

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 12, 1987, 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
EVELYN JONES WILSON
GASPER J FICAROTTA

GRACE CAMPISI
ROBERT GOODMAN

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, Secretaru. swpre om tje wotmesses om a ,ass swearomg om cere,pmu/

The following appeals were heard and the following decisions were rendered in a public hearing on January 12, 1987, and filed in the office of the Board of Adjustment, City Hall, Tampa, Florida.

HOLDOVER

BOA86-225 It was moved by Mrs. Wilson and seconded by Mr. Goodman that the appeal of Pastor C. D. Dixon to reduce the required 25' front yard setback to 6', and to reduce the required forty-six (46) parking spaces to (5) spaces; to add an addition to the existing church for office use be **GRANTED**, which motion was carried unanimously. The property located at 2709 25th Street is in an RM-24 Zoning District.

There was no opposition to this appeal.

SETBACK AND LOT WIDTH VARIANCES

BOA86-260 It was moved by Mrs. Wilson and seconded by Mrs. Campisi that the appeal of John Latimer Young to reduce the required 60' front yard setback for an accessory structure to 33' and to reduce the side setback to 1.5'; to construct six (6) covered carports be **GRANTED**, which motion was carried by a four to one vote, Mr. Ficarotta voting against granting of the subject appeal. The property located at 2314 S. Clewis Ct. is in an R-3 Zoning District.

Ms. Margaret Murphy, Artson Place, addressed the Board regarding the repeated requests by the condominium for variances, and further voiced her objection to the variance request. Ms. Margie Johnston, 2311 Artson Place, stated that she was concerned with the noise level and the construction of the carport. Ms. Hardy responded that she did not know how the noise level would be affected, and that construction would be in keeping with the condominium

BOA86-262 It was moved by Mr. Ficarotta and seconded by Mrs. Wilson that the appeal of Samuel A. and Margaret B. Bennet to reduce the required 8' side yard setback to 4'; to erect a carport be **GRANTED**, which motion was carried unanimously. The property located at 11528 Bareside Place is in an R-1A Zoning District.

Mr. Bennett stated that the only neighbor affected by the variance, Mr Wright, sent in a letter of support for the petition.

BOA86-263 It was moved by Mrs. Campisi and seconded by Mr. Goodman that the appeal of Andrew and Sophy Hlavack to reduce the required 25' front yard setback to 13'-4"; to add an addition to the existing house for a carport be **GRANTED**, which motion was carried unanimously. The property located at 10327 New Port Circle is in an R-1A Zoning District.

Mr. Samuel Gross Vasco addressed the Board on the behalf of Mrs. Hlavack because she does not speak english very well. He stated to the Board the reasons that the carport is needed, to protect their new car.. There was no ~~op~~osition to the subject variance request.

BOA86-268 It was moved by Mr. Goodman and seconded by Mrs. Campisi that the appeal of Vicki Needham to reduce the required 30' rear yard setback to 17'; to add an addition to the existing house for a bedroom be **GRANTED**, which motion carried unanimously. The property located at 3119 Douglas Street is in a R-1 Zoning District.

Mrs. Mulder addressed Mrs. Needham regarding the two petitions on the same address and wheather or not they should be heard together, and it was established that they were two seperate actions that should be heard seperate.

There was no opposition to the subject variance request..

BOA86-269 It was moved by Mr. Goodman and seconded by Mr. Ficarotta that the appeal of James R. Gremer to reduce the required 25' front yard setback to 23', and to reduce the required 8' side yard setback to 7.9' at the West property line; to convert the existing carport into a family room be **GRANTED** which motion was carried unanimously. The property located at 1905 W. Flora St. is in an R-1A Zoning District.

There was no opposition to the subject appeal.

BOA86-272 It was moved by Mrs. Campisi and seconded by Mrs. Wilson that the appeal of James C. Puckett to reduce the required 25' front yard setback to 13'; to construct a two-car garage be **GRANTED**, which motion was carried unanimately. The property located at 22 Spanish Main is in an R-1A Zoning District.

There was no opposition to the subject variance request.

BOA86-275 It was moved by Mr. Ficarotta and seconded by Mr. Goodman that the appeal of Sunshine Builders to reduce the required 30' rear yard setback to 25'; lto add an addition to the existing house for a bedroom and a screen room be **GRANTED**, which motion was carried unanimously. The property located at 10908 N. 28th Street is in an R-1A Zoning District.

There was no opposition to the subject variance request.

BOA86-276 It was moved by Mrs. Wilson and seconded by Mr. Goodman that the appeal of Antonius Pauelsen to reduce the required 30' rear yard setback to 5'; to construct a second story addition to the existing house for three bedrooms and a bathroom be GRANTED, which motion carried unanimously. The property located at 3509 Emperdrado Street is in an R-2 Zoning District.

There was no opposition to the subject variance reuest.

BOA86-277 It was moved by Mrs. Wilson to approve the appeal of James A. Foster, there being no second to the motion, the motion died. It was further moved by Mr. Goodman and seconded by Mr. Ficarotta that the appeal of James A. Foster to reduce the required 25' front setback to 15'; to add an addition to the existing house for a carport be DENIED, which motion was carried by a four to one vote, Mrs. Wilson voting against denying the subject appeal. The property located at 3613 Leila Avenue is in an R-1A Zoning District.

There was no opposition to the subject variance request.

BOA86-279 It was moved by Mr. Ficarotta and seconded by Mr. Goodman that the appeal of Michael & caridad Noble to reduce the required 30' rear yard setback to 22'; to add an addition to the existing house for a bedroom be GRANTED, which motion was carried unanimously. The property located at 9606 Connechusett Road is in an R-1A Zoning District.

There was no opposition to the subject variance request.

BOA86-280 It was moved by Mrs. Campisi and Seconded by Mr. Goodman that the appeal of Wayne B. and Catherine M. Hockett to reduce the required 30' rear yard setback to 4'; to allow the existing house at the rear of the property to remain be GRANTED, which motion was carried by a four to one vote, Mr. Ficarotta voting against granting the subject appeal. The property located at 1701 E. Sligh Ave. is in an R-1 Zoning District.

Dr. Maria Hadia, 1518 E. Hillside Drive, had a question regarding Mr. Hockett being able to construct another building if he tears down the other structure. She further stated that she did not have any real objection to the appeal. Mrs. Mulder informed her that the present zoning would not allow another single family structure at the site. There was no opposition to the appeal.

BOA86-282 It was moved by Mr. Goodman and seconded by Mrs. Campisi that the appeal of Edgar H. and Elizabeth West to reduce the required 30' rear yard setback to 22'; to add an addition to the existing house for a recreation room and master beedroom be GRANTED, which motion was carried unanimously. The property located at 3111 South Omar Avenue is in an R-1A Zoning District.

There was no opposition to the subject appeal.

BOA86-258 It was moved by Mr. Goodman and seconded by Mrs. Campisi that the appeal of Andrew D. Argintar to rehear Case #BOA86-177 that was denied on October 13, 1986; appeal to challenge an administrative decision on a non-conforming use, to enclose the existing porches on the first and second floor, and convert them into bedrooms be DENIED, which motion was carried unanimously. The property located at 4209 14th Street is in an R-1 (RS-50) Zoning District.

Mr. Argintar, attorney for the petitioner presented as his new evidence to the Board the fact that he felt that the Board misunderstood the fact that this was not, in his interpretation, an increase of the non-conforming use because the structure would not encompass a greater area of land than it already does and that there is no structural alteration to the building, there being no changing of bearing walls or support beams. The Board did not feel that this constituted new evidence and proceeded to deny motion for a rehearing of the case at hand.

CONDITIONAL USE/HOME OCCUPATION

BOA86-254 It was moved by Mr. Ficarotta to approve the appeal of Angelica and Armando Padron, there being no second, the motion died. It was further moved by Mr. Ficarotta and seconded by Mr. Goodman that the appeal of Angelica and Armando Padron for a Conditional Use approval; to operate a pre-school be GRANTED, which motion did not pass due to the fact that there were not four affirmative votes. Mr. Ficarotta, Mr. Goodman, and Mrs. Campisi voted for the subject appeal and Mrs. Mulder and Mrs. Wilson voted against granting the subject appeal.

Mrs. Campisi, Vice Chairman, read into record four letters of opposition to the appeal due to the noise and traffic, also, the use disrupting the residential nature of the subject appeal.

Mrs. Padrone addressed the traffic issue stating that Columbus and Himes would take most of the increased traffic and that there would not be a great increase in traffic. Mrs. Wilson stated that she thought that the neighbors objected to the increase in traffic for 40 pre school and setting a precedent for other businesses. Mrs. Mulder asked the petitioner what type of sign she would place on site, and Mrs. Padron replied that she would place a very plain sign on the property .

BOA86259 It was moved by Mr. Goodman and seconded by Mrs. Campisi to allow admission of new material evidence of bible studies being conducted on site for a rehearing of CASE #BOA86-157 which was denied on Spetember 8, 1986 be GRANTED, which motion was carried unanimously. It was further moved by Mr. Goodman and seconded by Mr. Ficarotta that the appeal of Mr. Elder Idel Suarez, Jr. for Conditional Use approval; to allow bible study group be DENIED, which motion was carried unanimously..

The following persons appeared before the Board in opposition to the subject appeal. Mrs. Urecheck, Carmine Gibson, Victor Alexander, Danny Carena due to the fact that this is a residential area and that there are actual services being held at the side. The traffic congestion and parking situation is unbearable.

BOA86-261 It was moved by Mrs. Wilson and seconded by Mr. Goodman that the appeal of James H. and Nancy Lee Witzgen for Home Occupation; to operate a real estate brokerage office be approved, which motion was carried unanimously. The property located at 2904 W. Lake Avenue is in an R-1 Zoning District.

Mr. James Witzgen submitted statements for surrounding property owners who did not have any objection to the appeal. He further stated that he buys and sells his own property and that there would not be any traffic, as they meet clients at the property for sale, by appointment..

BOA86-266 It was moved by Mr. Goodman and seconded by Mr. Ficarotta that the appeal of Jesus and Luz Riveria for Home Occupation; to operate a one-chair beauty salon from home be GRANTED, which motion was carried unanimously. The property located at 4105 Montgomery Terrace is in an R-1A Zoning District.

Mrs. Neretti, 4108 Montgomery stated that there would be not much difference if the variance was granted, no impact.

Mr. William Martinez, 4106 W. Montgomery Terrace, stated that street is too narrow, and there is no parking which causes problems. Mrs. Campisi read a letter from 4103 Montgomery Terrace and 4100 Montgomery Terrace in opposition to the variance.

It was stated by Mr. Bolden that the petitioner has many children, and that the cars in the driveway are her childrens. He further stated that these customers would be by hourly appointments which would have only one or two extra cars at the site.

BOA87-267 It was moved by Mrs. Campisi and seconded by Mr. Goodman that the appeal of Eileen . Mays for a home Occupation; to operate an office for Janitorial Service be GRANTED, which motion was carried unanimously. The property located at 4606 Paxton Avenue is in an R-1 Zoning District.

There was no opposition to the subject appeal.

BOA87-271 It was moved by Mrs. Wilson to deny the appeal of Vicki Needham, which motion did not carry due to a lack of a second. It was further moved by Mr. Ficarotta and seconded by Mrs. Campisi that the appeal of Vicki Needham for a Home Occupation; to operate a professional massage therapy from home be GRANTED, which motion carried by a four to one vote, Mrs. Wilson voting against granting the subject appeal.

Ms. Needham submitted to the Board a letter from the petitioner's husband's doctor, stating the need for the petitioner to do this at home due to her husbands illness..

BOA86-264 property to provide the required minimum parking spaces for the Commercial
Continued building across the alley be GRANTED, which motion was carried unanimously.
The property located at 215 S. Edison Avenue is in an R-3 Zoning District.

There was a question regarding the fulfillment of minimum parking spaces. Mr. Adejumo stated that the vacation of the alley way gave the petitioner sufficient space to fulfill the parking requirement. This request is for additional parking.

There was no opposition to the subject variance request.

BOA86-265 It was moved by Mrs. Wilson and seconded by Mr. Ficarotta that the appeal of Herbert D. Carrington, Sr. to waive the required 6' high wall to the East property line; to construct a duplex be GRANTED, which motion was carried unanimously. The property located at 2202 20th Avenue is in a CG (Commercial General) (formerly C-2 Zoning)..

Mr. Adejumo stated that because the property was permitted under Chapter 43, the Board is to review it under Chapter 43, and thus consider waiving the buffer wall requirement that Chapter 43 requires..It was noted that The structure is actually a triplex not a duplex.

There was no opposition to the subject variance request.

