



**SANTA ROSA
ISLAND AUTHORITY**

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Janice Gilley
Member

Tammy Bohannon
Member

**SANTA ROSA ISLAND AUTHORITY
QUASI – JUDICIAL HEARING
CASE PB- V- 2016-01
NOVEMBER 16, 2016**

- 1-3. A Quasi – Judicial Hearing was held on Wednesday, November 16, 2016, beginning at 5:00 p.m. Members present were Mr. Dave Pavlock, Chair, Ms. Tammy Bohannon, Ms. Karen Sindel and Dr. Thomas Campanella. Mr. Jerry Watson and Ms. Janice Gilley were absent.

4. **ADOPTION OF AGENDA**

Upon motion of Dr. Thomas Campanella seconded by Ms. Tammy Bohannon, the agenda for the Quasi – Judicial Public Hearing – Case PB -V-2016-01, was unanimously approved as presented. (4-0)

5. **QUASI-JUDICIAL PROCESS EXPLANATION – MIKE STEBBINS**

Mr. Stebbins explained this was an informal hearing for a variance application by Our Lady of Assumption Church. He stated there are 6 criteria that must be met. The applicant will present first, and all speakers must be sworn in. The Board can ask questions of any sworn in speaker.

Mr. Stebbins asked all members present if they had any oral or written communication with anyone on this item, outside of SRIA staff. The four members present replied in the negative.

Mr. Stebbins asked the members present if they had done a site investigation. Mr. Sindel and Ms. Bohannon both said they had driven by the property in question, but agreed they could be fair and impartial in judgement.

Mr. Stebbins requested that all documents presented be submitted into the record as evidence. He also explained that once all of the testimony had been given, the Board would deliberate on the six criteria.

Mr. Stebbins stated that a motion will then be required for each of the six criteria

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listed for the requested variance.

Upon motion of Ms. Karen Sindel seconded by Ms. Tammy Bohannon, the Board unanimously approved accepting the documents presented into the record as evidenced. (4-0)

Ms. Melody Bolster proceeded to swear in 4 people giving testimony, Mr. Paolo Ghio, Mr. Danny Grundhoefer, Ms. Robbie Schrock, and Monsignor Hunt.

6. PUBLIC HEARINGS – Case PB – V - 2016 - 01

Item # 1 – Request by Our Lady of Assumption Catholic Church – 920 Via de Luna

Dr. – for a variance to construct a classroom addition adjacent to the existing Parish Hall, with an encroachment of 30' into the west side setback line. (Cowley Park side)

Mr. Stebbins asked Mr. Grundhoefer, to present his testimony on behalf of Our Lady of Assumption Catholic Church.

Mr. Grundhoefer stated that a similar variance had been approved for the Church when it was originally built in 1998. The Church no longer had adequate space due to the increase in the parishioners the Church, and was in need of additional classrooms. He asked that Criteria information provided be considered and would answer any questions that the Board might have.

A slide presentation was made and referenced at this time and Mr. Stebbins asked that it be entered into the record as evidence.

Monsignor Luke Hunt, stated the Church wanted to provide additional classroom space due there being more permanent families with children living on the beach. And also, to benefit for the entire community. He thanked the Board for their consideration of the variance request.

Mr. Stebbins asked staff to give testimony regarding the six criteria as presented by the Church for the requested variance in to the west side setback.

Ms. Schrock read aloud to following, response and recommendation:

I. GENERAL VARIANCE CONDITIONS CRITERIA:

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CRITERION (1)

Special conditions and circumstance exist which are peculiar to the land, structure or building and which are not applicable to other lands, structures or buildings in the same zoning district.

STAFF FINDINGS-OF-FACT

Staff is in agreement that the proposed variance is necessary for the Church to expand and enhance the church's mission for outreach to its members and the community of Pensacola Beach.

CRITERION (2)

The special conditions and circumstance do not result from the actions of the applicant.

STAFF FINDINGS-OF-FACT

Staff is in agreement that the Church has not altered the size of or changed the use of the lot which was initially purchased 25 years ago.

