

**CITY OF TAMPA, FLORIDA
VARIANCE REVIEW BOARD
MEETING MINUTES**

MEETING DATE: March 14, 2006
MEETING TIME: 6:30 PM
LOCATION: 315 East Kennedy Boulevard, 3 rd Floor, City Council Chambers

I. SILENT ROLL CALL

In attendance were Eric Rahenkamp, Chair; Melanie Higgins, Vice-Chair; John Weiss, Tom Cheshire, Seth Nelson and Randy O’Kelley. James Catalano and Ana Wallrapp were absent.

II. APPROVAL OF MINUTES FOR February 14, 2006

Mr. Nelson moved to approve the corrected minutes and was seconded by Ms. Higgins. The motion passed 6-0.

III. OLD BUSINESS: Cases Continued by the Board/Staff/Remands

A. ADMINISTRATIVE APPEALS

B. TREE & LANDSCAPE / TRANSPORTATION / SIGN VARIANCES

C. GENERAL VARIANCES

VRB05-151	PETITIONER:	Michael and Kendall Wichman
4-2	AGENT:	Steve Michelini
Denied	LOCATION:	5151 West San Jose
	REQUEST:	To reduce the front yard setback from 25’ to 16’, with the allowed encroachment of the eaves and gutters
	PURPOSE:	To construct a new single family home
	NEIGHBORHOOD:	Sunset Park
	NOTE:	On Remand from Council with specific instructions to specifically review said petition based on the pattern of development on the cul-de-sac and with surrounding properties and the de-minimus intrusion into the front setback.

Mr. Michelini read the Council motion into the record and showed pictures of the proposed home and surround properties. The pictures showed the purported distance between the property lines of the neighboring sites in regards to car lengths.

The Board then had discussions regarding substantial and competent evidence.

Mr. Wichman then discussed the height issues and the surrounding properties.

After further Board discussion, Mr. Nelson moved to approve without the northern most encroachment as shown on the plan. Mr. Cheshire seconded the motion, which failed 2-4, with Mr. Rahenkamp, Mr. Weiss, Ms. Higgins and Mr. O’Kelley voting nay.

Mr. Weiss then moved to deny and was seconded by Mr. O’Kelley. The motion passed 4-2, with Mr. Nelson and Mr. Cheshire voting nay.

VRB06-25	PETITIONER:	Lisa Letizio and Paul Jackson
Continued	AGENT:	M Hawari
6-0	LOCATION:	3001 West San Rafael Street

REQUEST: To reduce the side yard setback from 7' to 6.3' and the rear yard from 20' to 9.6', with the allowed encroachment of the eaves and gutters

PURPOSE: To construct a residential addition

NEIGHBORHOOD: Palma Ceia

NOTE: Public Hearing is Closed

At the beginning of the hearing, Mr. Nelson moved to continue and was seconded by Ms. Higgins. The motion passed 6-0.

IV. OLD BUSINESS: Continuances and Missed Notices

A. ADMINISTRATIVE APPEALS

B. TREE & LANDSCAPE / TRANSPORTATION / SIGN VARIANCES

C. GENERAL VARIANCES

VRB05-154 PETITIONER: Tyrus Woods
 Continuance AGENT: Miriam Sumter
 Requested LOCATION: 1206 East Curtis Street
 6-0 REQUEST: To reduce the side yard setback from 7' to 1', with the allowed encroachment of the eaves and gutters

PURPOSE: To create a buildable lot

NEIGHBORHOOD: Southeast Seminole Heights

Ms. Sumter Richards requested a two-month continuance. The motion for the continuance was made by Mr. Weiss and Seconded by Mr. O'Kelley. The motion passed 6-0.

VRB06-20 PETITIONER: New Millennial Homes
 Approved AGENT: Anthony Galarza
 5-1 LOCATION: 916 East Ida Street
 REQUEST: To reduce the rear yard setback from 20' to 16.1, with the allowed encroachment of the eaves and gutters

PURPOSE: To construct a single family residence

NEIGHBORHOOD: Southeast Seminole Heights

Mr. Galarza presented his case.

