

**BLAIR TOWNSHIP ZONING BOARD OF APPEALS
REGULAR MEETING – July 14, 2004**

Chairman Wolf called the regular meeting of the Blair Township Zoning Board of Appeals to order at 7:00 p.m. at the Township Hall. All members and 2 guests were present.

Approval of Agenda Weathers/McGee moved to approve as presented. 7 ayes.

Mr. Wolf introduced Duane Sanford, who was appointed to replace Linda Bolek.

Election of Officers Weathers/Fleis moved to nominate Wolf as Chair. Sanford/McGee moved to appoint Wolf by unanimous voice vote. 6 ayes. Fleis/McGee moved to nominate Lombard as Vice Chair. Sanford/McGee moved to appoint Wolf by unanimous voice vote. 6 ayes. Weathers/Fleis moved to nominate McGee as Secretary. Mr. Wolf appointed by acclamation.

Declaration of Conflict of Interest none

Minutes of June 9, 2004 regular meeting Lombard/Weathers moved to accept as present. 7 ayes.

New Business

Case #04-04 Variance on required setback distance from other existing billboard signs. Request to move existing billboard approximately 1000 ft. to the North on West side of US 31 S. Requested by owners of property, Drummer LLC. Property located at 60 US 31 S, parcel #28-02-005-001-00. Keith Nielson, Generations Management, which is the management company for Drummer LLC presented. Property has a legal non-conforming billboard on the property, which is owned by LaMar Advertising. Billboard is located in the SE corner of the property approximately 97 feet W of the center of US 31 S and 95 feet N of the S property line. Owners are requesting a variance to remove the existing billboard and reconstruct a new billboard approximately 1000 feet N of the existing billboard. Drummer LLC has a land lease with LaMar. The purpose of the request is to create a greater distance between currently existing billboards along US 31 and bring the billboard located on the subject property into closer compliance with the current Zoning Ordinance. In all aspects but the distance between billboards, the proposed new billboard would meet zoning requirements. The current billboard is a grandfathered non-conforming use. Extensive discussion of Sections 20.09, 20.11, 23.03, 24.03 and 24.05 of the Ordinance. Discussion of the spirit of the Ordinance, jurisdiction and monetary gain. *Fleis/Lombard moved to deny Case #04-04 on the grounds that it does not meet aspects of Section 20.09, items 1, 2, 3 and 4 and there are other sections it is not in compliance with. Further, it would extend a non-conforming use in the Township.* Discussion among the members of “hardship” or “practical difficulty” and “substantial justice to the Township.”

Weathers: No As I read through the Ordinance, I believe everything is predicated on betterment and I believe this would be a betterment.

Lombard: Yes For the reasons stated in the motion.

Wolf: No I think it’s an improvement by spreading the signs out father.

Maue: Yes Same as Mr. Lombard

McGee: No It’s an improvement for the Township

Fleis: Yes For the reasons stated in the motion.

Sanford: Question to the Board: If the sign stays where it is, it can stay there indefinitely given normal circumstances? Yes. Question to Mr. Nielson: if this Board grants the

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variance are you assured the sign can be removed? Yes. Also to Mr. Nielson: the sign will be removed when new development begins? No. **Yes, I vote to support the motion as stated for the reasons stated in the motion. MOTION DENIED.**

Any Other Business none.

Public Input none.

Motion to adjourn at 8:02 by Weathers/McGee.

Respectfully submitted,

Sally King, Recording Secretary