner. Any time period provided for in this Article shall be deemed to commence on the postmark on the notice of violation of the certified mail. (Am. Ord. 946, passed 6-1-2015)

- (c) If the party to whom such notice is issued fails to remove or alter the sign so as to comply with the provisions of this Article, within fifteen (15) days of the postmark on the notice of violation of the certified mail, the Village may remove or alter the sign at the expense of the owner. (Am. Ord. 946, passed 6-1-2015)
- (d) The cost of removing the sign may be recovered by the Village of Forsyth through any appropriate legal proceeding or by assessment against the property. The cost of removal shall be deemed to include any and all incidental expenses, as well as all direct and indirect costs, incurred by the Village in connection with removal of the sign.
- (e) The Village may cause any sign which is an immediate peril to persons or property to be removed summarily and without notice.
- (f) The Village shall not issue any sign permit to any person who refuses to pay costs or expenses incurred by the Village in removing or altering any sign for which they have previously obtained a permit, regardless of whether legal proceedings have been initiated for the purpose of recovering such costs.

M. **Vehicles With Signs** – Any vehicle or trailer sign shall be exempt from the regulations of this Article, except for the following:

- (1) The overnight parking of any vehicle or trailer bearing a sign shall be permitted at the private residence of the vehicle operator or at the location of the business.
- (2) The intentional parking of any vehicle bearing a sign in such a way or in such a location that the vehicle functionally serves as a sign, advertising or directing viewers to the business or activity to which the signage refers, shall be prohibited.
- (3) The parking of any vehicle or trailer bearing a sign in public view which is not in operating condition and/or lacks a current registration shall be prohibited.

N. **Development Ordinances** – The Village Board may execute ordinances for individual developments which contain specific language and regulations for project-related signage. Where this occurs, and sign requirements set forth in the development ordinance for a specific project conflict with the standards of this Article, the terms of the development ordinance shall take precedence.

Intensity Level (NITS)

Color	Daytime	Nighttime
Amber or Red Only	5,000	1,750
Full Color	7,000	2,500

*Mark
6-7-22*

7.4 SIGNS REGULATED BY ZONING DISTRICT:

A. All Districts:

- (1) Planned Unit Development and Subdivision Identification Signs – Freestanding monument signs shall be permitted for the purpose of identifying planned unit developments or subdivisions in any zoning district which are three (3) acres or more, subject to the following conditions:

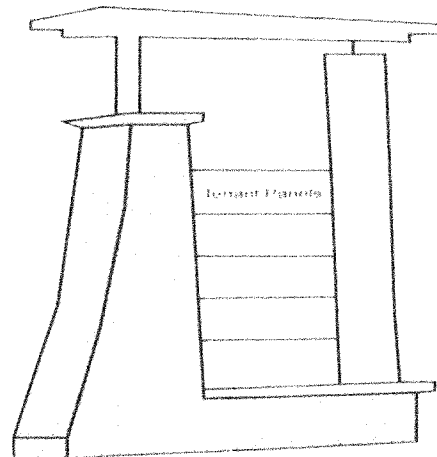
(a) Approval – Development identification signs as provided for herein shall be approved by the Village Board;

(b) Residential:

- (i) Residential development identification signs shall be maintained by a Homeowners' Association or similar organization.
- (ii) Identification signs for residential subdivisions may be installed on masonry entry monuments, which may be constructed on both sides of the entry street.
- (iii) The height shall not exceed five (5) feet.
- (iv) The sign area shall not exceed forty (40) square feet per side, limited to two (2) sides, or eighty (80) square feet total.
- (v) Residential development identification signs and entry monuments shall comply with all setback requirements set forth herein.

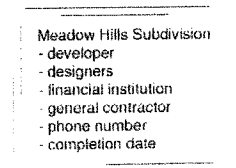
(c) Non-Residential:

- (i) Non-residential directory identification signs shall not exceed 140 square feet per side, limited to two (2) sides.
- (ii) Non-residential directory identification signs shall not exceed twenty (20) feet in height.
- (iii) Non-residential development identification signs shall comply with all setback requirements set forth in item (d), below.