BOA86-270 It was moved by Mrs. Wilson and seconded by Mr. Ficarotta that the appeal of Jimmie and Rhonella Crowder to increase the required 3' high fence to 6' within the 25' front setback; to allow the existing 6' high fence to remain be HELDOVER to the February 2, 1987 Board of Adjustment Hearing, which motion was carried unanimously. The property located at 10805 Leo Street is in an R-1A Zoning District.

BOA86-274 It was moved by Mr. Goodman and seconded by Mrs. Wilson that the appeal of Donald E. Baker to utilize the area within 500' of the subject property for parking, and to allow the existing parking spaces on Kennedy Blvd. to remain as is; to provide the required minimum parking spaces for the commercial building be GRANTED, as long as the applicant provides a 6' high wall around the parking area; which motion was carried unanimously. The property located at 4306 North "A" Street is in an R-3 Zoning District.

~~Mr. Campbell and Ms. Vanbourn~~ addressed the board in support of the request.

BOA86-278 It was moved by Mrs. Campisi and seconded by Mr. Goodman that the appeal of Mark Scott Scime to allow ingress/egress in a residential district (R-1A), also, to waive the 6' high solid wall within 25' front setback on Carmen Street, and to reduce the required 10' rear yard setback to zero; to develop a retail business store be GRANTED, which motion was carried unanimously. The property located at 418 N. Dale Mabry is in an C-1 and R-1 Zoning District.

There was no opposition to the subject variance request.

BOA86-273 It was moved by Mr. Goodman and seconded by Mrs. Campisi that the Board admit the new material evidence to rehear case #BOA86-231 that was denied on November 13, 1986. It was further moved by Mrs. Wilson and seconded by Mrs. Campisi that the appeal of Louise Hadley Sconiers to allow for a home occupation in a residential district, also to reduce the required 7' side yard setback to 2'; to operate a one-chair beauty salon be GRANTED which motion was carried unanimously. The property located at 1515 31st Avenue is in an RS-50 Zoning District.

The new evidence was that the petitioner was attaching the beauty salon to the main structure which would allow the portion of the property to be used for the home occupation to be part of the main structure as provided for by the Zoning Code.

There was no opposition to the subject appeal.

BOA87-287 It was moved by Mr. Goodman and seconded by Mr. Ficarotta that the appeal of Stephen A. Micheli for a conditional use approval to allow a private interment area (10 spaces) for church related use, which motion was carried unanimously. The property located at 5223 N. Himes is in an R-1 Zoning District.

There was no opposition to the subject appeal.

BOA86-287 It was moved by Mr. Goodman and seconded by Mr. Ficarotta that the appeal of Rebecca B. Savits of the Junior League of Tampa for a Conditional Use Approval for expansion of an existing Club Headquarters. The request also includes reduction of the required 30' rear yard setback to 9', and the required 8' side yard setback to zero at the N/W property line; and to allow the existing off-site parking to remain as is, and allow ingress/egress in a residential district; to convert the existing carport into office space (Phase I) and to expand the existing meeting room (Phase II) (to begin in late spring of 1988). The property located at 87 Columbia Drive is in an R-1A Zoning District.

Gwen Young, Past President addressed the Board stating that this property was given to the Junior League by the City of Tampa fee simple for charitable uses. She further explained the phase process that they would be undertaking. There was a question raised regarding approval for the phases of the variance. It was determined that requesting two extensions should allow the petitioner sufficient time to complete the phases. It was also stated that this conditional use would not be grandfathered in under the new zoning code. Therefore, the Board must approve the Conditional Use at this time. There was no opposition to the subject appeal.

PARKING, BUFFER, AND HEIGHT VARIANCES

BOA86-264 It was moved by Mrs. Campisi and seconded by Mr. Goodman that the appeal of John Henderson to allow an area within 500' of the subject property for parking. The following are requested to be waived: a) to reduce the required 15' front setback to zero b) to allow ingress/egress, on Edison Avenue c) to eliminate the required 6' high wall surrounding the

Mr. Scime stated that the buffer wall will be right on the property line. The transportation concerns were addressed and Mr. Scime stated that these will be complied with.

EXTENSIONS

BOA86-096 It was moved by Mr. Ficarotta and seconded by Mr. Goodman that the appeal of Vanguard Group Developers for extension on the appeal for reduction of the rear yard setback from 30' to 7.5 on the North property line and to reduce the 30' side yard setback for a swimming pool to 7.5' be DENIED due to the fact that the variance expired by one day, which motion was carried unanimously. The property at 3015 Santiago Street is zoned C-2.

NEW BUSINESS

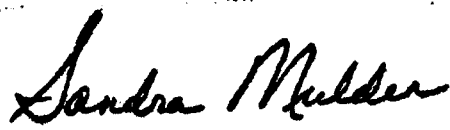
Mrs. Mulder stated to the members that she thought that the members should make a part of their motions the recommendations from other board or departments if they feel that these conditions should or should not be complied with.

Mrs. Mulder addressed the Board regarding reasons for granting or denying the subject variances before the Board, and that the members should review the section of the code regarding this.

This meeting closed at 11:40 p.m., and the next meeting of the Board of Adjustment is February 2, 1987, at 6:30 p.m..

All variances granted at this hearing were granted with the provisions that these permits are only for the terms for that period during which time they are complied with in all terms and details and respects; they are void upon conditions that 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 2, 1987, 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
MARY ESTHER PARKER
FRANK GUIDA

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 witness in a mass swearing ceremony.

The following appeals were heard and the following decisions were rendered in a public hearing on March 9, 1987, and filed in the office of the Board of Adjustment, City Hall, Tampa, Florida.

HOLDOVER

BOA86-270 It was moved by Mr. Goodman and seconded by Mr. Guida that the appeal of Jimmie and Rhonella Crowder to increase the required 3' high fence to 6' within the 25' front setback to allow the existing 6' high fence to remain be **GRANTED** which motion was carried by a five to one vote, Mr. Ficarotta voting against granting the subject variance. The property located at 10805 Leo Street is in an R-1A Zoning District.

The petitioner submitted photographs to the Board and stated that the inspector Mr. Brumley came with the petitioner willing to testify that the fence is astetically pleasing and sound in construction. It was established that the inspector was sent out through a complaint to the building department.

SETBACK AND LOT WIDTH VARIANCES

BOA86-283 It was moved by Mrs. Campisi and seconded by Mr. Ficarotta that the appeal of Dr. Antonio and Maria Tejedor to reduce the required 8' side yard setback to 0', and to reduce the required 20' front yard setback to 15', also, to reduce the required 60' special street setback to 45'. The applicants have requested the following requirements to be waived: a) to allow ingress/egress in an R-1A Zoning District along Howard Avenue b) to reduce the required setback of 25' to 0' along West Orient Street c) to eliminate the required 6' high wall around the parking in a residential district (R-1A); to develop a professional office building be **POSTPONED** which motion was carried un-animously. The property located at 2304 Buffalo Avenue is in an IP Zoning district.

Mr. Yado representative for the petitioner stated that a prior variance had been granted regarding the parking and that he did not understand why it had been included in this appeal. Mrs. Mulder explained that the Board did not have access, at this time, as to what was granted previously.

BOA86-283 Mr. Greg Gallo representing Mr. Palamore C. Gallo, neighboring property owner stated that he did not have any objection to the waiving of the wall but wanted a hedge and that he believed this was granted in a prior variance. He further stated that he was concerned with the height of the hedge. Mrs. Mulder explained that if this was granted previously, the petitioner would be bound by the height that was specified at that time.

The Board further discussed with the petitioner parking and ingress and egress, mostly concerned with traffic entering and exiting on to Buffalo Avenue. Mr. Yado stated that parking was not an issue of this variance.

The petitioner expressed confusion as to the parking request in this variance that he did not as for and Mr. Adejumo explained that he had not been aware that a prior variance was granted and stated that his research could not produce a site plan regarding parking. He further stated that he included the parking in the request to prevent the petitioner from having to apply for another appeal.

The Board then moved to postpone their decision until the next hearing to allow the petitioner and the zoning staff to get together to work out those issues causing confusion.

BOA87-002 It was moved by Mrs. Campisi and seconded by Mrs. Parker that the appeal of Elmer P. Henderson to reduce the required 25' front yard setback to 13', and to reduce the required 30' rear yard setback to 10'; to construct a house be **GRANTED** which motion was carried unanimously. The property located at 6203 Interbay Avenue is in an R-1A Zoning District.

Mr. Henderson explained that a variance was granted in 1983 for the front setback, however the structure was never built. He further explained that they were now requesting a front and rear setback, at this time, because the proposed structure is now a one story structure. The structure that was proposed previously was two stories, but because of health reasons that a one story structure was needed.

There was no opposition to the subject appeal.

BOA87-003 It was moved by Mr. Guida and seconded by Mr. Ficarotta that the appeal of Bradley S. Boles to reduce the required 30' rear yard setback to 20' and to reduce the required 8' side yard setback to 7.9'; to add a family room to the existing building be **GRANTED** which motion was carried unanimously. The property located at 820 West Amelia Avenue is in an R-1A Zoning District.

Mrs. Mulder asked the petitioner whether or not he was going to move the air conditioning unit which is presently located where the proposed addition is going to be located. The petitioner made known to the Board that he would be relocating the unit to the rear of the property. Mr. Adejumo stated to the petitioner that where ever he moves the air conditioner unit, he will be required to meet setbacks.

There was no opposition to the subject appeal.

BOA87-005 Appeal of Mark A. Curtis to be held until the end of hearing due to the petitioner not being present at that time.

BOA87-006 It was moved by Mr. Goodman and seconded by Mr. Guida that the appeal of James H. Hathaway to reduce the required 8' side yard setback to 7.5'; to add a second story addition to the existing house be **GRANTED** which motion was carried unanimously. the property located at 10208 North 21ST Street is in an R-1A Zoning District.

The petitioner submitted to the Board letters from surrounding property owners stating that they had no objections to the variance. Mrs. Campisi read a letter of objection from the neighbor across the street.

BOA87-007 It was moved by Mrs. Campisi and seconded by Mrs. Parker that the appeal of Raymond and Sylvia Rodrigues to reduce the required 20' front yard setback to 2'; to allow the existing carport to remain as is was **HELDOVER** which motion was carried unanimously. The property located at 3105 Leroy Street is in an R-1 Zoning District.

Mr. Rodrigues addressed the board stating that he built the carport himself.

The appeal was heldover because of a question as to where the petitioner's property ends and where the City Right-of-Way begins. Based upon the site plan presented, it was not clear whether or not the carport extends into the City Right-of-Way as stated by a City Inspector in a report, and the property boundary was marked as assumed on the report. Due to the fact that the petitioner did not have a current survey the Board decided to hold over the subject appeal until the next month to allow the petitioner to institute a survey that would clearly delineate the boundary.

BOA87-008 It was moved by Mr. Goodman and Seconded by Mr. Guida that the appeal of Charles T. Kitzmiller to reduce the required 10' rear yard setback to 2'-4", also to waive the required on-site parking spaces to zero; to add an addition to the existing dental office be **GRANTED** which motion was carried by a four to two vote, Mrs. Campisi and Mr. Ficarotta voting against granting the subject appeal. The property located at 4206 Bay to Bay Boulevard is in a C-1 Zoning District.

Mr. Kitzmiller addressed the Board stating that there is not an increase in doctor's at the site.

Mr. Mulder stated that it is illegal for the petitioner to use the City Right-of-Way for parking, even though, as the petitioner stated, that it was established that current use of said Right-of-Way was used for parking.

The issue of the petitioner using an adjacent property (R-1A) for parking was brought up. Mr. Adejumo stated that because the property is located in the South Quadrant and is currently undergoing Zoning Conformance, the subject property would be adopted under Chapter 43A before the petitioner could get to the board to appeal for the parking variance. Once under Chapter 43A, parking would not be an allowable use, and the petitioner would no longer have the option of going before the Board for a parking variance.

