

MINUTES OF MEETING
Of
BOARD OF ADJUSTMENT

A meeting of the Board of Adjustment of the City of Tampa, Florida was held on Monday, January 13, 1986 at 7:15 p.m. in the CITY COUNCIL CHAMBERS, 3RD Floor, City Hall, 315 E. Kennedy Boulevard, Tampa, Florida and the following members were present:

FRANK GUIDA - Chairman
SANDRA MULDER
MARY ESTHER PARKER
BRUNO CASTELLANO

GRACE CAMPISI
ROBERT GOODMAN
HARRY ARKUS

The meeting was opened and called to order by Mr. Frank Guida, Chairman, Michael Adejumo, Zoning Analyst presented each petition with a staff report.

The following appeals were heard and the following decisions were rendered in a public meeting dated January 13, 1986 and filed in the office of the Board of Adjustment, City Hall, Tampa, Florida.

HOLDOVER

BOA85-233 It was moved by Mrs. Parker and seconded by Harry Arkus that the appeal of William and Nancy Jordan to reduce the required thirty feet rear yard setback to nineteen feet to add an addition to the existing house for a bedroom, small bath, and an art studio was DENIED, which motion was carried with a 6 to 1 vote by the Board. The property is located at 641 Hudson Avenue and is in an R-1A zoning district.

In attendance were three neighbors all having objection in reference to this appeal. They felt it was an invasion of privacy and would decrease the economic value of their own property at time of resale.

SETBACK AND LOT WIDTH VARIANCES

BOA85-245 It was moved by Mrs. Campisi and seconded by Mr. Goodman that the appeal of Julie P. and Milton L. Perez to reduce the required thirty feet rear yard setback to seven feet to add an addition to the existing house for a master bedroom was GRANTED, which motion was carried unanimously. The property located at 2702 Leroy Street is in an R-1 zoning district. There was no opposition to this appeal.

BOA85-246 It was moved by Mr. Goodman and seconded by Mr. Arkus that the appeal of Robert G. Seaberg to reduce the required thirty feet rear yard setback to eighteen feet and to reduce the required eight feet side yard setback to seven feet to add an addition to the existing house was GRANTED, which motion was carried unanimously by the Board. The property located at 4102 San Juan Street is in an R-1A zoning district. There were no oppositions to this appeal.

- BOA85-247 It was moved by Mrs. Mulder and seconded by Mrs. Campisi that the appeal of Tampa Gulf Coast Home Health Service, Inc. to reduce the required thirty feet rear yard setback to ten feet to add a two story building to the existing structure for additional administrative office space was GRANTED, which motion was carried unanimously by the Board. The property located at 2511 W. Virginia Avenue is in a C-1 zoning district. There was no opposition to this appeal.
- BOA85-249 It was moved by Mrs. Parker and seconded by Mr. Arkus that the appeal of Thomas and Doris Howland to reduce the required eight feet side yard setback to five feet, and to reduce the required thirty feet rear yard setback to eight feet to add an addition to the existing home for a bedroom and a bathroom was GRANTED, which motion was carried unanimously by the Board. The property located at 43 Martinique Avenue is in an R-1A zoning district. There was no opposition to this appeal.
- BOA85-251 It was moved by Mrs. Mulder and seconded by Mrs. Campisi that the appeal of Thomas Sign Company, Inc. to waive the required special street set backs on North Boulevard (42') and Kennedy Boulevard (54') from the centerline of the right of way to erect a ground sign was GRANTED WITH COVENANT, which motion was carried unanimously by the Board. The property located at 813 West Kennedy Boulevard is in a C-2 zoning district. There was no opposition to this appeal.
- BOA85-252 It was moved by Mrs. Mulder and seconded by Mr. Goodman that the appeal of Emory S. Olive to reduce the required twenty feet front yard setback to 2.5' to erect a carport was DENIED, which motion was carried unanimously. The Board objected to the permit obtaining procedures of Mr. Olive, the contractor. The property located at 2946 West Beach is in an R-1 zoning district.
- BOA85-254 It was moved by Mrs. Parker and seconded by Mrs. Mulder that the appeal of Sunshine Builders of Tampa, Inc. to reduce the required thirty feet rear yard setback to twenty-five to add an addition to the existing house for a bedroom and a den was GRANTED, which motion was carried unanimously by the Board. The property located at 2714 E 98th Avenue is in an R-1A zoning district. There was no opposition to this appeal.
- BOA85-256 It was moved by Mr. Goodman and seconded by Mrs. Parker that the appeal of Joseph Dixon III to reduce the required eight feet side yard setback to 6.96' to add an addition to the existing two-story house for a master bedroom was GRANTED, which motion was carried unanimously by the Board. The property located at 3312 Oakeller Street is in an R-1A zoning district. There was no opposition to this appeal.

- BOA85-266 It was moved by Mrs. Mulder and seconded by Mr. Goodman that the appeal of Raymond D. Clift to reduce the required twenty-five feet front yard setback to twenty-two feet to add addition to the existing house was GRANTED, which motion was carried unanimously by the Board. The property is located at 3328 Shamrock Road and is in an R-1A zoning district. There was no oppositions to this appeal.
- BOA85-269 It was moved by Mrs. Parker and seconded by Mr. Arkus that the appeal of Sunshine builders of Tampa, Inc. to reduce the required thirty feet rear yard setback to 24'6" to add an addition to the existing house was GRANTED, which motion was carried unanimously by the Board. The property located at 2105 West Cluster Avenue is in an R-1A zoning district.

CONDITIONAL/LOCATIONAL USE VARIANCES

- BOA85-248 It was moved by Mrs. Mulder and seconded by Mrs. Parker that the appeal of Kathleen M. Savage for a Conditional Use Variance to operate word processing and typing services from her home was GRANTED, which motion was carried unanimously by the Board. The property is located at 1803 Brust Avenue and is in an R-1A zoning district.
- BOA85-265 It was moved by Mr. Arkus and seconded by Mrs. Mulder that the appeal of Joseph Clouser for a Conditional Use Variance to operate a residential real estate appraisal office from his home was GRANTED, which motion was carried unanimously by the Board. He is limited to 5 appointments per day. The property is located at 123 W. Hollywood and is in an R-1A zoning district.

BUFFER, HEIGHT AND PARKING VARIANCES

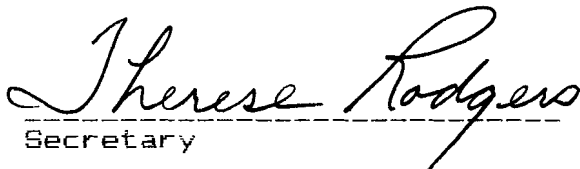
- BOA85-257 It was moved by Mrs. Parker and seconded by Mrs. Mulder that the appeal of Nicholas L. Vollman to waive the required six feet high solid masonry buffer wall and provide trees along the east property line to develop a restaurant with seating capacity of one hundred and forty-nine was GRANTED ON REVISED SITE PLANS, which motion was carried unanimously by the Board. The property is located at 5010 West Columbus and is in a C-2 zoning district.
- BOA85-259 It was moved by Mr. Goodman and seconded by Mr. Castellano that the appeal of the Diocese of St. Petersburg to increase the required maximum height of thirty-five feet to forty-one feet to install a satellite antenna was GRANTED, which motion was carried unanimously by the Board. The property is located at 3816 Morrison Avenue and is in a C-1 zoning district.

- BOA85-258 It was moved by Mrs. Campisi and seconded by Mr. Goodman that the appeal of David A. Moore to reduce the required thirty feet rear yard setback to ten feet to add an addition to the existing house for a bathroom, and to increase the size of the bedroom and closet space was GRANTED, which motion was carried unanimously by the Board. The property located at 1201 Druid Lane is in an R-1A zoning district. There was no opposition to this appeal.
- BOA85-260 It was moved by Mrs. Mulder and seconded by Mrs. Campisi that the request to rehear Petition BOA85-210 which was denied 11/18/85 was GRANTED, which motion was carried unanimously by the Board. It was further moved by Mrs. Mulder and seconded by Mr. Castellano that the appeal of Mac-Built Corporation to reduce the required thirty foot rear yard setback to twelve feet to add an addition to the existing house for a bedroom was GRANTED, which motion was carried unanimously. The contractors have altered the site plan and the homeowners have chosen not to include a "darkroom" for the son's photography hobby. There will be no sink or refrigerator in the room. The property located at 188 Barbados Avenue is in an R-1A zoning district. There was no opposition to this appeal.
- BOA85-261 It was moved by Mrs. Parker and seconded by Mrs. Campisi that the appeal of Jackie L. Secor, agent for Hometown Builders Associates, Inc. to reduce the required eight feet side yard setback to 4.5' to add an addition to the existing house for a master bedroom and walk in closet expansion was GRANTED, which motion was carried with a 6 - 0 vote with Robert Goodman abstaining. The property located at 3914 Pine Street is located in an R-1 zoning district.
- BOA85-262 It was moved by Mr. Goodman and seconded by Mrs. Parker that the appeal of Thomas and Mary Snow to reduce the required thirty feet rear yard setback to 15'7" to add an addition to the existing house for a garage and bathroom was GRANTED, which motion was carried unanimously by the Board. The property located at 3602 Mullen Avenue is in an R-1A zoning district. There was no opposition to this appeal.
- BOA85-263 It was moved by Mrs. Campisi and seconded by Mr. Arkus that the appeal of Norman S. Cannella to reduce the required special street setback of 60' from the centerline of Buffalo Avenue to 50' to remodel the existing building was GRANTED WITH COVENANT, which motion was carried unanimously by the Board. The property located at 1501 East Buffalo Avenue is in a C-2 zoning district. The owners had been cited with Building Code Violations but to obtain a permit it was necessary to get variance first. It is the City's understanding that the owner tends to demolish the outside wall and to rebuild the wall far enough in to have bill back rights in case of fire or natural disaster.

- BOA85-253 It was moved by Mr. Arkus and seconded by Mrs. Parker that the appeal of Ybor Square II, Ltd. to waive on-site parking requirements for the Ybor Square to construct a greenhouse for restaurant/retail use was GRANTED, which motion was carried unanimously by the Board. The property is located at 1901 N. 13th Street and is in a C-2 zoning district.
- BOA85-264 It was moved by Mr. Goodman and seconded by Mrs. Campisi that the appeal of Adrienne K. Fleming to utilize the property across the alley, in an R-1 zoning district, to meet the parking requirements to expand existing commercial building in a C-1 zoning district was GRANTED, which motion was carried by a 6-0 vote by the Board with an abstention by Mrs. Parker. The property is located at 906 East Emma is in an R-1 zoning district.

This meeting closed at 10:10 p.m. and the next meeting of the Board of Adjustment is scheduled for February 3, 1986 at 7:15 p.m.

All variances granted at this hearing were granted with the provisions that these permits are only for the terms during which time they are complied with in all details and respects and are void upon conditions its terms are shown to be violated.


Secretary


Chairman

MINUTES OF MEETING
OF
BOARD OF ADJUSTMENT

A meeting of the Board of Adjustment of the City of Tampa, Florida was held on Monday, February 3, 1986 at 7:15 p.m. in the CITY COUNCIL CHAMBERS, 3rd Floor, City Hall, 315 E. Kennedy Boulevard, Tampa, Florida and the following members were present:

FRANK GUIDA - Chairman
MARY ESTHER PARKER
BRUNO CASTELLANO

GRACE CAMPISI
ROBERT GOODMAN
HARRY ARKUS

The meeting was opened and called to order by Mr. Frank Guida, Chairman, Michael Adejumo, Zoning Analyst presented each petition with a staff report.

The following appeals were heard and the following decisions were rendered in a public meeting dated February 3, 1986 and filed in the office of the Board of Adjustment, City Hall, Tampa, Florida.

SETBACK AND LOT WIDTH VARIANCES

- BOA85-267 It was moved by Mr. Goodman and seconded by Mrs. Campisi that the appeal of Joseph Dixon III to reduce the required eight feet side yard setback to two feet to construct a garage was GRANTED, which motion was carried unanimously by the Board. The property located at 806 So. MacDill Avenue is in an R-1A zoning district. There was no opposition to this request.
- BOA85-268 It was moved by Mr. Goodman and seconded by Mrs. Campisi that the appeal of Beverly Rose Taylor to reduce the required twenty feet front yard setback to 11.6 feet to construct a sunroom on a deck was GRANTED, which motion was carried unanimously by the Board. The property located at 1603 So. Georgia Avenue is in an R-1 zoning district. Dr. Donald Taylor, ex-husband of petitioner was in attendance in support of the request.
- BOA86-001 It was moved by Mr. Castellano and seconded by Mrs. Parker that the appeal of Peter and Brigitte Diaz to reduce the required twenty-five feet front yard setback to 15.3 feet to add an addition to the existing house for a living room was GRANTED, which motion was carried unanimously by the Board. The property located at 208 W. Jean Street is in an R-1A zoning district.
- BOA86-004 It was moved by Mr. Goodman and seconded by Mrs. Campisi that the appeal of Advance Construction Technical Services, Inc. to reduce the required ten feet rear yard setback to five feet to develop an office building was GRANTED, which motion was carried unanimously by the Board. The property located at 1060 W. Busch Boulevard is in a C-1 zoning district.

BOA86-006

It was moved by Mrs. Campisi and seconded by Mrs. Parker that the appeal of Cora Ross to reduce the required thirty feet rear yard setback to fourteen feet to add an addition to the existing house for a bedroom was GRANTED, which motion was carried unanimously by the Board. The property located at 1313 Lemon Street is in an R-3 zoning district. Sanford Ross, son of the petitioner was in attendance representing the owner. There was no opposition to this appeal.

BOA86-007

It was moved by Mr. Goodman and seconded by Mr. Arkus that the appeal of Joseph and Zoraida Gullo to reduce the required sixty feet front yard setback to four feet, and to reduce the required two feet side yard setback to zero to install a detached carport was DENIED, which motion was carried unanimously by the Board. The property located at 919 W. Adalee Street is in an R-1A zoning district.

The Board of Adjustment suggested that the petitioner try and locate the carport behind his home and either enter from the alley or from Adalee Street between his home and the side property line. The petitioner stated that his wife was unable to back out of the driveway and that she is fearful of entering through the alley in the evenings. He stated that there was no other choice.

BOA86-008

It was moved by Mr. Castellano and seconded by Mr. Goodman that the appeal of Elouise B. Cainion to reduce the required fifteen feet front yard setback to eight feet, and to reduce the required seven feet side yard setback to zero to install an attached carport was DENIED, which motion was carried unanimously by the Board. The property located at 2328 St. Conrad Street is in an R-2 zoning district.

A letter was received by the Board signed by many neighbors in opposition of the request feeling that the structure will protrude beyond normal limits and would give an unsightly appearance and block the normal viewing area of the other people living in the neighborhood.

BOA86-011

It was moved by Mrs. Campisi and seconded by Mrs. Parker that the appeal of John C. Graves, Jr., to reduce the required thirty feet rear yard setback to eight feet to add an addition to the existing house for a bedroom and bath was GRANTED, which motion was carried unanimously by the Board. The property located at 406 Royal Poinciana is in an R-1A zoning district.

BOA86-013

It was moved by Mrs. Parker and seconded by Mr. Arkus that the appeal of John Fields to reduce the required thirty feet rear yard setback to 25.6 feet to construct a house was GRANTED, which motion was carried unanimously by the Board. The property located at 3115 W. Kathleen Street is in an R-1 zoning district. There was no opposition to this petition.

BOA86-018

It was moved by Mr. Goodman and seconded by Mrs. Parker that the appeal of Melinda Chavez to rehear the case BOA85-215 which was denied November 18, 1985 was GRANTED, which motion was carried unanimously by the Board. It was further moved by Mrs. Parker and seconded by Mr. Arkus that the appeal of Melinda Chavez to reduce the required thirty feet rear yard setback to 2.4 feet and to reduce the required eight feet side yard setback to 2.05 feet to remodel the existing garage and convert it into two bedrooms and one bathroom was GRANTED, which motion was carried unanimously by the Board. The property located at 2631 Jetton Avenue is in an R-1 zoning district. Mrs. Chavez submitted plans that the deck area connecting the two structures will be permanently enclosed with glass.

A neighbor, Mrs. A.J. Winton living at 2629 Jetton Avenue was in attendance in support of the request.

ADMINISTRATIVE DECISION -

BOA86-012

It was moved by Mrs. Parker and seconded by Mr. Castellano that the appeal of Herman S. Keiter to review an administrative decision on installation of a separate electric meter in a garage to utilize part of the garage as a hobby workshop area was GRANTED, which motion was carried with a 5 to 1 vote, with Mr. Goodman voting no. The property located at 3202 Price Avenue is in an R-1A zoning district.

CONDITIONAL USE - HOME OCCUPATION

BOA86-002

It was moved by Mr. Goodman and seconded by Mrs. Parker that the appeal of S.J. Starrett Interiors for a Conditional Use Variance to operate an office from her home was GRANTED, which motion was carried unanimously by the Board. It is understood by the petitioner that there will be no customer parking on premise. The property located at 3104 W. San Isidro is in an R-1TH zoning district.

BOA86-009

It was moved by Mrs. Campisi and seconded by Mr. Arkus that the appeal of Barbara J. Lackey for a Conditional Use Variance to operate a Typing and Transcription Service from her home was GRANTED, which motion was carried unanimously by the Board. The property located at B17 Patbur Avenue is in an R-1A zoning district. It is understood by the petitioner that there will be no customer parking on premise.

BOA86-010

It was moved by Mrs. Campisi and seconded by Mr. Goodman that the appeal of Michael Sherard for a Conditional Use Variance to operate an illustration and graphic design (commercial art) studio at his home was GRANTED, which motion was carried unanimously by the Board. The property located at 306 Rio Vista Court is in an R-1A zoning district. It is understood by the petitioner that there will be no customer parking on premise.

BOA86-014 It was moved by Mr. Goodman and seconded by Mrs. Campisi that the appeal of Good News Satellite and T.V., for a Conditional Use Variance to operate an office from Mr. Zemetries' home was GRANTED, which motion was carried unanimously by the Board. The property located at 803 McEwen Avenue is in an R-1 zoning district. It is understood by the petitioner that there will be no customer parking on premise.

PARKING, BUFFER AND HEIGHT VARIANCES -

BOA86-016 It was moved by Mr. Goodman and seconded by Mr. Arkus that the appeal of Bay Villa/Willow Developers, Inc. to increase the required maximum height for a privacy fence from 6 feet to 6'6" along the West property line was GRANTED, which motion was carried unanimously by the Board. The property located at 506 So. Willow is in an R-3 zoning district. Present in opposition to the request was Chris Bell, owner of 601 So. Willow feeling that there will be a destruction of view and that it benefits the owner only.

BOA86-005 It was moved by Mrs. Campisi and seconded by Mr. Goodman that the appeal of Felloni Development Corporation to raise the height limitation from one-hundred and twenty feet to one-hundred and forty-four feet to develop an eleven story office building was GRANTED, which motion was carried unanimously by the Board. The property located at 609 Washington Street is in an M-1/C-2 zoning district.

This request was needed for the 20% of the building that fell within the C-2 zoning district. The owners stated that there will be 5 stories of parking including 175 spaces total.

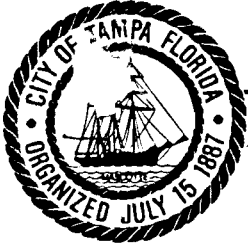
BOA86-015 It was moved by Mrs. Campisi and seconded by Mr. Goodman that the appeal of Charles H. Butler for Faith, Tabernacle of Tampa to allow the use of a tract of land within 500' for off-site parking was HELDOVER, which motion was carried unanimously by the Board. The property located at 2816 No. Nebraska Avenue is in a C-1/R-2 zoning district.

This meeting closed at 9:30 p.m. and the next meeting of the Board of Adjustment is scheduled for March 10, 1986 at 7:15 p.m.

All variances granted at this hearing were granted with the provisions that these permits are only for the terms during which time they are complied with in all details and respects and are void upon conditions its terms are shown to be violated.

Therese Rodgers
Secretary

FRANK GUIDA
Chairman



CITY OF TAMPA

Sandra W. Freedman, Mayor

Department of Housing and Development Coordination

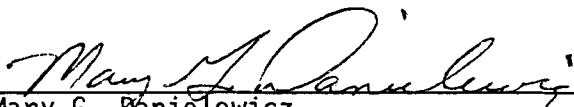
Land Development
Coordination

January 12, 1988

To Whom It May Concern:

I, Mary G. Danielewicz, do hereby certify, the the attached documents (copy of March 10, 1986, Board of Adjustment Minutes; (5 Pages numbered in red 86-035) Copy of Board of Adjustment File BOA86-035 (17 Pages numbered in red 86-035); and Board of Adjustment Maps (5 Pages numbered in red 86-035); also, copy of Rezoning File (17 Pages numbered in red 85-56)) are true copies of said files originally filed in the City of Tampa Zoning Department's Office.

