

CITY OF TAMPA, FLORIDA
VARIANCE REVIEW BOARD
PUBLIC HEARING

MEETING DATE: December 12, 2006
MEETING TIME: 6:30 PM
LOCATION: 315 East Kennedy Boulevard, 3 rd Floor, City Council Chambers

AGENDA
SILENT ROLL CALL

II. APPROVAL OF MINUTES FOR November 14, 2006

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

A. ADMINISTRATIVE APPEALS

B. TREE & LANDSCAPE / TRANSPORTATION / SIGN VARIANCES

C. GENERAL VARIANCES

IV. OLD BUSINESS: Continuances and Missed Notices

1. PETITION: VRB06-110
PETITIONER: Edelmiro Mendez
LOCATION: 701 E Hollywood St
REQUEST: To reduce the rear yard setback from 20' to 13' with the allowed encroachments of the eaves and gutters
PURPOSE: To create a buildable lot.
NEIGHBORHOOD: Old Seminole Heights Neighborhood Assoc.
Petitioner failed to show. Petitioner did not show at the October 12, 2006 meeting either. Wallrapp made a motion to deny. Seconded by Catalano. Motion passed 7-0.

2. PETITION: VRB06-118
PETITIONER: Alberto Rosado
LOCATION: 2010 E Idlewild Ave
REQUEST: To reduce the side yard setback from 7' to 2.2' with the allowed encroachment of the eaves and gutters.
PURPOSE: To keep an existing carport.
NEIGHBORHOOD: Old Seminole Heights Neighborhood Assoc.
Jose Rosado, the petitioner presented his case. He indicated that the carport and fence had been in place for 20 years. That he had fines accruing by code enforcement. He had to rebuild carport after there was a fire.

Wallrapp made a motion to approve the carport as shown on the site plan for a side yard setback from 7' to 2.2' with the allowed encroachment of the eaves and gutters, however the 6' fence from principal structure to front property line had to come into compliance with code. The fence needed to be lowered from 6' to 4'. Amadeo seconded. Motion passed 6-1 with LaBour voting nay.

3. PETITION: VRB06-121
PETITIONER: New Millennial Homes
LOCATION: 1404 E Cayuga St
REQUEST: To reduce the side yard setback from 3' to 0.8' with the allowed encroachment of the eaves and gutters.
PURPOSE: To create a buildable lot
NEIGHBORHOOD: Southeast Seminole Heights

Note: The petitioner missed noticed. The petitioner requested a new hearing to February 13, 2007. LaBour made a motion set a new hearing. Seconded by Wallrapp. Motion passed 7-0.

4. PETITION: VRB06-123
PETITIONER: Martin McGowan
LOCATION: 2527 W Palm Dr
REQUEST: To reduce the front yard setback from 25' to 22'6", rear yard setback from 15' to 3', side yard setback from 7' to 3' with the allowed encroachment of the eaves and gutters, and to remove a grand tree.
PURPOSE: To build two-story residential structure.
NEIGHBORHOOD: Bayshore Gardens

Note: The petitioner missed noticed and cannot be heard. The petitioner would like to continue to the March 13, 2007 meeting.

Wallrapp made a motion to set a new hearing to March 13, 2007. Seconded by LaBour. Motion passed 7-0.

V. NEW BUSINESS

A. ADMINISTRATIVE APPEALS

B. TREE & LANDSCAPE / TRANSPORTATION / SIGN VARIANCES

5. PETITION: VRB06-138
PETITIONER: Brickelemyer Smolkers & Bolyes
LOCATION: 2512 N Dundee St
REQUEST: To remove one grand tree and one protected tree.
PURPOSE: To build the residential structure.
NEIGHBORHOOD: Sunset Park

The petitioner, Rick Penza presented his case, showed pictures of the neighborhood and subject parcel. Ask to enter letters in support into record. Spoke about the need to remove the grand oak. La Bour said that he did not feel that the petitioner met reasonable use. Dave Reily indicated that Park and Rec. had objections to the grand tree being removed and he felt that the house could be designed around. Three people spoke in opposition to the variance.

LaBour made a motion to deny. Seconded by Catalano. Motion passed 7-0.

