



**County of Yellowstone Board of Adjustment**  
**AGENDA-Thursday, September 12, 2019, 4:00 p.m.**  
**Miller Building, 1<sup>st</sup> Floor Conference Room**  
**2825 3<sup>rd</sup> Avenue North, Billings, Montana**

**NOTICE TO THE PUBLIC**

**Public Comment:**

There will be a Public Comment Section as noted on the agenda. This is the time members of the public may comment on any item not appearing on the agenda. Under State law, matters presented under this section cannot be discussed or acted upon by the Zoning Commission during this time. For items appearing on the agenda, the public will be invited to make comments at the appropriate time. It is very important to speak clearly, and state your name and address for the record. Please limit your comments to three (3) minutes or less.

**Call the meeting to order.**

**Introduction of the County Board of Adjustment Members and Planning Department Staff.**

**Public Comment**

**Motion. Approval of Minutes: June 13, 2019. (The July 8, 2019, and August 8, 2019 meetings were canceled due to a lack of agenda items).**

**Disclosure of any Conflict of Interest-Members of the Commission and Staff**

**Disclosure of an Outside (Ex Parte Communication)-Members of the Commission and Staff**  
**a. The Exparté Communication Binder is available at the Sign-In and Agenda Station.**

**Regular Business:**

- A. Opening of public hearings.
- B. Reading of rules for the procedure by which the public hearings will be conducted.
- C. Reading of notices of the public hearings on the following items:

**Public Hearings:**

- a. **Motion. County Variance 293** – 2312 Kimble Drive – Sign size and Height - A variance from Section 27-704 (a) requiring a maximum of 48 square feet of sign area, to allow a maximum of 336 square feet (per side) of sign area, in an Agricultural-Open Space (A-1) zone, on Block 1, Lot 7A of amended lot 19 a 1.17 acre parcel of land. The purpose of the variance is to allow an on premise sign for a large animal veterinary hospital within the interstate corridor. Tax ID: A09614 Presented by Nicole Cromwell, Zoning Coordinator

#### **Other Business/Announcements**

#### **Adjournment**

**County Board of Adjustment**

**Meeting Date:** 09/12/2019

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**Information**

**Subject**

**Motion. Approval of Minutes: June 13, 2019. (The July 8, 2019, and August 8, 2019 meetings were canceled due to a lack of agenda items).**

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**Attachments**

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**Yellowstone County Board of Adjustment  
Meeting Minutes, June 13, 2019  
DRAFT-To be approved at the next scheduled meeting**



The County Board of Adjustment met on June 13, 2019 in the 1<sup>st</sup> Floor Conference Room of the Miller Building located at 2925 3<sup>rd</sup> Avenue North. Chairperson Boucher called the meeting to order at 4:00 p.m.

Name	Title	03/08/2018	05/10/2018	11/08/2018	01/10/2019	06/13/2019					
<b>Blaine Poppler</b>	Vice Chair	1	1	1	1	1					
<b>Troy Boucher</b>	Board member	1	1	1	1	E					
<b>Troy Boucher</b>	Chairman	1	1	1	1	1					
<b>Tyler Bush</b>	Board member	-	-	-	E	1					
<b>Vacant</b>		-	-	-							

**Chairman Boucher** introduced the County Zoning Commission members and staff in attendance: Nicole Cromwell, Zoning Coordinator; Karen Husman, Planner I, Tammy Deines, Planning Clerk

**Others in Attendance:** Jack Sprague, Janice Gill, Tom Watson, Brandon Brown, Bob Spoott, Beau Nave

**Public Comments:** There were no public comments.

**Approval of Minutes January 10, 2019**

**Motion**

Board member Bush made a motion and Board member Poppler seconded the motion to approve the January 10, 2019 meeting minutes as submitted. The motion passed with a unanimous voice vote.