Signed:



Mary G. Danielewicz
Secretary - Board of Adjustment
Zoning Department

Sworn to and subscribed before me this 12 day of January, 1988



NOTARY PUBLIC SIGNATURE

MY COMMISSION EXPIRES:

Notary Public, State of Florida at Large
My Commission Expires July 21, 1989

MINUTES OF MEETING
OF
BOARD OF ADJUSTMENT

A Meeting of the Board of Adjustment of the City of Tampa, Florida was held on Monday, March 10, 1986 at 7:15 p.m. in the CITY COUNCIL CHAMBERS, 3rd Floor, City Hall, 315 E. Kennedy Boulevard, Tampa, Florida and the following members were present:

| | |
|------------------------|----------------|
| FRANK GUIDA - Chairman | SANDRA MULDER |
| MARY ESTHER PARKER | ROBERT GOODMAN |
| BRUND CASTELLANO | HARRY ARKUS |
| GRACE CAMPISI | |

The meeting was opened and called to order by Mr. Frank Guida, Chairman, Michael Adejumo, Zoning Analyst presented each petition with a staff report.

The following appeals were heard and the following decisions were rendered in a public hearing dated March 10, 1986 and filed in the office of the Board of Adjustment, City Hall, Tampa, Florida.

HOLDOVER

BOAB86-015 It was moved by Mr. Goodman and seconded by Mrs. Campisi that the appeal of Charles H. Butler for Faith Tabernacle of Tampa to allow the use of a tract of land within 500' for off-site parking, to allow ingress/egress in the Residential District (R-2) and to waive the landscaping and the required fifteen feet setback to zero feet along Matthews Street to construct an additional building for church use was GRANTED with the accepting of the new site plan that was approved by Traffic Engineering, which motion was carried unanimously by the Board. The property located at 2916 North Nebraska is in C-1/R-2 zoning district.

The following changes were made to the site plan: (a) the alleys on either side of the proposed building will be paved and they will be one-way drives going in and out of the parking areas to comply with circulation requirements, (b) there will be 49 parking spaces, (c) the parking area will have a 6' high solid masonry buffer wall on the north, south and west of the parking area, and (d) Matthews Street will be paved by the petitioner.

SETBACK AND LOT WIDTH VARIANCES

BOAB86-031 It was moved by Mrs. Parker and seconded by Mr. Arkus that the appeal of Mike and Susan Wallace to reduce the required 30' rear yard setback to 23' to add an addition to the existing house for a two car garage on the ground floor and a bedroom on the second story was GRANTED, which motion was carried unanimously by the Board. The property located at 2902 W. Fair Oaks is in an R-1A zoning district.

- BOAB6-020 It was moved by Mrs. Campisi and seconded by Mrs. Mulder that the appeal of Joseph and Helen Bacheler to reduce the required 25' front yard setback to 8' and to reduce the required 30' rear yard setback to 23' to add a one-story addition to the existing house was GRANTED, which motion was carried unanimously by the Board. The property located at 4316 W. Jetton is in an R-1A zoning district.
- BOAB6-021 It was moved by Mrs. Mulder and seconded by Mr. Goodman that the appeal of Tom Schaefer to reduce the required 30' rear yard setback to 24'7" to enclose the existing screened porch and convert it into a dining/utility room was GRANTED, which motion was carried unanimously by the Board. The property located at 4710 Bay Street is in an R-1A zoning district.
- BOAB6-022 It was moved by Mr. Goodman and seconded by Mrs. Mulder that the appeal of Premium Builders to reduce the required 25' front yard setback to 15' and to reduce the required 30' rear yard setback to 23.5' to construct a garage attached to the existing house was GRANTED, which motion was carried unanimously by the Board. The property located 5001 Roberta Circle is in an R-1A zoning district.
- BOAB6-023 It was moved by Mrs. Campisi and seconded by Mr. Castellano that the appeal of Larry and Dale Solomon to reduce the required 30' rear yard setback to 17'4" to construct a roof over an existing patio was GRANTED, which motion was carried unanimously by the Board. The property located at 5114 W. Platt Street is in an R-1A zoning district.
- BOAB6-024 It was moved by Mr. Goodman and seconded by Mrs. Campisi that the appeal of Jesus Martinez to reduce the required 8' side yard setback to 7' and to reduce the required 30' rear yard setback to 25' to construct a house was GRANTED, which motion was carried unanimously by the Board. The property located at 2522 W. Westhigh Avenue is in an R-1A zoning district.
- BOAB6-027 It was moved by Mr. Goodman and seconded by Mr. Castellano that the appeal of William M. Burns to reduce the required 25' front yard setback to 9.6', and to reduce the required 8' side yard setback to 3.6' to add an addition to the existing house for a garage, familyroom, livingroom and a kitchen was GRANTED, which motion was carried unanimously by the Board. The property located at 4408 Leona Street is in an R-1A zoning district.
- BOAB6-028 It was moved by Mrs. Parker and seconded by Mr. Arkus that the appeal of Gerald and Beverly Vail to reduce the required 30' rear yard setback to 15' to add a second story addition to the existing building for a master bedroom, bathroom, walk-in closet and a gameroom was GRANTED, which motion was carried unanimously by the Board. The property located at 4803 North Gomez Avenue is in an R-1 zoning district.

BOAB6-029 It was moved by Mr. Goodman and seconded by Mrs. Campisi that the appeal of Orlando Borrás to reduce the required 7' side yard setback to 2.8' to allow the construct of a duplex on the adjacent vacant Lot #17 was GRANTED, which motion was carried unanimously by the Board. The property located at 2415 Lemon Street is in an R-2 zoning district.

BOAB6-030 It was moved by Mrs. Parker and seconded by Mrs. Campisi that the appeal of Roberto and Carlota Corvo to reduce the required 25' front yard setback to 16' to add an addition to the existing house for a bathroom and walk-in closet was GRANTED, which motion was carried unanimously by the Board. The property located at 5604 North Albany is in an R-1A zoning district.

BOAB6-038 It was moved by Mr. Castellano and seconded by Mrs. Mulder that the appeal of Lynn Townsend to reduce the required 20' side yard setback to 0' to install two satellite dishes was GRANTED, which motion was carried unanimously by the Board. The property located at 905 E. Jackson Street is in an M-1 zoning district. A 14 foot high solid concrete block wall will be constructed and the dishes will sit on the block and will reach another 24 feet above that.

BOAB6-037 It was moved by Mr. Goodman and seconded by Mrs. Campisi that the appeal of Signs of America to waive the required 54' special street setback from the centerline of Hillsborough Avenue to allow the erection of a ground sign 5' from the front property line was GRANTED WITH COVENANT, which motion was carried unanimously by the Board. The property located at 1044 W. Hillsborough Avenue is in a C-1 zoning district.

CONDITIONAL USE VARIANCE - HOME OCCUPATION

BOAB6-019 It was moved by Mr. Goodman and seconded by Mrs. Mulder that the appeal of Casey Tokarczyk for a Conditional Use (Home Occupation) approval to operate a brokerage office at his home was GRANTED, which motion was carried unanimously by the Board. The property located at 4404 West Lemon Street is in an R-1 zoning district. The petitioner understands that no employees other than immediate family will be allowed to work there. It is also understood that no customer vehicles will be at the location at any time. It is understood by the Board that the petitioner is using a tel-ex machine at his home for evening hour rates for calls made over-seas.

BOAB6-032 It was moved by Mr. Goodman and seconded by Mrs. Campisi that the appeal of Adriana Winkleman for a Conditional Use (Home Occupation) to operate a Bail Bond office from her home was GRANTED, which motion was carried unanimously by the Board. The property located at 3130 Laurel Street is in an R-1 zoning district. The petitioner understands that no customer vehicles are to be at the location; she stated that she meets the client or client's family at the jail.

PARKING, BUFFER AND HEIGHT VARIANCES

BOA86-017 It was moved by Mr. Goodman and seconded by Mrs. Mulder that the appeal of Bayshore Partners to (a) allow the use of a tract of land located within 500 feet of an apartment building for parking, (b) allow ingress/egress into the parking lot from a residential district, (c) reduce the required 26' drive aisle to 18' at the south property line and (d) reduce the required 15' front setback to 3' for the parking area was GRANTED with condition that the entire parking area be asphalt paved with painted directional arrows and the 3 feet setback in the front, on Dekla Avenue be landscaped and irrigated. The appeal to replace the required 6' high solid masonry buffer wall with a hedge was DENIED; so there will be required a six foot solid masonry buffer wall to be constructed on the south, east and west lines of the parking area. The motions were carried unanimously by the Board. The property located at 2116 Dekla Avenue is in an R-3A zoning district.

Present was an Architect and Ms. Diana Mayes representing Bayshore Partners and,

Ms. Rea Law, Attorney, representing Mr. Dan Willing, Mr. Benitez, Mr. Anthony Carlino, and Mr. Mark Flynn, residents of nearby homes. There were other citizens present that were in objection. The neighbors were in objection to the appeal and submitted a petition and pictures of the property in defense.

BOA86-0036 It was moved by Mrs. Mulder and seconded by Mr. Arkus that the appeal of The Salvation Army to (a) utilize a tract of land within 500' of the subject property for parking (b) delete the required 6' high solid masonry buffer wall, and (c) to reduce the the required 15' front setback to 0' along E. 7th Avenue to construct the parking area was GRANTED, which motion was carried unanimously by the Board. The property located in the 200 Block of E. 7th Avenue is in an R-3 zoning district.

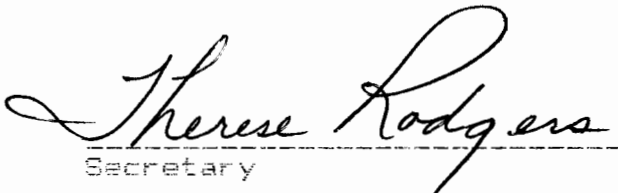
BOA86-0035 It was moved by Mr. Goodman and seconded by Mrs. Parker that the appeal of Haverty Furniture Co., Inc. to reduce the required ninety-nine (99) parking spaces to twenty-five (25) and to reduce the required 26' drive aisle to add an addition to the existing furniture business was GRANTED upon revised site plan, which motion was carried unanimously by the Board. The property located at 107 W. Busch Boulevard is in a C-1/C-1E zoning district.

BOA86-034 The appeal of Ferris Constructors, Inc. to reduce the required 26' drive aisle to 6' to construct 5,000 sq. feet retail center was withdrawn at 4:00 p.m. on the afternoon of March 10, 1986 by Attorney Spicola. Call was received by Therese Rodgers and letter of confirmation received March 13, 1986. The property is located at 2120 So. Dale Mabry Hwy.

- BOA86-026 It was moved by Mrs. Mulder and seconded by Mr. Castellano that the appeal of Peter A. Pizzi to reduce the required standard parking dimensions from 9' x 18' to 9' x 16' to develop a retail/office complex was GRANTED, which motion was carried unanimously by the Board. The property located 1417 South Howard Avenue is in a C-1 zoning district.
- BOA86-033 It was moved by Mr. Goodman and seconded by Mr. Arkus that the appeal of Dennis N. Biggs to waive the required 6 feet high solid masonry wall to the east of the property line of Lot 10 to convert the existing storage/work shed for funeral home operations into offices was GRANTED, which motion was carried unanimously by the Board. The property located at 5101 No. Nebraska Avenue is in a C-2 zoning district.
- BOA86-025 It was moved by Mr. Goodman and seconded by Mrs. Campisi that the appeal of Partners Savings Bank to waive the required 6' high solid masonry buffer wall on the west property line of Lot 6 to construct a savings bank building was GRANTED, which motion was carried unanimously by the Board. The property located at 1701 South Dale Mabry Hwy. is in a C-1 zoning district.
- BOA86-039 It was moved by Mrs. Campisi and seconded by Mr. Arkus that the appeal of R. & G. Commercial Properties, Inc. to increase the required maximum height of 120' to 144' in the C-2 zoning district to develop a commercial/professional office building was GRANTED, which motion was carried unanimously by the Board. The property located at 702 East Jackson is in a C-2 zoning district.

This meeting closed at 10:15 p.m. and the next meeting of the Board of Adjustment is scheduled for April 14, 1986 at 7:15 p.m.

All variances granted at this hearing were granted with the provisions that these permits are only for the terms during which time they are complied with in all details and respects and are void upon conditions its terms are shown to be violated.


Secretary

FRANK GUIDA
Chairman

MINUTES OF MEETING

OF

BOARD OF ADJUSTMENT

A Meeting of the Board of Adjustment of the City of Tampa, Florida was held on Monday, April 14, 1986 at 7:15 P.M. in the CITY COUNCIL CHAMBERS, 3rd Floor, City Hall, 315 E. Kennedy Boulevard, Tampa, Florida and the following members were present:

FRANK GUIDA - Chairman
MARY ESTHER PARKER
BRUNO CASTELLANO
GRACE CAMPISI

SANDRA MULDER
ROBERT GOODMAN
HARRY ARKUS

The meeting was opened and called to order by Mr. Frank Guida, Chairman, Michael Adejumo, Zoning Analyst presented each petition with a staff report.

The following appeals were heard and the following decisions were rendered in a public hearing dated April 14, 1986 and filed in the office of the Board of Adjustment, City Hall, Tampa, Florida.

SETBACK AND LOT WIDTH VARIANCES

BOA86-040 It was moved by Mrs. Mulder and seconded by Mr. Goodman that the appeal of Nelson Castellano to reduce the required 30' rear yard setback to 14' to add an addition to the existing duplex for a carport was DENIED. The property located at 1902 W. Gray Street is in an R-2 Zoning District. The motion was carried unanimously.

BOA86-041 It was moved by Mr. Goodman and seconded by Mrs. Campisi that the appeal of Robert J. Morris, Jr. to reduce the required 8' side yard setback to 2.7' to add an addition to the existing house for two bedrooms and one bathroom was GRANTED, the motion was carried unanimously by the Board. The property located at 3020 Lawn Avenue is in an R-1A zoning district.

BOA86-042 It was moved by Mrs. Parker and seconded by Mrs. Campisi that the appeal of Robert and Ellen Coates to reduce the required 8' side yard setback to 7' to add an addition to the existing house for a master bedroom and bath was GRANTED UNANIMOUSLY by the Board. The property located at 2503 Jetton Avenue is in an R-1A Zoning District.

BOA86-043 It was moved by Mrs. Mulder and seconded by Mrs. Parker that the appeal of Joseph and Zoraida Gullo to reduce the required sixty foot front yard setback to 4' and to reduce the required 2' side yard setback to 0' was DENIED. The motion was carried unanimously by the Board. The property located at 919 W. Adalee Street is in an R-1A Zoning District.

Evidence presented to allow for a rehearing was presented and it was moved by Mr. Goodman and seconded by Mr. Castellano to approve the evidence for rehearing of BOA86-007 which was denied on February 3, 1986.

- BOA86-044 It was moved by Mr. Goodman and seconded by Mrs. Mulder that the appeal of Stephen L. Sepinuck to reduce the required 8' side yard setback to 0' to add an addition to the existing house for a family/laundry room and carport was GRANTED, the motion was carried unanimously by the Board. The property located at 711 S. Delaware Ave. is in an R-1A Zoning District.
- BOA86-047 It was moved by Mrs. Campisi and seconded by Mr. Goodman that the appeal of James Jordan Walker to reduce the required 30' rear yard setback to 20' to construct a single family home was GRANTED by the Board, unanimously. The property located at 6208 S. Himes is in an R-1A Zoning District.
- BOA86-048 It was moved by Mrs. Parker and seconded by Mrs. Mulder that the appeal of Paul Smith to reduce the required 30' rear yard setback to 15' to construct a house with decks attached was DENIED by a vote of 4-3. The property located at 6512 Bayshore Blvd. is in an R-1A Zoning District. Opposition : Mr. Alex, a neighbor.
- BOA86-050 It was moved by Mr. Goodman and seconded by Mrs. Mulder that the appeal of Thomas Cheaney to reduce the required 25' front yard setback to 0.9' to construct a wooden deck was GRANTED which motion was carried unanimously by the Board. The property located at 3318 N. Ridge Ave. is in an R-1 A Zoning District.
- BOA86-052 It was moved by Mr. Goodman and seconded by Mrs. Mulder that the appeal of Mari LaSater to reduce the required 20' front yard setback to 7'11" to construct a garage was DENIED, which motion was carried unanimously by the Board. Neighborhood opposition regarding blocking view and creating a safety hazard. The property is located at 4617 Paxton Avenue is in an R-1 Zoning District.
- BOA86-055 It was moved by Mrs. Mulder and seconded by Mrs. Campisi that the appeal of Moses Coley to reduce the required 30' rear yard setback to 15' to add an addition to the existing house for a garage was GRANTED, which motion was carried unanimously by the Board. The property located at 3410 E. Knollwood Avenue is in an R-1 Zoning District.
- BOA86-059 It was moved by Mrs. Parker and seconded by Mr. Arkus that the appeal of Seth Sandige to reduce the required 8' side yard setback to 3' at the carport, and to reduce the required 4' side yard setback to 3' at the shed to allow the construction of a single family residence on the adjacent vacant Lot #5 was DENIED by the Board in a vote of 4-3. Opposition neighbor (Mr. Burrows) regarding the congestion of a 54' wide lot. The property located at 3112 Villa Rosa is in an R-1A Zoning District.
- BOA86-060 It was moved by Mr. Goodman and seconded by Mrs. Campisi that the appeal of Leonel and Zoraida Castillo to reduce the required 30' rear yard setback to 7' to add an addition to the existing house for a play room was GRANTED, which motion was carried unanimously by the Board. The property located at 3415 W. Dewey Street is in an R-1 Zoning District.

BOA86-063 It was moved by Mrs. Mulder and seconded by Mrs. Campisi that the appeal of Dana Clark of Birdfinder Corporation to allow the installation of a satellite dish antenna on the east side of the property line was GRANTED, which motion was carried unanimously by the Board. The property located at 5039 Chalet Court is in an R-3A Zoning District.

BOA86-064 It was moved by Mrs. Campisi and seconded by Mr. Goodman that the appeal of Knute McAlister of National General Contractor to reduce the required 30' rear yard setback to 26' to add an addition to the existing house for a handicap bathroom and a closet was GRANTED, which motion was carried unanimously by the Board. The property located at 1805 Morrison is in an R-3 Zoning District.

CONDITIONAL USE VARIANCE / HOME OCCUPATIONS

BOA86-045 It was moved by Mr. Castellano and seconded by Mrs. Parker that the appeal of Laura A. Thomas for a Conditional Use to operate a typing service from her home was GRANTED, which motion was carried unanimously by the Board. The property located at 5906 Interbay is in an R-1 Zoning District.

BOA86-046 It was moved by Mr. Goodman and seconded by Mrs. Parker that the appeal of Mark Costanzo for a Conditional Use to operate a one-chair beauty salon from his home was DENIED, which motion was carried unanimously by the Board. Neighborhood opposition expressing concern for the the invasion of commercial business in neighborhood and them being detrimental to the neighborhood. The property located at 1230 E. Mohawk Avenue is in an R-1A Zoning District.

BOA86-049 It was moved by Mrs. Mulder and seconded by Mr. Castellano that the appeal of Cheryl C. Hilton for a Conditional Use to operate a one-chair beauty salon from her home was GRANTED WITH CONDITIONS. Condition pertaining to approval was to have a circular driveway in front of home. The motion was carried unanimously by the Board. The property located at 2307 W. Sligh Avenue is in an R-1A Zoning District.

BOA86-058 It was moved by Mr. Castellano and seconded by Mrs. Campisi that the appeal of Garco Chemical Co. to utilize the subject property for storage and distribution of the following chemicals: Sodium Bicarbonate, Citric Acid, Sorbic Acid, Caustic Soda Beads, Sodium Gluconate, Sodium Bisulfite, Calcium Hypochlorite, surfactants, detergents and liquid soaps to allow the use of the existing building for storage and distribution of chemicals was GRANTED, which motion was carried unanimously by the Board. The property located at 1803 E. 2nd Avenue is in an M-2 Zoning District.

