

**BYRON TOWNSHIP ZONING BOARD OF APPEALS
SPECIAL MEETING – October 13, 2005
MINUTES**

A special meeting of the Byron Township Board of Appeals was called to order by Vice Chairman James Haagsma on Thursday, October 13, 2005, at 5:00 p.m. at the Byron Township Offices, 8085 Byron Center Ave. Byron Center, Mi.

Members present were: James Haagsma, Seymour Gould, Kathy Burgess, Jeff Brinks and Doug Tubergen. Absent: Abe Vander Woude. Also present was Byron Township Building Inspector Randy Zomerlei and Recording Secretary LaVonne Kuiper.

5:00 p.m. – Viacom Outdoor, Inc. – requesting the following variances to construct a billboard:

- 1. A 5' height variance (17.6 (6))**
 - 2. A 65' property line setback variance (17.6 (4))**
 - 3. Variance to place a billboard within 1000' of another billboard (17.6 (2))**
 - 4. Variance to have more than 3 billboards in a linear mile (17.6 (1))**
 - 5. A 372 sq ft. billboard area variance (17.6 (5))**
- for the property located at 7725 Caterpillar Dr. SW**

Mr. Jeff Brinks read the public notice. All property owners within 300' of the subject property were notified. One written responses were received. Jeff then read the letter from Kojanian Management Corporation located at 7377 Expressway Drive stating their objection to the proposed billboard.

Mike Hukal manager for Viacom Outdoor was present to explain the variance request. He commented the variance request to place a billboard within 1000' of another billboard does not apply and should be voided. He stated he had a survey available to show the board members that there is no other billboard within 1000'. Regarding the letter that Mr. Brinks read he stated he spoke to Patricia Dinning and the only concern she had was what would be advertised on the billboard. He assured her that no adult advertising would be placed on the billboard. With the new M-6 his company has had to remove 4 to 6 of its billboards. The standard size of a billboard is 14 x 48'. This size is the easiest to read when driving by. He commented in May of this year a variance was granted to Lamar Outdoor Advertising for a billboard and at that meeting Mr. Haagsma made a comment saying "that the Township ordinance is out of date and it should be looked into.

No public comments were made.

Vice Chairman Haagsma closed the public portion of the meeting.

Jeff Brinks asked Mr. Hukal to see the survey showing that there are no billboards with in 1000'.

Gould commented after the variance that was granted to Lamar we did request that the Planning Commission do a study on our ordinance pertaining to signs/billboard. The study has been completed and our Township is not out of date and we are consistent with other Townships. Gould also stated this billboard would make the 4th one in a mile.

Tubergen commented there really is no reason why this billboard has to be so big. The visibility in that area is good.

After some additional discussion a motion was made by Gould supported by Tubergen to deny all the variance requests as it does not measure up to the standards set forth in Byron Township Zoning Ordinance Section 21.6 Articles 1, 2, and 3.

Roll call vote: Burgess - yes. Brinks - yes. Tubergen - yes. Gould - yes. Haagsma - yes.
Motion carried. Variance denied.

Adjournment

5:20 p.m. It was moved by Brinks supported by Gould to adjourn the meeting. All voted aye.
Motion Carried.

Jeff Brinks
Secretary of Board of Appeals