**Disclosure of Conflict of Interest:** There were no disclosures of conflict of interest.

**Disclosure of Exparte Communication**

There were no disclosures of exparte communication from the Board. Letters of Opposition: John Clayton, 665 Emerald Eagle Drive, Billings, MT; Paul Hawkins, (E-mail); Dan Geigher, (E-mail)

**PUBLIC HEARINGS:**

Zoning Coordinator Nicole Cromwell reviewed the procedures for public hearing and stated the Board will open a public hearing and allow public comment this evening. She reviewed the

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hearing and presentation processes for the meeting for reviewing and acting on each variance.

**Item #1: County Variance #292-120 Sunlight Circle. Karen Husman, Planner I, presenting.**  
Nicole Cromwell read the rules and procedures for a public hearing and the legal ad for County Variance #292.

**REQUEST**

County Variance – #292 – 120 Sunlight Circle – Variance to allow detached structure larger than the maximum - A variance from section 27-308 requiring a maximum detached structure size of 1,447sf to allow a maximum of 2,800 sf in a Residential- 9600 (R-96) zone, on Block 2, Lots 5 & 6, Emerald Eagle Estates Subdivision, a .92-acre parcel of land. The purpose of the variance is to allow a detached accessory structure of 2,800 square feet. Tax ID: C15082 & C15083.

**RECOMMENDATION:**

The Planning Division is recommending denial of the application.

**STAFF DETERMINATION**

**The Board of Adjustment shall make the following determinations prior to granting a variance:**

**1. That special conditions and circumstances exist which are peculiar to the land, the lot or something inherent in the land which causes the hardship, and which are not applicable to other lands in the same district;**

There are no special circumstances that exist which are peculiar to the land. The applicant has not stated a hardship with the property. The code allows up to two 1,447 square foot detached accessory buildings on the lot. The detached garages could be built to meet the size allowed by the zoning regulations. The existing single-family dwelling is on one lot as a primary structure, the adjacent lot is contiguous and in the same ownership and the intent is to aggregate the lots.

**2. That a literal interpretation of the provisions of this Chapter would deprive the applicant of rights commonly enjoyed by other tracts in the same district;**

Allowing the variance would give the applicant rights not commonly enjoyed by other tracts in the same district. There have not been any similar variances granted in the area or surrounding neighborhoods. The variance would allow the applicant special privileges. Other lots in this subdivision have developed as defined by the zoning code.

**3. That granting the variance requested will not confer on the applicant any special privilege that is denied by this Chapter to other land in the same district;**

Granting this variance would confer a special privilege to this applicant, as similar sized detached barns and garages are not apparent in this subdivision and in similar neighborhoods. Granting the variance requested will confer on the applicant a special privilege that is denied by this Chapter to other land in the same district.

# Yellowstone County Board of Adjustment Meeting Minutes, June 13, 2019



**DRAFT-To be approved at the next scheduled meeting**

**4. That the granting of the variance will be in harmony with the general purpose and intent of this Chapter and with the Growth Policy;**

The variance is not in harmony with the general purpose and intent of the zoning regulations and the growth policy.

**5. In granting any variance, the Board may prescribe appropriate conditions and safeguards in conformity with this Chapter. Violation of such conditions and safeguards, when made a part of the terms upon which the variance is granted, shall be deemed a violation of this Chapter;**

Staff has no conditions for a recommendation of denial.

**6. The Board shall prescribe a time limit within which the action for which the variance is required shall be begun or completed, or both. Failure to begin or complete such action within the time limit set shall void the variance; and**

There would be no time limit with a recommendation of denial.

**7. Under no circumstances shall the Board grant a variance to allow a use not permissible under the terms of this Chapter in the district involved. A variance shall not be a grant of special privilege inconsistent with limitations placed upon other property in the district.**

Granting this variance will not approve a use that is not otherwise allowed in the R-96 zoning district. Detached garages and accessory buildings are allowed in the county residential zoning districts, however, the size requested is inconsistent with limitations placed on property in the district.

## **Discussion**

Chairperson Boucher called for questions and discussion from the members of the Board.

There was none. In response to question by Board member Poppler, Karen Husman explained that based on the size between .25 acre and 1 acre, 1-acre and above is allowed a 1,500 square feet maximum building. If aggregated, two total buildings would be allowed.