- BOA87-008
Continued It was further stated by Mr. Goodman and Mr. Guida that the parking problem has always existed and to press the issue of parking would hinder all the businesses in the area. It was, also, brought up by Mrs. Parker that the situation had to be dealt with at some time. Mrs. Mulder pointed out that in the past, parking wasn't an issue because it wasn't a problem; but that now it is a problem that probably should be addressed. The Board then closed discussion and moved to the aforementioned motion.
- BOA87-011 It was moved by Mrs. Campisi and seconded by Mr. Ficarotta that the appeal of Violet A. and Rolando Leon to reduce the required 7' side yard setback to 6.8'; to add an addition to the existing building for a bathroom be **GRANTED** which motion was carried unanimously. The property located at 3418 Grace Street is in an R-1 Zoning District.
- There was no objection to the subject appeal.
- BOA87-013 It was moved by Mr. Ficarotta and seconded by Mr. Goodman that the appeal of Glen and Carol Martin to reduce the required 25' front yard setback to 20'; to add an addition to the existing house for a garage and a bedroom be **GRANTED** which motion was carried unanimously. The property located at 3918 Barcelona Street is in an R-1A Zoning District.
- The petitioner stated that he had been before the board before for a 15' front setback from 25' and now he was asking for a 20' front setback from 25'. He further explained to the Board what the renovations would entail, and pointed out that this would save an Oak Tree and a few Orange Trees. He mentioned that the addition would be in line with the existing structure.
- Mr. Authur Plant property owner across the street stated that he had received a similar variance and did not object to the variance. There was no opposition to the subject appeal.
- BOA87-014 It was moved by Mr. Guida and seconded by Mrs. Campisi that the appeal of Aristides Diaz to reduce the required 8' side yard setback to 7.52'; to correct the setback error that occurred during construction be **GRANTED** which motion was carried unanimously. The property located at 4205 NORTH HOWARD AVENUE is in a R-1A Zoning District.
- Mr. Aristides Diaz, the contractor for the project addressed the Board. He stated that there were two properties that they were pouring the footers for and it rained that day. Subsequent to that their foundations caved in and when they reconstructed the forms the error occurred.
- There was no opposition to the subject appeal.
- BOA87-015 It was moved by Mr. Guida and seconded by Mr. Goodman that the appeal of Aristides Diaz to reduce the required 7' side yard setback to 6'-8"; to allow the existing single family structure to remain be **GRANTED** which motion was carried unanimously. The property located at 5408 North Paddock is in an R-1 Zoning District.
- Mr. Diaz addressed the the Board stating that this footer was poured the same day that the Howard Avenue property was poured and that the same thing had happened to this property that had happened to the aforementioned property.
- There was no opposition to the subject appeal.

BOA87-016 It was moved by Mr. Goodman and seconded by Mrs. Parker that the appeal of Vanguard Group, Inc. to reduce the required 30' rear yard setback to 7.5' at the North East property one, also, to reduce the required 30' side yard setback for a swimming pool to 7.5'; to develop an 18 unit condominium be **GRANTED** which motion was carried unanimously. The property located at 3015 West Santiago Street is in a C-2 Zoning District.

Bruce Brierela addressed the Board and stating that the variance that was granted to them had expired and he could not get an extension because of that reason. There was a problem in the acquisition of the property which was the reason the variance lapsed. The variance was granted in June 1986, and the appeal presented to the Board at this time is exactly as it was submitted to the Board in June.

There was no opposition to the subject appeal.

BOA87-017 It was moved by Mr. Ficarotta and seconded by Mrs. Parker that the appeal of Robert C. Finnegan to reduce the required 30' rear yard setback to 20', also to increase the required maximum distance of 3½' for birck steps to 7' in the front of the building; to add an addition to the existing house for a family room, eat-in-kitchen, laundry room, and a double car garage be **GRANTED** which motion was carried unanimously. The property located at 403 Royal Palm Way is in an R-1A Zoning District.

Mr. Finnegan addressed the board stating that his lot is extremely irregular in shape and that was the reason for the variance request. He further stated that the neighbors were receptive to the variance request. He also stated that the front steps would be less of an encroachment than the current ones have.

There was no opposition to the subject appeal.

BOA87-018 It was moved by Mr. Guida and seconded by Mrs. Campisi that the appeal of Stephen Smith to reduce the required 30' rear yard setback to 15', also, to reduce the required 7' side yard setback to 0'; to reconstruct the existing buinding and to provide a carport be **GRANTED** which motion was carried unanimously. the property located at 1002 South Fremont Street is in an R-3A Zoning District.

Mr. Stephen Smith explained to the Board what they were doing with the property, replacing it with a bungalow with the same type of features. Mr. Frank Smith, co-owner further reiterated thier intentions regarding the subject property.

James Remore, property owner accross the street from the subject property wanted to know if there was going to be one or two structures, and it was replied to him that there will be two structures and would be two stories, Mr. Remore further stated that he did not have any objections. Mr. Roger Groomcker, an adjacent property owner stated that he gives support to the property owner in his subject appeal.

There was no objection to the subject appeal.

CONDITIONAL USE VARIANCE - HOME OCCUPATION

BOA87-285 It was moved by Mr. Goodman and seconded by Mr. Guida that the appeal of Apollo Security Specialists for a home occupation; to operate a mobile locksmith service from home (office use only) be **GRANTED** which motion was carried unanimously. The property located at 8116 North Ola Avenue is in an R-1A Zoning District.

Mr. Gene Garden and his wife addressed the board regarding the subject appeal, stating that there would be no business conducted from home.

Mr. Richard Greengurgh, 8123 N. Ola Avenue, expressed concern regarding keeping the residential nature of the neighborhood, and also voiced concerns about setting a president, sign, noise, and traffic. Mrs. Mulder explained to Mr. Greenburgh the home occupation rules, and he stated that he did not have any objection to the subject variance.

BOA87-001 It was moved by Mr. Guida and seconded by Mr. Ficarotta that the appeal of Raymond F. Driggers for a conditional use approval; to construct a canopy roof with a drive thru along Mango Terrace be **GRANTED** and further the request that all future improvements as per site plan be approved: a) Family Life Center, b) new sanctuary building, c) conversion of the existing sanctuary into a school be **DENIED** which motion was carried unanimously. The property located at 8718 North 46th Street is in an R-1/R-3 Zoning District.

Mr. Driggers addressed the Board regarding the inted for the additions. Mr. Robert Shippard, 101 Park Place, further discussed the need for the expansion of the facilities. Mrs. Virginia Gillen, 8700 Elm Del Place, spoke in support of the appeal.

The following persons spoke against the subject appeal: Dora Dunn, property owner accross the street from the church, Mr. Robert Taylor, 8710 Orange Place, Margaret Taylor, 8710 Orange Place, Louis Hanly, 8123 Orange Place, Willard Hendrix, 8722 Orange Place. They were concerned with traffic and noise. They felt that the increase in use would just intensify an existing problem. They stated that the church had not been a good neighbor and were not receptive to dealing with the existing problems of trash, noise and obnoxious children.

Mr. Ed Bently, a representative of the chruch, addressed the Board discussing some of the probjems the church had encountered and further stated that he would work with the residents to resolve some of the problemsthat were occurring.

The Board then made the aforementioned motion.

BOA87-004 It was moved by Mr. Guida and seconded by Mr. Goodman that the appeal of Leesa Nero for a home occupation; to operate an interior design business from home be **GRANTED** which motion was carried unanimously. The property located at 1110 West Plymouth Street is in an R-1A Zoning District.

Leesa Nero addressed the board expalining the type of business she would be running. Mrs. Mulder briefly explained what the home occupation rules and regulations entailed.

There was no opposition to the subject appeal.

BOA87-009 It was moved by Mrs. Campisi and seconded by Mr. Guida that the appeal of Joel and Doris M. Barnum for a home occupation; to operate a beauty salon be GRANTED which motion was carried unanimously. The property located at 4008 East Henry Avenue is in an R-1 Zoning District.

Mr. Barnum addressed the Board concerning the intensity of the beauty salon. Mrs. Mulder reiterated the home occupation rules and established that the business would be by appointment only and would be limited to five (5) cars per day.

There was no opposition to the subject appeal.

BOA86-284 It was moved by Mr. Ficarotta and seconded by Mr. Guida that the appeal of William R. and Kathy F. Patterson to allow the existing 9' high fence at the rear of the property to remain (43A-79); to comply with the City Zoning Ordinance, which motion was made to grand conditional upon the passing of Chapter 43A, which motion did not carry due to a tie vote as follows: Mr. Guida, Mr. Ficarotta, and Mrs. Parker voted to grant the subject appeal, while Mrs. Mulder, Mr. Goodman, and Mrs. Campisi voted against granting the subject appeal. Therefore, it was moved, as prescribed under the Rules of the Tampa Board of Adjustment Article IV, that the appeal be HELDOVER, and be automatically brought before the Board at the next Board Meeting, which is March 9, 1987.

Mr. Adejumo stated that the petitioner was cited by the Building Department, and, also; that the subject appeal should be reviewed under Chapter 43A.

Deborah Romenello, Attorney for the petitioner, addressed the Board giving the particulars of the case and giving the five (5) conditions/criteria that allow this variance to be considered and/or granted.

Mr. Patterson addressed the Board giving a brief history of the property and justified the granting of the appeal. He stated to the Board that at the hearing that Bradley Printing had been granted a variance, he was informed by the Board that he could raise his fence height, and stressed that he was informed this by the Board. Mrs. Mulder informed the petitioner that the Board did not have the power or give them permission to build there fence higher without them making a formal appeal before the Board, and further did not instruct them to do this without a permit. She stated that there must have been a misunderstanding.

Mr. James Tresvant, owner of Bradlye Printing, addressed the Board in opposition to the subject appeal. He stated that he didn't violate any code and went through all proper procedures for his variance. He stated that his fence is in place and he filled his property because it was a city requirement. He was against the Patterson variance because they did not follow proper procedures, and that the fence is higher than the code will allow. He objected most to the fact that the fence is not finished on his side as the code also requires, and that the fence does not encompass the entire property line of his property line.

BOA86-286 It was moved by Mr. Guida and seconded by Mr. Ficarotta that the appeal of Vito J. Saputo to waive the required 15' landscaping buffer to 5' at the East property line (the applicant is willing to provide a row of trees and a 6' high solid masonry wall behind the landscaped area); to construct a commercial building be GRANTED, which motion was carried unanimously. The property located at 5003 North 40th Street is in a CI Zoning District.

Vito Spauto addressed the Board giving a brief history of the property including the rezoning from R-1 to C-2, and when he submitted plans for permitting under C-2 (which allowed a 0' setback). He further stated that in November he took this action. In the meantime, the City rezoned the property to CI which required a 15' setback and this setback would eliminate the use of his property for vehicular storage. He further stated that there is an existing hedge, a space of right-of-way, and that he would put in 5' of landscaping himself. Mrs. Mulder stated that the petitioner would still be providing a wall at the 5' buffer.

There was no objection to the subject appeal.

BOA87-010 It was moved by Mrs. Campisi and seconded by Mr. Guida that the appeal of Alyce Gross to reduce the required 26' drive aisle to 16'; to develop a three (3) unit condominium be GRANTED, which motion was carried unanimously. The property located at 2521 Maryland Avenue is in an R-3 Zoning District.

It was noted that because the development is labeled a condominium, the variance is needed, but unlike the usual characteristic of a condominium central parking is not an issue in this case.

There was no opposition to the subject appeal.

BOA87-012 It was moved by Mr. Guida and seconded by Mr. Ficarotta to deny the subject appeal of the Coley's, however that motion was withheld due to other persons wanting to address the Board, It was further moved by Mr. Guida and seconded by Mr. Goodman that the appeal of Richard T. and Susan L. Coley To increase the required maximum height of 35' to 42'; to construct a single family home be GRANTED, which motion was carried unanimously. The property located at 2505 West Gardner Court is in an R-1A Zoning District.

Joe Dixon, Architect for the project addressed the board stating that because the petitioner is not filling the property (to save the trees), the petitioner's are having to build to 42', and the design of the stairway is what causes the property height requirement to go to 42'.

Mr. Tagliarinie, a neighboring property owner stated that he did not want a precedent set for building height. and Mr. Wayne Stevens 5803 Gorden, felt that there was not a hardship in this case.

- BOA87-012 Continued Mr. Dixon addressed the statements regarding fill and how that supported the basis for the variance. He also brought up the fact that City Council is going to increase the height requirement under 43A, and will not be restricted to BOA approval of only 40'.
- BOA87-005 It was moved by Mrs. Campisi and seconded by Mr. Ficarotta that the appeal of Mark Curtis to reduce the required 60' front yard setback to 26'; to construct a swimming pool at the side yard of the existing house be HELDOVER which motion was carried unanimously. The property located at 820 Amelia Avenue is in an R-1A Zoning District.

The Board heldover the appeal because the petitioner did not appear before the Board, and this would give him an opportunity to show good cause for not being there.. Failure to appear again may result in denial

EXTENSIONS

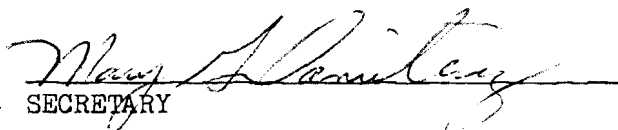
- BOA86-144 It was moved by Mr. Guida and seconded by Mrs. Parker that the appeal of Todd and Regina Gilbert be GRANTED an Extension; appeal to reduce the required rear yard setback from 30' to 29' and to reduce the required 8' side yard setback to 5' to add on an addition to the existing house for a bathroom, master bedroom, and recreation room, which motion was carried unanimously.