PARKING, BUFFER AND HEIGHT VARIANCES

- BOA86-051** It was moved by Mr. Castellano and seconded by Mrs. Campisi that the appeal of Jan Parkinson, Director of Planning for St. Joseph's Health Center, Inc. to utilize a tract of land within 500' of the subject property to construct 93 parking spaces was GRANTED, which motion was carried unanimously by the Board. The property located at 4600 N. Habana is in an R-4 Zoning District.
- BOA86-054** It was moved by Mr. Goodman and seconded by Mrs. Mulder that the appeal of M & H Land Co., to allow the use of a tract of land located within 500' of the subject property for parking, the following are requested to be waived: (a) ingress/egress in residential district (b) eliminate 6' high solid masonry buffer wall (c) reduce the required 15' front setback to 5' along Fremont Avenue to provide adequate parking spaces was GRANTED, which motion was carried unanimously by the Board. The property located at 108 N. Fremont Street is in an R-2 Zoning District.
- BOA86-056** It was moved by Mrs. Campisi and seconded by Mr. Goodman that the appeal of Emilio Perez, Jr. and Buck's Wholesale Plumbing Co., Inc. to waive on-site parking requirement to develop a one-story metal warehouse was GRANTED, which motion was carried unanimously by the Board. The property located at 8715 N. Nebraska Ave. is in a C-2 Zoning District.
- BOA86-057** It was moved by Mrs. Mulder and seconded by Mrs. Campisi that the appeal of Florida Land Design & Engineering, Inc. to all the use of a tract of land located within 500' of the subject property for parking. The following are requested to be waived: (a) allow ingress/egress in residential district (b) eliminate the 6' high solid masonry buffer wall to construct a temporary parking lot was GRANTED, which motion was carried unanimously by the Board. The property located at 310 S. Boulevard is in an R-4 Zoning District.
- BOA86-053** It was moved by Mrs. Mulder and seconded by Mr. Goodman that the appeal of Robert Land to waive the required 6' high solid masonry buffer wall and replace with a 6' high wood fence on the North side of the property adjacent to a residential district to utilize the building for a drive-thru restaurant was DENIED, which motion was carried unanimously by the Board. Neighborhood opposition concerning a drainage problem inasmuch as the commercial property is 3' higher than surrounding property and a wood fence would not adequately abate the noise created. The property located at 2700 E. Busch Boulevard is in a C-1 Zoning District.

BOA86-062

It was moved by Mr. Goodman and seconded by Mr. Arkus that the appeal of Bradley Engraved Stationery, Inc. to waive the required 6' high solid masonry buffer wall and replace with the existing 6' high chain link fence at the rear of the property line and retain the existing 6' high wooden fence at the west property line to develop an office building and plant for a stationery supply business was GRANTED in a vote of 6-1 by the Board. Neighborhood opposition concerning the unsightly view from surrounding property, looking out on dumpster, bright lights shining into living rooms, drainage problems and fear of decline in property values. The property located at 2420 W. Mississippi Avenue is in a C-2 Zoning District.

FRANK GUIDA

MINUTES OF MEETING
OF
BOARD OF ADJUSTMENT

A Meeting of the Board of Adjustment of the City of Tampa, Florida was held on Monday, May 12, 1986 at 7:15 P.M. in the CITY COUNCIL CHAMBERS, 3rd Floor, City Hall, 315 East Kennedy Boulevard, Tampa, Florida and the following members were present:

FRANK GUIDA - CHAIRMAN
BRUNO CASTELLANO
GRACE CAMPISI

SANDRA MULDER
ROBERT GOODMAN
HARRY ARKUS

The meeting was opened and called to order by Mr. Frank Guida, Chairman, Gloria Moreda, Zoning Analyst, presented each petition with a staff report.

The following appeals were heard and the following decisions were rendered in a public hearing dated May 12, 1986, and filed in the office of the Board of Adjustment, City Hall, Tampa, Florida.

SETBACK AND LOT WIDTH VARIANCES

- BOA86-065 It was moved by Mr. Goodman and seconded by Mrs. Campisi that appeal of Fred L. and Kathryn A. Alberts to reduce the required 30' rear yard setback to 22' to add an addition to the existing house for a bedroom, bathroom, and dining area was GRANTED, the motion was carried unanimously. The property located at 624 Jamaica Avenue is in an R-1A Zoning District.
- BOA86-067 It was moved by Mrs. Campisi and seconded by Mr Goodman that the appeal of John L. and Ruth E. Gregory to reduce the required 30' rear yard setback to 20'-8" to add an addition to the existing building for a bathroom, was GRANTED, the motion was carried unanimously. The property located at 2926 Pearl Avenue is in an R-1 Zoning District.
- BOA86-068 It was moved by Mr. Castellano and seconded by Mrs. Campisi that the Appeal of Carolyn Hamilton and John E. Gilmore to reduce the required 25' front yard setback to 15.54' to add an addition to the existing house for a bedroom was GRANTED, the motion was carried unanimously. The property located at 1709 W. North Street is in an R-1A Zoning District.
- BOA86-069 It was moved by Mr. Goodman and seconded by Mrs. Campisi that the appeal of John and Julie Arenas to reduce the required 25' front yard setback to 15' to construct a single family home was GRANTED, the motion was carried unanimously. The property located at 4110 San Pedro Street is in an R-1A Zoning District.
- BOA86-070 It was moved by Mrs. Mulder and seconded by Mr. Goodman that the appeal of Clayton S. Taylor to reduce the required 10' rear yard setback to 4' to expand the existing retail business was GRANTED, the motion was carried unanimously. The property located at 3308 S. Dale Mabry is in a C-1 Zoning District.

- BOA86-071 It was moved by Mr. Goodman and seconded by Mrs. Mulder that the appeal of Joseph Dixon III to reduce the required 8' side yard setback to 2' on the east and 4' on the west, also, to retain the existing 6' high wall at the front of the property to build a single family house was GRANTED. the motion was carried unanimously. The property located at 924 Golfview Street is in an R-1A Zoning District.
- BOA86-072 It was moved by by Mrs. Campisi and seconded by Mr. Arkus that the appeal of Phillip Alessi to reduce the required 5' side yard setback to 0; to add an addition to the existing building was GRANTED, the motion was carried unanimously. The property located at 1005 N. Excelda is in an C-1E Zoning District.
- BOA86-078 It was moved by Mrs. Campisi and seconded by Mrs. Mulder that the appeal of Gary and Marie Marsicano to reduce the required front yard setback to 16' to add an addition to the existing house at the west of the property was GRANTED, the motion was carried unanimously. The property located at 405 E. Pocahantas Avenue is in an R-1A Zoning District.
- BOA86-079 It was moved by Mr. Goodman and seconded by Mrs. Mulder that the appeal of Jose A. Fernandez to reduce the required 7' side yard setback to 3' at the east of the property to add an addition to the existing house for a storage room was GRANTED, the motion was carried unanimously. The property located at 3306 St. Conrad Street is in an R-1 Zoning District.
- BOA86-081 It was moved by Mr. Goodman and seconded by Mrs. Campisi that the appeal of Mark W. Dillman to reduce the required 30' rear yard setback to 22.5' and to reduce the required 8' side yard setback to 7.5' on both sides of the property to construct a single family house was GRANTED, the motion was carried unanimously. The property located at 3321 Napoleon Avenue is in an R-1A Zoning District.
- BOA86-082 It was moved by Mrs. Mulder and seconded by Mr. Castellano that the appeal of John B. and Cynthia B. Sutton to reduce the required 30' rear yard setback to 27' to build a single family house was GRANTED, the motion was carried unanimously. The property located at 160 Biscayne Avenue is in an R-1A Zoning District.
- BOA86-084 It was moved by Mrs. Mulder and seconded by Mr. Goodman that the appeal of Mary A. Wiggins to reduce the required 25' front yard setback to 5.1' to erect a double carport was DENIED, the motion was carried unanimously. the property located at 6206 Church Avenue is located in an R-1A Zoning District.
- BOA86-088 It was moved by Mr. Goodman and seconded by Mrs. Mulder that the appeal of Harry E. and Pat M. Knight to reduce the required 4' side ayrd set back to 2' and to reduce the required 60' front yard setback to 46' to build a free standing carport was GRANTED, the motion was carried unani- mously. The proerty located at 4105 Inman Avenue is in an R-1A Zoning District.

BOA86-090 It was moved by Mrs. Mulder and seconded by Mr. Goodman that the appeal of Design Arts Group to reduce the required 10' side yard setback to 9.56' on the east property line to correct the encroachment of the existing building into the side yard setback was GRANTED, the motion was carried unanimously. The property is located at 5300 West Cypress Street is in a Map 1 and 2 Zoning District.

BOA86-091 It was moved by Mrs. Mulder and seconded by Mrs. Campisi that the appeal of Mr. and Mrs. Ashley Fisher to reduce the required 30' rear yard setback to 26'-6" to construct a balcony on the second story addition was GRANTED, the motion was carried unanimously. The property located at 458 Lucerne Avenue is in an R-1A Zoning District.

CONDITIONAL USES/HOME OCCUPATION VARIANCES

BOA86-075 It was moved by Mr. Castellano and seconded by Mrs. Mulder that the appeal of West Tampa Boys and Girls Club to increase after school care from 120 to 165 children increasing the present allowable capacity was GRANTED, the motion was carried unanimously. The property located at 1415 N. MacDill Avenue is in an R-1 Zoning District.

BOA86-085 It was moved by Mr. Goodman and seconded by Mr. Arkus that the appeal of Clude M. Burpee for Conditional Use approval for a medical clinic and to reduce the required 26' drive aisle to 12' to operate a medical clinic was POSTPONED, the motion was carried unanimously. The property located at 613 S. Orleans Avenue is in an R-3 Zoning District.

It was decided after discussion that this appeal had to go before the Hillsborough County Planning Commission before the Board could hear the appeal. This is prescribed through the Zoning Code..

BOA86-086 It was moved by Mr. Goodman and seconded by Mrs. Campisi that the appeal of Interbay Design Consultants for Conditional Use approval for a home occupation to operate an interior design/decoration services for their home was GRANTED, the motion was carried unanimously. The property located at 10511 N. Dixon Avenue is in an R-1 District.

PARKING, BUFFER AND HEIGHT VARIANCES

BOA86-066 It was moved by Mrs. Campisi and seconded by Mr. Arkus that the appeal of James A. Johnston to erect a 6' high brick wall at the front and sides of the property within 25' front setback to construct a single family house was GRANTED, the motion was carried unanimously. The property located at 3101 W. Hawthorne Road is in an R-1A Zoning District

BOA86-073 It was moved by Mrs. Campisi and Seconded by Mr. Arkus that the appeal of Phillip Alessi to waive the on site parking requirements, and to utilize the area within 500' of the subject property for parking for an addition to the existing building for a bakery business was GRANTED, the motion was carried unanimously. The property located at 1005 N. Excelda is in a C-1 Zoning District.

- BOA86-074 It was moved by Mr. Goodman and seconded by Mrs. Mulder that the appeal of Bry-Alan Studio, William L. Stoeltzing to allow off street parking in a residential district and to allow ingress/egress in a residential district to convert existing building into a photographic (portrait) studio was GRANTED, the motion was carried unanimously. The property located at 502 Grand Central is in a C-2/R-4 Zoning District.
- BOA86-076 It was moved by Mr. Castellano and seconded by Mrs. Campisi that the appeal of Evelio Felix Linares to delete the required 6' high solid masonry buffer wall and replace it with the existing wooden fence at the rear (west) of the property line to develop a retail carpet business was GRANTED, the motion was carried unanimously. The property located at 5810 N. Nebraska is in a C-2 Zoning District.
- BOA86-080 It was moved by Mrs. Mulder and seconded by Mr. Goodman that the appeal of Michael A. Christy to delete the required 6' high solid masonry buffer wall at the rear (east) of the property line to renovate the existing retail center was GRANTED, the motion was carried unanimously. There may be a change of use to a restaurant in one of the spaces. The property located at 4318 S. Manhattan is in a C-1 Zoning District.
- BOA86-083 It was moved by Mr. Goodman and seconded by Mr. Castellano that the appeal of Richard S. McLaughlin to allow off-street parking in a residential district and to reduce the required 20' front setback to 0' and to replace the required 6' high wall with a 2' hedge to provide additional parking spaces for church use was GRANTED, the motion was carried unanimously. The property located at 5706 N. 40th Street is in a C-1/R-1 Zoning District.
- BOA86-087 WITHDRAWN

This meeting closed at 9:40 p.m. and the next meeting of the Board of Adjustment is scheduled for June 9, 1986 at 7:15 p.m.

All variances granted at this hearing were granted with the provisions that these permits are only for the terms during which time they are compiled with in all details and respects and are void upon conditions its terms are shown to be violated.


SECRETARY

FRANK GUIDA
CHAIRMAN

MINUTES OF MEETING

OF

BOARD OF ADJUSTMENT

A meeting of the Board of Adjustment of the City of Tampa, Florida was held on Monday, June 9, 1986, at 7:15 P.M. in the CITY COUNCIL CHAMBERS, 3rd Floor, City Hall 315 East Kennedy Boulevard, Tampa, Florida and the following members were present:

FRANK GUIDA - CHAIRMAN
MARY ESTER PARKER
GRACE CAMPISI
BRUNO CASTELLANO

SANDRA MULDER
ROBERT GOODMAN
HARRY ARKUS

The meeting was opened and called to order by Mr. Frank Guida, Chairman, Michael Adejumo, Zoning Analyst, presented each petition with a staff report.

The following appeals were heard and the following decisions were rendered in a public hearing dated June 9, 1986, and filed in the office of the Board of Adjustment, City Hall, Tampa, Florida.

SETBACK AND LOT WIDTH VARIANCES

BOA86-092 It was moved by Mr. Goodman and seconded by Mrs. Mulder that the appeal of Mr. Tommy F. Johnson to reduce the required 20' front yard setback to 10' and to reduce the required 7' side yard setback to 3' to erect a carport was DENIED, the motion was carried unanimously. The property located at 4912 N. Tampania Ave is in an R-1 Zoning District.

BOA86-093 It was moved by Mrs. Campisi and seconded by Mr. Goodman that the appeal of Mr. Charles P. Lyman to reduce the required 60' front yard setback to 22.6' was GRANTED and that the appeal of Mr. Lyman to reduce the required 4' side yard setback to 1' was DENIED. The motions were carried unanimously by the Board. The property located at 1509 Park Circle is located in an R-1 Zoning District

An adjoining property owner Mr. Manuel Pardo came forward and stated that he did not have any objections but had some questions in regard to the 4' side yard setback and in relation to the development of the lot that had the variance request. Mr. Lyman and the Board addressed these questions.

Another adjoining property owner representing several neighboring property owners that had signed a petition, requested to know Mr. Lyman's intent being that the petitioner has already started construction of another storage shed on lot five and is requesting for a variance on lot 4 to build a storage shed. Mr. Guida stated that the Zoning department would look into the construction on lot 5, and proceeded to question Mr. Lyman in regards to his intent. Mr. Lyman stated that the shed that he is requesting the variance for would be used mainly for books, papers, and film storage. He further stated that on lot 5 he intends to build a house to go with the shed and to make that his residence. He also stated that he is willing to recind his request for reducing the side yard setback from 4' to 1' if it would be more agreeable to his neighbors. Mr. Guida then closed discussion and the Board proceeded with the above referenced motion.

BOA86-095 It was moved by Mr. Goodman and seconded by Mrs. Campisi that the appeal of Michael E. and Karen G. Urette to reduce the required 30' rear yard setback to 20', and to reduce the required 26' minimum drive aisle to 23.5', to develop multiple family dwelling units was GRANTED, the motion was carried unanimously by the Board. The property located at 307 and 309 South Bungalow Park is in an R-3 Zoning District. There was no opposition to this request.

BOA86-096 It was moved by Mrs. Campisi and seconded by Mr. Goodman that the appeal of Vanguard Group, Inc. to reduce the required 30' rear yard setback to 7.5', at the NE property line, also to reduce the required 30' side yard setback for a swimming pool to 7.5', to develop an 18 unit condominium was GRANTED, the motion was carried unanimously by the Board. The property located at 3015 West Santiago Street is in a C-2 Zoning District.

Gayle Barnes a neighboring property owner had some questions in regards to the site plan and stated that she was in favor of the appeal.

BOA86-101 It was moved by Mrs. Mulder and seconded by Mr. Parker that the appeal of Michael E. and Karen G. Urette to reduce the required 30' rear yard setback to 25', to construct a single family house was GRANTED, the motion was carried unanimously by the Board. The property located at 4506 Woodmere Road is in an R-1A Zoning District. There was no opposition to this request.

BOA-86-103 It was moved by Mrs. Parker and seconded by Mr. Arkus that the appeal of Richard N. Long, Jr., to reduce the required 30' rear yard setback also, to delete the required solid masonry buffer wall along the East property line of Lot 17, to convert the existing building wall into doctor's office/photographic studio, was GRANTED, the motion was carried unanimously by the Board. The property located at 3719 Swann Avenue is located in an R-1A Zoning District.

Mr. Charles Whittaker, Attorney ofr the petitioner, addressed the Board informing them the background and intent of the petitioner regarding the subject property. He further stated that the variance is contingent upon approval of a petition for rezoning that his client has applied to change present zoning R-1A to C-1. He also informed the Board that the rezoning isto correct a violation of storage of equipment which his client has brought to light to the city and would like to have this corrected. During discussion it was brought to the attention of all concerned that this proposal is strictly contingent upon the granting of the rezoning petition.

BOA86-104 It was moved by Mrs. Parker and seconded by Mrs. Campisi that the appeal of Mrs. Joyce Lazzara to reduce the required 30' rear yard setback to 17.2', to construct a single family home, was GRANTED, the motion was carried unanimously by the BOARD. The property is located at 435 Columbia Drive is in a R-1A Zoning District.

Dave Warren - 433 Columbia Drive questioned as to whether or not the side setbacks of the property were affected as was answered by the petitioner that they were not. The petitioner had explained that they were moving a house from one place on Davis Island to another place and were actually decreasing the size of the house to accomodate the lot and further explained the reasons behind the appeal. The Board then proceded to their motion.

BOA86-106 It was moved by Mrs. Mulder and seconded by Mrs. Parker that the appeal of Jose A. Diaz to reduce the required 30' rear yard setback to 25' and to reduce the required 7' side yard setback to 5' at the West of the property line, to construct a single family house, was DENIED, the motion was carried by a 5 to 2 vote.

A neighbor, Mr. Goerge Morales addressed the board stating that the posting for the hearing had the wrong lot numbers, and the Board stated that this was an error on Mr. Diaz's part that had been corrected. Mr. Morales then proceeded to state to the Board why he did not want the variance granted, that the petitioner new he was in violation of the codes, and, therefore doesn't have a hardship.

BOA86-107 It was moved by Mrs. Mulder and seconded by Mrs. Parker that the appeal of Jose R. Menedez to reduce the required 7' side yard setback to 0', for the existing carport which has been in use since 1976, was DENIED, the motion was carried unanimously by the Board. The property located at 3417 West Braddock Street is in an R-1 Zoning District.

A neighbor who resides at 3415 W. Braddock Street stated that she objected to the carport based on the fact that the petitioner states that the carport has been existing since 1977, and in fact it was built in 1981 or 1982. She further stated that debris falls from the carport onto her lawn, she lives alone and has to clean it herself.

BOA86-108 It was moved by Mrs. Campisi and seconded by Mr. Arkus that the appeal of Mr. Peter Favata to reduce the required 30' rear yard setback to 12', to add an addition to the existing house for an aluminum screen room, was GRANTED, the motion was unanimously by the Board. The property located at 2921 West Cass Street is in an R-1 Zoning District. There was no opposition to this appeal.

BOA86-110 It was moved by Mrs. Mulder and seconded by Mr. Castellano that the appeal of Joseph A. and Gail L. McGlothlin to reduce the required 30' rear yard setback to 25', to add an addition to the existing house for a bedroom was GRANTED, the motion was carried unanimously by the Board. The property located at 2412 Watrous Avenue is in an R-1A Zoning District.

Marty Anderson 2414 Watrous Avenue, the next door neighbor addressed the Board in support of the appeal. He further stated that several other neighbors were consulted and none of them objected to the appeal.

BOA86-094 It was moved by Mrs. Parker and seconded by Mr. Arkus that the appeal of Richard Chador to review an administrative decision on a nonconforming use which is no longer in effect, to retain an office and a four (4) unit apartment in a residential district was DENIED, the motion was carried unanimously, and then the Board RESERVED their decision pending further discussion between staff and Council after which they would readress the petition. They took this action because they were not aware that structures had to be torn down.

The property located at 1306 Horatio Street is in an R-3 Zoning District.

BOA86-094
Continued

Mr. George Palmeradas addressed the board stating that he obtained permits at one time to remodel the buildings at 1306 Horatio Street. Because he didn't finish the work the permit ran out. When he went back to obtain another permit, he ran into problems obtaining one. In the meantime the buildings were condemned. He has gone before the Code Enforcement Board and the judge granted him 90 days to finish the work, and that time has run out. Mr. Palmeradas feels that he is being penalized because he couldn't finish the work on time.

Mr. George Sherwood, an adjacent property owner spoke and stated that if the buildings were finished that he didn't object to the proposal, because it is a tax generating property.

