

***BYRON TOWNSHIP ZONING BOARD OF APPEALS
REGULAR MEETING – January 23, 2008
MINUTES***

The regular meeting of the Byron Township Board of Appeals was called to order by Vice Chairman James Haagsma on Wednesday, January 23, 2008, at 7:00 p.m. at the Byron Township Offices, 8085 Byron Center Ave. Byron Center, MI.

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

7:00 p.m. – CBS Outdoor Advertising – requesting an additional 55’ setback variance to construct a billboard (Section 17.6 (4)) for the property located at 7725 Caterpillar Dr. SW.

Mr. Jeff Brinks read the public notice and affirmed that the notice was published once in the South Advance and to all property owners within 300’ of the subject property were notified. No written responses were received.

Mike Hucul from CBS Outdoor Advertising was present to explain his variance request. He thanked the Board for their time and then continued to present the variance request. He handed out a copy of two survey maps showing the sign location with and without the variance. He stated that by placing the sign south of the retention basin it could be viewed in a safe and reasonable fashion and this would require an additional 55’ set back variance. He feels this is a unique piece of property due to its pie shape and its use as a retention basin. If this billboard is constructed per ordinance the sign would extend over and into the Caterpillar Dr., right of way.

No public comments were made.

A motion was made by Gould supported by Brinks to close the public portion of the meeting.

Tubergen thought the better location for the billboard would be to the north of the detention pond. Would we approve a billboard overhanging a street?

Brinks commented that the original location that was approved was north of the

detention pond and no, we would never approve a billboard to overhang over a road right of way. The original variance that was approved was for the size of the billboard and to place it north of the detention pond.

Burgess stated she was confused. If we approved the billboard location north of the detention pond where did proposal B come from?

Brinks commented by moving the billboard to the south it would accommodate Motel 6. He also checked into where the detention pond is located and was wondering if there was an easement over that location. He found out that it is a private detention pond and there is no problem placing the billboard there.

Gould stated that he can not make any part of Byron Township Zoning Ordinance Section 21.6 work for this variance.

Tubergen agreed with Gould.

Brinks stated that he also agrees that no part of 21.6 can be applied to this variance.

Haagsma thought that this is a unique piece of property.

Burgess stated if the billboard is placed on the north end of the detention pond it would still allow visibility of the Motel 6 sign.

After some additional discussion a motion was made by Gould supported by Tubergen to deny this variance request.

Roll call vote: Burgess - yes. Brinks - no. Tubergen - yes. Gould - yes. Haagsma - no. Motion carried. Variance denied.

Approval of Minutes – December 26, 2007

A motion was made by Gould supported by Burgess to approve the minutes as written. All voted aye. Motion carried.

Adjournment

7:20 p.m. It was moved by Gould supported by Burgess to adjourn the meeting. All voted aye. Motion Carried.

Jeff Brinks
Secretary of Board of Appeals