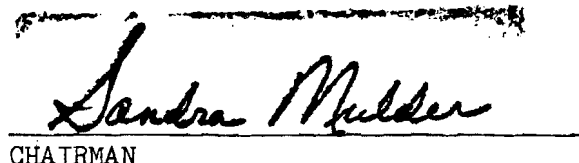
New Business

The Board discussed reconsideration on a tie vote, that a second motion to reconsider the appeal could be made if the Board deems so, but if the second attempt did not then become either a move for granting or denial, the appeal should be left as a holdover.

This meeting closed at 11:45 p.m., and the next meeting of the Board of Adjustment is scheduled for March 9, 1987 at 6:30 p.m.

All variances granted at this hearing were granted with the provisions that these permits are only for the terms for that period during which time they are complied with in all details and respects, and are void upon the conditions that 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 March 9, 1987, 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 March 9, 1987, and filed in the office of the Board of Adjustment, City Hall, Tampa, Florida.

HOLDOVER

BOA87-283

It was moved by Mr. Guida and seconded by Mrs. Campisi that the appeal of Dr. Antonio Tejedor and Maria Tejedor to reduce the required 20' front yard setback to 15', also, to reduce the required 60' special street setback to 45'. The applicants have requested the following to be waived: a) to allow ingress/egress in an R-1A Zoning District along Howard Ave. b) to reduce the required 25' setback to 4' along West Orient Street and reduce the required 8' side yard setback to 5' along Howard Avenue c) to delete the required 6' high solid masonry wall around the parking area, and replace it with landscaping and hedges; to develop a professional office building be **GRANTED** (with covenant), which motion was carried unanimously. The property located at 2304 Buffalo Avenue is in an IP Zoning District.

Mr. Jess Yado, 4830 W. Kennedy Blvd., attorney for the petitioner addressed the board and clarified those questions that caused the case to be heldover from the previous meeting.

There was no opposition to this appeal.

BOA86-284

It was moved by Mrs. Wilson and seconded by Mr. Ficarotta that the appeal of William R. and Kathy F. Paterson to allow the existing 9' high fence at the rear of the property to remain (43A-79); to comply with the city zoning ordinance be **GRANTED** which motion was carried by a five to two vote, Mr. Goodman and Mrs. Mulder voting against granting the subject appeal. The property located at 2405 Chicago Avenue is in an R3TH Zoning District.

Mr. Jim Tresevant, 2420 Mississippi, owner of Bradley Printing stated that he objected to the fence height because it could create a hodgepodge of fences that would be very unsightly if others in the town houses behind him wanted a fence, and that he doesn't feel that the pattersons use of their property was hindered. He questioned the 1.5' height variance that was presented, and it was explained that because of the grade differences of the property the actual height

BOA86-283 variance is only for 1.5 feet.
-- Cont'd

It was decided that the pattersons would finish the side of the fence facing bradley pringing with the same type of finish that thier fence if finished with (lattice work included).

BOA87-005 It was moved by Mrs. Campisi and seconded by Mrs. Parker that the appeal of Mark A. Curtis to reduce the required 60' frony yard setback to 26'; to construct a swimming pool at the side yard of the existing house be **GRANTED** which motion was carried unanimously. The property located at 820 West Amelia Avenue is in an R-1A Zoning District.

Mr. Curtis explained that the post office failed to deliver the notices which the post office admitted they had done, and that he did not het his notice even though the Zoning Department did mail them out. He stated that this was the reason he was not at the last meeting.

There was no opposition to this appeal.

BOA87-007 It was moved by Mr. Goodman and seconded by Mr. Guida that the appeal of Raymond and Sylvia Rodriguez to reduce the required 20' front yard setback to 2'; to allow the existing carport to remain as is be **GRANTED** which motion was carried by a six to one vote, Mrs. Mulder voting against granting the subject appeal. The property located at 3105 Leroy Street is in an R-1 Zoning District.

Mr. Adejumo, Zoning Staff Representative explained to the board that to this date Mr. Rodriguez had not submitted to the Board a survey, Mr. Rodriguez then presented to the Board a survey, however, it did not designate the carport. Mr. Rodriguez explained that Mr. Delfino told him that if the carport was cut back by 1.4 inches, it would not encroach into the city right-of-way. Mr. Delfino had not been in touch with the zoning Dept.

There was no objection to the appeal.

SETBACK AND LOT WIDTH VARIANCES

BOA87-023 It was moved by Mr. Goodman and seconded by Mrs. Campisi that the appeal of Syd K. Hardie to reduce the required 25' front yard setback to 3', and the side yard setback to 5' along Morrison Avenue, also, to allow the location of a swimming pool facing Agawan Street, and to reduce the required 25' front yard setback to 12'-2"; to allow the location of a swimming pool along Agawan Street, and to add an addition to the existing structure for a garage be **GRANTED** which motion was carried by a five to two vote, Mrs. Mulder and Mr. Ficarotta voting against granting the appeal. The property located at 3112 Morrison is in an RS-60 Zoning District.

Mr. Hardie addressed the board stating that they will be turning the existing duplex into a single family home and further explained the changes that would be taking place.

Mr. Richard Marguetta Jr., speaking for the property owners on 3110 Morrison and the Cancer Society, submitted pictures and stated that they objected to the variance because they feel that the visibility would be impared and the property would become boxed in.

BOA87-025

It was moved by Mrs. Wilson and seconded by Mrs. Campisi that the appeal of Ernest A. and Mercedes A. Riccio to reduce the required 7' side yard setback to 3' at the East property line; to add an addition to the existing house for two bedrooms, two bathrooms, a kitchen, workroom, closet, and laundry room, be GRANTED which motion was carried unanimously. The property located at 3117 W. Henry Ave. is in an R-1 Zoning District.

Mrs. Riccio explained that the existing kitchen would be taken out and then the new kitchen would be put in.

There was no opposition to this appeal.

BOA87-026

It was moved by Mrs. Campisi and seconded by Mr. Guida that the appeal of Rudolph Portillo, Jr., to reduce the required 20' front yard setback to 1'-4"; to allow the existing carport to remain be GRANTED which motion was carried by a five to one vote, Mrs Mulder voted against granting the appeal and Mrs. Wilson abstained. The property located at 3010 Leroy Street is located in an R-1 Zoning District .

There was no opposition to this appeal.

BOA87-027

It was moved by Mr. Guida and Seconded by Mrs. Parker that the appeal of G. S. and Judith Guggino to reduce the required 30' rear yard setback to 9'-3", ~~also, to reduce the required 15' front yard setback to 5' along Swann Avenue,~~ to remodel and expand the existing structure be GRANTED which motion was carried unanimously.* The property located at 3115 Swann Avenue is in an R-4/R-3 Zoning District.

Mr. Bill Platt, Attorney representing the petitioner (Dr. Guggino and his wife), addressed the board regarding the subject appeal. He stated that the actual appeal is only for the 30' rear yard setback to be reduced to 9'-3". Mr. Adejumo explained to the Board that it was necessary for him to include the reducing of the front yard setback from 15' to 5' along Swann Avenue, because of permitting requirements. Mr. Platt informed the Board that, if it is required for them to give up the two parking spaces if it is necessary to comply with the R-4 Code requirements in respect to the front of the building.

*Therefore, the Board approved the portion of the request concerning the rear yard setback with the understanding that the parking spaces in the front will be eliminated and that the requirements of the code will be met concerning the front of the property. **(No opposition to this appeal.)**

BOA87-029

It was moved by Mrs. Wilson and seconded by Mr. Ficarotta that the appeal of Maria Josephine Franco to reduce the required 7' side yard setback to 3'-10" at the West of the property; to allow the existing carport to remain be GRANTED, which motion was carried unanimously. The property located at 2640 Laurel Street is in an R-2 Zoning District.

Mrs. Eloisia Cruz, the petitioners daughter, addressed the board representing her mother Maria Franco. She explained that they built the carport themselves and did not know they needed a permit. They were cited by the Building Inspector and were told to get a permit. When they went to get the permit they found out that they did not meet the setback requirements. She submitted a letter from the property owners on the East Side, Mr. and Mrs. Evelio Barrera and Sira M. Chapdelaine, in favor of the subject appeal.

There was no opposition to the appeal.

BOA87-033

It was by Mr. Goodman and Seconded by Mr. Parker that the appeal of Joe and Sharon Romano to recude the required 7' side yard setback to 3.5' for Lot 20; to allow the construction of a single family house on Lot 19 be **GRANTED** which motion was carried unanimously. The property located at 3401 W. Granada Street is in an RM-16 Zoning District.

Mr. David Rodriguez, Attorney for Mr. and Mrs. Romano addressed the board presenting evidence that these lots at one time were under separate ownership, and he submitted this evidence to the Board. He further informed them that he would send copies to the Zoning Department.

Mr. Martin Folsom, property owner across the street, addressed the Board stating that he was in favor to the subject appeal. There was no opposition to the appeal.

BOA87-037

It was moved by Mr. Goodman and seconded by Mr. Ficarotta that the appeal of Stephen B. and Lucile B. Griggs to reduce the required 7' side yard setback to 0' to rebuild the existing house to the west of the property line be **GRANTED** which motion was carried by a six to one vote, Mrs. Mulder voting against granting the subject appeal. The property located at 493 Bsophorous Avenue is in an RS-60 Zoning District.

There was no opposition to this appeal.

BOA87-036

It was moved by Mr. Guida and seconded by Mrs. Wilson that the appeal of Bay View Baptist Church, Inc, to reduce the required 25' front yard setback to 11', and to reduce the required 40' side yard setback to 32'; to add an addition to the existing church for a sitting area be **GRANTED**, which motion was carried unanimously. The property located at 3911 Bay Avenue is in an RS-60 Zoning District.

Mr. Adejumo stated that under the new Zoning Code, Chapter 43A, a church requires special use consideration in an RS-60 Zone, and that the church will have to go before City Council for approval.

Fred Waley, Pastor for the church addressed the Board. He stated that the front porch extends out forward as far as they want to make the addition, so that they will not be extending past where the structure extends currently, therefore, the only section affected is the side setback. He further stated that the addition is for a vestibule, an entrance and exit section. It was brought to the attention of all concerned that the exits would be to the sides not at the front of the building.

There was no opposition to this appeal.

ADMINISTRATIVE DECISION

BOA87-019

It was moved by Mr. Guida and seconded by Mr. Goodman that the appeal of RAMCO Recycling Systems, Inc. to review an administrative decision on the illegal use of the subject property for a junk yard; to allow the continued use of the subject property for stockpiling of roofing materials, be **DENIED** which motion was carried unanimously (the Board upheld the City's administrative decision). The property located at 3901 East Lake Avenue is in an IG Zoning District.

BOA87-019
Continued

Mr. Adejumo stated that RAMCO was cited by the Hillsborough County Environmental Protection Commission, City of Tampa Standards and Enforcement, and the City of Tampa Fire Department for illegal dumping of solid waste material. He further stated that an occupational license was issued in error because Ramco misrepresented the type of business on the license application, as strictly recycling, not stockpiling. He explained that recycling is a permissible use under IG Zoning, however, that the stockpiling use is classified under IH (Heavy Industrial), and he described those uses.

Ms. Judy James, Attorney with Maloy, James, and Greco, addressed the Board regarding the process that RAMCO utilizes in their processing and further stated that this use (junkyard), is an allowable use as illustrated in the table 4-1, page-5 of the Code. She was informed that that was an error, and that was not in the original code adopted by city council. Ms. James further explained why she felt that this use should be an allowable use in the IG Zone. She also, stated that the RAMCO would not store on site more than they could process in five days, and, at this time, they do not have stored at the site more material than what would take five days to process.

Mr. Tom Diel, Land Planner for Heidt and Associates, stated that the process that RAMCO utilized to mulch their product does not create any obnoxious noises or odors, and that RAMCO does conform to the IG Zoning requirements.

The Board addressed the issue of the violations issued by Hillsborough County and the City of Tampa Fire and Ms. James informed them that they working with the subject agencies to get them resolved and, also that the Board is only concerned with the zoning issue.

Mr. Bill Daugherty, Chief Officer of Standards and Enforcement, submitted photographs of the two sites that RAMCO now operates, the Oneca Site and the Tampa site, and that standards does contend that the uses are clearly Heavy Manufacturing. He also submitted a memo from Hillsborough Environmental Protection Agency, requiring Air Pollution source permit, and a violation form the City of Tampa Fire Department stating that RAMCO is storing hazardous materials.

It was established that there has not ~~been~~^{been} any processing at the Tampa site. Mr. Daugherty also contended that at the other site RAMCO has, to this date, no processing has taken place and he referred to the photographs that were submitted.

Mr. Daugherty stated that indeed the application was misrepresented RAMCO presented the license application as if they were an aluminum recycling business or one such as that, and that when they took the application back down to the license, they added information to the application. Mr. Curley Chester stated that they did not intend to misrepresent anything and that there were no objections from the surrounding property owners.