Michael Adejumo gave his staff report to the Board stating that the property has been vacant for (9) months and therefore has lost its grandfathering. The only issue is whether or not the non-conforming use still exists. If it does not, then the applicant is only allowed to have a four unit residential structure on the lot, or an office on the lot; because this is what the density of the property will allow, one or the other but not both. He also stated that the building has been vacant since 1979 and condemned by the City.

The Board decided to go on with the meeting and make a decision later after zoning staff and the legal department have had time to discuss and make clarification to the Board so they can better make their decision.

BOA86-100

It was moved by Mr. Castellano and seconded by Mrs. Mulder that the appeal of Raymond R. Wilson for conditional use variance for a home occupation, to operate a mail order business was GRANTED, the motion was carried unanimously by the Board. The property located at 3326 Wallcraft Avenue is in an R-1A Zoning District.

Mr. Guida addressed the applicant stating that the following conditions must be adhered to; he can't put up any signs, create any obnoxious odors, can't use any special electrical power, its only for people who live in the house, he cant hire any help to come in, and he can only use 25% of the structure for this particular occupational use.

There was no opposition to this appeal.

BOA86-102

The applicant was not in the room at the time the appeal was read, therefore, the board reserved hearing the case until later that evening.

BOA86-089

It was moved by Mr. Goodman and seconded by Mrs. Mulder that the appeal of Mr. George F. Young to delete the required 6' high solid masonry wall to the North and East property line abutting residential district, to utilize the property for a convenience store/gas station, and for a car wash was GRANTED, the motion was carried unanimously by the Board. The property located at 2735 West Buffalo Avenue is in an C-1 Zoning District. There was no opposition to this appeal.

BOA86-097

It was moved by Mrs. Campisi and seconded by Mr. Goodman that the evidence presented to the Board for a rehearing on Case #BOA86-017, which was partially denied on March 10, 1986, be accepted for a rehearing. The motion was carried unanimously by the Board. It was moved by Mrs. Mulder and seconded by Mr. Goodman that the appeal of Bayshore Partners to delete the required 6' high solid masonry wall at the North seventy (70) feet of the West Property line, to provide parking spaces for apartment residents across the street, was GRANTED WITH CONDITIONS. Conditions pertaining to approval were: 1. the applicant is to put in as high a hedge as possible; 2. the applicant is to use irrigation. The motion was carried unanimously by the Board. The address, 2120 Dekle Ave. is zoned R-3A.

BOA86-094
(readdressed)

It was moved by Mrs. Campisi and seconded by Mr. Castellano that the appeal of Mr. Richard Chador to review an administrative decision on a nonconforming use which is no longer in effect, to retain an office and a four (4) unit apartment in a residential district was GRANTED, the motion was carried by a 4-3 vote by the Board (Mr. Goodman, Ms. Mulder, and Mrs. Parker against) with a CONDITION that the work must be completed within 120 days or the structures must be torn down (no exceptions).

Barbara Prentice addressed the board stating that the structures were built before the code and that they are not the correct uses for the current code in regards to setbacks and density. The property is allowed to remain as is until there is a nine month laps in use, then the property owner loses the ability to continue to use the structure for that use. She further stated that the only issue is whether there has been a laps of nine months in use. If the Board does agree with what the zoning administrator has said, the owner has a choice; he can leave the office and continue to use it as is (he can't expand it because it has a non-conforming use), or he can tear it down and put up a four (4) unit apartment. The board is only to decide whether this property has lost its Grandfathering provision.

It was brought up by one of the board members that because the property has been under repair, that is why the property has been vacant. Also, tax considerations were brought up, and it was answered that they have nothing to do with this variance.

Barbara Prentice again addressed that the way that the voting goes is either you disagree with the zoning administrator and the buildings stay as they are, apartments and office use; or you agree with the zoning administrator and the owner has to choose whether he wants a four unit apartment or an office.

after further discussion between staff and the Board, the Board proceeded with the previously mentioned motion.

BOA86-099

It was moved by Mr. Arkus and seconded by Mr. Goodman that the appeal of Davis S. Boling to allow the use of a tract of land located within 500' of the subject property for parking. The following are requested to be waived: (a) ingress/egress in a residential district (b) eliminate 6' high masonry wall (c) reduce the required 15' front setback to 0' along West Bay Street; to provide adequate parking for doctors office, was GRANTED, the motion was carried unanimously by the Board. There was no opposition to this appeal.

BOA86-105

It was moved by Mrs. Mulder and seconded by Mr. Goodman that the appeal of Mrs. Bertha M. Frazier to increase the required 4' high chain link fence to remain as is was GRANTED by the Board, the motion was carried unanimously. The property located at 3016 E. Emma Avenue is in an R-1 Zoning District.

Mrs. Frazier addressed the Board stating that she lived in a neighborhood that has a very high crime rate and she needs the fence for her own protection and safety.

T. J. Oats, Jr., 3016 E. Cayuga, asked questions about the petitioner's fence. He stated that the neighborhood is dangerous, but that he did not understand why the fence was higher than the one next to it.

Olethea Jones 711 West Street, addressed the Board stating that she had no objections to the fence but would prefer to have the fence 4' in the front. She believes that because the hedges are in the front by the fence, it contributes to the crime problem.

Cynthia Grant, 8808 N. Mulberry Street, addressed the Board stating that she wants the fence kept the way it is for the protection of her children. She further explained that the hedges have been trimmed and that they are no longer a problem.

Andrew Frazier, 725 Tyron Trail, addressed the Board in favor of the proposal. He stated that the fence has acted as a deterrent to criminal activity, as well as, protecting his mother and her grandchildren.

A Mr. Andre Jerome addressed the Board stating that the reason he came to the meeting is to settle a boundry dispute. the Board informed him that they do not deal with property disputes.

The Board then made the motion for approval.

BOA86-109

It was moved by Mr. Castellano and seconded by Mrs. Campisi that the appeal of Mr. Alfred S. Austin to erect a 6' high fence at the front and sides of the property within the are of 25' front setback. also, the applicant requested to increase the fence height to 7.2' within the area over 25' setback was GRANTED by the Board, the motion was carried unanimously. There was no opposition to this appeal. The proerty located at 4617 San Miguel is in an R-1A Distirct.

Bill Sandman, 4703 San Miguel, spoke on the behalf of the petitioner to verify that this was to relocate the existing wrought iron fence.

BOA86-102

It was moved by Mrs. Campisi and seconded by Mrs. Mulder that the appeal of Mr. Frank Cacciatore for conditional use variance regarding home occupaion, to operate a computer software service was GRANTED, by the Board, the motion was carried unanimously. The property located at 3816 El Prado is in an R-1A Zoning District. There was no opposition to this appeal.

Mr. Guida addressed the petitoner in regard to the conditions set forth under the zoning code. Mr. Adejumo stated that he would give the petitioner a copy of the ordinance.

EXTENSIONS

BOA85-238 It was moved by Mrs. Campisi and seconded by Mrs. Parker that a six month extension of the variance granted December 9, 1985, to increase the required thirty-five (35) feet height to forty-two (42) feet and to reduce the required ten (10) feet rear yard setback to zero (0) to construct an office building was GRANTED by the Board, the motion was carried unanimously. The property is located at 4427 West Kennedy Boulevard and is in a C-1/R-1 Zoning District.

BOA85-227 It was moved by Mr. Goodman and seconded by Mrs. Campisi that a six month extension of the variance granted December 9, 1985, to reduce the side yard setback from 7' to 3.5' to the East of the property line to allow the construction of a single family house on lot 177, was GRANTED by the Board, the motion was carried unanimously. The property is located at 308 West Cayuga and is in an R-1 Zoning District.

This meeting closed at 11:10 p.m., and the next meeting of the Board of Adjustment is scheduled for July 14, 1986, at 7:15 p.m.

All variances granted at this hearing were granted with the provisions that these permits are only for the terms during which time they are complied with in all details and respects and are void upon conditions its terms are shown to be violated.

Mary A. Danilewicz
 SECRETARY

FRANK GUIDA

 Chairman

MINUTES OF MEETING
OF
BOARD OF ADJUSTMENT

A meeting of the Board of Adjustment of the City of Tampa, Florida was held on Monday, July 14, 1986, at 7:15 P.M. in the CITY COUNCIL CHAMBERS, 3RD Floor, City Hall, 315 East Kennedy Boulevard, Tampa, Florida and the following members were present:

FRANK GUIDA - CHAIRMAN
MARY ESTHER PARKER
GRACE CAMPISI

SANDRA MULDER
ROBERT GOODMAN
BRUNO CASTELLANO

The meeting was opened and called to order by Mr. Frank Guida, Chairman, Michael Adejumo, Zoning Analyst, presented each petition with a staff report. Mary G. Danielewicz, Secretary swore in all witnesses.

The following appeals were heard and the following decisions were rendered in a public hearing dated June 9, 1986, and filed in the office of the Board of Adjustment, City Hall, Tampa, Florida.

HOLDOVER

BOA86-085 It was moved by Mrs. Parker and seconded by Mrs. Mulder that the appeal of Mr. Claude M. Burpee for Conditional Use approval for a medical clinic, also to reduce the required 26' drive aisle to 12'; to operate a medical clinic be DENIED, the motion did not pass because of a Tie Vote. Mrs. Parker, Mrs. Mulder, and Mr. Castellano voted to deny the appeal; and Mrs. Campisi, Mr. Goodman, and Mr. Guida all voted against denying the appeal. It was subsequently ruled that because of a tie vote that the appeal would be held over to the next meeting. The property located at 613 South Orleans Avenue is in an R-3 Zoning District.

Mr. John Puffer, Attorney for the church which owns adjacent property spoke on the behalf of the church objecting to this appeal. The major reason for the objection is that the church claims half interest of the property and does not want the property to be used as proposed, the use is not appropriate for this neighborhood.

BOA86-112 It was moved by Mr. Castellano and seconded by Mrs. Campisi that the appeal of John E. and Yvonne Robertson to reduce the required 8' side yard setback to 4', and to reduce the required 30' rear yard setback to 28'; to add to the existing carport was GRANTED, the motion was carried by a 5 to one vote, Mr. Goodman being against the motion. The property located at 4420 Kensington is zoned R-1A.

There was no opposition to this appeal.

BOA86-117 It was moved by Mr. Goodman and seconded by Mrs. Mulder that the appeal of Charles W. and Dorothy V. Rivenbark to reduce the required 8' side yard setback to 0'; to allow the storage addition to the existing house to remain was DENIED, the motion was carried unanimously. The property located at 4501 South Renellie Drive is in an R-1A Zoning District.

A neighbor, Mrs. Dewald, 4503 Renellie objected to the appeal based on the fact that water runs off into her yard and the hot air from the air conditioner travels into her yard because of this.

BOA86-120 It was moved by Mrs Mulder and seconded by Mrs. Parker that the appeal of Barry Alspach to reduce the required 7' side yard setback to 6'-11" to the West of the property line; to correct the intrusion on the required setback was GRANTED, the motion was carried unanimously. The property located at 4220 and 4222 East Curtis Street is in an R-1 Zoning District.

James and Dorothy Faisen, 4231 East Osborn, stated that they had no objections to the appeal.

BOA86-121 It was moved by Mrs. Campisi and seconded by Mrs. Parker that the appeal of Neil and Jane Spector to reduce the required 30' rear yard setback to 15'; to add an addition to the existing house for a bedroom/bath was GRANTED, the motion was carried unanimously. The property located at 4510 Sylvan Ramble is in an R-1A Zoning District.

There was no opposition to this appeal.

BOA86-123 it was moved by Mrs. Mulder and seconded by Mrs. Parker that the appeal of the Tigert Company to reduce the required 25' front yard setback to 19'-4" to add an addition to the existing house for a two-car garage was DENIED, the motion was carried by a five to one vote, Mr. Goodman voting against denial. A neighbor, Gerald N. Taylor stated he objected because there was no hardship of the land. Mr. Mike Attello, 414 Erie stated that he objected because the house is too big for the lot. Ms. Nora Wising, 514 Erie, stated that she did not believe that there was a hardship and she felt that the petition should be denied. Mr. Paul Hardiman, 409 W. Davis Blvd., stated that the garage that the petitioner is proposing to build is too big for the lot. A petition was submitted to the board by some of the surrounding property owners stating that they are in favor of the Whites petition to change the front setbacks.

BOA86-124 It was moved by Mrs. Campisi and Seconded by Mr. Castellano that the appeal of David Bast to reduce the required 30' rear yard setback to 18.4' and to reduce the required 8' side yard setback to 7.5' at the North property line; to add an addition of the existing house for a screened patio was GRANTED, the motion was carried unanimously. The property located at 9625 Hidden Oaks Circle is in an R-1A Zoning District.

Mr. David Bast spoke as the agent for the petitioners. There was no opposition to this appeal.

BOA86-125 It was moved by Mr. Goodman and seconded by Mrs. Campisi that the appeal of Gary E. and Gail E. Stoddard to reduce the required 8' side yard setback to 2'-6"; to add an addition to the existing building for a laundry/storage room was GRANTED, the motion was carried unanimously. The property located at 1902 S. Hesperides Street is in an R-1A Zoning District.

There was no opposition to this appeal.

BOA86-127 It was moved by Mrs. Mulder and seconded by Mrs. Parker that the appeal of Anthony A. and Linda Ziemak to reduce the required 30' rear setback to 22'; to add an addition to the existing structure for a bedroom and a bath was **GRANTED**, which motion was carried unanimously. The property located at 3914 Bay to Bay Boulevard is in an R-1A Zoning District.

There was no opposition to this appeal.

BOA86-128 It was moved by Mr. Castellano to grant the appeal of Manuel A. Arduengo, there was no second to the motion, it was further moved by Mrs. Mulder and seconded by Mrs. Parker, which motion was carried by a five to one vote, Mr. Castellano voting against denial. The property located at 3411 Grace Street is in a R-1 Zoning District.

There was no opposition to this appeal.

BOA86-129 It was moved by Mrs. Mulder and seconded by Mrs. Parker that the appeal of Armando and Betty Lou Gallardo to reduce the required 20' front yard setback to 1'; to allow the existing carport to remain be **DENIED**, which motion was carried by a five to one vote, Mr. Castellano voting against denial. The property located at 3415 West Grace Street is in an R-1 Zoning District.

There was no opposition to this appeal.

BOA86-130 It was moved by Mrs. Campisi and seconded by Mrs. Parker that the appeal of Howard W. & Sherry T. Davis to reduce the required 8' side yard setback to 2' to add an addition to the existing house for a carport be **GRANTED**, which motion was carried by a five to one vote, Mrs. Mulder voting against granting the appeal. The property located at 1106 South Armenia is in a R-1A Zoning District.

There was no opposition to this appeal.

BOA86-136 It was moved by Mr. Goodman and seconded by Mr. Castellano that the appeal of H. H. Eggner, Jr., to increase the front entrance overhand to 3' to construct a single family home be **GRANTED**, which motion was carried unanimously. The property generally located at 3601 Granada Street is in a R-1A Zoning District.

There was no opposition to this appeal.

ADMINISTRATIVE DECISION

BOA86-111 It was moved by Mr. Goodman and seconded by Mrs. Campisi that the appeal of Michael E. and Karen G. Urette to review an administrative decision on the interpretation of what is considered to be an attached dwelling unit and the maximum allowable density for the lots; to develop six (6) units be **GRANTED**, which motion was carried by a five to one vote, Mrs. Mulder voting against granting the motion.

The petitioner maintained that arch was is roofed and that serves as a common wall between the units.

BOA86-113 It was moved by Mrs. Mulder and seconded by Mrs. Parker that the appeal of John and Joann K. Affolter to review an administrative decision on a non-conforming use; to build a double garage be DENIED, which motion was carried unanimously. The Board upheld the cities administrative decision. The property located at 8719 E. Portal Drive is in an R-1A Zoning District.

There was no opposition to this appeal.

Conditional Use Home Occupation

BOA86-098 It was moved by Mrs. Mulder and seconded by Mr. Goodman that the appeal of Plama Ceia Christian Church for a conditional use variance, also to reduce the required 30' rear yard setback to 15' (Southend), and 9' (Southeast) from the property line; to add an addition to the existing church for an educational and family life center be GRANTED, which motion was carried unanimously. The property located at 3513/3515 Santiago Street is in an R-2 Zoning District.

There was no objection to this appeal.

BOA86-115 It was moved by Mrs. Campisi and seconded by Mr. Castellano that the appeal of Joseph W. J. Robinson for a home occupation; to operate a Consulting Engineering Office from home be GRANTED, which motion was carried unanimously. The property located at 2337 W. Cherry Street is in a R-2 Zoning District.

There was no opposition to this appeal.

BOA86-116 It was moved by Mrs. Mulder and seconded by Mrs. Parker that the appeal of Omni Laboratories for a home occupation; to operate an orthodontic laboratory from home be DENIED, which motion was carried unanimously. The property located at 4003 Estrella is in an R-1A Zoning District.

Mrs. Midulla, a property owner across the street from the petitioner, addressed the board for the surrounding property owners, she, also, submitted letters from these property owners. The major objection was to the noise generated from this business. The petitioner had a business there illegally and they objected at that time, and they felt that this would generate the same activity and they did not want this in their neighborhood.

BOA87-119 It was moved by Mr. Castellano and seconded by Mrs. Campisi that the appeal of Varna L. Kendrick for a conditional use variance; to operate a senior adult center/day nursery with a maximum enrollment of one hundred and sixty (160) be GRANTED, which motion was carried unanimously. The property located at 1914 East Comanche Avenue is in an R-1 Zoning District.

Mrs. Enans Spayner, 1903 E. Powhattan doesn't approve to the use of the church for a senior adult center and day nursery. Mrs. Clark Everette, stated that for years this has had an nursery and school and feels that this will be an asset to the neighborhood. Mr. Bill Casino and his wife addressed the Board in favor of the appeal.

BOA86-122 *Appeal of Iglesia Y La Vida Verdadera for a conditional use variance to operate a church. The property located at 4201 17th Street North is in an R-1 Zoning District.* APPEAL WITHDRAWN

BOA86-126 It was moved by Mrs Campisi and seconded by Mrs. Parker that the appeal of Robert C. Cochran for a home occupation; to operate a Nurse Care Travel Service be DENIED, which motion was carried unanimously. The property located at 307 W. Davis Boulevard is in an R-1A Zoning District.

The following persons opposed the variance: Steve Prevatt 311 West Davis, Mr. Erwin, Mr. Jones, Mr. Van Camp, Mr. Alfield, Mr and Mrs Adams, and Mr. and Mrs. Weising. Mr. Steve Prevatt spoke for all of the aforementioned property owners. Ms. Elisabeth 308 W. Davis spoke in objection, and she passed a letter around from Nathan Mays stating that he objected to the variance. Dr. Menendez, who lives across the street from 308 W. Davis spoke in objection to the variance. Norma White 3514 Erie Avenue spoke in objection to the variance. These persons objected to a home occupation on Davis Island, the felt that it was an intrusion to the residential nature of the neighborhood and did not want this for fear of a precedent being set.

PARKING, BUFFER, HEIGHT VARIANCES

BOA86-114 It was moved by Mr. Goodman and seconded by Mrs. Mulder that the appeal of Patrick R. Sweeney, to erect a 6' high concrete block wall at the front and sides of the property within the area of the 20' front setback to erect a concret block wall be DENIED, which motion was carried unanimously. The property located at 2809 Thornton is in an R-1 Zoning District.

There was no opposition to this appeal.

BOA86-118 *Appeal of ACO Printing to waive the required (9) parking spaces to zero to replace the existing damaged wood structure. The property is located at 3108 Bay to Bay Boulevard is in a C-2 Zoning District.* APPEAL WITHDRAWN

Felix Jamin addressed the board stating that he did not understand why he was there for the variance because they are only remodeling the existing building. It was explained that he was grandfathered in under his use and now that he is remodeling the structure, he must meet code requirements. It was, also, explained to him that traffic objected because he did not meet parking requirements. Mr. James Murphy stated that he just bought and remodeled a building on Bay to Bay and that he had to meet parking requirements. After further discussion the petitioner decided to withdraw the application. The applicant was advised that he should try to obtain at least nine (9) parking spaces within 500 feet of the subject property and then bring his proposal back before the Board, and he was informed that he must reapply.

BOA86-154 It was moved by Mr. Castellano and seconded by Mrs. Mulder that the appeal of Ronald W. and Amanda T. Moore to erect a 6' high fence at the front and sides of the property within the area of 25' front setback, also to increase the fence height to 7.2' within the are over the 25' front setback; to erect a wall and wrought iron fence for privacy be GRANTED, which motion was carried unanimously. The property located at 206 S. Blanca Avenue is in a R-1A Zoning District.

There was no opposition to this appeal.