## **Public Hearing**

Chairperson Boucher opened the public hearing and asked if there is anyone wishing to speak in favor or against County Variance #292.

## **Jack Sprague, 110 Sunlight Circle, Billings, Montana**

Mr. Sprague explained that although two units would be allowed he would rather have 2,800 sf. He noted the neighbors' concerns of lowering property values and said it is not his intent to devalue the property. Mr. Sprague said this proposed building would be attractive as it will not be a pole barn. He desires having one shop instead of two buildings located 8-feet apart. He said he has never offered this land for sale. Board member Popper noted the Declaration of Restrictions provided by staff is not an amended document. (Recording date May 17, 2005). Clarification was given by staff for allowances if the parcel is aggregated, being he would be allowed two 1,400 square feet buildings with a minimum of 8 feet apart. It was noted that Covenants and Restrictions are CCRs are a civil issue. Discussion followed by the Commissioners and Mr.

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Sprague regarding corrections needed to revise the Covenants. Mr. Sprague noted a posted proposed landscaping plan for the secondary adjacent parcel. He provided a conceptual drawing of the proposed shop, which will tie into the architectural design of his residence.

**Public Hearing**

Chairman Boucher opened the Public Hearing and asked if there is anyone wishing to speak in favor or against County Variance #292.

**Janice Gill, 55 Sunlight Circle, Billings, Montana**

Ms. Gill asked why Mr. Sprague would need something so large if he is not going to run his business there.

**Beau Nave, 660 Noblewood Circle, Billings, Montana**

Mr. Nave commented there is a house located on Lacy Street with a 1,600 square foot shop, and he stated he doesn't know why Mr. Sprague could not do the same thing. Board member Poppler pointed out the subdivision east of this property is unzoned, which would allow for the shop.

**Jack Sprague, 110 Sunlight Circle, Billings, Montana**

Mr. Sprague said is he disappointed in John Clayton as he has helped him in many instances. He explained that Mr. Clayton is hurt, as he did not move forward with changing the Covenants. Therefore, they have a strained relationship.

**Brandon Brown, 85 Sunlight Circle, Billings, Montana**

Mr. Brown asked for clarification on the zoning if this application is approved, and Staff stated this would not change the zoning.

Chairman Boucher closed the public hearing and called for a motion.

**Motion**

**Board member Poppler made a motion and Board member Bush seconded the motion to forward a recommendation to the Board of County Commissioners of denial of County Variance #292 with the Findings and Criterion presented by Staff.**

**Discussion**

Board member Poppler stated there are seven criterion that have to be met and this application does not meet any of the criterion. He said he is inclined to not vote in favor of this application due to this fact and as there seems to be question how the project will fit with the CCRS. Board member Boucher said the role of Board of Adjustment is to act in a quasi-judicial manner. Meaning, the Board is not to change the Zoning Code but to determine if it meets the criterion.

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**The motion carried with a unanimous voice vote. 3-0. Variance #292 is denied.**

**Other Business/Announcements**

- **Announcement:** The July 11, 2019 Yellowstone County Board of Adjustment meeting is cancelled due to a lack of applications. The next meeting will be held as legally announced and advertised.

**Adjournment: Adjourned 4:31 p.m.**

**DRAFT- TO be APPROVED BY A MOTION AT THE NEXT SCHEDULED MEETING  
*Tamara L. Deines, Planning Clerk***



**County Board of Adjustment**

**Meeting Date:** 09/12/2019

**SUBJECT:** Variance 293 - 2312 Kimble Drive - Sign Size and Height - Mountain West Veterinary

**THROUGH:** Monica Plecker

**PRESENTED BY:** Nicole Cromwell

**Information**

**REQUEST**

**Motion. County Variance 293** – 2312 Kimble Drive – Sign size and Height - A variance from Section 27-704 (a) requiring a maximum of 48 square feet of sign area, to allow a maximum of 336 square feet (per side) of sign area, in an Agricultural-Open Space (A-1) zone, on Block 1, Lot 7A of amended lot 19 a 1.17 acre parcel of land. The purpose of the variance is to allow an on premise sign for a large animal veterinary hospital within the interstate corridor. Tax ID: A09614 Presented by Nicole Cromwell, Zoning Coordinator

**RECOMMENDATION**

The Planning staff is recommending conditional approval and adoption of the findings of the criteria for Variance 293.