Non-Residential Directory Sign

- (iv) Tenant identification may be provided on directory identification signs for retail centers, provided each tenant identified on the sign must occupy a minimum of 10,000 square feet of the gross floor area.
- (d) Setbacks:
 - (i) All development identification signs in any zoning district shall be set back not less than:
 - a. Fifteen (15) feet from any property line.
 - b. Fifteen (15) feet from the back of curb of an adjacent access drive.
 - (ii) The sign shall not impede normal pedestrian movement nor obstruct the line-of-sight for motor vehicle traffic.
- (e) Illumination – Development identification signs may be illuminated.
- (f) Landscaping – Development identification signs shall be landscaped with trees and shrubs to blend the signs or monuments into the landscape of which they are a part. Landscaping shall form an attractive, dense cluster at the base of the sign that is equally attractive in winter and summer. A minimum of two (2) square feet of landscaping will be required for every one (1) square foot of sign face. For double-sided signs, only one side of the sign face shall be counted towards the landscape area requirement.
- (2) Directional Signs – Signs which provide only on-site direction or information for vehicular movement shall be permitted as follows:
 - (a) Directional signs shall not exceed four (4) square feet in area, unless otherwise approved by the Village or the Village Board.
 - (b) The maximum height of any directional sign shall not exceed four (4) feet, as measured from the top of the adjacent curb, unless otherwise approved by the Village.
 - (c) There shall be no maximum number of signs, but the number and location of all directional signs shall be as determined by the Zoning Official as necessary for safety.
 - (d) Unless authorized by the Village, directional signs shall be set back at least fifteen (15) feet from the edge of curb of any street or access drive.
 - (e) Directional signs may be illuminated.
- (3) Construction Signs – Construction signs shall be allowed in all zoning districts for the purpose of identifying the construction of individual buildings or projects as follows:
 - (a) Construction signs shall not be erected any earlier than four (4) months prior to the actual commencement of construction.
 - (b) All construction signs shall be confined to the construction site.



Construction Sign

- (c) All construction signs shall be removed within thirty (30) days of completion of construction and, in all cases, prior to the issuance of an occupancy permit, unless otherwise approved by the Village.
- (d) No more than one (1) construction sign shall be allowed per street frontage per project, unless otherwise approved by the Village Board, after review and recommendation by the Planning and Zoning Commission at a public meeting.
- (e) The maximum size of any construction sign shall not exceed one hundred (100) square feet per sign face. Construction signs may be double-sided.
- (f) Construction signs shall not exceed fifteen (15) feet in height.
- (g) Construction signs shall be set back not less than:
 - (i) Fifteen (15) feet from any property line.
 - (ii) Fifteen (15) feet from the back of curb of an adjacent access drive.
- (h) Construction signs shall not be illuminated.
- (4) Signs Not to Constitute Traffic Hazards:
 - (a) All signs, or other advertising structure, canopy or awning shall be erected or maintained in such a manner as to maintain free and clear vision of motorists.
 - (b) No sign or other advertising structure, canopy or awning shall be permitted which distracts the attention of the driver of the vehicle by reason of the position, shape, or color thereof.
- (5) Temporary Non-Commercial Informational Signs – Temporary signs promoting solely governmental, non-profit, and/or charitable functions shall be permitted as set forth within this section. The signs shall not exceed thirty-two (32) square feet in area and a permit shall be required for each temporary sign that complies with the provisions of Section 7.5 and further sets forth the location of the sign, the size of the sign and the start and end date for the placement of the sign, which may not exceed 30 days. All such signs shall be required to comply with a five foot setback requirement from any right-of-way. No fee shall be charged for the permit. A sponsoring entity of a non-commercial informational sign may be eligible for up to six (6) permits per calendar year for temporary signs as provided in this section and no permit shall exceed thirty (30) days in length. Further, any temporary sign herein shall not be affixed or attached to any building on the property or any building window on the property. Notwithstanding the above, no permit shall be required for non-commercial informational signs located within a residential district if said sign is less than 8 square feet or less in size. (Ord. 938, passed 2-3-2015)

B. Residential Districts:

(1) Real Estate Signs:

- (a) A sign, for the purpose of advertising the sale of property, may be installed in a residential district, provided, however that a real estate sign shall:
 - (i) Not be illuminated or electrically operated, nor include any moving parts.
 - (ii) Not exceed an area of four (4) square feet.
 - (iii) Not exceed a total height of five (5) feet.
 - (iv) Be limited to on-site advertising, only.
 - (v) Be located on the subject property and set back not less than five (5) feet from any lot line.
 - (vi) Be constructed of wood and/or metal.
 - (vii) Be removed no later than ten (10) days subsequent to the date the sale, rental or lease has been accomplished.
 - (viii) Be allowed for new building construction advertising the sale or lease of the building or portion of the building once construction has commenced. (Am. Ord. 2016-3, passed 3-7-2016)
- (b) Number – There shall be a maximum of one (1) real estate sign allowed per zoning lot, unless the lot is a corner lot, in which case a maximum of two (2) signs shall be permitted. In no case, however, shall more than one (1) sign be installed per street frontage.