The next meeting of the Board of adjustment is scheduled for August 11, 1987, at 7:15 p.m. in the City Council Chambers.

All variances granted at this hearing were granted with the provisions that these permits are only for the terms during which time they are complied within, in all details and respects and are void upon the conditions of which its terms are shown to be violated.

FRANK GUIDA
CHAIRMAN


SECRETARY

MINUTES OF MEETING

OF

BOARD OF ADJUSTMENT

A meeting of the Board of Adjustment of the City of Tampa, Florida was held on Monday August 11, 1986, at 7:15 p.m. in the CITY COUNCIL CHAMBERS, 3RD Floor, City Hall, 315 East Kennedy Boulevard, Tampa, Florida, and the following members were present:

FRANK GUIDA - CHAIRMAN
MARY ESTHER PARKER
GRACE CAMPISI

SANDRA MULDER
ROBERT GOODMAN
BRUNO CASTELLANO

The meeting was opened and called to order by Mr. Frank Guida, Chairman, Michael Adejumo, Zoning Analyst, presented each petition with a staff report. Mary G. Danielewicz, Secretary swore the witnesses in a mass swearing in ceremony.

The following appeals were heard and the following decisions were rendered in a public hearing dated August 11, 1986, and filed in the office of the Board of Adjustment, City Hall, Tampa, Florida.

HOLDOVER

BOA86-085

It was moved by Mr. Goodman and seconded by Mrs. Campisi that the appeal of Mr. Claude M. Burpee for Conditional Use approval for a medical clinic, also to reduce the required 26' drive aisle to 12'; to operate a medical clinic be GRANTED, the motion did not carry because of a Tie Vote. Mr. Guida, Mrs. Campisi, and Mr. Goodman voted to grant the appeal; and Mr. Castellano, Mrs. Mulder, and Mrs. Parker voted against granting the appeal. It was further moved by Mrs. Campisi and seconded by Mrs. Mulder that the appeal be tabled until further notice, motion carried unan.

Mr. John Puffer, Attorney representing Hyde Park Presbetarian Church spoke against the appeal of Dr. Burpee. He proposed that the church has an interest in the property (that issue has not been resolved as of yet, not a Board matter) and that the use intended is inconsistent with the land use plan. He also stated that the board took action at the previous hearing and because Dr. Burpee did not get four votes the appeal should be denied.

Assistant City Attorney Barbara Prentice stated that a tie vote is a nullity, when that happens the board has one of three options: 1) hold over to the next meeting 2) place the appeal on another agenda until there is a scheduled meeting that will have seven board members present, and proper notification of all parties involved has been effected. 3) it could stay as a non-action, whereas the petitioner could come back at any time because it was not a denial.

BOA86-132

It was moved by Mrs. Mulder and seconded by Mrs. Campisi that the appeal of Clarence Odell Pembleton to reduce the required 30' rear yard setback to 24'; to add an addition to the rear of the existing house for a screened porch be GRANTED, which motion carried unanimously. the property located at 10411 North 22ND Street is in an R-1A Zoning District.

There was no popposition to this appeal

BOA86-133

It was moved by Mrs. Parker and seconded by Mr. Goodman that the appeal of Naomi H. Coker to reduce the required 7' side yard setback to 3.9' on

the west and to reduce the required 30' rear yard setback to 3.5' at the rear of the property; to renovate the existing building located at the rear of the house that burned down be GRANTED, which motion was carried unanimously. The property located at 3702 North Highland Avenue is in an R-1 Zoning District.

Mr. Robert Nelson, 106 W. Ohio, spoke in favor of the appeal.

BOA86-134 It was moved by Mrs. Mulder and seconded by Mr. Goodman that the appeal of Richard Fultz to reduce the required 20' front yard setback to 2'; to add an addition to the existing house for a carport be DENIED, which motion was carried unanimously. The property located at 3321 Grace Street is in an R-1A Zoning District.

Mr. Richard Fultz, owner of D. & P. Aluminum presented the application. It was made known that a permit was not pulled for this project. Mr. Robert Tavalicco addressed the Board stating that he needs the carport for his wife who is ill and has to go frequently to the doctor, this is for her protection.

BOA86-135 It was moved by Mr. Goodman and seconded by Mrs. Mulder that the appeal of Flozell Henderson to reduce the required 30 rear setback to 17', and to reduce the required 7' side yard setback to 0'; to add an addition to the existing house be GRANTED, which motion was carried unanimously. The property located at 2330 East Emma Street is in an R-1 Zoning District.

There was no opposition to this appeal.

BOA86-137 It was moved by Mrs. Parker and seconded by Mrs. Campisi that the appeal of David C. and Jan Williams Banker to reduce the required 8' side yard setback to 4'; to add an addition to the existing house for a family room, utility room, and a bath be GRANTED, which motion was carried unanimously. The property located at 1800 Richardson Place is in an R-1A Zoning District.

Ms. Ari Silverman, 1801 Bayshore, wanted to see the plans and stated that she did not object to the appeal.

BOA86-138 It was moved by Mrs. Campisi and seconded by Mr. Castellano that the appeal of Sehon L. and Susan A. Cooksey to reduce the required 30' rear yard setback to 15'; to add an addition to the existing house for a master bedroom, bath, and a utility room be GRANTED, which motion was carried unanimously. The property located at 4520 South Matanzas Avenue is in a R-1A Zoning District.

There was no opposition to this appeal.

BOA86-139 It was moved by Mr. Goodman and seconded by Mrs. Campisi that the appeal of Judith B. Cavanaugh to reduce the required 8' side yard setback to 0' to add an addition to the existing house for a porch (lanai) be GRANTED, which motion was carried unanimously. The property located at 3310 Car-rington Avenue is in an R-1A Zoning District.

Judy Cavanaugh, realtor for the owner Idalia Felicione presented the appeal to the Board.

BOA86-140 It was moved by Mr. Castellano and seconded by Mrs. Campisi that the appeal of Mary D. Smith to reduce the required 30' rear yard setback to 12.5'; to add an addition to the existing house for a bedroom be GRANTED, which motion was carried unanimously. The property located at 416 Royal Palm Way is in a R-1A Zoning District.

Mary Smith addressed the board, she informed them that her new name is Mary Conover (she recently married). She further stated that the roof line will follow the same lines as the existing structure, there was no opposition.

BOA86-143 It was moved by Mr. Goodman and seconded by Mr. Parker that the appeal of Anita A. and Dennis T. Trosky to reduce the required 8' side yard setback to 6' on the West property line; to add an addition to the existing house for a carport be GRANTED, which motion was carried unanimously. The property located at 2601 Sunset Drive is in an R-1A Zoning District.

There was no opposition to this appeal.

BOA86-144 It was moved by Mr. Goodman and seconded by Mrs. Mulder that the appeal of Todd and Regina Gilbert to reduce the required 8' side yard setback to 5', and to reduce the required 30' rear yard setback to 29'; to add an addition to the existing house for a bathroom, master bedroom, and a recreation room be GRANTED, which motion was carried unanimously. The property located at 4013 San Miguel Street is in an R-1A Zoning District.

Mr. John O'Rankin addressed the Board, stating that this is the only logical place on the site to place the addition.

BOA86-146 It was moved by Mr. Goodman and seconded by Mrs. Parker that the appeal of James W. Wingo, Sr. to reduce the required 4' side yard setback to 6"; to allow the existing utility room to remain be GRANTED, which motion was carried unanimously. The property located at 5121 Chilkoot Street is in an R-1A Zoning District.

Mr. Wingo submitted a petition from surrounding property owners stating that they are in favor of the appeal. Mr. Guida informed Mr. Wingo that there were two letters in the in objection to the appeal. There were no persons present to object to the appeal.

BOA86-150 It was moved by Mr. Goodman and seconded by Mrs Campisi to accept the new material evidence for a rehearing of Case # BOA86-084 which was denied on May 12, 1986, which motion was carried unanimously; it was further moved by Mrs. Mulder and seconded by Mr Goodman that the appeal of Mary Wiggins to reduce the required 25' front yard setback to 8.6'; to add an addition to the existing house for a carport be DENIED, which motion was carried by a 5 to 1 vote (Mr. Guida against denial). The property located at 6206 South Church avenue is in an R-1A Zoning District.

BOA86-155 It was move by Mr. Goodman and seconded by Mrs. Campisi that the appeal of Dr. and Mrs. I. M. Essrig to reduce the required 8' side yard setback to 4.5'; to add an addition to the existing house for a room be GRANTED, which motion was carried unanimously. The property located at 2803 Beach Drive is in an R-1A Zoning District.

Mr. John O'Rankin spoke on the behalf of the petitioners, stating that they worked very closely with the stormwater and city attorneys department on this worked out. There was no opposition to this appeal.

BOA86-158 It was moved by Mr. Goodman and seconded by Mrs. Mulder that the appeal of Jack Dwyer Co., to reduce the required 8' side yard setback to 6.5'; to construct a house be **GRANTED**, which motion was carried unanimously. The property located at 8405 Barrett Place is in an R-1A Zoning District.

There was no opposition to this appeal.

BOA86-167 It was moved by Mr. Goodman and seconded by Mrs. Mulder to accept the new material evidence for a rehearing of Case #BOA86-106 which was denied on June 9, 1986, which motion was carried unanimously; it was further moved by Mrs. Campisi and seconded by Mr. Goodman that the appeal of Jose Diaz to reduce the required 8' side yard setback to 7'-6" on the East property line; [also to reduce the 30' rear setback to 25'] (allowed to be included in this appeal because it was part of the original appeal from which the rehearing was based upon); to complete the single family home under construction, which motion was **GRANTED**, which motion was carried unanimously. The property located at 4109 East Richmere is in an R-1A Zoning District.

The following persons appeared in favor of the appeal: Lola Gonzales, 4113 Richmere, who feels that the house is a little too large for the neighborhood but she is not in opposition to this appeal and would like to see the appeal approved. A person representing Mrs. Velasco, 4111 Richmere, who is in support of the appeal. Ms. Debbie Eustev, 4114 Richmere, stated that she is in favor of the appeal. Mr. Diaz, also submitted a listing of nine (9) signatures of surrounding property owners who are in favor of the appeal.

There was no opposition to this appeal.

CONDITIONAL USE VARIANCE - HOME OCCUPATION

BOA86-141 It was moved by Mr. Castellano and seconded by Mrs. Mulder that the appeal of Ruth Ann Bergstrom for a home occupation; to operate a gold stamping business by mail be **GRANTED**, which motion was carried unanimously. The property located at 4110 West Zelar Street is in an R-1A Zoning District.

There was no opposition to this appeal.

BOA86-142 It was moved by Mrs. Campisi and seconded by Mr. Goodman that the appeal of F.A.C.T. Industries, Inc. for a home occupation; to operate an office for engineering equipment consulting/merchandise brokerage be **GRANTED**, which motion was carried unanimously. The property located at 710 West Hilda Street is in an R-1A Zoning District.

There was no opposition to this appeal.

BOA86-145 It was moved by Mr. Goodman and seconded by Mrs. Mulder that the appeal of Mario Zacchini, Jr. for a home occupation; to operate an office for entertainment services be **GRANTED**, which motion was carried unanimously. The property located at 705 East Adalee Street is in an R-1 Zoning District.

There was no opposition to this appeal.

BOA86-149 It was moved by Mrs. Campisi and seconded by Mr. Goodman that the appeal of Ken Purdy for a conditional Use approval for a Medical Clinic, also, to reduce the setbacks to 9' on the front, 4.5' on the side and 7' in the rear; to construct an addition to the existing medical clinic be **GRANTED**, which motion was carried unanimously. The property located at 2111 Swann Avenue is in an R-3 Zoning District.

There was no opposition to this appeal.

PARKING, BUFFER, AND HEIGHT VARIANCES

BOA86-131 It was moved by Mr. Goodman and seconded by Mrs. Parker that the appeal of Joseph Dixon, III to increase the height of the wall to 7.2' at the West property line; to provide privacy be **GRANTED**, which motion was carried unanimously. The property located at 924 Golf View Street is in a R-1A Zoning District.

Mr. Steve Sparkman, representing Mr. & Mrs. Gilbert (property owners to the West) spoke in favor of the appeal.

BOA86-148 It was moved by Mrs. Campisi and seconded by Mrs. Parker that the appeal of T. and P. Investments to waive the required 6' high solid wall to the West property line; to construct a medical clinic be **GRANTED**, which motion was carried unanimously. The property located at 2502 Saint Isabel Street is in a C-2 Zoning District.

Celest Allen and Mrs. Bissie representing themselves as adjacent property owners and the property owner at 4164 North Armenia objected to the appeal because they do not want a precedent set for other properties, and that there will be a drainage problem. She was informed by Mr. Guida that all regulations have to be met for drainage requirements. It was noted that the opponents wanted the petitioner to erect a wall on the south side of the property and that the variance is requesting a waiver for the west property where there is a requirement to have a wall, and the neighboring property owners on the west side did not want the wall.

EXTENSIONS

BOA86-039 It was moved by Mrs. Mulder and seconded by Mr. Goodman that the request for a six month extension of the variance granted to R. & G. Commercial properties, Inc. to increase the required maximum height of 120' to 144' in the C-2 Zoning District to develop a commercial/professional office building be **GRANTED**, which motion was carried unanimously. The property located at 702 East Jackson Street is in a C-2 Zoning District.

This meeting closed at 9:50 p.m. and the next meeting of the Board of Adjustment is scheduled for September 8, 1986, at 7:15 p.m.

All variances granted at this hearing were granted with the provisions that these permits are only for the terms during which time they are complied with in all details and respects and are void upon conditions of its terms are shown to be violated.


SECRETARY


CHAIRMAN

MINUTES OF MEETING
OF
BOARD OF ADJUSTMENT

A meeting of the Board of Adjustment of the City of Tampa, Florida was held on Monday, September 8, 1986, at 7:15 p.m. in the CITY COUNCIL CHAMBERS, 3RD Floor, City Hall, 315 East Kennedy Boulevard, Tampa, Florida and the following members were present:

FRANK GUIDA - CHAIRMAN
GRACE CAMPISI
SANDRA MULDER

ROBERT GOODMAN
EVELYN JONES WILSON

The meeting was opened and called to order by Mr. Frank Guida, Chairman, Michael Adejumo, Zoning Analyst, presented each petition with a staff report. Mar G. Danielewicz, Secretary swore in all witnesses.

The following appeals were heard and the following decisions were rendered in a public hearing dated June 9, 1986, and filed in the office of the Board of Adjustment, City Hall, Tampa, Florida.

SETBACK AND LOT WIDTH VARIANCES

BOA86-151 It was moved by Mrs. Campisi and seconded by Mr. Goodman that the appeal of Robert and Delphine Gilbertson to reduce the required 30' rear yard setback to 27.5'; to add an addition to the existing house for a closet, bath, and a deck be GRANTED, the motion was carried unanimously. The property located at 2908 San Nicholas is in an R-1 Zoning District.

There was no opposition to this appeal.

BOA86-152 It was moved by Mr. Goodman and seconded by Mrs. Wilson that the appeal of Norma G. Eskridge to reduce the required 25' front setback to 17' be DENIED, however, that her appeal to reduce the required 8' side setback to 5' at the West property line be GRANTED, the motion was carried unanimously. The property located at 3909 De Leon is in an R-1A Zoning District.

Mr. Robert Styles, 3911 De Leon, stated that he has no objection to the appeal, however he doesn't want it enclosed or lattice work and plants arround the carport. He, also, feels that there should be more support for the carport.

BOA86-153 It was moved by Mrs. Mulder to deny the appeal of Joseph Dixon III, there was no second to the motion, it was then moved by Mrs. Mulder and seconded by Mr. Goodman that the appeal of Joseph Dixon III to reduce the required 25' front yard setback to 15' be DENIED, the motion was carried unanimously. The property located at 3918 Barcelona Street is in an R-1A Zoning District.

There was no opposition to this appeal.

- BOA86-159 It was moved by Mr. Goodman and seconded by Mrs. Campisi that the appeal of Marshall A. Santi to reduce the required 7' side yard setback to 6' (West line), and to zero (East line); to demolish the existing building and construct a single family house be GRANTED the motion was carried unanimously. The property located at 2800 Estrella Avenue is in an R-1 Zoning District.
- Mr. Larry Jackson, 1706 S. Habana and Mr. Lee Oakin, who owns four (4) buildings across the street spoke in favor of the proposal. The petitioner also submitted an affidavit from Ruth L. Mackintosh 2804 Estrella stating that she was in favor of the appeal.
- BOA86-160 It was moved by Mr. Goodman and seconded by Mrs. Campisi that the Board accept the new evidence presented to the board for a rehearing of Case #BOA86-107, the motion was carried unanimously. It was further moved by Mrs. Wilson and seconded by Mr. Goodman and seconded by Mrs. Wilson that the appeal of Jose R. Menendez to reduce the required 7' side yard setback to 2'; to allow the existing carport to remain be GRANTED, the motion was carried by a 4-1 vote (Mrs. Mulder against). The property located at 3417 W. Braddock is in an R-1 Zoning District.
- Mrs. Rose Ramon, 3515 Braddock addressed the board stating that she is in objection of the appeal. She brought up the fact that feels that the petitioners carport is on her property. She was advised that this is a civil matter that will require surveys and separate action on the behalf of the petitioners in court.
- Mrs. Manser, 3411 Braddock addressed the board to tell them that she is in favor of Mr. Mendez's appeal.
- BOA86-162 It was moved by Mrs. Campisi and seconded by Mrs. Wilson that the appeal of Douglas F. and Carol A. Martin to reduce the required 30' rear yard setback to 26'; to add an addition to the existing house for a porch be granted, the motion was carried unanimously. The property located at 106 Adriatic Avenue is in an R-1 Zoning District.
- There was no opposition to this appeal.
- BOA86-163 It was moved by Mrs. Campisi and Seconded by Mrs. Mulder that the appeal of Joseph D. & Cheri Midulla to reduce the required 30' rear yard setback to 26'; to add an addition to the existing house for a porch be GRANTED, the motion was carried unanimously. The property located at 4904 Lyford Cay Road is in an R-1A Zoning District.
- There was no opposition to this appeal, and Mr. Midulla presented to the board signatures of the surrounding property owners that were in support of his appeal.
- BOA86-164 It was moved by Mrs. Campisi and seconded by Mrs. Mulder that the appeal of Winifred C. Whigham to reduce the required 20' front yard setback to 15'; to allow the existing aluminum carport to remain be DENIED, the motion was carried by a 4-1 vote (Mrs. Wilson against). The property located at 3919 Arch Street is in an R-1 Zoning District.
- There was no opposition to this appeal

BOA86-166 It was moved by Mr. Goodman and seconded by Mrs. Wilson that the appeal of Jeff M. & Debbie Loflin to reduce the required 8' side yard setback to 3'; to add an addition to the existing house for a screened room be GRANTED, the motion was carried by a 4-1 vote (Mrs. Mulder against). The property located at 3400 Lawn Avenue is in an R-1A Zoning District.

There was no opposition to this appeal.

BOA86-169 It was moved by Mr. Goodman and seconded by Mrs. Mulder that the appeal of Charles M. Thornton to reduce the required 30' rear yard setback to 22.5'; to add an addition to the existing house for an exercise room be GRANTED, the motion was carried unanimously. The property located at 210 S. Treasure Drive is in an R-1A Zoning District.

The neighbor located at 204 Treasure Drive stated that he objects to the fact that work was started without permits. Mr. Jim Edwards 212 Treasure stated that he was not opposed to the variance.

BOA86-170 It was moved by Mrs. Campisi and seconded by Mrs. Mulder that the appeal of Jeffrey Muir to reduce the required 30' rear yard setback to 17'; to add an addition to the existing house for a Florida/Play room be GRANTED, the motion carried unanimously. The property located at 4705 Poinsetta Avenue is in an R-1A Zoning District.

There was no opposition to this appeal.

BOA86-173 It was moved by Mrs. Campisi and seconded by Mrs. Wilson that the appeal of Key Home Builders to reduce the required 30' rear yard setback to 26'; to add an addition to the existing house for a one bedroom and a bath be GRANTED, the motion was carried unanimously. The property located at 4211 E. Hanna is in an R-1 Zoning District.

There was no opposition to this appeal.

BOA86-174 It was moved by Mrs. Wilson and seconded by Mrs. Mulder that the appeal of David C. & Susan E. Rogers to reduce the required 30' rear yard setback to 19'-4"; to add an addition to the existing house for a utility room and bath be GRANTED, the motion was carried unanimously. The property located at 2007 E. Patterson Street is in an R-1 Zoning District.

There was no opposition to this appeal.