CRITERION (3)

Granting the variance requested will not confer on the applicant any special privilege that is denied by this land development code to other lands, buildings, structures in the same zoning district.

STAFF FINDINGS OF FACT

Staff is in agreement that the request for the variance enhances the use of the property and has no negative effect on adjacent properties.

CRITERION (4)

Strict application of the provisions of the land development codes would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of the land development code and would create an unnecessary and undue hardship on the applicant.

STAFF FINDINGS OF FACT

Staff is in agreement that the denial of the request for a variance would negate the Church's ability to expand its classrooms and negatively affect its outreach programs.

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CRITERION (5)

The variance granted is the minimum variance that will make possible the reasonable use of the land.

STAFF FINDINGS OF FACT

Staff is in agreement that the variance granted is the minimum variance that will make possible the reasonable use of the land. Additionally, staff is in agreement that the same request was granted in 1998 for the original

Buildings construction, and a variance for the addition is consistent with previous Board action.

CRITERION (6)

The granting of the variance will be consistent with the general intent and purpose of the land development code and that such variance will not be injurious to the area or otherwise detrimental to the public welfare.

STAFF FINDINGS OF FACT

Staff is in agreement that the variance is consistent with the intent of the LDC, and land use for the property.

CONCLUSION/RECOMMENDATION:

Based on substantial competent evidence presented by Daniel Grundhoefer, AIA, on behalf of Our Lady of Assumption Catholic Church, the SRIA staff finds that the proposed variance meets the criteria, and therefore recommends approval of the requested variance.

After a brief deliberation by the Board, the following motions were made:

Upon motion of Ms. Karen Sindel seconded by Ms. Tammy Bohannon, the Board unanimously moved to approve and adopt staff's findings of fact for Criteria 1. (4-0)

Upon motion of Ms. Tammy Bohannon seconded by Ms. Karen Sindel, the Board unanimously moved to approve and adopt staff's findings of fact for Criteria 2. (4-0)

Upon motion of Ms. Karen Sindel seconded by Ms. Tammy Bohannon, the Board unanimously moved to approve and adopt staff's findings of fact for Criteria 3. (4-0)

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Upon motion of Ms. Tammy Bohannon seconded by Ms. Karen Sindel, the Board unanimously moved to approve and adopt staff's findings of fact for Criteria 4. (4-0)

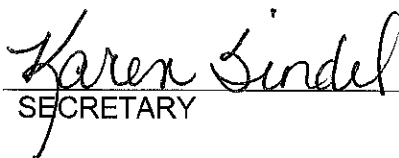
Upon motion of Ms. Karen Sindel seconded by Ms. Tammy Bohannon, the Board unanimously moved to approve and adopt staff's findings of fact for Criteria 5. (4-0)

Upon motion of Ms. Tammy Bohannon seconded by Ms. Karen Sindel, the Board unanimously moved to approve and adopt staff's findings of fact for Criteria 6. (4-0)

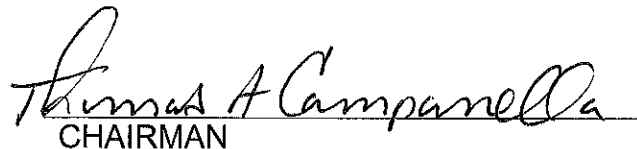
Upon motion of Ms. Tammy Bohannon seconded by Ms. Karen Sindel, the Board unanimously approved the request by Our Lady of Assumption Catholic Church – 920 Via de Luna Dr. – Case PB – V - 2016 – 01 for a variance to construct a classroom addition adjacent to the existing Parish Hall, with an encroachment of 30' into the west side setback line, based upon the substantial competent evidence presented on behalf of Our Lady of Assumption Catholic Church and the SRIA staff. The proposed variance meets all necessary criteria.

7. ADJOURN

There being no further business to come before the Board, Chairman Pavlock declared the Quasi – Judicial Hearing of the SRIA Board adjourned at 5:25 p.m.



SECRETARY



CHAIRMAN

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