(2) Home Occupation Signs – Home occupation signs shall be permitted as follows:

- (a) There shall be a maximum of one (1) such sign per zoning lot.
- (b) The maximum size of any home occupation sign shall be two (2) square foot.
- (c) Home occupation signs shall be installed flat against the face of a building, rather than in a front or sideyard.
- (d) Home occupation signs shall not be illuminated.

(3) Garage/Rummage Sale Signs – Garage and Rummage Sale signs shall be permitted as follows:

- (a) Only one (1) such sign shall be allowed on the premises where the sale is taking place, unless such property has frontage on two (2) public streets, in which case two (2) signs are permitted, one (1) at each frontage.
- (b) Three (3) additional locations (not to include the public right-of-way or any buildings or structures thereon) may be selected for placement of rummage sale or garage sale signs announcing the same sale. Any sign to be placed on property owned by others must have verifiable permission of that property owner.
- (c) No rummage sale or garage sale sign shall exceed four (4) square feet in surface area.
- (d) No garage/rummage sale sign shall exceed five (5) feet in height.

- (e) No such sign shall be placed or otherwise erected for more than three (3) consecutive days at a location permitted under this Article.
 - (f) No garage sale or rummage sale signs shall be posted or displayed on a tree, street light poles, utility poles, street signs, and traffic sign poles or otherwise erected upon any public right-of-way. Nor shall they be displayed on or within vehicles, or be placed in such a location to cause an obstruction to the clear view of traffic.
 - (g) No sale items shall be located and no activities shall be conducted on a public sidewalk, parkway area or other public property. Further, no sale items shall be left out for display later than 7:00 P.M. on any day.
- (4) Governmental Facilities and Church Signs – Governmental Facilities and Church signs shall be permitted as follows:
- (a) Freestanding Signs.
 - (i) There shall be a maximum of one (1) freestanding monument sign per zoning lot provided, however, that a maximum of two (2) freestanding monument signs shall be permitted when the facility to which the sign refers is located on a corner lot.
 - (ii) Freestanding signs shall not exceed an area of forty-five (45) square feet per side, nor a height of eight (8) feet.
 - (iii) Freestanding signs shall be set back a minimum of fifteen (15) feet from all property lines and from the back of the curb of adjacent access drives and, in no case, less than twenty (20) feet from the back of the curb of an adjacent public street.
 - (b) Wall Signs.
 - (i) One wall sign shall be permitted; however, a maximum of two (2) such wall signs shall be permitted when the building is located on a corner lot. (Am. Ord. 946, passed 6-1-2015)
 - (ii) The maximum size of the wall sign shall not exceed five (5) percent of the building facade area upon which the sign is to be located, to a maximum of two hundred (200) square feet.
 - (c) Church signs may include changeable copy.
 - (d) Church signs may be illuminated.

C. Non-Residential:

- (1) Wall Signs – Identification for uses in the Business, Commercial, Industrial, and Office Research districts shall be permitted as follows:
 - (a) There shall be a maximum of one (1) such wall sign for each business establishment provided, however that a maximum of two (2) such wall signs shall be permitted when at least one of the following conditions applies:
 - (i) The business establishment to which the sign refers is located on a corner lot.