Discussion followed regarding whether or not RAMCO's current use is a light or heavy industrial use. Mr. Guida reiterated for the Board that, although they may be a recycling agency, that 90% of the time they are in violation of the zoning ordinance due to the fact that

BOA87-019
Continued they stockpile the roofing materials for an indeterminate amount of time, and the recycling part of the operations occurs during a minimal amount of time and then the stockpile operations start again for an indeterminate amount of time. It was the consensus that, although recycling is a part of the operations of RAMCO, that the majority of thier operations involves stockpiling of a material that should take place within an IH Heavy Industrial Zone. The Board then moved to the aforementioned motion to uphold the City's Zoning Administrators decision.

BOA87-030 It was moved by Mrs. Parker and seconded by Mr. Guida that the appeal of Paul H. and Judy Patterson to review an administraitve decision on a non-conforming use; to allow the installation of an additional electric meter for a duplex in a Single Family Residential District RS-60 be **DENIED** which motion was carried by a six to one vote, Mrs. Wilson voting against denying the subject appeal. The property located at 401 Columbia Drive is in an RS-60 Zoning District.

Mr. Adejumo explained that the property is zoned single family residential which was down zoned in 1979 from R-3 to R-1. Being that the property is a non-conforming use, it cannot be upgraded of increased in any capacity.

Mr. Patterson addressed the Board stating that he did not know why he was there, that he was not challenging an administrative decision, he just wanted to put in another meter for an apartment that he felt was grandfathered in. Mrs. Mulder explained why he was before the Board.

Ms. Rosa La Bashee, a neighboring property owner stated that she has lived at her residence prior to 1979, and that the apartment was put in after the property was downzoned.

Ms. Linda Solenberger, 403 Columbia Drive, stated that it was single family prior to 1979 and converted to a duplex after 1979, and that she was mistakenly issued a notice of violation for the property on 401 Columbia Drive, for the property having an illegal aptmñt. She also informed the Board that a Mr. Adnrew Reeves converted it into a duplex by adding a kitchen, and he told her that it was for a roommate. She state that she is bound by the single family designation and that she doesn't like the fact that someone can illegally create a rental unit and become grandfathered in a residentila single family district.

The board then closed the hearing and moved to the aforementioned motion.

CONDITIONAL USE/HOME OCCUPATION

BOA87-034 It was moved by Mr. Guida and seconded by Mrs. Campisi that the appeal of Villa Madonna School for a conditional use approval; to allow the construction of a new convent and cahpel in addition to the existing school be **GRANTED** which motion was carried unanimously. The property located at 315 Columbus Drive is in an R-2 Zoning District.

Mr. R. J. Robbins, 401 Florida Avenue, an architect representing the Saelesian Order, stated that the uses exist on the property and that the the had been in operation since 1936, and that the property is not been subdivided, and that the property has been expanded over the years to include a school. He then explained the scope of the plans.

BOA87-034
Continued Mr. Clifton Robins addressed the Board in regards to Nevada Street, he though it was going to be closed and he was informed by the Board that it was not and was allowed to see the plans.

Constance Winston wanted to know about the playground and the parking. Mr. Robbins stated that they were not changing either.

Mr. Adejumo stated that the project seems to be a long term project and that under the new zoning they will need to conform to the new regulations. Ms. Gina Grimes stated that if permits are pulled before the rezoning, then they will be locked into what they started, however, if the permits are not pulled then the church may be required to go before City Council for a special use permit. Mr. Adejumo stated that a permit is only good for six months, and construction must be started.

The Board then moved to the aforementioned motion.

BOA87-020 It was moved by Mrs. Campisi and seconded by Mrs. Wilson that the appeal of Leslie Silva for a home occupation; to operate an advertising consulting office be **GRANTED** which motion was carried unanimously. The property located at 3211 San Miguel is in an R-1A Zoning District.

The *surrounding neighbors* spoke stating that they had no objection to the variance provided that there was no traffic as a result of this home occupation. The petitioner stated that there would not be any traffic.

BOA87-021 It was moved by Mr. Guida and seconded by Mrs. Wilson that the appeal of Kent and Florence James for a home occupation to operate a flower arrangement business be **GRANTED** which motion was carried unanimously. the property located at 2406 E. Ida Street is in an RS-50 Zoning District.

There was no opposition to the variance.

BOA87-024 It was moved by Mr. Guida and seconded by Mr. Goodman that the appeal of Asuncion Otero for a home occupation to operate a beauty salon be **GRANTED** which motion was carried by a five to two vote, Mrs. Mulder and Mrs. Parker voting against granting the subject appeal. The property located at 5821 North 15th Street is in an R-1 Zoning District.

Mr. Ken Ludica a neighboring property owner stated that he was against having a business in a residential area.

PARKING, BUFFER, AND HEIGHT VARIANCES

BOA87-022 It was moved by Mr. Guida and seconded by Mr. Ficarotta to accept new evidence and rehear the appeal of Memorial Medical Center Condominium from case #BOA87-204 which was denied on November 3, 1986; it was further moved by Mr. Ficarotta and seconded by Mr. Guida that the appeal of Memorial Medical Center Condominium to exclude the required 6' high solid masonry wall along Gomez Avenue at the North/West section of the property; to provide adequate parking spaces be **DENIED** which motion was carried by a six to one vote, Mr. Ficarotta voting against denial. The property located at 2901 Swann Avenue is in an R-3 Zoning District.

BOA87-022 Mr. Michael Freedman represented addressed the board presenting the new material evidence to the board and and reiterating on what the variance was requesting. Mr. Barry Verholf, physician representing Memorial Medical Condominium Association addressed the board regarding the issues that surrounding property owners presented at the last meeting. He further stated that the proposal would be safer and more aestetically pleasing. Mr. Kenthorn, Executive Director of Memorial Medical Center addressed the board regarding the proposed useage of the property.

The following persons addressed the board in oposition to the subject appeal: Jeanette minstrom, 3010 Deleon, Julio McNenney, 4003 Munro Avenue (representing several neighboring property owners- Cacciaorie, Santora, Louis, and McNenny), and Mr. Hank Minster, Crime Watch Coordinator for the subject area. The major consenus was that waiving the wall would infringe upon privacy, and safety, they would like for the wall to act as the buffer it is intended to be; they felt that landscaping would not be adequate.

BOA87-028 It was moved by Mr. Goodman and seconded By Mr. Guida that the appeal of William O. Higgins to increase the required 3' high wooden fence within the 20' front yard setback to 6'; to allow the existing fence to remain as is was **GRANTED** which motion was carried unanimously. The property located at 4217 Culbreath Avenue is in an R-1 Zoning District.

There was no opposition to the subject appeal.

BOA87-031 It was moved by Moved by Mr. Guida and seconded by Mrs. Campisi that the appeal of Phil Alessie to utilize the area within 500' of the subject property for parking. The applicant has requested the following to be waived: a) to waive the required 6' high wall behind the 25' front setback and to allow the hedges and trees along the property line on Saint Joseph Street b) to waive the required 7' side yard setback to 4' and delete the required 6' high wall along Glen Avenue c) to allow ingress/egress along Saint Joseph Street and Glen Avenue; to provide adequate parking spaces be **GRANTED** which motion was carried unanimously. The property located at 3400-02-04-06-08-10 Saint Joseph Street is in an R-1 Zoning District.

Andrew Argintar, Attorney addressed the board regarding the subject appeal. He described the area that the variance is requested for and stated that the petitioner and continue to use the parking on the existing lots as is. He further explained ingress/egress situation and adressed the traffic pattern.

Ms. Erma Huden, 3514 Saint Louis stated that she did not want the existing wall s to be removed and did not want access on Glenn Avenue. She read a letter from her and others concerned. Mr. Argintar stated that access can be changed to Saint Joseph . Marcious Cellecuso, 3413 Saint Louis was concerned with the use of the property and the traffic that would be generated. Mr. Argintar stated that the use is less intense and that there would not be any additional traffic than what currently exists. The board then closed discussion and moved to the aforementioned motion.

BOA87-032 It was moved by Mr. Goodman and seconded by Mr. Guida that the appeal of James D. Edwards to waive the required 15' landscaping setback to zero at the North and East property lines; approval requested as per site plan showing the following: a) proposed 6' high wall on the North property line b) the required 6' high wall to be excluded at the North 28' in order to save a 24" Oak Tree on the East property line c) proposed 6' high prefabricated concrete wall to be constructed, and a row of existing hedges are to remain at the East property line. The purpose is to convert the existing house into an office be Granted, which motion did not pass by a four (against granting the appeal vote as follows: Mrs. Mulder, Mrs. Parker, Mrs. Wilson, Mr. Ficarotta; Mr. Goodman and Mr. Guida for Granting, and Mrs. Campisi, abstaining). Therefore, it was further moved by Mrs. Parker and seconded by Mrs. Wilson, for DENIAL of the subject appeal, which motion was carried by a four to two vote, Mr. Goodman and Mr. Guida voting against denial and Mrs. Campisi abstaining, subject appeal was **DENIED**. The property located at 1409 Swann Avenue is in an R0-1 Zoning District. Mr. Hugh Pott, 1401 Swann represented himself and his father spoke in favor of the subject appeal.

The following persons spoke against the subject appeal: Mr. Dan O'Connell 857 S. Willow Avenue, Mr. Rick Miller, 901 South Willow (president of Hyde Park Preservation District - representing such), Mr. Blaney Cardona, 714 South Boulevard, and Mrs. Linda O'Connell, 857 S. Willow Avenue. The major consensus was that Mr. Edwards was not true in his intent when he rezoned the property, and they did not want the increase in density, claiming that he has removed the rental portion of the property turning the entire property into office use.

BOA87-039 It was moved by Mrs. Campisi and seconded by Mr. Ficarotta that the appeal of Reggie G. Elkins to allow parking within 500' of the subject property (hospital), also, to allow ingress/egress in an residential district (if required); to add an addition to the existing hospital be **GRANTED** which motion was carried unanimously. The property located at 2901 Swann Avenue - North/East corner of Habana/Deleon, and the North/East corner of Arrawana/Deleon is in an R-3 Zoning District.

Mr. Spicola informed the Board that two property owners within 150' were not notified and he submitted notarized waivers of notice for Mr. Keith Heuthorn and Galloway Family Partnership, Ltd. Mr. Keith Heuthorn addressed the Board stating that he waives write of notification.

There was no opposition to the subject appeal.

EXTENSION

BOA86-159 It was moved by Mr. Guida and seconded by Mrs. Parker that a six month extension of the variance granted September 8, 1987, appeal 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 which motion was carried unanimously. The property located at 2800 Estrella Avenue is in an R-1 Zoning District.

BOA86-198 It was moved by Mrs. Parker and seconded by Mr. Ficarotta that a six month extension on the variance granted October 13, 1987, appeal 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** which motion was carried unanimously. The property located at 3213 West Kennedy Boulevard is in an C-1 and C-1E Zoning District.

NEW BUSINESS

It was moved by Mrs. Parker and seconded by Mrs. Wilson that the board meet at 6:30 p.m. starting at the April 13, 1987 meeting, which motion was carried unanimously.

This meeting closed at 12:52 a.m. and the next meeting of the Board of Adjustment is scheduled for April 13, 1987, at 6:30 p.m.

All variances granted at this hearing were granted with the provisions that these permits are only for the terms for that period during which time they are complied with in all details and respect and are void upon conditions that 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 April 13, 1987, at 6:30 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
EVELYN JONES-WILSON

MARY ESTHER PARKER
ROBERT GOODMAN
GASPER 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 January 12, 1987, and filed in the office of the Board of Adjustment, City Hall, Tampa, Florida.

HOLDOVER

BOA87-027 It was moved by Mr. Ficarotta and seconded by Mr. Guida that the appeal of G. S. Guggino to reduce the required 30' rear yard setback to 9'-3"; to remodel and expand the existing structure be GRANTED, which motion was carried unanimously. The property located at 3115 Swann Avenue is in an R-4/R-3 Zoning District.

SETBACK AND LOT WIDTH VARIANCES

BOA87-037 It was moved by Mr. Goodman and seconded by Mrs. Wilson that the appeal of John D. Roberts to reduce the required 20' front yard setback to 14'; to allow the existing front porch to remain be GRANTED, which motion was carried unanimously. The property located at 2910 Aquilla Street is in an RS-60 Zoning District.

BOA87-040 It was moved by Mr. Ficarotta and seconded by Mr. Guida that the appeal of George Atkinson to reduce the required 8' side yard setback to 1.9' at the North, and 3.8' at the South property lines; to allow the construction of single family houses on Lots 13 and 11 be GRANTED, which motion was carried by a four to two vote, Mr. Goodman and Mrs. Mulder voting against granting the subject variance. The property located at 9303 North 17th Street is in an R-1A Zoning District.

