

**TOWN OF SANTA CLAUS
BOARD OF ZONING APPEALS MEETING
September 20, 2021**

PRESENT

Board members present: Eric Snow, Bob Grundhoefer, Matt Taylor, and Lynn Winkler

ABSENT

Board Members absent: Breck Vinson

Also present: Kevin Patmore, Town Attorney
Members of Public

Matt Taylor, the Chairperson, called the meeting to order at 6:00 pm on Monday, September 20, 2021 at the Santa Claus Town Hall. This meeting was a public meeting.

The minutes of the meeting of June 21, 2021 were read. Bob Grundhoefer made a motion to accept the minutes as drafted. The motion was seconded by Eric Snow and the motion carried 4 to 0. The final minutes were signed by all board members present and left on the table for the clerk treasurer.

Copies of the final, approved, minutes for January 18, 2021 and October 19, 2020 were signed by all board members present and also left on the table for the clerk treasurer. This did not require a vote.

OLD BUSINESS : None

NEW BUSINESS : C & S, INC. AND KRINGLE PLACE LLC ASK FOR VARIANCE FOR SIGN HEIGHTS AFTER GRANDFATHER CLAUSE EXPIRES.

Concerning regulations of Town of Santa Claus Comprehensive Plan and Zoning Ordinance: Commercial Property: paragraph 11.04.060 (7) "General Requirements for all Signs & Advertising Devices" C and G.

This is a public meeting.

One sign on the Circle S (C&S) property and two signs on the shopping center property (Kringle Place) exceed the height requirements and the 10-year grandfather exemptions of the paragraphs listed above.

Jeff Stillman, a member of the Advisory Plan Commission, stated that the APC agreed that this Variance would not violate the Comprehensive Plan and they had no objections to extending the grandfather of these signs since they were kept in good condition.

The public meeting was closed.

Kevin Patmore reiterated the 3 standards that must be met before granting a Variance of Zoning Ordinances and/or Developmental Standards:

1. The approval of the variance will not be injurious to the public health, safety, morals or general welfare of the community.
2. The use and value of the property in the immediate area to the property on which the variance is requested will not be affected in a substantially adverse manner.

3. The strict application to the terms of the Zoning Ordinance would result in an unnecessary hardship in the use of the property.

Bob Grundhoefer made a motion to allow the variance of the one current sign for C&S, and Eric Snow seconded the motion. The motion carried 4 to 0.

Bob Grundhoefer made a motion to allow the variance of the two current signs for Kringle Place, and Eric Snow seconded the motion. The motion carried 4 to 0.

There was no other business. Eric Snow made a motion to adjourn, Bob Grundhoefer seconded the motion, and motion carried by a note of 4 to 0. Matt Taylor adjourned the meeting at 6:15 pm.

Respectfully submitted,
Lynn Winkler, Secretary



Matt Taylor, President



Bob Grundhoefer, Vice President



Lynn Winkler, Secretary

Eric Snow, Member

Breck Vinson, Member

COUNTY OF SPENCER)
)
STATE OF INDIANA)

BEFORE THE TOWN OF SANTA CLAUS
BOARD OF ZONING APPEALS

FINDINGS AND GRANTING/~~DENYING~~ OF VARIANCE
FROM DEVELOPMENT STANDARDS OF ZONING ORDINANCE

COMES NOW The Board of Zoning Appeals (“Board”) of the Town of Santa Claus, Indiana, and makes the following findings and state as follows:

WHEREAS, C&S , Inc. has requested a variance of the requirements limiting the height of its sign on certain lands located in the Town (“Variance Request”); and,

WHEREAS, on September 20, 2021, the Board conducted a public hearing concerning the Variance Request; and,

WHEREAS, the Board has considered the request, the unique characteristics of the lot, the potential effects upon adjoining and neighboring properties and the Comprehensive Plan,

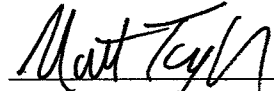
NOW THEREFORE, the Board hereby make the following findings:

1. The approval of the Variance Request [~~will~~][will not] be injurious to the public health, safety, morals or general welfare of the community; and,
2. The use and value of the area adjacent to the property on which the Variance Request is located [~~will~~][will not] be affected in a substantially adverse manner; and,
3. The strict interpretation of the terms of the Zoning Ordinance [will][~~will not~~] result in practical difficulties in the use of the property for which the Variance Request is requested.

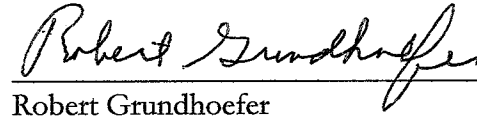
For these reasons, the Board hereby **GRANTS/~~DENIES~~** the variance request permitting the sign currently located on the real estate depicted on Exhibit A to remain in place at their current height.

DATED this 20th day of September, 2021.

SANTA CLAUS BOARD OF ZONING APPEALS:



Matthew Taylor



Robert Grundhoefer



Eric Snow

Breck Vinson



Lynn Winkler