- (ii) The business establishment to which the sign refers has more than one (1) business frontage. For the purposes of this Article, a business frontage shall mean a public right-of-way, a customer access drive, or a parking lot which serves the commercial establishment.
 - (iii) A business establishment occupies the entire structure of which it is a part and chooses to erect a second wall sign in lieu of a monument sign where such monument sign is permitted.
- (b) The maximum size of any business identification wall sign shall not exceed seven (7) percent of the building facade area upon which the sign is to be located, to a maximum of two hundred (200) square feet.
- (c) Business identification signs may be illuminated.
- (d) Multi-tenant buildings shall permit each tenant to have a maximum wall sign area not to exceed seven (7) percent of the building façade area upon which a particular business occupies to a maximum of two hundred (200) square feet. There shall be a maximum of one (1) such wall sign for each business establishment provided, however that a maximum of two (2) such wall signs shall be permitted when at least one of the following conditions applies:
 - (i) The business establishment to which the sign refers is located on a corner lot.
 - (ii) The business establishment to which the sign refers has more than one (1) business frontage. For the purposes of this Article, a business frontage shall mean a public right-of-way, a customer access drive, or a parking lot which serves the commercial establishment.
- (Am. Ord. 2016-3, passed 3-7-2016)
- (e) A roof sign may be substituted for a permitted wall sign provided that the height of any roof mounted sign shall not extend more than twelve (12) inches beyond the height of the roof.
- (2) Freestanding Signs:
 - (a) In addition to signs otherwise permitted in non-residential districts, one (1) monument sign is permitted.
 - (b) The required conditions to erection, relocation, and maintenance of monument signs are as follows:
 - (i) Monument signs are permitted, with a total height, including the base, not to exceed eight (8) feet for a single business or not to exceed ten (10) feet for buildings with more than 1 business. Pole signs may be permitted if approved by the Village Board due to unique site conditions (topography, visibility, etc.). Pole signs shall not exceed fifteen feet (15') in height. (Am. Ord. 2016-3, passed 3-7-2016)
 - (ii) The sign area shall not exceed forty-five (45) square feet per side, limited to two (2) sides, or ninety (90) square feet total for a single business. If a building has more than 1 business the sign area shall

not exceed seventy-five (75) square feet per side, limited to two (2) sides, or one hundred fifty (150) square feet total. (Am. Ord. 2016-3, passed 3-7-2016)

- (iii) The sign shall be located with a minimum setback of fifteen (15) feet from any property line or from the back of the curb of an adjacent access drive. In all cases the monument sign shall be set back twenty (20) feet from the back of the curb of an adjacent public street.
 - (iv) The sign shall not impede normal pedestrian movement nor obstruct the driver line-of-sight for motor vehicle traffic.
 - (v) The sign may be illuminated.
 - (vi) All freestanding signs shall be landscaped at their base in a method harmonious with the landscape concept for the whole site. Landscaping shall form an attractive, dense cluster at the base of the sign that is equally attractive in winter and summer. A minimum of two (2) square feet of landscaping will be required for every one (1) square foot of sign face. For double-sided signs, only one side of the sign face shall be counted towards the landscape area requirement.
 - (vii) Freestanding signs may include a manual changeable copy area, but may not include an electronic message portion unless a special use permit is obtained.
- (3) Signs Accessory to Automobile Service Stations and Automobile Service Station/Mini-Mart Only – The following signs are permitted as accessory only to automobile service stations subject to the conditions specified below:
- (a) Two (2) tire racks, not to exceed five (5) feet in height; six (6) feet in length; and five (5) feet in depth, shall be permitted at each gasoline or tire service station for the purpose of displaying new tires. Such racks shall comply with all setback and yard requirements and shall only advertise the products contained thereon.
 - (b) Items for sale on the premises shall not be displayed within twenty-five (25) feet of any property line, and any display of such items must comply with all applicable regulations. Products may be displayed under pump island canopies or between pumps within the area of the pump island base.
 - (c) One (1) double-faced sign presenting the pricing of gasoline products sold upon the premises shall be permitted as follows:
 - (i) Each sign shall not exceed six (6) square feet per fuel type.
 - (ii) No pricing sign shall exceed a height of fifteen (15) feet.
 - (iii) All pricing signs shall be located with a minimum setback of fifteen (15) feet from any property line or from the back of the curb of an adjacent access drive. In all cases, pricing signs shall be set back twenty (20) feet from the back of the curb of an adjacent public street.