C. GENERAL VARIANCES

6. PETITION: VRB06-128
PETITIONER: Humberto Cruz
LOCATION: 204 W Flora St
REQUEST: To reduce the rear yard setback from 20' to 15'7", and side yard setback from 7' to 0, and reduce building separation from 5' to 3" with the allowed encroachment of the eaves and gutters.
PURPOSE: To keep residential addition and a new enclosed porch.
NEIGHBORHOOD: Old Seminole Height Neighborhood Assoc.

Humberto Cruz the petitioner spoke about enclosing the porch and creating a new porch without realizing that he needed permit to do so. He said he needed the extra room on his house.

LaBour made motion to deny based on the applicant not meeting the hardship criteria. Seconded by Cheshire. Motion passed 7-0.

7. PETITION: VRB06-137
PETITIONER: Brickelemyer Smolkers & Bolyes
LOCATION: 4521 W Swann Ave
REQUEST: To reduce the rear yard setback from 5' to 0'.
PURPOSE: To construct a screen enclosure over the existing in-ground swimming pool.
NEIGHBORHOOD Beach Park

Michael Brooks the agent for the request presented the reasons for the request, showed pictures, entered a letter in support into the record. Bradford Youny owner of the property to the rear said he was in support of the variance. Antonio Amadeo requested that the petitioner jog the screen enclosure in on either side of the pool. The petitioner agreed to the request.

Amadeo made a motion to allow a 5' to 1' variance in order to construct a screen enclosure over an existing pool with the stipulation that the variance is allowed over only the portion of the pool and 5' to either side for a total of 35.8'. Wallrapp seconded. Motion passed 7-0.

8. PETITION: VRB06-139
PETITIONER: DAGASA Inc.
LOCATION: 3701 W El Prado Blvd
REQUEST: To reduce building separation from 5' to 3'9" eave to eave.
PURPOSE: To construct an accessory structure.
NEIGHBORHOOD Virginia Park

Annita Wilder presented her case, showed pictures of the two building, spoke about a contractors mistake in measurement from the rear property line.

Catalano made a motion to approve the variance request as shown on the site plan to reduce the building separation from 5' to 3'9". Cheshire seconded. Motion passed 7-0.

9. PETITION: VRB07-01
PETITIONER: Tony Muniz Jr.
LOCATION: 3414 E Yukon St
REQUEST: To reduce front yard setback requirement from 25' to 20' with the allowed encroachment of the eaves and gutters or the removal of a 38" grand tree
PURPOSE: To construct single family residence.
NEIGHBORHOOD Temple Crest

Drew Savage petitioners representative presented the case. Opposition spoke as to the illegal separation of lots and building too small of houses on the property. Dave Riley spoke about the importance of the 38" grand tree.

Wallrapp moved to deny the variance request. Seconded by Catalano. Motion passed 7-0. Variance request was denied.

10. PETITION: VRB07-02
PETITIONER: Donald E Ebbert
LOCATION: 1002 S Braeburn Ave
REQUEST: To reduce front yard setback requirement from 25' to 3' with the allowed encroachment of the eaves and gutters.
PURPOSE: To build a residential addition.
NEIGHBORHOOD Golfview Civic and Garden

Petitioner could not attend the meeting and asked for a continuance to 1/09/06. Wallrapp made a motion to approve and was seconded by LaBour. Motion passed 7-0.

11. PETITION: VRB07-03
PETITIONER: Stephen W. And Gretchen A. Barnes
LOCATION: 4713 W Neptune St
REQUEST: To reduce side yard setback requirement from 7' to 4'3", and rear yard setback requirement from 12' to 11' with the allowed encroachment of the eaves and gutters.
PURPOSE: To build a residential addition and convert an existing carport into a two car attached garage.
NEIGHBORHOOD Culbreath Bayou

Ms. Barnes presented the case, showed pictures and site plans.

Wallrapp made a motion to approve the side yard setback from 7' to 4'3", and the rear yard setback requirement from 12' to 11' with the allowed encroachment of the eaves and gutters as shown on the site plan. Seconded by Catalano. Motion passed 7-0.