**APPLICATION DATA**

OWNER: Mountain West Veterinary - Billings, LLC  
 AGENT: Peter Heidmann, DVM  
 LEGAL DESCRIPTION: Lot 7A, Block 1 Kimble Subdivision, 3rd Filing  
 ADDRESS: 2312 Kimble Drive  
 CURRENT ZONING: Agriculture Open-Space (A-1)  
 EXISTING LAND USE: Large Animal Veterinary Hospital  
 PROPOSED USE: Same with location sign for Interstate traffic  
 SIZE OF PARCEL: 1.17 acres

**CONCURRENT APPLICATIONS**

None.

**APPLICABLE ZONING HISTORY**

SUBJECT PROPERTY	Zone Change Special Review	DATE	FOR	APPROVED (Y/N)	ADDITIONAL DATA
2312 Kimble Drive	County ZC 682	August 1, 2017	R-150 to A-1	Yes	Proposed New Veterinary Hospital
	County ZC 308	Feb 23, 1981	R-150 to CC	Yes	Later de-annexed and returned to R-150 zone
SURROUNDING PROPERTY	Zone Change Special Review	DATE	FOR	APPROVED (Y/N)	ADDITIONAL DATA
7175 Trade Center	County Variance 255	November 9, 2007	Sign Height to 40 ft Sign Size to 250 sf	Yes	Hi Mountain Recreation Entryway Light Industrial zone

700 Johnson Lane	County Variance 260	July 8, 2010	Sign Height to 50 ft	No	Entryway General Commercial zone allowed 24 feet
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**SURROUNDING LAND USE & ZONING**

NORTH: Zoning: Community Commercial (CC)  
Land Use: Jim & Tracy's Alignment

SOUTH: Zoning: R-150  
Land Use: Field - Vacant

EAST: Zoning: R-150 & CC  
Land Use: Single family dwellings

WEST: Zoning: R-150  
Land Use: Vacant

**BACKGROUND**

This is an application for a new large animal (primarily equine) veterinary hospital sign located adjacent to the I-90 corridor. The property is located at 2312 Kimble Drive and the facility was constructed in 2017, after a zone change to A-1 was approved by the County Commissioners. Mountain West Veterinary- Billings is a second facility for Dr. Peter Heidmann who specializes in critical and urgent care for horses throughout the region. Wayfinding for owners of sick horses is an important part of this veterinary practice. The existing zoning - A-1 - allows the existing use but limits on-premise signs to 48 sf and 32 ft in height for a "ranch" sign (County Zoning Code 27-704(a)7.) A sign this size and height at this location would not convey enough information soon enough to interstate travelers to exit the freeway safely.

The proposed sign would be similar to the sign for Mountain West Veterinary located in Three Forks, MT also adjacent to the I-90 corridor. (See attachments). The Three Forks sign is 240 sf per side and has external illumination and has a similar appearance to an "off-premise" or billboard sign. The proposed sign for Kimble Drive is for 336 sf per side, 40 ft in height with external illumination. The proposed area is 6 times larger than what is normally allowed in the A-1 zone district. The proposed height is 25% taller than the maximum allowed. In-direct illumination of signs in this district is allowed for some signs except for real estate signs and name plates.

The interstate corridor has many similar size signs - both for on-premise businesses and off premise or billboard signs. Any sign within 660 feet of the interstate corridor is governed both by local sign regulations and by state regulations (Outdoor Advertising). State regulations would not prohibit this type or size of sign for the on-premise veterinary clinic. The County has granted 1 variance in the area for Hi Mountain Recreation at 7175 Trade Center Drive. This property is in an entryway zone and was granted a variance to increase the sign area to 250 sf per side and 40 feet in height. There are several other signs in the vicinity for on-premise businesses that are similar in size but are in commercial or industrial zone districts.