Mr. O'Kelley moved to approve and was seconded by Mr. Wiess. The motion passed 5-1, with Mr. Cheshire voting nay.

V. NEW BUSINESS

A. ADMINISTRATIVE APPEALS

B. TREE & LANDSCAPE / TRANSPORTATION / SIGN VARIANCES

VRB06-30 PETITIONER: Verizon Wireless
 Withdrawn AGENT: Todd Pressman
 LOCATION: 4306 South Dale Mabry Highway
 REQUEST: To allow a sign on a building with no road frontage
 PURPOSE: To place a sign
 NEIGHBORHOOD: Fair Oaks/Manhattan Manor

VRB06-36 PETITIONER: Sunshine Real Estate, Incorporated
 Approved AGENT: Dixie Signs, Incorporated
 5-1 LOCATION: 2602 North 50th Street

REQUEST: To increase the height of a sign to 80'
 PURPOSE: To increase the height of a sign
 NEIGHBORHOOD: East Tampa

Roger Snyder from Dixie Signs explained the requested variance and the need for the additional height because of the construction of I-4.

Mr. Weiss moved to approve and was seconded by Mr. Nelson, the motion passed 5-1, with Mr. Rahenkamp voting nay.

C. GENERAL VARIANCES

VRB06-26 PETITIONER: Michael Goetz and Jeffrey Zwirn
 Missed Notice AGENT: None
 LOCATION: 708 Broad Street
 REQUEST: To reduce the side yard setback from 7' to 3.6', with the allowed encroachment of the eaves and gutters
 PURPOSE: To create a buildable lot
 NEIGHBORHOOD: Old Seminole Heights

VRB06-27 PETITIONER: Philip and Ann Anderson
 Missed Notice AGENT: None
 LOCATION: 5203 Green Forest Court
 REQUEST: To reduce the rear yard setback from 15' to 5', with the allowed encroachment of the eaves and gutters
 PURPOSE: To construct a residential addition
 NEIGHBORHOOD: New Tampa Community Council

VRB06-28 PETITIONER: Keith and Leslie Fredericks
 Denied AGENT: John Grandoff
 5-1 LOCATION: 3110 West Chapin Avenue
 REQUEST: To reduce the rear yard setback 20' to 3', with the allowed encroachment of the eaves and gutters
 PURPOSE: To construct a residential addition
 NEIGHBORHOOD: Bayshore Beautiful

Mr. Grandoff presented the case, showed pictures and reviewed the hardship criteria.

Frank Frazee and Keith Fredericks spoke in favor of the request.

Mr. Weiss moved to approve the request; the motion died for lack of a second. Mr. Cheshire moved to deny and was seconded by Ms. Higgins. The motion passed 5-1, with Mr. Wiess voting nay.

VRB06-29 PETITIONER: James Sutphin and Susan Kay Hefley
 Denied AGENT: None
 6-0 LOCATION: 206 West Henry Avenue
 REQUEST: To reduce the rear yard setback from 10' to 3' for the entrance to a garage, with the allowed encroachment of the eaves and gutters
 PURPOSE: To keep an existing accessory structure (garage)
 NEIGHBORHOOD: Old Seminole Heights

Ms. Hefley explained the lack of permits and the need for the garage to be located at that site.

Roger Kirk, Transportation, explained the section of the Code that needed to be addressed.

Doreen Dibona, Susan Long, Beverly Morrow and Randy Baron all spoke against the request.

Mr. Nelson moved to deny the request and was seconded by Mr. Weiss. The motion passed 6-0.

