



SIGN ORDINANCE – PETITION FOR WAIVER

Case # _____

Prior to submitting a Sign Ordinance Petition for Waiver, the applicant shall discuss the request with the Development Services Department.

Name of Subdivision/Development: _____

Survey Name: _____ **Abstract #:** _____ **Tract #:** _____

Location of Property: _____ **Total Acreage:** _____

Present Zoning (w/ acreage if multiple district): _____

Application Fee: \$200.00

Application Materials

- Letter of Intent describing in detail the request and justification for approval.
- One (1) copies of exhibits prepared in accordance with the Variance checklist and other information as requested by Town staff.
- A compact disc (CD) or flash drive with .pdf files of all plat/plans and exhibits.
- Application fees
- Tax statement for the subject property showing no delinquent taxes.
- Signed Variance Checklist

Property Owner Information: (Printed or Typed)

Name of Person Authorized to Sign Application as Owner: _____

Name of Company: _____

Street Address: _____

City, State, Zip: _____

Phone #: _____

Email: _____

Check one of the following:

- I will represent the application myself, or
- I hereby designate _____ (printed name of project representative) to act in the capacity as my agent for submittal, processing, representation, and/or presentation of this application. The designated representative shall be the principle contact person for responding to all requests for information.

Project Representative Information

Name of Person Authorized to be Project Representative: _____

Name of Company: _____

Street Address: _____

City, State, Zip: _____

Phone #: _____

Email: _____

THE STATE OF TEXAS
COUNTY OF _____

BEFORE ME, a Notary Public, on this day personally appeared _____ (printed owner's name) the undersigned, who, under oath, stated the following: "I hereby certify that I am the owner, for the purposes of this application; that all information submitted herein is true and correct."

Owner(s) Signatures

SUBSCRIBED AND SWORN TO before me, this _____ day of _____, 20__.

Notary Signature

Notary Seal

Office Use Only

Case # _____ Accepted By: _____ Date _____

Excerpt from Prosper Sign Ordinance No. 18-49

1.4 SIGN REQUIREMENTS RELIEF PROCEDURE

A. *Petition for Waiver.*

A Petition for a Waiver to a particular standard or requirement of this Ordinance is to determine whether such particular standard or requirement should be applied to an application or modified. A Waiver is a change to the standards, not otherwise permitted by this Ordinance.

B. *Application.*

- (1) A request for a Waiver to a particular standard or requirement of this Ordinance shall be submitted on a form provided by the Town and accompanied by the prescribed fee set forth in the Town's adopted Fee Schedule.
- (2) The petition shall state the grounds for Waiver.
- (3) The Applicant bears the burden of proof to demonstrate in the application the following:
 - i. the requirement for which the Waiver is requested imposes an undue hardship on the Applicant;
 - ii. the proposed sign shall be of a unique design or configuration;
 - iii. the Waiver is needed due to a hardship caused by restricted area, shape, topography, or physical features that are unique to the property or structure on which the proposed sign would be placed, and such hardship is not self-imposed;
 - iv. the Waiver will substantially improve the convenience and welfare of the public and does not violate the intent of this Ordinance; and,
 - v. the requirement or standard will not adversely impact an adjacent property owner.
- (4) Incomplete applications shall not be accepted.
- (5) An application for a Waiver shall not be accepted for a sign that is prohibited by Section 1.10 of this Ordinance.

C. *Procedure.*

- (1) The Development Services staff shall review the application and create a report for the Town Council. Every application shall automatically be forwarded to the Town Council for consideration as a Public Hearing Item.
- (2) Prior to the tenth (10th) day before the Town Council Public Hearing, written notice of the proposed Waiver shall be sent to each owner, as indicated by the most recently approved Municipal Tax Roll, of property within 200 feet of the property in which the Waiver is proposed.
- (3) Town Council may vote to approve, approve with amendments and conditions, table, or deny in whole or in part the application for a Waiver for any reason.