BOA86-175 It was moved by Mrs. Wilson and seconded by Mrs. Campisi that the appeal of Donald E. and Margaret J. McIntosh to reduce the required 30' rear yard setback to 1' and to reduce the required 8' side yard setback to 2'; to allow storage in the existing garage be DENIED, the motion was carried by a 3-2 vote (Mrs. Mulder and Mr. Goodman against). The property located at 2902 Waverly Avenue is in an R-1A Zoning District.

An adjacent property owner, Mr. Campbell Burton and his wife objected to the variance because they felt that the closets in the garage that are being used to store clothes should not be allowed, and that Mr. McIntosh are trying to get too much square footage on this lot.

- BOA86-186 It was moved by Mrs. Campisi and seconded by Mrs. Mulder that the appeal of Jack Tagliarino to reduce the required 25' front yard setback to 24.2' to construct a house be HELDOVER, the motion was carried unanimously. The property located at 3210 Fair Oaks Avenue is in an R-1A Zoning District.
- BOA86-187 It was moved by Mr. Goodman and seconded by Mrs. Wilson that the appeal of Jose A. Diaz to reduce the required 25' front yard setback to 24.6'; to complete the single family home under construction be GRANTED, the motion was carried unanimously. The property located at 4109 E. Richmere is in an R-1A Zoning District.
- Mr. Goerge Morales stated he didn't object to this variance but that he did object to the rear setback variance. He was informed that that was granted at a previous meeting and was not at issue at this hearing.
- The neighbor at 4114 Richmere stated that she was not in opposition to this appeal.
- BOA86-188 It was moved by Mr. Goodman and seconded by Mrs. Campisi that the appeal of Joseph A. and Gail L. McGlothlin to reduce the required 30' rear yard setback to 6'; to add an addition to the existing building for a garage, laundry room, and a master bedroom and a bath on the upper level be GRANTED, the motion was carried unanimously. The property located at 2412 Watrous Avenue is in an R-1A Zoning District.
- There was no opposition to this appeal.
- BOA86-156 It was moved by Mr. Goodman and seconded by Mrs. Mulder that the appeal of Ansal M. Thompson for a Conditional Use; to add an addition to the existing church be GRANTED, the motion was carried unanimously. The property located at 1014 East Yukon Street is in an R-2 Zoning District.
- There was no opposition to this appeal.
- BOA86-157 It was moved by Mrs. Mulder and seconded by Mrs. Wilson that the appeal of Elder Idel Suarez, Jr. for a Conditional use to operate a church be HELDOVER, the motion was carried unanimously. The property located at 3601 N. Gomez Avenue is in an R-1 Zoning District.
- BOA86-161 It was moved by Mrs. Mulder and seconded by Mr. Goodman that the appeal of Ronald E. Roberts for a home occupation to operate an office for research and consulting be GRANTED, the motion was carried unanimously. The property located at 4005 Central Avenue is in an R-1 Zoning District.
- There was no opposition to this appeal.
- BOA86-165 It was moved by Mr. Goodman and seconded by Mrs. Mulder that the appeal of Daniel & Sandra Bourassa for a home occupation; to operate an office for construction business be DENIED, the motion was carried unanimously. The property located at 3111 Fielder Street is in an R-1A Zoning District.

Several neighboring property owners came forward stating that they did not want any type of business in this neighborhood for any reason. They thought that it would create noise, traffic, and storage of construction equipment. They did not want a precedent set for others in the neighborhood who might want to do the same. Mr. George Kashnitter stated that he applied for a variance and was turned down, therefore, he objected to this variance.

BOA86-168 It was moved by Mrs. Mulder and seconded by Mr. Goodman that the appeal of Stella Turner for a home occupation; to operate an office be GRANTED the motion was carried by a 4-0 vote, with Mrs. Wilson abstaining due to a conflict of interest. the property located at 3025 East Sligh Avenue is in an R-1 Zoning District.

There was no opposition to this appeal.

BOA86-172 It was moved by Mrs. Wilson to Grant the appeal, but there was no second to the motion, it was further moved by Mr. Goodman and seconded by Mrs. Mulder that the appeal of C. Kirk Carmean for a home occupation; to operate a real estate office be DENIED, the motion was carried by a 4-1 vote (Mrs. Wilson against). The property located at 114 S. Beverly Avenue is in an R-1 Zoning District.

Several neighbors came forward stating that they object to the traffic, and the fact that there is no parking for a business. A Ms. Able stated that she was in favor to the variance.

BOA86-178 It was moved by Mrs. Mulder and seconded by Mr. Goodman that the appeal of St. John's Parrish, Inc., to waive the required six (6) foot high solid masonry wall along the South and East property line abutting a residential district be GRANTED, the motion was carried unanimously. The property located at 1002 S. Rome Avenue is in a C-1 Zoning District.

Mr. Craig Minegar, Attorney, addressed the Board. There were no objections to this appeal.

BOA86-047 It was moved by Mrs. Mulder and seconded by Mr. Goodman that the appeal of James Jordan Walker to request a six month extension of the variance granted April 14, 1986, requesting to reduce the required 30' rear yard setback to 20', to construct a single family house be GRANTED, the motion was carried unanimously. The property located at 6208 S. Himes Avenue is in an R-1A Zoning District.

NEW BUSINESS

It was moved by Mrs. Mulder and seconded by Mr. Goodman that an appeal that has a resultant tie vote be automatically brought to the next hearing to be heard again to try to resolve the appeal, at no additional cost to the petitioner, the motion was carried unanimously.

It was moved by Mrs. Campisi and seconded by Mr. Goodman that the appeal of Dr. Burpee be heard at the next meeting that there is a full board, the motion was carried unanimously.

This meeting closed at 11:15 p.m. and the next meeting of the Board of Adjustment is scheduled for October 13, 1986, at 7:15 p.m.

All variances granted at this hearing were granted with the provisions that these permits are only for the terms during which time they are complied with in all details and respects and are void upon conditions its terms are shown to be violated.

Mary A. Danellwitz
SECRETARY

FRANK GUIDA
CHAIRMAN

MINUTES OF MEETING

OF

BOARD OF ADJUSTMENT

A meeting of the Board of Adjustment of the City of Tampa, Florida was held on Monday, October 13, 1986, at 7:15 p.m. in the CITY COUNCIL CHAMBERS, 3rd Floor, City Hall, 315 East Kennedy Boulevard, Tampa, Florida and the following members were present:

FRANK GUIDA - CHAIRMAN
GRACE CAMPISI
SANDRA MULDER

ROBERT GOODMAN
EVELYN JONES WILSON
MARY ESTHER PARKER

The meeting was opened and called to order by Mr. Frank Guida, Chairman, Michael Adejumo, Zoning Analyst, presented each petition with a staff report, Mary G. Danielewicz, Secretary swore in the witnesses in a mass swearing in ceremony.

The following appeals were heard and the following decisions were rendered in a public hearing on October 13, 1986, and filed in the office of the Board of Adjustment, City Hall, Tampa, Florida.

HOLDOVER

BOA86-186 It was moved by Mrs. Mulder and seconded by Mrs. Campisi that the appeal of Jack Tagliarino to reduce the required 25' front yard setback to 24.6'; to construct a house be GRANTED, which motion was carried unanimously. The property located at 3210 Fair Oaks Avenue is in an R-1A Zoning District.

There was no opposition to this appeal.

BOA86-157 It was moved by Mr. Goodman and seconded by Mrs. Mulder that the appeal of Elder Idel Suarez, Jr., for a Conditional Use; to operate a church, be DENIED, which motion was carried unanimously. The property located at 3601 North Gomez Avenue is in an R-1 Zoning District.

The following people addressed the Board in opposition of the appeal: Cecil Arias, 2924 Dewey Street; Dan Carreno, 3602 N. Gomez; Vic Alexander, 3603 N. Gomez; Mr. Carmine, 2934 Leroy Street; and Peter Ragano, 2923 Dewey Street. The major consensus for objection was that the property is small, there is no parking, the street is too narrow, and that the neighborhood is residential in nature, and there are children in the neighborhood.

SETBACK AND LOT WIDTH VARIANCES

BOA86-176 It was moved by Mr. Goodman and seconded by Mrs. Campisi that the appeal of Daniel B. and Denise Collins Collingsworth to reduce the required 8' side yard setback to 2' to the West property line, also to reduce the required 8' side setback to 5' to the East property line to add an addition to the existing house for a carport, bath and a bedroom be GRANTED, which motion was carried unanimously. The property located at 105 West Comanche Avenue is in an R-1A Zoning District.

The property owner to the West of the petitioner, 109 West Comanche, stated that he felt that the since his Portico is on a zero lot line, if the proposed structure is put 2' from the property line, that brings it too close to the portico. He was informed that the proposed structure is a carport.

BOA86-180 It was moved by Mrs. Campisi and seconded by Mrs. Wilson that the appeal of R. T. Baker to reduce the required 8' side yard setback to 6.1' at the East property line; to construct a fire place be GRANTED, which motion was carried unanimously. The property located at 4005 West Cleveland St. in in an R-1A Zoning District.

Mr. R. T. Baker, 6502 25TH Avenue, explained that this variance is part of a contingency for title policy, and he further explained that the fire place is in existence. There were no objections to this request.

BOA86-183 It was moved by Mrs. Campisi and seconded by Mrs. Wilson tha the appeal of Charles Macaluso to reduce the required 30' rear yard setback to 11'; to add an addition to the existing house for a patio be GRANTED, which motion was carried unanimously. The property located at 3815 14th Street is in an R-1 Zoning District.

Mr. Charles Macaluso, the petitioner for owner Mary Cullaro did not show up to represent Mrs. Cullaro. Mr. Macaluso of Daily Aluminum, the company that constructed the patio, was supposed to represent Mrs. Cullaro; being that the aluminum company did not pull the permit for consturction of the patio and the patio encroached into the rear setback. Therefore, the board made the following motion:

It was further moved by Mrs. Campisi and seconded by Mrs. Mulder that the name of the contractor is to be referred to the building department for investigation and possible reprimand by the Building Construction Trades Board, upon investigation of Daily Aluminum, appropriate action be taken; which motion was carried unanimosuly.

The following neighbors addressed the board in support of the subject appeal: Mr. and Mrs. Gene Rodrigues, 1402 E. 33rd Avenue, and Mrs Lizarzaburu, 1408 E. 33rd Avenue.

BOA86-185 It was moved by Mrs. Wilson and seconded by Mrs. Parker that the appeal of Marie C. Beckett Lyons to reduce the required 25' front yard setback to 20'; to enlarge the existing bathroom to the East of the property be GRANTED, which motion was carried unanimously. The property located at 123 South Lauber Way is in an R-1A Zoning District.

Mr. Adrian A. Kjeer, agent for the petitioner and Janet Beckett Lopez, the petitioner's daughter appeared before the board representing Marie Beckett Lyons who could not attend the meeting.

There was no opposition to this appeal.

BOA86-189 It was moved by Mrs. Mulder and seconded by Mr. Goodman that the appeal of Michael Urette to reduce the required 30' rear setback to 19.16'; to construct a single family home be DENIED, which motion was carried unan-
imously by the board. The property located at 4504 Woodmere Road is in an R-1A Zoning District.

The following appeared in opposition of the subject appeal: Mr. Chris Anderson, Beach Park; Peter Hubbell, 4509 Sylvan Ramble; Mr. Tom Mimms, 4507 Sylvan Ramble; Niel Spector, 4510 Sylvan Ramble; Lee Altman, 4422 Swann Avenue; Linda Quisenberry, 4509 Rosemere Road; William Holbrook, 4501 Woodmere Road; Jack Terrana, 4508 Sylvan Ramble; and Mr. Anteronnie. The major concern of the surrounding property owners was that they did not want a precedent set for the dividing of lots within this neighborhood. The reduction of the rear setback was considered as detracting from the attractiveness of the neighborhood, however the neighbors expressed a concern that denial of this appeal would result in removal of valuable trees. Major consensus was that smaller homes should be built on the lots.

- BOA86-190 It was moved by Mr. Goodman and seconded by Mrs. Mulder that the appeal of Michael E. Urette to reduce the required 30' rear yard setback to 12.25' to construct a single family home be DENIED, which motion was carried un-animoulsy. The property generally located at 4511 Sylvan Ramble is in an R-1A Zoning District.
- Mr. Urette maintained that this would result in a better residential development, if the variance was granted.
- The same property owners that opposed the previous variance appeal objected to this proposal.
- BOA86-191 It was moved by Mr. Goodman and seconded by Mrs. Campisi that the appeal of Adele S. Metzgar to reduce the required 25' front yard setback to 19'-5"; to add an additional to the existing house for a foyer be GRANTED, which motion was carried unanimously. The property located at 4706 Leona St. is in an R-1A Zoning District.
- There was no opposition to this appeal.
- BOA86-192 It was moved by Mrs. Campisi and seconded by Mr. Goodman that the appeal of James R. and Jean A. Ruff to reduce the required 7' side yard setback to 5'-6", and to reduce the required 30' rear yard setback to 6'; to convert the existing garage to a kitchen and construct a new livingroom, dining room, bath and two bedrooms in front of the existing building be GRANTED, which motion was carried unanimously. The property generally located at 4218 N. Manhattan Avenue is in an R-2 Zoning District.
- There was no opposition to this appeal.
- BOA86-195 It was moved by Mrs. Mulder and seconded by Mrs. Parker that the appeal of John J. McKenna to reduce the required 15' front yard setback to 8'; to develop a Runaway Center for the Hillsborough County Children Services be GRANTED, which motion was carried unanimously. The property located at 201, 203, 205, 207 Beach Place is in an R-4 Zoning District.
- Mr. McKenna made two clarifications, that the property was located at Beack Place, not Beach Drive and that the structure is existing. Ms. Sandy Fry, Advisory Board spoke in favor of the appeal, there was no opposition.
- BOA86-199 It was moved by Mrs. Parker and seconded by Mrs. Wilson that the appeal of Dan Vander Schuur to reduce the required 30' rear yard setback to 19' to add an addition to the existing house for a laundry and work bench area be GRANTED, which motion was carried unanimously. The property located at 8517 North Temple Avenue is in an R-1A Zoning District.
- There was no opposition to this appeal.
- BOA86-201 It was moved by Mrs. Wilson and seconded by Mrs. Campisi that the appeal of John D. Fields to reduce the required 30' rear yard setback to 7'; to add an addition to the existing house for a family room be GRANTED, which motion was carried unanimously. The property located at 7501 St. Peter Avenue is in an R-1A Zoning District.
- There was no opposition to this appeal.

BOA86-222 It was moved by Mrs. Mulder and seconded by Mrs. Parker that the appeal of Mr. Richard Rigsby to reduce the required 8' side yard setback to 7.6' to the East property line; to complete the house under construction be GRANTED, which motion was carried unanimously. The property located at 4308 Jetton Avenue West is in an R-1A Zoning District.

There was no opposition to this appeal.

ADMINISTRATIVE DECISION

BOA86-177 It was moved by Mr. Goodman and seconded by Mrs. Mulder that the appeal of Joseph R. Cleland to review an administrative decision on a non-conforming use; to enclose the existing porch, and convert it into a bedroom was DENIED, which motion was carried unanimously, the decision of the city was upheld. The property located at 4209 14th Street is in an R-1 Zoning District.

The following neighboring property owners spoke in opposition to the proposal: Manny Cavalerie, 4205 14th Street; Therese Cavalerie, 4205 14th Street, and Gladdys Higgins, 4207 14th Street. They stated that Mr. Cleland has not been a good neighbor, that the persons that he has rented to have been a nuisance, and that they would like to see this property revert back to its original form, R-1, single family residential structure.

BOA86-193 Appeal of Richard Chador to review an administrative decision on a non-conforming use; property located at 1306 Horatio Street - zoned R-3. This appeal was WITHDRAWN by the attorney for the petitioner, Banks B. Vest. He gave the reason being that he was informed by the City Atty's Office that the board did not have the power to order the city to issue a building permit, but that this case should be brought before the board to address the issue as to whether this non-conforming is still in effect. But because he saw city staff present to oppose the petition, and he did not feel that this was in keeping with his agreement with the city.

BOA86-200 It was moved by Mrs. Campisi and seconded by Mr. Goodman that the appeal of James V. and Denise Caltagirone to challenge an administrative decision on the free standing garage connected to the main building by a covered walkway; to construct a single family home be GRANTED, which motion was carried unanimously. The property located at 4927 Rivershore Drive "C" is in an R-1A Zoning District. The Board disagreed with the City's interpretation.

Mr. Norman Canella, 111 S. Moody spoke on the behalf of Mr. Caltagirone addressed the board that the covered walkway joins the house to the garage by a common wall, a concrete wall. Dr. Reddick, a neighboring property owner stated that he was in favor of the proposal. Sherrie Houlster, from Sherrie's Permit Service addressed the Board and stated that this was what the city recommended for them to do and that this was considered to be a common wall.

BOA86-194 It was moved by Mr. Goodman and seconded by Mr. Parker that the appeal of Terry Abrahams for a home occupation; to operate an office from home be DENIED, which motion was carried by a 4 to 2 vote (Ms. Wilson and Mrs. Campisi against denial). The property located at 717 S. Edison is in an R-1A Zoning District.

Mr. Allen Oak, 715 S. Edison and Mr. David Townsend, 703 S. Edison addressed the Board to object to this proposal. They felt that this would disrupt the residential character of the neighborhood, also they were concerned with the possibility of traffic being generated within this neighborhood.

PARKING, BUFFER, AND HEIGHT VARIANCES

BOA86-179 It was moved by Mr. Goodman and seconded by Mr. Mulder that the appeal of Eastee Engineering Assoc., Inc. to waive the required 6' high solid masonry wall to the west property line abutting a residential district; to develop a commercial building be GRANTED, which motion was carried unanimously. The property located at 1316 W. Busch Blvd. is in an C-1 Zoning District.

Mr. Don Kibb, 14014 Lake Madegelin Circle, Eastes Engineering addressed the board stating that there is only one parcel of land that is R-1 that is effected by this property, which should be a grandfathered commercial use.

There was no opposition to this appeal.

BOA86-181 It was moved by Mrs. Mulder and seconded by Mr. Goodman that the appeal of Robert Edmiston to utilize the area within 500' of a retail furniture business for parking, also, to waive the following: a) to exclude the required 6' high solid wall to the south of the property b) to allow ingress/egress on 93RD Avenue c) to reduce the required 25' front set back to 5' with landscaping provided along 20TH Street; to provide parking spaces be GRANTED, which motion was carried unanimously. The property located at 4943 East Busch Boulevard is in an C-1 Zoning District.

There was no opposition to this appeal.

BOA86-184 It was moved by Mrs. Mulder and seconded by Mrs. Campisi that the appeal of James Butler to waive the required 6' high solid masonry wall to the rear (South) of th property; to construct a convenience store be HELDOVER, which motion was carried unanimously. The property located at 4943 East Busch Boulevard is in an C-1 Zoning District.

Mr. Butler the petitioner was not there to present the appeal, therefore, the board moved to hold the appeal over to the next meeting.

BOA86-197 Appeal of Charles M. and Brewster E. Banks to allow ingress/egress in a residential district (R-1A); to add an addition to the existing commercial building was WITHDRAWN by the petitioner at the meeting. The property located at 4201 South Mac DILL Avenue is in an C-1 Zoning District.

Mr. Brewster E. Banks decided to withdraw the petition due to the number of persons objecting to the appeal. Ms. Pam Woodard, 4110 Knighton addressed the board representing those in objection to the appeal.

BOA86-198 It was moved by Mrs. Campisi and seconded by Mrs. Parker that the appeal of Gaylord Broadcasting Company to allow the erection of a two hundred (200) foot concrete tower with a twenty (20) foot radar antenna dome on top of the tower, also to increase the maximum height of 35' to 42'; to erect a tower and radar antenna be GRANTED subject to approval from the Federal Aviation Authority. The board decided to leave the selection of the location of the towers to Gaylord Broadcasting Company. The property located at 3213 West Kennedy Blvd. is in an C-1 and C-1E Zoning District.

There was no opposition to this appeal.

BOA86-203 It was moved by Mrs. Mulder and seconded by Mrs. Wilson that the appeal of the City of Tampa/H. Gene Bressler to reduce the required parking dimension of 9' x 18' to 8½' x 17', and to reduce the drive aisle from 26' to 24'; to utilize the parcel as a long-term parking lot be **GRANTED**, which motion was carried unanimously. The property located at 1114 Tampa Street is in a C-2 Zoning District.

There was no opposition to this appeal.