BOA87-041 It was moved by Mr. Goodman and seconded by Mrs. Parker that the appeal of Janice M. Fernandez to reduce the required 60' front setback for an accessory structure to 41'; to allow the existing free-standing carport to remain be GRANTED, which motion carried by an five to one vote, Mr. Ficarotta voting against granting the subject appeal. The property located at 315 West Chelsea Street is in an R-1 Zoning District.

- BOA87-043 It was moved by Mrs. Wilson and seconded by Mrs. Parker that the appeal of Jimmy and Elizabeth Kalamaras to reduce the required 25' front yard setback to 21' (NOTE: petition to be approved per plot plan); to construct a single family house (the open porch will encroach on the front yard setback, which motion was carried unanimously. The property located at 3322 W. Barcelona is in an RM-16 Zoning District.
- BOA87-044 It was moved by Mrs. Parker and seconded by Mrs. Wilson that the appeal of A. H. and Patricia Phillipp to reduce the required 7' side yard setback to 4' and to 6' at the West property line (NOTE: requested approval as per plot plan); to reinstate an existing dormer on the second story and to enclose the existing porch for a bath and a closet be GRANTED, which motion carried unanimously. The property located at 3122 Villa Rosa is in an RS-60 Zoning District.
- BOA87-045 It was moved by Mr. Goodman and seconded by Mr. Guida that the appeal of James and Bonnie Edgar to reduce the required 7' side yard setback to 2'-1" at the West property line; to add an addition to the existing building for a carport and deck on top be GRANTED, which motion was carried unanimously. The property located at 3116 Oaklyn Avenue is in an RS-75 Zoning District.
- BOA87-049 It was moved by Mr. Goodman and seconded by Mr. Guida that the appeal of Larry Meadows, Cedar Concepts, Inc. to reduce the required 30' rear yard setback to 20'; to construct a house be GRANTED, which motion was carried by a five to one vote, Mrs. Parker voting against granting the subject appeal. The property located at 6514 Bayshore Blvd. is in an R-1 Zoning District.
- BOA87-050 It was moved by Mrs. Wilson and seconded by Mrs. Parker that the appeal of John D. Mathai to reduce the required 7' side yard setback to 6.08' at the West property line; to allow the construction of a single family house on Lot 26 be GRANTED, which motion was carried unanimously. The Property located at ~~614 Luzon Avenue is in an RS-60~~ Zoning District.
- BOA87-052 It was moved by Mr. Guida and seconded by Mr. Goodman that the appeal of Janice Alston Wallace to reduce the required 7' side yard setback to 2' at the East property line of Lot 113; to allow the construction of a single family residence on lot 112 be GRANTED, which motion was carried unanimously. The property located at 2632 Jetton Avenue is in an RS-60 Zoning District.
- BOA87-055 It was moved by Mrs. Parker and seconded by Mrs. Wilson that the appeal of Harley S. Judge to reduce the required 20' front yard setback to 10' to add an addition to the existing house for a bedroom be GRANTED, which motion was carried unanimously. The property located at 2708 Bel Aire Circle is in an R-1 Zoning District.

- BOA87-058 It was moved by Mr. Ficarotta and seconded by Mr. Guida that the appeal of Alexis Gonzalez to reduce the required 7' side yard setback to zero on Lot 7 (West line), also to reduce the required 2' side setback to 1.10' for the free standing garage on Lot 8; to allow the construction of a single family house on Lot 8 be GRANTED, which motion was carried by a five to one vote, Mrs. Mulder voting against granting the subject appeal. The property located at 2310 St. Isabel Street is in an R-1A Zoning District.
- BOA87-060 It was moved by Mr. Guida and seconded by Mr. Goodman that the appeal of Rudolph Portillo, Jr. to reduce the required special street setback from the center of MacDill Avenue to 39'; to allow the existing carport to remain be GRANTED with Covenant signed between Mr. Portillo and the City of Tampa. The motion carried by a five to zero vote with Mrs. Wilson abstaining from voting. The property located at 3101 Leroy Street is in an R-1 Zoning District.

ADMINISTRATIVE DECISION

- BOA87-053 It was moved by Mr. Goodman and seconded by Mrs. Parker that the appeal of Two Cities Corporation of an administrative decision on an expired non-conforming use; appeal to reduce the 7' side yard setback to 1.52' at the West property line (NOTE: approval as per site plan); to convert the existing triplex into a duplex be DENIED (The Board upheld the City's administrative decision), which motion was carried unanimously. The property located at 3211 San Pedro is in an RM-16 Zoning District.

CONDITIONAL USE/HOME OCCUPATION

- BOA87-038 It was moved by Mr. Goodman and seconded by Mr. Ficarotta that the appeal of Heriberto Vallina for a home occupation in a residential district; to operate a telephone answering service be GRANTED, which motion was carried unanimously. The property located at 2112 St. Louis St. is in an R-2 Zoning District.
- BOA87-048 It was moved by Mr. Guida and seconded by Mr. Ficarotta that the appeal of Don Ward to reduce the required one thousand (1,000) feet of any Similar temporary help agency to three-hundred (300) feet; to allow a temporary help agency on the subject property that is presently being used as an adult theater be DENIED, which motion was carried unanimously. The property located at 4420 North Hubert Avenue is in an C-2 Zoning District.

PARKING, BUFFER, AND HEIGHT VARIANCES

- BOA87-042 It was moved by Mr. Guida and seconded by Mrs. Wislon that the appeal of Thomas L. Mitchell, Inc. to waive the required 6' high solid masonry wall along the West property line; and to reduce the required 4 parking spaces to 3, to construct a 2,000 square foot office/retail building be GRANTED, which motion was carried unanimously. The property located at 1908 W. Busch Blvd. is in a C-1 Zoning District.

- BOA87-046 It was moved by Mr. Guida and seconded by Mrs. Wilson that the appeal of LaVonne L. Roberts to increase the height of a privacy fence to 6' within the 25' front yard setback, also, to reduce the required 42' special street setback from the centerline of Himes Avenue to 25' (if required); to allow the existing privacy fence to remain as per plot plan be GRANTED, which motion was carried by a five to one vote, Mrs. Mulder voting against granting the subject appeal. The property located at 3513 Corona Street is in an RS-60 Zoning District.
- BOA87-047 It was moved by Mr. Goodman and seconded by Mrs. Wilson that the appeal of John Reaves and Verdon E. Alexander, Jr. to allow parking within 500' of the subject property with the following waived: a) to reduce the required 20' front setback on Tampania Street to 5' without landscaping b) to eliminate the required 6' solid masonry wall and replace it with a 6' high brick and wooden fence as per site plan; to develop a professional office (approval is conditional upon eliminating the structures encroaching on the residential zoning) be GRANTED, which motion was carried unanimously. The property located at 4108 North Armenia Avenue is in a C-2/R-1 Zoning District.
- BOA87-051 It was moved by Mr. Guida and seconded by Mr. Ficarotta that the appeal of Patrick Walsh to allow an area within 500' of the subject property for parking, with the following requirements to be waived per site plan: a) to allow ingress/egress in a residential district (R-1) b) to reduce the required 20' front setback to zero c) to eliminate the required 6' high solid masonry wall at the North, West, and East property lines of the proposed off-site parking; to provide the required minimum space for parking be HELDOVER to the May 11, 1987 Meeting, which motion was carried unanimously. The property located at 5408 46th Street is in an c-2 (for the Building)/R-1 (for the proposed parking) Zoning Districts.
- The board heldover the request to allow the petitioner time to work out with the surrounding property owners some of the problems that were brought to the Boards attention..
- BOA87-054 It was moved by Mr. Guida and seconded by Mr. Goodman that the appeal of GIS Housing, Hillsborough, Inc. to reduce the required forty (40) parking spaces to twenty-nine (29); to develop a 40-unit apartment be GRANTED, which motion was carried unanimously. The property located at 5002 S. Bridge Street is in a C-2 Zoning District.
- BOA87-059 It was moved by Mr. Guida and seconded by Mr. Goodman that the appeal of John N. Harrison III, to utilize the parking lot within 500' of the subject property; to renovate the existing building for a printing business be GRANTED, which motion was carried unanimously. The property located at 1010 West Cass Street is in a M-1 and C-2 Zoning District.

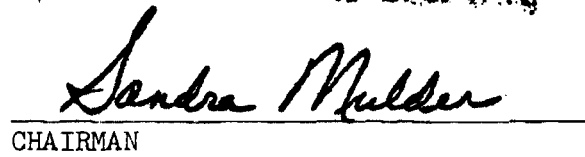
EXTENSION

BOA86-217 It was moved by Mr. Goodman and seconded by Mrs. Parker that the request for six months extension on the appeal to reduce the 15' front yard setback reduced to 5', and to waive the 6' high masonry wall on the North/East property line; to develop an office building be GRANTED, which motion was carried unanimously. The property located at 3242 Henderson Blvd. is in an ~~R0-1/30~~ ^{R0-1/30} Zoning District.

The meeting closed at 11:05 p.m. and the next meeting of the Board of Adjustment is scheduled for May 11m 1987 at 6:30 p.m.

All variances granted at this hearing were granted with the provisions that these permits are only for the terms for that period during which time they are complied with in all details and respects and are void upon the conditions that 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 May 11, 1987, 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
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 March 9, 1987, and filed in the office of the Board of Adjustment, City Hall, Tampa, Florida.

HOLDOVER

BOA87-051 It was moved by Mr. Goodman and seconded by Mrs. Campisi that the appeal of Patrick Walsh to allow an area within 500' of the subject property for parking; the following requirements are to be waived as per site plan: a) to allow ingress/egress in a residential district (R-1) b) to reduce the required 20' front setback to zero c) to eliminate the required 6' high solid masonry wall at the North, West, and East of the property line of the proposed off-site parking; to provide the required minimum space for parking be **GRANTED** subject to traffic requirements which motion was carried unanimously. The property located at 5408 46th Street is zoned C-2/R-1.

Mr. Farren Snediker, Greater Bay Construction, addressed the board regarding the meeting they had with surrounding property owners Mr. Church and Mr. Mason subsequent to the Board request at the prior Board meeting on April 13, 1987, and stated that the problems addressed at that meeting were worked out and he submitted a letter from Faulkner Plastics stating that they will continue to work out the traffic and parking problems that were created in the neighborhood. The letter was dated May 8, 1987, and the Board received the letter into record. Mrs. Mulder stated that traffic requirements must be met, and Mr. Snediker stated that there was no problem complying with traffic requirements.

There was no opposition to the subject appeal.

SETBACK AND LOT WIDTH VARIANCES

BOA87-083 It was moved by Mrs. Parker and seconded by Mrs. Wilson that the appeal of Olga F. Colado to reduce the required 7' side yard setback to 4.5' to the East of the property line; to add an addition to the existing house for a walk-in closed/storage area be **GRANTED** which motion was carried unanimously. The property located at 1717 Kathleen Street is in an R-1 Zoning District.

There was no opposition to the subject appeal.

BOA87-062 It was moved by Mr. Goodman and seconded by Mr. Ficarotta that the appeal of Munford, Inc., to reduce the required 20' corner setback to 3.5', also, to reduce the special street setback from the center line of 22nd Street to 28.5'; to erect a canopy in front of the existing building be **GRANTED** with a covenant, which motion was carried unanimously. The property located at 1717 Kathleen Street is in an R-1 Zoning District.

There was no opposition to the subject appeal.

BOA87-063 It was moved by Mr. Goodman and seconded by Mr. Ficarotta that the appeal of Dorothy Robin McClure to reduce the required 15' corner setback to zero; to add an addition to the existing house for a bedroom be **GRANTED** which motion was carried unanimously. The property located at 7202 DeSoto Street is in an RS-50 Zoning District.

There was no opposition to the subject appeal.

BOA87-064 It was moved by Mrs. Campisi and seconded by Mrs. Parker that the appeal of Delphine Manuel to reduce the required 7' side yard setback to 6.6' at the East property line, and to reduce the required 20' front yard setback to 19.8'; to complete a single family house be **GRANTED** which motion was carried unanimously. The property located at 3212 East McBerry is in an RS-50 District.

BOA87-067 It was moved by Mrs. Wilson and seconded by Mr. Goodman that the appeal of Mark and Joyce Zewalk to reduce the required 7' side yard setback to 5' to the West property line; to add a 2nd story addition to an existing house for a utility room, family room, bath, and a master bedroom be **GRANTED** which motion was carried unanimously. The property located at 2923 Coachman Avenue is in an RS-60 Zoning District.

BOA87-068 It was moved by Mrs. Parker and seconded by Mrs. Campisi that the appeal of Calvin and Agnes Lawson to reduce the required 20' rear yard setback to 17'; to add an addition to the existing house for a master bedroom be **GRANTED**, which motion was carried unanimously. The property located at 3411 West Fair Oaks Avenue is in an RS-60 Zoning District.

There was no opposition to the subject appeal.