- (iv) Pricing signs may be combined as part of the permitted monument business identification sign. Total area of such a combined sign shall not exceed sixty (60) square feet per side.
- (d) One sign over each pump stand not to exceed twenty-four (24) inches in height.
- (4) Awning or Canopy Signs – Letters may be painted or otherwise permanently affixed to any permissible awning or canopy subject to the following conditions:
 - (a) Lettering and/or symbols shall not project above, below, or beyond the physical dimensions of the awning or canopy.
 - (b) Awning or canopy sign area shall count toward the total wall sign area.
- (5) Window Signs – Each commercially zoned establishment may have one (1) or more window signs, subject to the following provisions:
 - (a) Window signs shall not exceed fifty (50) percent of the total display glass area of any building facade in which such signs are displayed. (Am. Ord. 2017-4, 4/4/17)
 - (b) Window signs shall not be included in the computation of total allowable sign surface area.
 - (c) Window decals shall be classified as a window sign when there is either wording or pictorial representation used for the purpose of advertising or promotion on the decal. Any portion of a window decal that is not intended for advertising or promotion and is used for one way viewing or as a method to block sunrays would not be counted towards the fifty (50) percent glass display area regulation stated in part (a) above. (Am. Ord. 2016-3, passed 3-7-2016)
- (6) Beacons – Beacons shall be permitted subject to the following:
 - (a) Only one (1) beacon shall be allowed.
 - (b) Display of a beacon shall be limited to two (2) consecutive days.
 - (c) Beacons shall be permitted from dusk until 11:00 PM at which time they shall be turned off.
 - (d) Beacons shall not be permitted to be located within 300 feet of any residential property.
 - (e) Permits shall be obtained in accordance with procedures set forth in Section 7.5 of this Article.

(Am. Ord. 2016-3, passed 3-7-2016)
- (7) Portable Signs – Portable signs shall be permitted for grand openings, as defined in Section 7.2 of this Article, subject to the following:
 - (a) Only one (1) portable sign shall be allowed per grand opening.
 - (b) Display of a portable sign shall be limited to fourteen (14) consecutive days.
 - (c) Permits shall be obtained in accordance with procedures set forth in Section 7.5 of this Article.

- (8) Changeable Copy – Changeable copy shall only be permitted for:
- (a) A portion of a permitted freestanding sign (see Section 7.4.C(2))
 - (b) Public service display of time and temperature.
- (9) Real Estate Sign:
- (a) A sign, for the purpose of advertising the sale of property, may be installed provided, however that a real estate sign shall:
 - (i) Not be illuminated or electrically operated, nor include any moving parts.
 - (ii) Not exceed an area of sixteen (16) square feet.
 - (iii) Not exceed fifteen (15) feet in height.
 - (iv) Be limited to on-site advertising, only.
 - (v) Be located on the subject property, and set back not less than fifteen (15) feet from any lot line for non-residential property and five (5) feet for a residential property.
 - (vi) Be removed no later than ten (10) days subsequent to the date the sale, rental or lease has been accomplished.
 - (vii) Be allowed for new building construction advertising the sale or lease of the building or portion of the building once construction has commenced. (Am. Ord. 2016-3, passed 3-7-2016)
 - (b) Number – There shall be a maximum of one (1) real estate sign allowed per zoning lot, unless the lot is a corner lot, in which case a maximum of two (2) signs shall be permitted. In no case, however, shall more than one (1) sign be installed per street frontage.
- (10) Tenant Identification Signs:
- (a) In addition to signs otherwise permitted in non-residential districts, one Tenant Identification Sign, either a wall sign or freestanding sign, may be permitted for office and non-retail businesses with the following limitations:
 - (i) Only one sign per primary structure unless the business establishment to which the sign refers is located on a corner lot and the business has more than one business frontage, and then two signs may be permitted.
 - (ii) Each sign does not exceed 20 square feet per side and not to exceed more than 4 square feet per tenant.
 - (iii) Each tenant identified on the sign must occupy a minimum of 1,500 square feet of the gross floor area.
- (11) Menu Board Signs – For restaurants with drive-through facilities, two (2) freestanding menu board signs per lot shall be permitted provided that individual signs do not exceed twenty-four (24) square feet in area or eight (8) feet in height.

- (12) Temporary Signs – Temporary signs not exceeding thirty-two (32) square feet in area shall be allowed as set forth within this section. A permit shall be required for all temporary signs, however no fee shall be charged for the permit. The permit shall comply with the provisions of Section 7.5 and shall further set forth the location of the temporary sign, the size of the sign, and the start and end date for the placement of the temporary sign, which may not exceed 30 days. A commercial entity may be eligible for up to six (6) permits per calendar year for temporary signs and no permit shall exceed thirty (30) days in length. All such signs shall be required to comply with a five foot setback requirement from any right-of-way. Window decals shall not be considered temporary signs and instead shall be regulated by 7.4 C(5) of the Development Ordinance. (Ord. 938, passed 2-3-2015)
- (13) Electronic Message Signs – Any Electronic Message Sign must comply with the following standards:
- (1) The maximum area of the electronic message shall not exceed fifty percent (50%) of the total permitted sign area.
 - (2) The frequency of the message change shall not exceed once every ten (10) seconds. The message shall not flash, but may scroll into place.
 - (3) The brightness of the display shall not exceed the levels specified below.
 - (4) Prior to issuing a permit for an electronic message sign, applicant shall provide a written certification from the sign installer that the light intensity has been pre-set not to exceed the levels specified in the chart below, and the intensity level is protected from end-user manipulation by password-protected software or other method deemed appropriate by the Village. (Am. Ord. 2020-5, passed 3-2-2020)