BOA86-204 It was moved by Mrs. Parker and seconded by Mrs. Mulder that the appeal of Memorial Medical Center Condominium to utilize the area within 500' of the subject property for parking, also the following to be waived: (a) to exclude the required 6' high solid masonry wall around the parking area (b) to allow ingress/egress along Gomez Avenue and DeLeon Street (c) to reduce the required 15' front setback along DeLeon Street to 7' (d) to reduce the required 9' x 18' parking spaces to 8.5' x 16' and the required 26' drive aisle to 22'; to provide parking spaces be **GRANTED AS FOLLOWS**: a) exclude the 6' high solid masonry wall around the parking area on DeLeon Street but to provide it on Gomez Avenue b) to allow ingress/egress on DeLeon Street, however if ingress/egress is put in on Gomes, there is not to be a break in the wall,; ingress/egress should take place south of the Masonry wall d) to reduce the required 9' x 18' parking spaces and the required 26' drive aisle according to Traffic Department's recommendations, which motion was carried unanimously. [This motion was made after it was moved by Mrs. Parker and seconded by Mrs. Wilson that the Board recind its previous motion that the aforementioned appeal be granted, which motion was carried unanimously. The first motion was made by Mrs. Parker and seconded by Mrs. Mulder that the appeal be granted subject to traffic approval - that the medical center abide by the recommendation regarding size of parking spaces and drive aisle, which motion was carried unanimously.] The property at 2901 Swann is Zoned R-3.

The above mentioned actions were taken by the board because an adjacent property owner did not get a chance to be heard on the subject appeal. Mr. Julio McNeeney, 4003 Munro Avenue, addressed the Board in opposition of waiving the 6' high solid masonry wall on Gomes Avenue. He further stated that he owns duplexes across the street and the wall would block headlights and noise; to eliminate the wall would cause a nuisance to the neighbors.

BOA86-205 It was moved by Mrs. Mulder and seconded by Mrs. Parker that the appeal of Bay Villa/Sterling Developers, Inc. to increase the required 3' high wall to 6' within the 25' front setback along the west property line; to provide privacy for two single family lots be **GRANTED**, which motion was carried unanimously. The property located at 3709 and 3710 Palma Ceia Court is in an R-1A Zoning District.

Mr. John Luce, 1030 South Sterling addressed the Board stating that because the petitioner has filled in his lot the fence is already 6' on his side of the property. The petitioner maintained that the fence is 6' from the low side of the property, and they would like to keep it that way. Mr. Luce also, wanted to know if proper notification was given being that the street that the sign was placed upon was closed after a few days. He was informed that notices were also mailed out and that proper notification has been given. It was noted by Mrs. Mulder when she made the motion that measurement of the wall will be taken from an appropriate point as designated by the City.

BOA86-211 It was moved by Mrs. Campisi and seconded by Mrs. Wilson that the appeal of R. and G. Commercial Properties, Inc., to increase the required maximum height of 120' to 144'; to develop commercial/professional office building be **GRANTED** which motion was carried unanimously. The property located at 702 East Jackson Street is in an C-2 Zoning District.

There was no opposition to this appeal.

NEW BUSINESS

It was moved by Mrs. Mulder and seconded by Mrs. Parker that the appeal of Dr. Claude M. Burpee be brought before the next Board of Adjustment meeting being that there an assemblage of a full seven (7) member Board to resolve the tie vote, Which motion was carried unanimously.

It was moved by Mr. Goodman and seconded by Mrs. Parker that Sandra Mulder be elected Chairman and Grace Campisi be elected Vice Chairman for the Board of Adjustment, which motion was carried unanimously.

The next meeting of the Board of Adjustment is scheduled for November 10, 1986 at 7:15 p.m. in the City Council Chambers.

All variances granted at this hearing were granted with the provisions that these permits are only for the terms during which time they are complied within all details and respects and are void upon condition of which it terms are shown to be violated

FRANK GUIDA
CHAIRMAN

Mary A. Pawlucz
SECRETARY

MINUTES OF MEETING

OF

BOARD OF ADJUSTMENT

A meeting of the Board of Adjustment of the City of Tampa, Florida was held on Monday, November 10, 1936, at 7:15 P.M. in the CITY COUNCIL CHAMBERS, 3RD Floor, City Hall, 315 East Kennedy Boulevard, Tampa, Florida and the following members were present:

SANDRA MULDER-CHAIRMAN
FRANK GUIDA
MARY ESTHER PARKER
EVELYN JONES WILSON

GRACE CAMPISI
ROBERT GOODMAN
GASPER J. FICAROTTA

The meeting was opened and called to order by Mrs Mulder, Chairman; Michael Adejumo, Zoning Analyst, presented each petition with a staff report. Mary G. Danielewicz, Secretary, swore in the witnesses in a mass swearing in ceremony.

The following appeals were heard and the following decisions were rendered in a public hearing on _____ and filed in the office of the Board of Adjustment, City Hall, Tampa, Florida.

HOLDOVER

BOA86-035

It was moved by Mr. Goodman and seconded by Mrs. Campisi that the appeal of Claude M. Burpee for Conditional Use approval for a medical clinic, also to reduce the required 26' drive aisle to 12'; to operate a medical clinic be **GRANTED**, which motion was carried by a four to two vote; Mrs. Parker, and Mrs. Mulder against granting of the appeal. Mr. Ficarotta abstained from voting.

Mr. Claude Burpee addressed the board stating that he plans to live at that address as well as practice at that location. He further stated that there will be no more than eight (8) customers per day.

Mr. John Humphryville, Attorney with Shackleford and Farrier, representing the Hyde Park Presbyterian Church; addressed the board stating that they were opposed for the following reasons: 1) the church claims $\frac{1}{2}$ interest of the property and this is not a joint venture, the church has been using the property for parking which is consistant with the land use plan, what Dr. Burpee proposes is not consistant with this use. The church does not support Dr. Burpee's venture, they oppose it. 2) The use is inconsistent with the residential nature of the neighborhood, current zoning regulations, and it inconsistent with the long range plan scheme. 3) It will increase traffic and congest the area. 3) The church feel that the publics best interest can be served by a negative vote on this proposal.

Lucille Varnett, 601 S. Orleans addressed the Board and submitted a list of names of persons living in the 600 Block of South Orleans Ave. opposing the appeal. They were concerned with the alley being used by Dr. Burpee and with the church parking in that general are, they do not need the extra traffic.

The following persons addressed the Board in opposition to the subject appeal: Robert Gillen, 607 S. Orleans, Jenney Smith, 610 South Orleans. They objected due to the increased traffic congestion, and the parking situation being extremely limited.

Dr. Burpee addressed the board disputing the churches $\frac{1}{2}$ interest in the property and stated that the traffic impact would be minimal at best.

The Board then proceeded to the aforementioned motion.

BOA86-182 It was moved by Mr. Guida and seconded by Mr. Goodman that the appeal of Crystal Lynn Hunter for a home occupation; to operate an office to take phone orders, store and distribute bible timeline on a limited basis be **GRANTED**, which motion was carried unanimously. The property located at 4809 Okara Road is in an R-1A Zoning District.

There was no opposition to this appeal.

BOA86-134 It was moved by Mrs. Campisi and seconded by Mr. Goodman that the appeal of James Butler to waive the required 6' high solid masonry wall to the rear (South) of the property; to construct a convenience store be **GRANTED** which motion was carried by a six to one vote, Mr. Ficarotta voting against granting the appeal. The property located at 4943 East Busch Boulevard is in a C-1 Zoning District.

There was no opposition to this appeal.

SETBACK AND LOT WIDTH

BOA86-206 It was moved by Mrs. Wilson and seconded by Mr. Ficarotta that the appeal of Michael Urette to reduce the required 30' rear yard setback to 20'; to construct a twelve (12) unit apartment be **GRANTED**, which motion was carried unanimously. The property located at 3205 West DeLeon Street is in an R-3 Zoning District.

There was no opposition to this appeal.

BOA86-207 It was moved by Mr. Goodman and seconded by Mrs. Campisi to accept the new material evidence presented to the Board for a rehearing of case #BOA86-175, which motion was carried unanimously. It was further moved by Mrs. Campisi and seconded by Mrs. Wilson that the appeal of Donald E. and Margaret J. McIntosh to reduce the required 30' rear yard setback to 27'; to allow a storage closet to project within the required setback be **GRANTED**, which motion was carried unanimously. The property located at 2902 Waverly Avenue is in an R-1A Zoning District.

There was no opposition to this appeal.

BOA86-208 It was moved by Mrs. Parker and seconded by Mr. Ficarotta that the appeal of Walter E. Aye to reduce the required 8' side yard setback to 1' at the East side of the property, also, to increase the fence height from 6' to 7.2' within the area above the front setback; to add an addition to the existing house for a garage be **GRANTED**, which motion was carried unanimously. The property generally located at 810 South Edison is in an R-1A Zoning District.

Virginia Haton, 314 S. Edison, has no objection to the subject appeal; however she does not want his fence to interfere with her property. It was noted that this will not affect her property.

- BOA86-209 It was moved by Mr. Goodman and seconded by Mr. Guida that the appeal of Marilyn Chandoin and June Lazzara to reduce the required 25' front yard setback to 20' and to reduce the required 30' rear yard setback to 20'; also to reduce the 8' side yard setback to zero at the East side of the property; to construct a single family residence be **GRANTED** which motion was carried by a six to one vote, Mr. Ficarotta voting against granting the subject appeal. The property located at 2504 West Marquette Avenue is in an R-1A Zoning District.
- Tim Vangelden, 2511 Marquette Avenue addressed the board requesting to know what type of construction will the house be and also stated that he felt that the lot was too small for the house that was being built. The Board showed him the site plans that were submitted to the Board.
- BOA86-212 It was moved by Mrs. Wilson and seconded by Mrs. Campisi that the appeal of Robert M. Grueling to reduce the required 30' rear yard setback to 28'; to add an addition to the existing house for a screened room and bath be **GRANTED**, which motion was carried unanimously. The property located at 4909 West Arrawana is in an R-1 Zoning District.
- There was no opposition to this appeal.
- BOA86-213 It was moved by Mr. Guida and seconded by Mr. Ficarotta that the appeal of Manuel A. and Carina R. Machin to reduce the required 30' rear yard setback to 2', and to reduce the required 8' side yard setback to 3' at the Northwest corner of the property; to add an addition to the existing house for a family room, laundry room, bathroom, and master bedroom be **GRANTED**, which motion was carried unanimously. The property located at 4318 Riverview Avenue North is in an R-1A Zoning District.
- There was no opposition to this appeal.
- BOA86-214 It was moved by Mr. Goodman and seconded by Mrs. Wilson that the appeal of Floyd and Pearlene Beckam to reduce the required 20' rear yard setback to 17'; to add an addition to the existing residence for a bathroom, family room, and utility room be **GRANTED**, which motion was carried unanimously. The property located at 3301 Chipco is in an Rs-50 Zoning District.
- The neighbor at 3306 27th Avenue stated that she has no objections.
- BOA86-215 It was moved by Mrs. Campisi and seconded by Mr. Goodman that the appeal of John L. and Sandra S. Mutolo to reduce the required 30' rear yard setback to 27'; to add an addition to the existing house for a family room and a storage area be **GRANTED**, which motion was carried unanimously. The property located at 10214 Hyaleah Road is in an R-1A Zoning District.
- There was no opposition to this appeal.
- BOA86-217 It was moved by Mrs. Campisi and seconded by Mrs. Parker that the appeal of Kenneth E. Graves to reduce the required 15' front yard setback to 5' and to waive the required six (6) foot high solid masonry wall along the N/E and S/E property line abutting a residential district (R-1A); to develop an office be **GRANTED**, which motion was carried unanimously. The property located at 3242 Henderson Boulevard is in an R-4/R-1A Zoning District.
- Mr. Graves addressed the board and stated that Mr. Mills, owner of the property was asked by the surrounding property owners to waive the wall and put landscaping, and they filed with the board notice from these property owners.

BOA86-218 It was moved by Mr. Ficarotta and seconded by Mrs. Parker that the appeal of Maxine T. Tucker to reduce the required four (4) feet side yard setback for an accessory structure to 1.5'; to allow the existing patio cover to remain be **GRANTED**, which motion was carried unanimously. The property located at 6716 South Trask Street is in an R-1 Zoning District.

Mrs. Mulder addressed the petitioner stating that several neighbors signed a letter saying that they were not opposed to the patio cover. There was no opposition to this appeal.

BOA86-220 It was moved by Mr. Guida and seconded by Mrs. Wilson that the appeal of Alyce Gross to reduce the required 30' rear yard setback to 26'; to develop a townhouse style condominium be **GRANTED**, which motion was carried unanimously. The property located at 2521 Maryland Avenue is in an R-3 Zoning District.

There was no opposition to this appeal.

BOA86-221 It was moved by Mr. Guida and seconded by Mrs. Campisi that the appeal of Stanford R. & Sheila A. Solomon to reduce the required 25' front setback to 17'; to add an addition to the existing house for a porch be **GRANTED**, which motion was carried unanimously. The property located at 4924 Bay Way Drive is in an R-1A Zoning District.

There was no opposition to this appeal.

BOA86-223 It was moved by Mr. Goodman and seconded by Mr. Guida that the appeal of Jerome James to reduce the required 10' rear yard setback to zero, also, to reduce the required 26' drive aisle to zero; to expand the existing dental care center be **GRANTED**, which motion was carried by a four to two vote, Mrs. Mulder and Mr. Ficarotta voting against grant the subject appeal. The property located at 4106 Henderson Blvd. is in an C-1 Zoning District.

Mr. Jerome James addressed the Board stating that although there is an increase or an expansion of the business, there will not be an initial increase in the business traffic. There will be an increase of office space for training rooms and conference room, and a reception area of the office, the need for this extra space is extremely important for this business to survive, due to the nature of the business changing.

There was no opposition to this appeal.

BOA86-224 It was moved by Mr. Ficarotta and seconded by Mrs. Wilson that the appeal of Fred Berry to reduce the required 30' rear yard setback to 18.54' to construct a single family house be **GRANTED**, which motion was carried unanimously. The property located at 1312 Azeele Street is in an R-3 Zoning District.

There was no opposition to this appeal.

It was moved by Mrs. Wilson and seconded by Mrs. Campisi that the appeal of Pastor C. D. Dixon Be **Granted**, which motion was carried unanimously, It was further moved to recind the previous motion by Mr. Guida and seconded by Mr. Goodman, also to postpone decision on the subject appeal until plans are submitted that show parking requirements are fulfilled. which motion was carried by a six to one vote, Mrs. Wilson against

BOA86-225
Continued

postponing the subject appeal of Pastor C. Dison to reduce the required 25' front yard setback to 6', and to reduce the required 7' side yard setback to 3' at the East property line, also, to waive the on-site parking spaces to (4) spaces; to add an addition to the existing church for office use. The property located at 2709 25th Street is in an RM-24 Zoning District.

The following persons spoke in favor of the subject appeal: Mr. Samuel James, Trustee for the church, 2605 25th Avenue; Ms. Nellie Mythinwood 2419 17th Avenue; and a church member who resides at 3419 14th Avenue.

The Board moved to postpone the subject appeal due to the fact that there was a question as to whether or not the parking requirements have been met by the church. This would allow them, therefore, to provide to zoning plans showing that they meet parking requirements. They are required to have approximately 45 spaces, and if the Board is to waive parking they have to know how many spaces to waive, and how many parking spaces the church currently has.

BOA86-226 It was moved by Mrs. Wilson and seconded by Mr. Ficarotta that the appeal of Arthur P. D'Agostino and Eileen Galiger to reduce the required 30' rear yard setback to 21.38 and to reduce the required 7' side yard setback to 3' at the south west line; to add an addition to the existing house for a screened porch, family room, office, and dining area be **GRANTED**, which motion was carried unanimously. The property located at 8602 Greenwood Avenue is in an C-1 Zoning District.

There was no opposition to this appeal.

BOA86-227 It was moved by Mrs. Campisi and seconded by Mr. Guida that the appeal of Robert J. Llwellyn to reduce the required 30' rear yard setback to 2' and to reduce the required 8' side yard setback to 2'; to add an addition to the existing house by constructing a covered breezeway connected to the existing garage be **GRANTED**, which motion was carried by a six to one vote, Mr. Ficarotta voting against granting the subject appeal. The property located at 712 Rookmere Road is in an R-1A Zoning District.

Mr. Bill Higgins, 4217 Culbreath Avenue spoke in favor of the appeal.

BOA86-228 It was moved by Mrs. Campisi and seconded by Mrs. Wilson that the appeal of Mr. and Mrs. Thomas M. Jevcak to reduce the required 25' front setback to 3'; to add an addition to the existing house for storage of antique, collectable automobiles, and yard maintenance equipment be **GRANTED**, which motion was carried unanimously. The property located at 4706 Cherokee Road is in an R-1A Zoning District.

There was no opposition to this appeal, the petitioner stated that 38 persons (surrounding property owners) signed an agreement that they did not have any objections to the subject appeal.

BOA86-230 It was moved by Mr. Guida and seconded by Mrs. Wilson that the appeal of Pastor C. T. Kirkland to reduce the required 30' rear yard setback to 10.4' also, to waive the on-site parking spaces and to utilize the existing parking lot across the alley to remain as is; to expand the existing Sunday school and offices be **GRANTED**, which motion was carried unanimously. The property located at 2002 North Rome Avenue is in an R-3/M-1 Zoning District.

BOA86-230 Pastor C. T. Kirkland addressed the Board regarding the subject request. Continued The following persons spoke in favor of the appeal: Deacon Harpor, Deacon Ertha Amicin, Owedia Moore, 421½ W Francis, Michelle Norman, 905 Oakhurst, Apt. 163; Mitilder Howard, 1704 Walnut.

BOA86-232 It was moved by Mr. Guida and seconded by Mr. Ficarotta that the appeal of Linda Schulstad Cameron to reduce the required 30' rear yard setback to 15'; to add an addition to the existing residence for a family room/den be GRANTED, which motion was carried unanimously. The property located at 601 B Matanzas Avenue is in an R-3 Zoning District.

There was no opposition to this appeal.

BOA235 It was moved by Mr. Ficarotta to approve the Appeal of Michael B. Will there was no second to the motion, it was then moved by Mr. Goodman and seconded by Mrs. Parker that the appeal of Michael B. Will to reduce the required 7' side yard setback to 6.6' for lot 6 at the East property line to enable the petitioner to build a duplex on lot 5 be DENIED, which motion was carried by a six to one vote, Mr. Ficarotta voting against denying the appeal. The property located at 2410 Gray Street is in an R-2 Zoning District.

The following persons spoke in opposition of the subject appeal: Ms. Sharon Miller, 2413 W. Gray Street, (she had a petition from surrounding neighbors stating their objections to the appeal) - objected to the transient problem, unkept properties, traffic, and parking problems; Mr. Robert Castillo, 2407 West Gray street, objected for the same reasons previously mentioned.

Mr. Carmean, representing the petitioner, stated that the property will be well maintained. Through further discussion it was noted that the duplex will be approximately 576 square foot two bedroom unit on each side of the duplex, which was considered to be extremely small.

ADMINISTRATIVE DECISION

BOA86-231 It was moved by Mrs. Campisi and seconded by Mr. Ficarotta that the appeal of Louise Hadley Sconiers to challenge an administrative decision to allow a home occupation in a detached storage building, for a home occupation approval to operate a one-chair beauty salon be DENIED, which motion was carried unanimously. The Board upheld the city's decision. The property located at 1515 31st Ave. is in an R-1 Zoning District.

There was no opposition to this appeal.

BOA86-236 It was moved by Mr. Guida to approve the appeal of Salvador Guterrez, but there was no second to the motion; it was further moved by Mr. Goodman and seconded by Mr. Ficarotta that the appeal of Salvador Gutierrez to review an administrative decision on the interpretation of a single family residence; to construct a separate building at the rear of the existing house for living use by the petitioners daughter be DENIED, which motion was carried unanimously. The Board has upheld the cities decision. The property located at 1104 Coral Street is located in an R-1A Zoning District.

There was no opposition to the appeal.

CONDITIONAL USE/HOME OCCUPATION

BOA86-210 It was moved by Mrs. Campisi and seconded by Mrs. Parker that the appeal of Nancy Waring for a home occupation to operate a one-chair beauty salon form home be GRANTED, which motion was carried unanimously. The property located at 311 West Crest Avenue is in an R-1 Zoning District.

Ms. Virginia Harding, 3109 West Crest Avenue and Mr. Uell, 3116 West Crest Avenue appeared on the behalf of the petitioner to support thier appeal.

BOA86-216 It was moved by Mr. Guida and seconded by Mr. Ficarotta that the appeal of James E. Pierce for a Conditional Use approval to construct a single story building for religious and community programs be GRANTED, which motion was carried unanimously. The property located at 822 West Linebaugh Avenue is in an R-1A Zoning District.

There was no opposition to the subject appeal.

BOA86-219 It was moved by Mr. Guida and seconded by Mrs. Wilson that the appeal of Belkis Caballero for a home occupation approval to operate a tailoring and dressmaking business be GRANTED, which motion was carried unanimously. The property located at 2101 East Linebaugh Avenue is in an R-1A Zoning District.