In 2017, the owner chose to change the zoning from Residential 15,000 to the current zoning of A-1 instead of a commercial zone for the veterinary hospital. If the owner had chosen a commercial zone - e.g. Highway Commercial - the sign as proposed would be an allowed size and height within the interstate corridor. The owner chose the A-1 zone in order to protect the adjacent residential uses from any potential future land uses in conflict with the rural residential neighborhood around Garden Avenue. The owner chose this location for its ease of access from the interstate. These conditions are peculiar to the land, location and the nature of this particular use of the land. These conditions and circumstances are not applicable to other land in the same district. Similar signs by size and height exist throughout the interstate corridor both inside and outside the city limits. Similar signs have been identified and included as an attachment. The County has granted a similar sign variance in the past for property near Zoo Drive.

The Planning staff has reviewed the application and the review criteria for granting this variance. Based on these findings, staff is recommending conditional approval of the proposed variance, with a decrease in the requested total sign area from 336 Sq.Ft. to 240 Sq.Ft. The sign size being recommended by staff in the variance is almost the same as the current Mountain West Veterinary sign is Three Forks and is still 5 times larger than the signage size allowed in A-1 zoning. Conditions are recommended to ensure any potential impact to the adjacent neighborhood are mitigated.

## **RECOMMENDATION**

Staff recommends conditional approval and adoption of the findings of the review criteria for Variance 293.

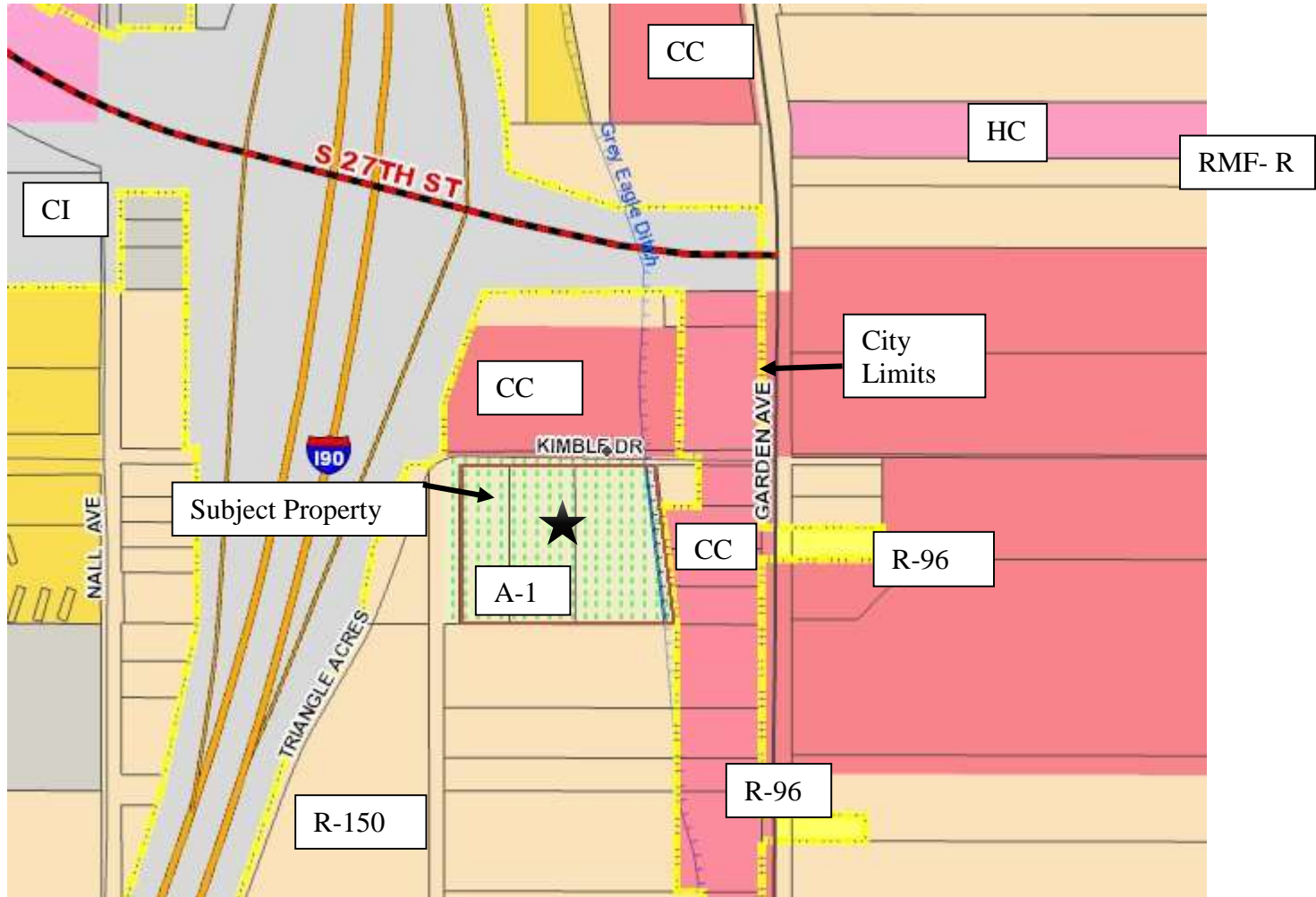
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### **Attachments**