VRB06-31 PETITIONER: Jonathan and Marian Sbar
Missed Notice AGENT: Karim Tahiri or Tamlyn Sbar
 LOCATION: 2626 West Sunset Drive
 REQUEST: To increase the height of an accessory structure from 15' to 21.5'

 PURPOSE: To construct an accessory structure
 NEIGHBORHOOD: New Suburb Beautiful

VRB06-32 PETITIONER: Robert Harwood
Denied AGENT: None
6-0 LOCATION: 715 South Rookmere Road
 REQUEST: To reduce the side yard setback from 7' to 3', with the allowed encroachment of the eaves and gutters

 PURPOSE: To construct a residential addition
 NEIGHBORHOOD: Beach Park

Mr. Harwood explained his request and showed pictures of the lot and area. Additionally, Mr. Harwood submitted letters of support.

Suzanne Mace, Margaret Vissi, Leanne Winebrane and Maria O'Sullivan also spoke against the request.

Mr. Weiss moved to deny and was seconded by Ms. Higgins. The motion passed 6-0.

VRB06-33 PETITIONER: Jimmie and Lavinia Stembridge
Approved AGENT: None
6-0 LOCATION: 5910 Interbay
 REQUEST: To reduce the side yard setback from 7' to 3.9', with the allowed encroachment of the eaves and gutters

 PURPOSE: To construct a residential addition
 NEIGHBORHOOD: Ballast Point

Mr. Stembridge explained the variance request and the building height. Mr. Nelson moved to approve with the requirement that the roof pitch not effect the tree canopy. Ms. Higgins seconded the motion, which passed 6-0.

VRB06-34 PETITIONER: Sharon Hunnewell-Johnson
Denied AGENT: None
4-2 LOCATION: 204 East Martin Luther King Boulevard
 REQUEST: To allow for the placement of barbed wire fencing
 PURPOSE: To keep existing barbed wire fences
 NEIGHBORHOOD: Old Seminole Heights.

Todd Pressman, representing the petitioner, argued that the barbed wire was a necessity for the security of the business.

Beverly Marrow, Randy Baron, Christine Hess and Susan Long all spoke against the request. They expressed concern over the use and the storage of the fireworks.

Mr. Nelson moved to deny because of the lack of evidence for the security issue. Ms. Higgins seconded the motion. The motion passed 4-2, with Mr. Cheshire and Mr. O'Kelley voting nay.

VRB06-35 PETITIONER: R Duncan McMillan
Approved AGENT: None
4-2 LOCATION: 3901 West Barcelona Street
 REQUEST: To reduce the side yard setback from 7' to 3'9", with the allowed encroachment of the eaves and gutters

PURPOSE: To construct a residential addition
NEIGHBORHOOD: Virginia Park

Jennifer McMillan explained the request.

Frank Leu spoke against the variance.

Mr. Weiss moved to approve and was seconded by Ms. Higgins. The motion passed 4-2, with Mr. Cheshire and Mr. Nelson voting nay.

VRB06-36a PETITIONER: Thomas E Dudley and Rosa L Johnson
Denied AGENT: None
5-1 LOCATION: 3311 East Sevilla Circle
REQUEST: To reduce the rear and side yard setbacks from 3' to 0' and the building separation from 10' to 2', with the allowed encroachment of the eaves and gutters
PURPOSE: To place an accessory structure
NEIGHBORHOOD: None (Notice to Virginia Park)

Thomas Dudley explained the request and the reason for the variance.

George Perez indicated that he had no objection to the variance.

Mr. Nelson moved to deny, stating that the shed was too large. The motion was seconded by Mr. O'Kelley and passed 5-1, with Mr. Cheshire voting nay.

VRB06-37 PETITIONER: Peter Diniaco
Approved AGENT: R J Marks
5-1 LOCATION: 812 South West Shore Boulevard
REQUEST: To reduce the rear yard setback from 20' to 4.5', with the allowed encroachment of the eaves and gutters
PURPOSE: To construct a residential addition
NEIGHBORHOOD: Beach Park

Mr. Marks and Mr. Diniaco explained the variance request.

Mr. Nelson moved to approve and was seconded by Mr. O'Kelley. The motion passed 5-1, with Mr. Cheshire voting nay.