7.5 PERMIT APPLICATION AND FEES:

Except as otherwise provided in this Article, it shall be unlawful for any person to erect, re-erect, alter, relocate, affix, or paint (does not refer to maintenance) any sign without first having obtained a sign permit therefore. Where electrical and/or construction is required in connection with erecting, re-erecting, relocating, altering, affixing, or painting a sign, the Zoning Official and Building Inspector shall review the plans prior to issuing the sign permit. (Am. Ord. 2016-3, passed 3-7-2016)

- A. Application Procedure – Application for a sign permit shall be made in writing on forms provided by the Village and shall include:
- (1) Site plans for freestanding signs only, in triplicate, drawn to scale and fully dimensioned, showing:
 - (a) A north arrow.
 - (b) A dimensioned site plan of the parcel or lot upon which the sign is to be located.
 - (c) The name, address, and telephone number of the person erecting the sign.

- (d) The name, address, and telephone number of the person applying for the sign permit.
 - (e) The name, address, and telephone number of the owner of the property upon which the sign is to be erected.
 - (f) The location and setback of the sign upon the parcel or lot upon which it is to be erected.
- (2) One paper copy and one electronic (PDF) copy of all signage drawings, including freestanding signs, with elevation and section showing sign faces; exposed surfaces and horizontal dimension in scale as to size, proportion and color, and indicating the dimensions between the lowest elevation of the sign and grade; the projection from buildings or sign structures; and a description of the sign including, but not limited to, illumination and colors. (Am. Ord. 946, passed 6-1-2015)
 - (3) One paper copy and one electronic (PDF) copy of structural and electrical plans. (Am. Ord. 946, passed 6-1-2015)
 - (4) The written consent of the owner of the building, structure or property upon or to which the sign is to be erected.

- (5) Such other information as the Village shall require to show full compliance with this and all other laws and ordinances of the Village.
- (6) Each application for a sign permit shall be reviewed by the Zoning Official and Building Inspector for the purpose of determining compliance with the provisions of this Article and all other applicable laws and ordinances of the Village. (Am. Ord. 2016-3, passed 3-7-2016)

B. Issuance or Denial of Sign Permit:

- (1) The Village shall issue a sign permit for the erection, re-erection, alteration, relocation, affixing or painting of a sign within the Village when the required permit application is properly made, all appropriate fees have been paid, and the Village has determined that the sign will comply with the provisions of this Article and all other applicable laws and ordinances of the Village.
- (2) When any application for sign permit is denied by the Zoning Official or Building Inspector, the Village shall give written notice of the denial to the applicant, together with a brief written statement of the reasons for the denial. Appeal from the Zoning Official's or Building Inspector's decision to deny a permit application may be made by the applicant in accordance with the ordinances of the Village. (Am. Ord. 2016-3, passed 3-7-2016)
- (3) Applications for sign permits shall be approved or denied within fourteen (14) days of submittal of a properly filed application. If more information is required from the applicant in order to complete review of the application, the fourteen (14) day period shall run from receipt of that additional information. If the applicant certifies in writing that the information is complete, the fourteen (14) day period shall run from the certification date. (Ord. 938, passed 2-3-2015)
- (4) Applications for sign permits shall be deemed denied if the application has neither been approved nor denied within fourteen (14) days of receipt. (Ord. 938, passed 2-3-2015)

C. **Exceptions** – Any requested exception from the terms of this Article shall be reviewed and evaluated by the Village Planning and Zoning Commission as a variation as set forth in Article IX Section 9.10.

D. **Limitations** – Sign permits shall allow the erection, re-erection, alteration, relocation, affixing, or painting of a sign only on the property designated in the permit and only by the person to whom the permit was issued and shall not be transferable. A separate sign permit must be obtained for each sign for which a permit is required.

E. **Permit Fees** – Every sign permit application shall be accompanied by a fee as established by the Village Board, to reimburse the Village for expenses incurred in connection with its sign inspections and services.