BOA87-069 It was moved by Mrs. Wilson and seconded by Mrs. Campisi that the appeal of Edwin G. Jones to reduce the required 20' rear yard setback to 1', and to reduce the required 7' side yard setback to 1' to the North property line; to connect the existing residence to a cottage with a deck be **GRANTED**, which motion was carried unanimously. The approval was contingent upon the kitchen being removed from the cottage. The property located at 823 S. Orleans Avenue is in an RS-60 Zoning District.

BOA87-070 It was moved by Mrs. Parker and seconded by Mr. Goodman that the appeal of Greg L. Fullwood to reduce the required 20' rear yard setback to 12.5' and to reduce the required 15' corner yard setback to 8'; to convert the existing carport into a garage be **GRANTED**, which motion was carried unanimously. The property located at 3501 Plamira Avenue is in an RM-16 Zoning District.

- BOA87-072 It was moved by Mr. Goodman and seconded by Mrs. Campisi that the appeal of Marie C. Beckey Lyons to reduce the required 25' front yard setback to 14' and to allow a 6' high fence in the front; to provide a privacy fence be GRANTED, which motion was carried unanimously. The property located at 123 South Lauber Way is in an R-1A Zoning District.
- BOA87-075 It was moved by Mrs. Wilson and seconded by Mr. Ficarotta that the appeal of Michael John Ridgeway to reduce the required 8' side yard setback to 4' to the West property line, and to reduce the required 30' rear yard setback to 28'; to add an addition to the existing house for a bedroom, family room, and a Bathroom be GRANTED, which motion was carried unanimously. The property located at 2302 West Powhattan is in an R-1A Zoning District.
- BOA87-077 It was moved by Mr. Ficarotta and seconded by Mrs. Parker that the appeal of Harold R. Koster to reduce the required 15' front yard setback to 14' to develop a four (4) unit apartment be GRANTED, which motion was carried unanimously. The property located at 413 South Melville is in an R-3 Zoning District.
- BOA87-080 It was moved by Mr. Goodman and seconded by Mrs. Wilson that the appeal of Renee Mincin to reduce the required 25' front yard setback; to allow an addition for kitchen space and a dining area be GRANTED, which motion was carried unanimously. The property located at 2312 East Liberty Street is in an R-1 Zoning District.
- BOA87-086 It was moved by Mrs. Wilson and seconded by Mr. Ficarotta that the appeal of Nelson and JoAnn Ligori to reduce the required 5' setback at the rear and sides of the screen enclosure for a swimming pool and a wooden deck to 2.5'; to provide a screen enclosure be GRANTED, which motion was carried unanimously. The property located at 4911 Juno Street is in an RS-75 Zoning District.

CONDITIONAL USE/HOME OCCUPATION

- BOA87-057 It was moved by Mr. Ficarotta and seconded by Mrs. Campisi that the appeal of Dr. Arlessa B. Kubon for a Conditional Use Approval; to operate a pre school be GRANTED, which motion was carried by a five to one vote, Mr. Goodman voting against granting the subject appeal. The property located at 8307 North 14th Street is in an R-2 Zoning District.
- BOA87-065 Mrs. Mulder addressed the audience at the beginning of the hearing to let the audience know that this case is being HELDOVER due to the sign being placed incorrectly, it was placed at 4414 Cleveland not at 4114 Cleveland. The case will be heard on June 8, 1987.
- BOA87-066 It was moved by Mr. Goodman and seconded by Mr. Ficarotta that the appeal of Dana L. & Angela M. Bartley for a home occupation in a single family residence; to operate a landscape and lawn maintenance business be DENIED which motion was carried unanimously. The property located at 3127 West Fielder Street is in an RS-50 Zoning District.

BOA87-071 It was moved by Mr. Goodman to Grant the appeal of Mike Ward, there being no second, the motion dies. It was further moved by Mr. Goodman to Grant the Appeal of Mike Ward, there being no second, the motion dies. It was finally moved by Mrs. Campisi and seconded by Mrs. Wilson that the appeal of Mike Ward for a Conditional Use Approval, requesting the following parking requirements to be waived a) to reduce the minimum spaces from 50 to 43 spaces b) to reduce the required 26' minimum drive aisle to 10; at the North end of the existing auditorium, and to 24' at the West of the property; to add an addition to the existing building for a new auditorium be Denied, which motion did not carry due to a tie vote, thus being considered a nullity; therefore, as prescribed under the Rules of the Tampa Board of Adjustment Article IV, that the Appeal be heldover, and be automatically brought before the Board at the next hearing which is June 8, 1987. The vote was as follows for denial, Mrs. Campisi, Mrs. Wilson, and Mrs. Mulder; against denial, Mr. Ficarotta, Mr. Goodman, and Mrs. Parker. The property located at 610 East North Street is in an R-1A Zoning District.

PARKING, BUFFER, AND HEIGHT VARIANCES

BOA87-073 It was moved by Mrs. Wilson and seconded by Mrs. Campisi that the appeal of Loyd Staford to increase the required 120' height limitation to 132' above grade level; to develop a twelve story office building be GRANTED, which motion was carried unanimously. The approval is contingent upon aviation approval from Hillsborough County and the petitioner must adhere to traffic requirements. The property located at 600 North Westshore Boulevard is in a C-2 Zoning District.

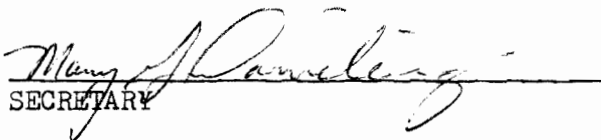
BOA87-074 It was moved by Mrs. Wilson and seconded by Mr. Goodman that the appeal of Mr. Robert Healy to increase the required 6' high wall to 8' along the front (Bayshore Blvd.) and sides of the property, also, to ~~reduce~~ the required special street setback of 54' from the center line of Bayshore Blvd. to 20'; to provide privacy for the existing townhomes be DENIED, which motion was carried by a four to two vote, Mr. Ficarotta and Mrs. Campisi voting against denying the subject variance request.

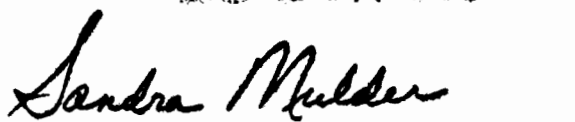
BOA87-078 It was moved by Mrs. Campisi and seconded by Mr. Goodman that the appeal of Jack Parrino, M. D. to delete the required 6' high solid masonry wall at the South property line abutting residential districts; to develop a Doctors office be GRANTED, which motion was carried unanimously. The property located at 5128 North Habana Avenue is in a C-1 Zoning District.

BOA87-079 It was moved by Mr. Goodman and seconded by Mrs. Campisi that the appeal of Sarah Heithans to increase the required 6' high wooden fence along the rear property line; to provide privacy be GRANTED, which motion was carried unanimously. The property located at 810 Packwood Avenue is in an RS-50 Zoning District.

This meeting closed at 10:48 p.m. and the next meeting of the Board of Adjustment is scheduled for June 8, 1987, at 6:30 p.m.

All variances granted at this meeting were granted with the provisions that these permits are only for the terms for that period during which time they are complied with in all details and respects and are void upon conditions that 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 June 8, 1987, at 6:30 p.m. in the CITY COUNCIL CHAMBERS, 3RD Floor, CityHall, 315 East Kennedy Boulevard, Tampa, Florida and the following members were present:

SANDRA MULDER - CHAIRMAN
GASPER FICAROTTA
EDDIE DIAZ

MARY ESTHER PARKER
EDWARD PRANGE

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 ceremony.

The following appeals were heard and the following decisions were rendered in a public hearing on June 8, 1987, and filed in the office of the Board of Adjustment, City Hall, Tampa, Florida..

HOLDOVER

BOA87-065 It was moved by Mr. Ficarotta and seconded by Mrs. Parker that the appeal of James T. Russell for a home occupation; to operate a marketing consultant office be DENIED, which motion was carried unanimously. The property located at 4114 Cleveland is in an R-1A Zoning District.

SETBACK AND LOT WIDTH VARIANCES

BOA87-083 It was moved by Mr. Ficarotta and seconded by Mrs. Parker that the appeal of Gary N. Garner to reduce the required 15' corner yard setback to zero; to allow the erection of a 6' block wall along the property line on Lincoln Avenue be GRANTED, which motion was carried unanimously. The property located at 3301 Lykes Avenue is located in a RS-100 Zoning District.

BOA87-085 It was moved by Mr. Prange and seconded by Mr. Diaz that the appeal of Julian Lemus to reduce the required 8' side yard setback to 5.41; on the North property line; to add an addition to the existing house for a garage with a bathroom be GRANTED, which motion was carried unanimously, The property located at 5614 Rivershore Drive is in a R-1A Zoning District.

BOA87-087 It was moved by Mr. Diaz and seconded by Mr. Ficarotta that the appeal of Bear Construction of Tampa, Inc., to reduce the required 7' side yard setback to 6' to the West property line; to construct a fireplace be GRANTED, which motion was carried unanimously. The property located at 4116 Barcelona Street is in a RS-100 Zoning District.

BOA87-088 It was moved by Mrs. Parker and seconded by Mr. Prange that the appeal of Rev. Rupert L. Paul, Sr., to reduce the required 30' rear yard setback to 4' and to reduce the required 7' side yard setback to 0' at the West property line, also to waive the 16 parking spaces to 12; to expand an existing boarding home be GRANTED, which motion was carried unanimously. The property located at 414 East Emily Street is in an R-3 Zoning District.

- BOA87-089 It was moved by Mr. Ficarotta and seconded by Mr. Diaz that the appeal of Dale and Jean L. Gabbard to reduce the required 8' side yard setback to 7.5' at the West and 6.4' at the East property line; to add an addition to the existing house be GRANTED, which motion was carried unanimously. The property located at 5103 Neptune Way is in an R-1A Zoning District.
- BOA87-091 It was moved by Mr. Diaz and seconded by Mr. Prange that the appeal of Edward W. Breit to reduce the required 15' corner yard setback to 4.7'; to add an addition to an existing house for a bedroom be GRANTED, which motion was carried unanimously. The property located at 3924 San Luis Street is in an RS-60 Zoning District.
- BOA87-092 It was moved by Mr. Ficarotta and seconded by Mr. Diaz that the appeal of Frank A. Manna to reduce the required 20' front yard setback to 17'; to enclose an existing carport be GRANTED, which motion was carried unanimously. The property located at 3223 West Dewey Street is in an R-1 Zoning District.
- BOA87-093 It was moved by Mr. Prange and seconded by Mr. Ficarotta that the appeal of Paul and Colleen L. Quinn to reduce the required 7' side yard setback to 2.4' to the West property line; to add an addition to an existing house for a bathroom and rooms be GRANTED, which motion was carried unanimously. The property located at 2503 Sunset Drive is located in an RS-60 Zoning District.
- BOA87-094 It was moved by Mrs. Parker and seconded by Mrs. Campisi that the appeal of Parnell Dickinson to reduce the required 34' special street setback from the center line of Armenia Avenue to 25'; to erect a six foot fence along Armenia Avenue and to the South of the property line be GRANTED, with a covenant (if the City Engineers ever need the wall moved, it will be done by the owner and at the owners expense); which motion was carried unanimously. The property located at 3812 North Armenia Avenue is in a C-2 Zoning District.
- BOA87-095 It was moved by Mr. Ficarotta and seconded by Mrs. Parker that the appeal of John A. and Evelyn Meisenbach to reduce the required 5' rear yard setback for an accessory building to 1.6' and to reduce the required 3' side yard setback to 2.4'; to allow the construction of a house on Lot 24 be GRANTED with the condition that the kitchen be removed from the accessory structure, which motion was carried unanimously. The property located at 3602 Santiago Street is in an RS-50 Zoning District.
- BOA87-096 It was moved by Mr. Prange and seconded by Mr. Diaz that the appeal of Sharole Springford to reduce the required 7' side yard setback to 6.7' on the East Line of Lot 9, and to reduce the required 15' corner setback to 7.4' on Lot 10; to construct a second story addition to the existing residence be GRANTED, which motion was carried unanimously. The property located at 3418 and 3420 West Granada is in an RM-16 Zoning District.