Zoning Map and Site Photos  
Findings of the 7 review criteria  
Application  
Similar Signs in I-90 Corridor

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**Surrounding Zoning**  
County variance 293 – 2312 Kimble Drive





**Subject Property Photos**



Subject Property – north west corner of subject property



View east along Kimble Drive

**Subject Property Photos**



View north across Kimble to Jim & Tracy's Alignment – interstate frontage



View north and east across Kimble Drive

**STAFF DETERMINATIONS**

The Board of Adjustment shall make the following determinations prior to granting a variance:

- 1. That special conditions and circumstances exist which are peculiar to the land, the lot or something inherent in the land which causes the hardship, and which are not applicable to other lands in the same district;**

There are special circumstances that exist which are peculiar to the land. The existing use is an allowed use within the A-1 zone and the Highway Commercial (HC) zone. In 2017, the applicant chose to re-zone from R-150 to the A-1 zone in order to eliminate any potential conflicting future uses in the neighborhood. If the applicant had chosen the HC zone, a sign variance would not be required for the size or height of the proposed sign. These circumstances are peculiar to the property and are not applicable to other land in the same area or district.

- 2. That a literal interpretation of the provisions of this Chapter would deprive the applicant of rights commonly enjoyed by other tracts in the same district;**

Allowing the variance would give the applicant rights commonly enjoyed by other tracts in the same district. There has been one similar variance (2007) and there similar sized signs with the interstate corridor in the county. Most comply with the County zoning requirements for the commercial zoning where they are located. The Billings Nursery sign at 7900 S Frontage Rd (near Zoo Drive) is over 120 square feet per side and in the A-1 zoning district. This sign does not comply with the County zoning requirements. Denying the variance would deprive this applicant of rights commonly enjoyed by other property in the area.

- 3. That granting the variance requested will not confer on the applicant any special privilege that is denied by this Chapter to other land in the same district;**

Granting this variance would not confer a special privilege to this applicant as similar sized signs exist throughout the interstate corridor and in similar neighborhoods. Granting the variance requested will not confer on the applicant a special privilege that is denied by this Chapter to other land in the same district.

- 4. That the granting of the variance will be in harmony with the general purpose and intent of this Chapter and with the Growth Policy;**

The variance is in harmony with the general purpose and intent of the zoning regulations and the growth policy.