There was no opposition to this appeal.

BOA86-238 It was moved by Mr. Goodman and seconded by Mr. Guida that the appeal of Marta Cedres for a Conditional Use approval to operate a child care center for fifteen (15) children maximum be GRANTED, which motion was carried by a six to one vote, Mrs. Wilson voting against granting the appeal. The property located at 9912 Myrtle Street is in an R-2 Zoning District.

There was no opposition to this appeal.

BOA86-202 It was moved by Mr. Goodman to approved the appeal of Eugene and Betty Harrison Et Al, there was no second to the motion. It was further moved by Mr. Ficarotta and seconded by Mrs. Campisi that the appeal of Eugene and Betty Harrison Et Al to increase the required 3' high wall at the front property line to 6', and to reduce the required 34' special street setback from the center line of the right of way to 30'; to construct a 6' high block wall for privacy be DENIED, which motion was carried by a six to one vote, Mr. Goodman voting against denying the subject appeal.

Ms. Judy McMullen, 2304 S. Oxident wanted to know where the wall was going, and if it entailed surrounding the entire property. Mr. Allford responded that it was going to be one solid wall running north to south, on one side of the property.

The following neighboring property owners addressed the Board: Dominic Ficarrotta, 2309 S. Westshore; Louis Rodriguez, 2312 S. Oxident; and Jo Ann Ziska, 2306 S. Occident. They objected to the flood problem that they felt the wall would create, and also, expressed concerns about subsequent subdividing and the erection of other wall creating serious flood problems as well as view obstruction.

NEW BUSINESS

It was moved by Mrs. Campisi and seconded by Mrs Parker to adopt the Rules and Regulations for the Zoning Board of Adjustment (there were two rule changes 1) Article V section 3 - tie vote is a nullity and must be brought back before the board at the next meeting; 2) Article IX section 1 - the board may allow the application, in the event that the petitioner is not present, to be held over to the next meeting without additional charge to the petitioner.), which motion was carried unanimously.

The next meeting of the Board of Adjustment is scheduled for December 12, 1986 at 7:15 p.m. in the City Council Chambers.

All variances granted at this hearing were granted with the provisions that these permits are only for the terms during which time they are complied within in all details and respects and are void upon the condition of which its terms are shown to be violated.

Sandra Mulder

CHAIRMAN

Mary S. Candelario
SECRETARY

MINUTES OF MEETING

OF

BOARD OF ADJUSTMENT

A meeting of the Board of Adjustment of the City of Tampa, Florida was held on Monday December 8, 1986, at 7:15 p.m. in the CITY COUNCIL CHAMBERS, 3RD Floor, City Hall, 315 East Kennedy Boulevard, Tampa, Florida and the following members were present:

SANDRA MULDER - CHAIRMAN
FRANK GUIDA
MARY ESTHER PARKER
EVELYN JONES WILSON

GRACE CAMPISI
ROBERT GOODMAN
GASPER J FICAROTTA

The meeting was opened and called to order by Mrs. Mulder, Chairman; Michael Adejumo, Zoning Analyst, presented each petition with a staff report. Mary G. Danielewicz, Secretary, swore in the witnesses in a mass swearing in ceremony.

The following appeals were heard and the following decisions were rendered in a public hearing on December 8, 1986, and filed in the office of the Board of Adjustment, City Hall, Tampa, Florida.

SETBACK AND LOT WIDTH VARIANCES

BOA86-133 It was moved by Mrs. Wilson and seconded by Mr. Ficarotta that the appeal of Bel-Tur Corporation to reduce the required 15' front yard setback to 12'; to develop a four (4) unit condominium be GRANTED, which motion was carried by a six to one vote, Mrs. Parker voting against granting the appeal.

The following persons addressed the Board in opposition to the subject appeal: Ms. Sarah Himes, 609 A S. Glenn and Ms. Rebecca Hewitt, 607 D S. Glenn avenue. They basically opposed because of the traffic hazzard that would be caused when the building is placed so close to the street. They also felt that a 12-foot setback would creat a lack of parking and and damage the appearance of the neighborhood.

Mr. Douglas Belden, representing Bel-Tur stated that the variance was not needed to meet parking requirements, but it would enhance parking maneuverability, and allow them to provide additional landscaping.

BOA86-234 It was moved by Mrs. Campisi and seconded by Mrs. Wilson that the appeal of Herbert & Jean Osborne to reduce the required 25' rear yard setback to 19.0'; to add an addition to the existing house for a bedroom and a bath be GRANTED, which motion was carried unanimously. The property located at 4305 Fair Oaks Avenue is in an R-1A Zoning District.

There was no opposition to this appeal.

BAO86-240 It was moved by Mr. Guida and seconded by Mr. Ficarotta that the appeal of Isabel B. Christian to reduce the required 30' rear yard setback to 4.96'; to connect the existing house to a garage for a bedroom and a bath be GRANTED, which motion was carried unanimously. The property located at 2306 W. Henry Avenue is in an R-1A Zoning District.

There was no opposition to this appeal.

BOA86-242 It was moved by Mrs. Wilson and seconded by Mr. Guida that the appeal of Aldo J. Ciccarello to reduce the required 7' side yard setback to 5'-6"; to enclose the existing carport and convert it into a dining area be GRANTED which motion was carried unanimously. The property located at 3313 Cordelia Street is in an R-1 Zoning District.

BOA86-242
Cont'd.

There was no opposition to this appeal.

BOA86-243

It was moved by Mr. Guida and seconded by Mrs. Campisi that the appeal of Michael E. Urette to rehear Case #BOA86-189 which was denied on October 13, 1986, be **GRANTED**, which motion was carried unanimously. It was further moved by Mr. Goodman to deny the appeal of Michael E. Urette, the motion died due to a lack of a second. It was moved by Mr. Guida and seconded by Mr. Ficarotta that the appeal of Michael E. Urette to reduce the required 30' rear yard setback to 19.16'; to construct a single family residence be **GRANTED**, which motion was carried by a five to two vote, Mrs. Mulder and Mr. Goodman voting against granting the appeal. The property located at 4505 Woodmere Road is in an R-1A Zoning District.

The following persons objected to the appeal, however, not to the extent of losing the trees: Peter Hubble, 4509 Sylvan Ramble, William Holbrook 4501 Woodmere, Alicin Mimes, 4507 Sylvan Ramble, Burt Hardsyke, 4614 Sylvan Ramble, Mr. Dreg Gatley 4610 Sylvan Ramble, Golf Hanson, 4616 Sylvan Ramble. The major consensus was that they did not believe that there was indeed a hardship, and that smaller structures could be erected without encroaching on setbacks or removing trees.

Mr. Doug Pearson, representing the parks department stated that the Urette's have shown sensitivity to landscap issues, and explained the process that is suggested and (root pruning) that is implemented when building so close to a large tree. He further stated that fines will be levied for any trees that die as a result of development and replacement trees will need to be planted. He also said that the parks department does not condone the size of the Uretts development but does recognize and appreciate their sensitivity to the tree issue.

Karen Urette and Tara Urette, petitioners addressed the issues of the lots being separate, platted, buildable lots; and the fact that to decrease the structure size will affect the usability of the rooms by decreasing the room sizes.

BOA86-244

It was moved by Mr. Guida and seconded by Mrs. Campisi that the appeal of Michael E. Urette to hear case #BOA86-190 which was denied on October 13, 1986 be **GRANTED**, which motion was carried unanimously. It was further moved by Mr. Goodman and seconded by Mr. Ficarotta that the appeal of Michael E. Urette to reduce the required 30' rear yard setback to 12.25'; to construct a single family residence be **DENIED**, which motion was carried by a six to one vote, Mrs. Campisi voting against denying the appeal. The property located at 4511 W. Sylvan Ramble is in an R-1A Zoning District.

Mrs. Mulder stated that the testimony given by the representative property owners and Mrs. Urette would apply to this property being that properties are back to back; and unless there is any new testimony to be given that the Board will proceed with the respective motion which they did.

BOA86-246

It was moved by Mr. Goodman and seconded by Mr. Ficarotta that the appeal of Donald Ashley Sr. to reduce the required 8' side yard setback to 1' on lot 125; to allow the construction of a house on Lot 126 be **DENIED**, which motion was carried by a six to one vote, Mr. Guida voting against denying the appeal. The property located at 312 W. Wilder is in an R-1A Zoning District.

- BOA86-246 Mr. Ashley Addressed the Board stating that the variance was needed so that he could erect a wheel chair ramp, if the variance was denied he would not build the ramp. His intent was to rent the house to someone who would benefit from the ramp.
- BOA86-249 It was moved by Mr. Goodman and seconded by Mr. Guida that the appeal of Richard A. Barnes to reduce the required 30' rear yard setback to 15'; to develop a six (6) unit condominium be **DENIED**, which motion was carried unanimously. The property located at 4406-4416 Bay to Bay Boulevard is in an C-1 Zoning District.

The following persons addressed the board in opposition to the subject appeal: Sherrie Alford, 4502 Bay to Bay Blvd., Vicki Baker, 4501 Bay to Bay Blvd., Alvera Flowers, 4506 Bay to Bay, Robert Spalding 4503 Bay to Bay Blvd., David Whitt, 3006 Emerson, John Pisarski, 2624 Toronto Street. The main objections were to the increased traffic, privacy infringement, disruption of the single family nature of the neighborhood, and the flood problem caused by development of this lot.

Sarah Hoy, 913 S. Fremont explained to the Board that this property is allowed to have units built upon it under the present zoning, the plan amendment that the petitioner has applied for will allow the petitioner to develop more units on the property; the request for setback variance is only a setback variance from the C-1 setbacks, the units can be built under that classification as it exists.

Gina Grimes, Assistant City Attorney, clarified for the Board that under either zoning the petitioner can build multiple dwelling units, the plan amendment applied for by the petitioner (RM16) has a greater density and will allow more units. The setback variance does not affect the petitioners ability to build units on the site, it just releases the petitioner from having to meet the C-1 rear setback requirement.

- BOA86-250 It was moved by Mr. Goodman to deny the appeal of Peter and Dora Conte, there being no second to the motion the motion died. It was further moved by Mr. Goodman to deny the appeal of Peter and Dora Conte, again, there be no second to the motion the motion died. It was moved by Mr. Guida and seconded by Mrs. Wilson that the appeal of Peter and Dora Conte to reduce the required 20' front yard setback to 6'; to add an addition to the existing house for a carport be **GRANTED**, which motion was carried by a four to three vote, Mr. Goodman, Mr. Ficarotta, and Mrs. Mulder voting against granting the subject appeal. The property located at 3110 Arch Street is in a R-1 Zoning District.

Vivian Calera, 913 West Moore, addressed the Board to inform them of the hardship involved.

- BOA86-251 It was moved by Mrs. Wilson and seconded by Mr. Goodman that the appeal of H. Thayer Herson to reduce the required 30' rear yard setback to 20'; to add an addition to the existing house for a garage and to convert the existing carport into a bath house/ recreation room be **GRANTED**, which motion was carried unanimously. The property located at 4413 Brookwood Drive is in an R-1A Zoning District.

Mr. Thayer Herson representing Mr. and Mrs. Villareal addressed the Board regarding the subject appeal. There was no opposition to this appeal.

BOA86-253 It was moved by Mrs. Campisi and seconded by Mrs. Wilson that the appeal of David and Betsy Drake to reduce the required 30' rear yard setback to 21'; to add an addition to the existing house for a master bedroom and a bath be **GRANTED**, which motion was carried unanimously. The property located at 4601 Browning Avenue is in an R-1A Zoning District.

There was no opposition to this appeal

BOA86-255 It was moved by Mrs. Wilson and seconded by Mr. Guida that the appeal of Clifford B. and Judy M. Hardy to reduce the required 30' rear yard setback to 28.25' and to reduce the required 8' side yard setback to 7'; to add an addition to the existing house for a master bedroom be **GRANTED**, which motion was carried unanimously. The property located at 2106 South Hesperides Street is in an R-1A Zoning District.

There was no opposition to this appeal

BOA86-257 It was moved by Mrs. Campisi and seconded by Mrs. Parker that the appeal of Herbert A. and Susan C. Lyon to reduce the required 30' rear yard setback to 15'-6" to add an addition to the existing house for a utility room be **GRANTED**, which motion was carried unanimously. The property located at 4701 Paul Avenue is in a R-1 Zoning District.

There was no opposition to this appeal.

BOA86-239 It was moved by Mrs. Campisi and seconded by Mrs. Parker that the appeal of Ruth Ann Fowler to challenge an administrative decision to allow a home occupation, also requesting approval for a private party; to operate a private party business be **DENIED** (upheld City's Administrative Decision), which motion was carried unanimously. The property located at 4701 South Mac Dill Avenue is in an R-1A Zoning District.

The following persons waived the write of notice; they felt that they were within the 150' of the subject property and should have received a certified mail notice: Russ Alva, 3025 Villa Rosa Park; Seth Sandage 3125 Villa Rosa Park.

The following persons addressed the Board in opposition to the subject appeal: Jay Patrick Michaels, Jr., 302 Vila Rosa Park, A. G. Spicola, Jr., 725 E. Henry Blvd., Sarah Stout, 3111 Oakellar, Russ Alva 3024 Vila Rosa, Reynolds Allen, 2929 Villa Rosa Park, William Zewodowski, not within 150', did not give address, Dolton Gray, 3104 Oakellar St., and Jeff Kramer, Coachment. The following reasons were stated by those in opposition: The use is a commercial use and not a legal home occupation, it is an intrusion on the neighbors, it is destroying the image of a single family neighborhood, there is inadequate parking, there is no way to regulate this business, it is a safety hazard to the children in the neighborhood, it would cause traffic congestion and parking problems.

Mr. Michaels submitted a petition with 54 signatures opposing the variance. Mrs. Stout presented a sketch of those properties in opposition to the appeal. There were many persons attending in opposition (approximately 61 persons) only a few addressed the Board.

After hearing the ensuing discussion of those who wanted to address the board the Board made the aforementioned motion.

BOA86-245 It was moved by Mr. Goodman and seconded by Mrs. Wilson that the appeal of Thomas L. Bernardo to review an administrative decision of a 7'-4" wall in front of the main building, also to reduce the required 25' front yard setback to 17'; to allow the existing privacy wall to remain be **GRANTED**, which motion was carried by a four to three vote, Mrs. Mulder, Mrs. Parker and Mr. Ficarotta voting against granting of the subject appeal. The property located at 4109 Fairview Heights is in an R-1A Zoning District. (The Board dissagreed with the city's determination)

Mr. Thomas Bernardo and Jim Hems, Architect addressed the Board in regards to the subject appeal. It was stated that the wall was on the plans and passed all inspections, and that this is more of a decoration rather than a wall. The wall has been up for four (4) years and as a result of a complaint inspection was made and now the petitioner is told that he is now in violation.

Mr. David Vaughn, 4015 Tacon Street, stated that there is no opposition to this appeal, in fact, the person that put in the complaint did not even appear at the hearing.

BOA86-229 It was moved by Mrs. Campisi and seconded by Mrs. Parker that the appeal of Richard J. Formica, Jr. for a home occupation approval to operate a mobile locksmith business be **GRANTED**, which motion was carried unanimously. The property located at 8713 Pawnee Avenue is in an R-1A Zoning District.

There was no opposition to this appeal.

BOA86-247 It was moved by Mr. Guida and seconded by Mr. Ficarotta that the appeal of Tampa Bay Bridge Center, Inc. for a Conditional Use approval to construct and operate a bridge club house, also, to reduce the required 30' rear yard setback to 25' be **GRANTED**, which motion was carried unanimously. The property located at 116 West 109th Avenue is in an R-1A Zoning District.

Cynthia Van Mort, Attorney with Mac Farlane, Ferguson, Ellison, and Kelley; 777 South Harbour Island Boulevard, addressed the Board in regards to the subject appeal, she stated that this will conform to the land use plan. Ms. Mort further explained that the setback request results from the fact that without the setback variance eleven (11) trees would need to be removed and they would subsequently be in violation of the tree ordinance.

Mr. Bud Swanson, President of the Bridge Club, stated the purpose of the club and what they wanted to do with the property. He also stated that the portion of the property that has the house on it, they would like to either sell or have the Bridge Club Manager live in it, if they cannot sell it.

there was no opposition to this appeal.

BOA86-248 It was moved by Mr. Ficarotta and seconded by Mrs. Parker that the appeal of Carmen Smyth for a home occupation approval to operate a maid service and lawn maintenance service be **GRANTED**, which motion was carried by a six to one vote, Mr. Guida voting against granting the subject appeal. The property located at 1513 Heather Avenue is in an R-1A Zoning District.

Luis Aires, 1505 Heather Avenue stated that he objects because he wants to keep the neighborhood residential. He does not want a precedent set, and he does not want the traffic and noise that this business would generate.

BOA86-248
Continued

Mr. Ralph Warren, 315 Heather Avenue - objects because the street is narrow, which will limit parking. He also stated that the repairing of the lawn mower equipment will generate much noise. Ms. Smyth stated that this is not a lawn repair business, and that the type of business that she will be running is small scale.

BOA86-237

It was moved by Mr. Ficarotta and seconded by Mrs. Parker that the appeal of Hydro Conduit Corporation to reduce the required 20' landscaping width to zero and to replace the 6' high solid wall with a chain link fence along the North Boundary Line; to develop a production building be DENIED which motion was carried unanimously. The property located at 1915 North 62nd Street is in an IH Zoning District.

The following persons addressed the Board in opposition to the subject appeal: Carl Hardin, 2010 64th Street; Ralph Styles, 2004 N. 64TH St, who was represented by Mr. Hardin. They objected to the noise, land, and water pollution generated by this and other surrounding businesses. They felt that the solid wall serves as a buffer to some of this.

BOA86-241

It was moved by Mrs. Campisi and seconded by Mr. Goodman that the appeal of David L. Vaughn, AIA to waive on-site parking and to utilize the adjacent vacant lot for parking in the near future; to convert an existing commercial building into a police sub-section offices for West Tampa Area be GRANTED, which motion was carried unanimously. The property located at 1705 N. Howard Avenue is in a C-2 Zoning District.

Mr. David Vaughn addressed the Board regarding the subject appeal representing the department of Public Works. He stated that the existing vacant lot as a separate project is being awarded to be converted into a park; and that on the lot in question the Transportation Department is in the process of developing construction plans to provide an on-site lot that will meet all parking requirements.

BOA86-252

It was moved by Mr. Guida and seconded by Mr. Goodman that the appeal of Nelson Steiner to increase the required 6' high fence to 7.2'; to provide privacy be GRANTED, which motion was carried unanimously. The property located at 6220 S. Dale Mabry is in an R-3/C-1 Zoning District.

Mr. David White, 100 S. Ashley, Taub and Williams, addressed the Board in regards to the subject appeal. He stated that the major reason that the variance is needed is due to the construction of apartment complexes adjacent to the property, the elevation was raised by about three (3) feet. He also submitted a letter from an adjacent property owner in favor of the subject appeal.

There was no opposition to this appeal.

BOA86-256

It was moved by Mr. Guida and seconded by Mr. Guida that the appeal of Ellis and Co., Ltd. to waive the required 6' high solid masonry wall, and to replace with a hedge; to add a grocery store to the existing shopping center be GRANTED, AS FOLLOWS: To waive the required 6' high solid masonry wall, however Ellis and Co., Ltd. is to extend the body shops existing wall westward (with an offset wall) and also to remove the existing fence, which motion was carried unanimously. The property located at 4056 and 4058 North Armenia Avenue is in an C-1 Zoning District.

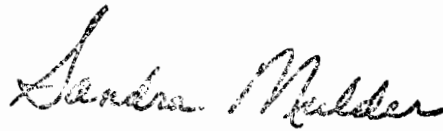
EXTENSION

BOA86-104 It was moved by Mr. Guida and seconded by Mr. Ficarotta that a six month extension of the variance granted June 9, 1986, to reduce the required 30' rear yard setback to 17.2', to construct a single family home be GRANTED, which motion was carried unanimously. The property located at 435 Columbia Drive is in an R-1A Zoning District.

BOA86-038 It was moved by Mrs. Campisi and seconded by Mrs. Parker that a three month extension of the variance granted March 10, 1986, to reduce the required 20' side yard setback to 0'; to install two satellite dishes be GRANTED, which motion was carried unanimously. The property located at 905 E. Jackson Street is in an M-1 Zoning District. A 14' high solid concrete block wall will be constructed and the dishes will sit on the block and will reach another 24' above that.

The next meeting of the Board of Adjustment is scheduled for January 12, 1987 at 7:15 p.m. in the City Council Chambers

All variances granted at this hearing were granted with the provisions that these permits are only for the terms during which time they are complied within, in all details and respects and are void upon the condition of which its terms are shown to be violated.



CHAIRMAN



SECRETARY