- 5. In granting any variance, the Board may prescribe appropriate conditions and safeguards in conformity with this Chapter. Violation of such conditions and safeguards, when made a part of the terms upon which the variance is granted, shall be deemed a violation of this Chapter;**

Staff makes the following recommended conditions of approval:

1. The variance is to allow a free-standing sign of 240 square feet per side, with a maximum height of 40 feet with external illumination for the existing veterinary hospital on the property. No other variance is intended or implied.
2. The variance is limited to Lot 7A, Block 1, Kimble Subdivision, 3<sup>rd</sup> Filing, generally located at 2312 Kimble Dr.
3. The new sign will be built in substantial conformance with the submitted site plans. Minor deviations that do not create a violation of another zoning requirement are acceptable.
4. There will be no construction prior to 7 am or after 8 pm daily.

5. The sign will not be converted to an off-premise or billboard sign at any time. The sign may only advertise businesses, occupations, or activities that occur on the subject property.
6. The applicant will obtain a sign permit in accordance with the approved variance within 6 months of Board approval. Construction on the approved sign will begin within 4 months of sign permit approval and completed within 1 year of Board approval.
7. These conditions of variance approval shall run with the land described in this authorization and shall apply to all current and subsequent owners, operators, managers, lease holders, heirs and assigns.

**6. The Board shall prescribe a time limit within which the action for which the variance is required shall be begun or completed, or both. Failure to begin or complete such action within the time limit set shall void the variance; and**

Staff is recommending a sign permit be submitted within six months and construction on the sign be completed within one year.

**7. Under no circumstances shall the Board grant a variance to allow a use not permissible under the terms of this Chapter in the district involved. A variance shall not be a grant of special privilege inconsistent with limitations placed upon other property in the district.**

Granting this variance will not approve a use that is not allowed in the A-1 zoning district. Signs of certain sizes and heights are allowed within the A-1 zone district.

Variance 293 – Application materials

APPLICATION FORM

COUNTY VARIANCE County Variance # 293 - Project # P2-19-00101

The undersigned as owner(s) of the following described property hereby request a Variance from the terms of the Yellowstone County Unified Zoning Regulations.

TAX ID # 82-171150 A09614 COUNTY COMMISSIONER DISTRICT # 1

Legal Description of Property: Kimble Sbd 3rd Filing, S11, T01 S, R36 E, Block 1, Lot 7A, AMD (19)

Address or General Location (If unknown, contact County Public Works): 2312 Kimble Ave 59101

Zoning Classification: Ag-Open

Size of Parcel (Area & Dimensions): 100' x 315', portion of 372' x 315'

Covenants or Deed Restrictions on Property: Yes  No  50, 804<sup>th</sup>

If yes, please attach to application

Variance Requested: Please see attached

Facts of Hardship: Please see attached

\*\*\* Additional information may be required as determined by the Zoning Coordinator in order to fully evaluate the application.

Owner(s): Mountain West Veterinary - Billings LLC  
(Recorded Owner)  
549 E Mendenhall St Bozeman MT 59715  
(Address) 406-220-1221 heichbraun@msm.com  
(Phone Number) (email)

Agent(s): Peter Heichbraun  
(Name) "  
(Address) "  
(Phone Number) (email)

I understand that the filing fee accompanying this application is not refundable, that it pays for the cost of processing, and that the fee does not constitute a payment for a Variance. Also, I attest that all the information presented herein is factual and correct.

Signature: [Signature] Date: 6/14/19  
(Recorded Owner)



Tax ID # 82-1711150  
Mountain West Veterinary – Billings, LLC  
County Sign Variance Request Application

**1A. What reasons prevent you from using this property in conformance with the Zoning Regulation requirements?**

Our proposed location for On-Premises signage is situated well below the grade of I-90, and within the 660' buffer of I-90.

In order to meet our goal of highlighting our location to the fast-moving traffic on the interstate, our sign would need to be located higher (above grade), larger in size, and well-lit. This is particularly important due to the nature of our business (please see below).

**1B. Why is there a need for the intended use of the property at this location?**

As an equine veterinary clinic, we regularly see our equine patients on emergency and after hours.

As specialists, we often see sick and injured horses on referral from other vets in far-away locations, so clients may not be familiar with our location. This makes high-visibility additionally important.

In addition, owners of sick horses are very often anxious, and need every possible guidance in order to make their way directly to our clinic, especially in their large and hard-to-maneuver horse-trailers. Prompt and efficient arrival at the clinic can make a difference in patient's prognosis, or even its survival.

At our location in Gallatin County, we have established high-visibility On-Premises signage in accordance with Montana Department of Transportation rules. The sign has a professional appearance, and has helped immensely in directing clients to our location in an efficient manner.

This sign has external lights that turn on via photo-eye when the sun goes down. Each face is 12' x 20', for a total surface area of 240 square feet per side.

We would like to construct a similar sign at the location in Yellowstone County.

**Example Images of Planned Sign**  
(Images of Current Sign in Three Forks)



Current View I-90 East Side



Sign Design: 12' x 20' (240 sf per face)



Google Earth I-90 View - East Side (c 2016)



Google Earth I-90 View - West Side (c 2016)

2. Prepare a written statement addressed to the Chairperson of the Board of Adjustment. State what is intended to be done with the property, including new construction or change in the use of the property, and why the variance is being sought.

We established an equine veterinary clinic at 2312 Kimble Drive in early 2018. Many clients report difficulty in locating the site, largely due to its "tucked-away" location.

Our property fits the definition of On-Premises Signage (18.6.204), as we would solely and specifically be advertising for our veterinary clinic located on adjacent premises.

The land is held under our real estate company, Mountain West Veterinary – Billings, LLC. As per code, the relevant outdoor advertising will then pertain to our proposed signage.

Our proposed location for On-Premises signage is located within 660 feet of the nearest edge of the right-of-way of an interstate (Montana Code, 75-15-113), so we would like to request consideration consistent with MT DOT rules regulating Outdoor Advertising (75-15-113).

Specifically then, and as per 75-15-113, we request to construct double-faced, back-to-back, V-type sign, up to 672 square feet in total maximum area, not exceeding 48 feet in length, with a maximum height of the sign structure, including the sign face, of 30 feet, measured at a right angle from the surface of the roadway at the centerline of the interstate or primary adjacent highway, which in this case is Interstate I-90. We also request to add illumination to this sign.

Variance Requested:

\* Our property fits the definition of On-Premises Signage (18.6.204), as we will be advertising for our veterinary hospital, located on adjacent premises which is held under our real estate company, Mountain West Veterinary – Billings, LLC. This Code also stipulates that the relevant Outdoor Advertising Act shall then pertain to our proposed signage.

\*\* Our proposed location for On-Premises signage is located within 660 feet of the nearest edge of the right-of-way of an interstate (Montana Code, 75-15-113), we request consideration consistent with MT DOT rules regulating Outdoor Advertising (75-15-113).

\*\*\* As such, we request to build a double-faced, back-to-back, V-type sign (75-15-113(5)), up to 672 square feet in total maximum area (75-15-113 (1)), not exceeding 48 feet in length (75-15-113(2), with a maximum height of the sign structure, including the sign face, of 30 feet, measured at a right angle from the surface of the roadway at the centerline of the interstate or primary adjacent highway (75-15-113(3)), which in this case is Interstate I-90.

Specifically:

Variance Request #1: Construction of a double-faced, back-to-back, V-type On-Premises sign.

Variance Request #2: Construction of an On-Premises sign up to 672 square feet in maximum area, i.e. 336 sq ft per face. (Our sign in Three Forks is 12' x 20').

Variance #3: Construction of an On-Premises sign up to 30' in total maximum height above the surface of I-90 roadway centerline.

Variance #4: Addition of non-flashing lights to both faces of the On-Premises sign.





1011 Intermountain Street (S Frontage Road) West of subject property – No permit of record



4432 S Frontage Road – 325 square feet/side



4540 S Frontage Rd – 346 sf/side



4600 S Frontage Rd – No permit of record



4420 King Ave E – no permit of record



850 Highway 87 E – 256 sf/side



2999 Old Hardin Rd – 348 sf/side



1635 Old Hardin Rd – no permit of record



7900 S Frontage Road – A-1 zone  
~ 128 sf



Subject Property – 2312 Kimble Dr