- BOA87-098 It was moved by Mr. Diaz to grant the appeal of John B. Hickey, however, there being no second to the motion, the motion died. It was further moved by Mr. Prange to Deny the appeal of John B. Hickey, however, there being no second to the motion, the motion died. The appeal of John B. Hickey to reduce the required 7' side yard setback to 2' to the South and 5' to the North property line; to construct a house was ~~WITHDRAWN~~ by the petitioner. The property located at 36 Adalia Avenue is in an RS-75 Zoning District.
- BOA87-099 It was announced that the appeal of Frank Scalaro to reduce the required 25' front yard setback to 18'; to add an addition to the existing house for a carport was HELDOVER due to property owners being misnoticed. The property located at 1924 W. Clinton Street is in an R-1A Zoning District.
- BOA87-101 It was moved by Mr. Prange and seconded by Mr. Diaz that the appeal of Thomas L. Schafer to reduce the required 25' front yard setback to zero along Agawan Street and to reduce the required 15' corner yard setback to zero along Braeburn Avenue; also to reduce the required 5' rear and side yard setback for a screened cage to zero for the proposed swimming pool; to erect a six foot high wall along the property line be GRANTED, which motion was carried by a four to one vote, Mr. Ficarotta voting against granting the subject appeal. The property located at 1002 Braeburn Avenue is in an RS-60 Zoning District.
- BOA87-107 It was moved by Mr. Ficarotta to grant a rehearing of Case #BOA87-074 there being no second the motion died. It was further moved by Mr. Ficarotta and seconded by Mrs. Parker that the appeal of Robert Healey to rehear Case #BOA87-074 which was denied on May 11, 1987, be GRANTED which motion was carried by a four to one vote, Mr. Diaz voting against granting a rehearing. It was further moved by Mr. Ficarotta and seconded by Mr. Prange that the appeal of Robert Healey to reduce the required Special Street Setback of 54' from the centerline of Bayshore Boulevard to 20' from an existing fence, and to 35' from the front building line; to provide for privacy for the existing townhomes was GRANTED, which motion was carried by a four to one vote, Mrs. Parker voting against granting the subject appeal. The property located at 5013 Bayshore Boulevard is located in an RM-35 Zoning District.

CONDITIONAL USE/HOME OCCUPATION

- BOA87-076 It was moved by Mrs. Parker to deny the appeal of Paul and Judy Jackson, there being no second to the motion, the motion died. It was further moved by Mr. Prange and seconded by Mr. Ficarotta that the Appeal of Paul and Judy Jackson for Conditional Use Approval; to convert an existing apartment into a Dental Office be GRANTED, which motion was carried by a four to one vote, Mrs. Parker voting against granting the subject appeal. The property located at 1407 Swann Avenue is in an R-3 Zoning District.

- BOA87-082 It was moved by Mr. Diaz and seconded by Mr. Prange that the appeal of James T. Matheny for a Home Occupation to operate a one-chair hair salon be GRANTED, which motion was carried unanimously. The property located at 8711 Greenwood Avenue is in an R-1A Zoning District.
- BOA87-097 It was moved by Mr. Prange and seconded by Mrs. Parker that the appeal of Tampa Monthly Meeting of Religious Society of Friends for a Conditional Use Approval; to convert the existing one story frame house into a church be DENIED, which motion was carried unanimously. The property located at 1010, 1012, and 1014 East Broad Street is in an R-1 Zoning District.
- BOA87-110 It was moved by Mr. Ficarotta and seconded by Mr. prange that the appeal of Idlewild Baptist Church (I) appeal for a Conditional Use approval (II) appeal to reduce the required 60' front yard setback to 3'; to erect a free standing carport be GRANTED, which motion was carried un-animously. The property located at 6018 North Highland Avenue is in a R-1A Zoning District.
- BOA87-111 It was moved by Mrs. Parker and seconded by Mr. Prange that the appeal of Treasea Clements for a Conditional Use approval, also, to reduce the required nine(9) parking spaces to five (5) spaces; to add an addition to the existing two-story building for storage of food be GRANTED, which motion was carried unanimously. The property located at 2708 Central Avenue is in an R-2 Zoning District.

PARKING, BUFFER, AND HEIGHT VARIANCES

- BOA87-084 It was moved by Mr. Ficarotta and seconded by Mrs. Parker that the appeal of Marvin L. Lowery to increase the required 6' maximum fence height to 7.2' within the area above 25' front yard setback; to allow an existing fence to remain as shown on the plot plan be HELDOVER, which motion was carried unanimously. The property located at 9504 Takomah Trail is in an R-1A Zoning District.
- The Board heldover the petition, because under Chapter 43A, which should be effective by the next hearing, will allow a greater height variance.
- BOA87-100 It was moved by Mr. Ficarotta and seconded by Mr. Diaz that the appeal of Christopher N. Hicks to increase the required maximum height of a house from 35' to 39' above finished grade, also, to increase the required 6' high fence to 8' at the rear property line; to build a house be GRANTED which motion was carried unanimously. The property located at 3415 McKay is in an RS-100 Zoning District.
- BOA87-103 It was moved by Mr. Ficarotta and seconded by Mrs. Parker that the appeal of Antonio and Melba Hernandez (1) to reduce the required 15' buffer to 5.5', and to replace the required solid masonry wall with a 6' high fence to the North property line, also to waive the required 10' buffer to 0', and to replace the required solid masonry wall with the existing chain link fence to the east property line (II) to reduce the required 15 parking spaces to 5; to convert the existing house into a beauty shop be GRANTED, which motion was carried unanimously. The property located at 1913 West Sligh Avenue is in a CN Zoning District.

EXTENSIONS

- BOA86-104 It was moved By Mr. Ficarotta and seconded by Mrs. Parker that the request for extension on the variance to reduce the required 30' rear yard set back to 17.2', to construct a single family home be GRANTED, which motion was granted unanimously. The property located at 435 Columbia Drive is in an R-1A Zoning District.
- BOA It was moved by Mr. Prange and seconded by Mr. Ficarotta that the request for extension on the appeal of

The next meeting of the Board of Adjustment is scheduled for July 13, 1987, at 6:30 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 with, in all details and respects and are void upon the condition of which its terms are shown to be violated.



CHAIRMAN



SECRETARY

MINUTES OF MEETING OF
OF
BOARD OF ADJUSTMENT

A meeting of the Board of Adjustment of the city of Tampa, Florida was held on Monday, July 13, 1987, at 6:30 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
EDWARD PRAGNE
EDDIE DIAZ

MARY ESTHER PARKER
GRACE CAMPISI
GASPER 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 July 13, 1987, and filed in the office of the Board of Adjustment, City of Tampa, Florida.

HOLDOVER

BOA87-085 It was moved by Mr. Prange and seconded by Mrs. Campisi that the appeal of Marvin Lowery to increase the required 6' maximum fence height within the area of the 25' front yard setback; to allow an existing fence to remain as shown on the plot plan be GRANTED which motion was carried unanimously. The property located at 9504 Takomah Trail is in an RS-60 Zoning District.

BOA87-099 It was moved by Mrs. Campisi and seconded by Mr. Diaz that the appeal of Frank Scalero to reduce the required 20' front yard setback to 18'; to add an addition to the existing house for a carport be GRANTED, which motion was carried unanimously. The property located at 1924 W. Clinton Street is in an RS-50 Zoning District.

SETBACK AND LOT WIDTH VARIANCES

BOA87-081 It was moved by Mr. Ficarotta and seconded by Mr. Parker that the appeal of Bayshore Place to reduce the required 15' front yard setback (facing Bay Street) to 6', and to reduce the required 25.33' side yard setback to 22'-6" at the East property line and 6' along Magnolia Avenue; to develop a commercial office Building be GRANTED, with the condition that the street vacation (part of Bayshore Boulevard and Cedar Avenue) be granted by City Council, which motion was carried by a five to zero vote, Mr. Diaz abstaining from voting. The property located at 516 Bay Street/620 Magnolia is in an R-4 Zoning District.

- BOA87-102 It was moved by Mrs. Campisi and seconded by Mr. Diaz that the appeal of Fernando P. Llana to reduce the required 7' side yard setback to 0' to the West property line; to allow the existing carport to remain be GRANTED which motion was carried by a four to two vote, Mr. Ficarotta and Mrs. Mulder voting against granting the subject appeal. The property located at 1912 West Clinton Street is in an RS-50 Zoning District.
- BOA87-106 It was moved by Mr. Diaz and seconded by Mr. Ficarotta that the appeal of Michael J. Phillips to reduce the required 7' side yard setback to 0' to the West property line, and to reduce the required 20' rear yard setback to 7.8'; to add an addition to an existing house for a workshop, garage, and storage area be DENIED, which motion was carried unanimously. The property located at 4347 Wallace Circle is in an RS-60 Zoning District.
- BOA87-108 It was moved by Mr. Diaz and seconded by Mr. Prange that the appeal of John F. and Margaret M. Gay to reduce the required 25' front yard setback to 15', to locate a carport in the front of the existing house; to erect a free standing carport be GRANTED which motion was carried by a five to one vote, Mrs. Mulder voting against granting the subject appeal. The property located at 5218 Sherwood Avenue is in RS-60 Zoning District.
- BOA87-109 It was moved by Mr. Diaz and seconded by Mr. Prange that the appeal of Aron Berger to reduce the required 5' setback for an accessory structure to 2'; to construct a storage shed be GRANTED, which motion was carried by a five to one vote, Mrs. Mulder voting against granting the subject appeal. The property located at 3612 West Renellie Circle is in an RS-60 Zoning District.
- BOA87-112 It was moved by Mrs. Campisi and seconded by Mrs. Parker that the appeal of Marian D. Simpson to reduce the required 20' rear yard setback to 11'; to add an addition to the existing house for a screenroom be GRANTED, which motion was carried unanimously. The property located at 4319 South Cameron Avenue is in an RS-60 Zoning District.
- BOA87-113 It was moved by Mr. Ficarotta and seconded by MR. Diaz that the appeal of Martin and Lois Lutzk to reduce the required 25' front yard setback to 19.33'; to add an addition to an existing house for a double carport be GRANTED, which motion was carried unanimously. The property located at 484 West Davis Boulevard is in an RS-75 Zoning District.

- BOA87-114 It was moved by Mr. Prange and seconded by Mrs. Parker that the appeal of Urban Studio to reduce the required 25' front yard setback to 17' and to reduce the required 20' rear yard setback to 18', also, to allow the wall to be 6' within the area of the 25' front yard setback; to add an addition to the existing building for a garage and to construct a privacy wall be GRANTED, which motion was carried unanimously. The property located at 520 Riviera Drive is in an RS-75 Zoning District.
- BOA87-115 It was moved by Mrs. Campisi and seconded by Mr. Prange that the appeal of Docobo Properties to reduce the required 10' side and rear yard setback to 5' to the South and East of the property; to develop Doctor's Offices be GRANTED, which motion was carried unanimously. The property located at 4505 North Armenia Avenue is in an IP Zoning District.
- BOA87-116 It was moved by Mr. Diaz and seconded by Mr. Ficarotta that the appeal of David and Cheryl Isele to reduce the required 7' side yard setback to 4' along the East property line; to expand two existing rooms be GRANTED, which motion was carried unanimously. The property located at 409 South Delaware Avenue is in an R-3 Zoning District.
- BOA87-118 It was moved by Mr. Diaz and seconded by Mrs. Campisi that the appeal of Roberto and Davila Roman to reduce the required 20' front yard setback to 5', also, to reduce the side setback to 0' on the West property line to allow the existing carport to remain be GRANTED, which motion was carried unanimously. The property located at 2604 East Marconi Street is in an RS-50 Zoning District.
- BOA87-123 It was moved by Mrs. Campisi and seconded by Mrs. Parker that the appeal of Kirk Barrios to reduce the required 30' rear yard setback to 20'; to construct a house be granted a CONTINUANCE, which motion was carried unanimously. The property located at 3213 West Lasalle is in an R-1 Zoning District.
- BOA87-126 It was moved by Mrs. Campisi and seconded by Mr. Diaz that the appeal of Robert Healy to reduce the required 25' front yard setback to 15' and to reduce the required 5' setback for a swimming pool screen enclosure and wall to zero; and to reduce the special street setback from 54' to 35' for the pool and screen enclosures, if necessary, to construct swimming pools and screened enclosures for Units C-1 to C-4 be granted a CONTINUANCE which motion was carried unanimously. The property located at 5013 Bayshore Boulevard is in an RM-35 Zoning District.

ADMINISTRATIVE DECISION

- BOA87-121 It was moved by Mr. Diaz and seconded by Mrs. Campisi that the appeal of Margaret J. Bowles to review an administrative decision on whether or not a post office is a "public use facility" be GRANTED (the Board overturned the City's Administrative Decision), which motion was carried unanimously. It was further moved by Mr. Diaz and seconded by Mrs. Campisi that the appeal of Margaret J. Bowles to review an administrative decision to determine if overnight storage of vehicles is an allowable use in th R0-1 Zoning District to develop a post office be DENIED (the Board upheld the City's Administrative Decision), which motion was carried by a five to one vote, Mr. Prange voting against denial of the subject variance request. The property located at 4520 Oakeller Street is in an R0-1 Zoning District.
- BOA87-138 It was moved by Mr. Ficarotta and seconded by Mr. Prange that the appeal of Joseph L. Aubel to challenge an administrative decision that the existing quadruples is an illegal non-conforming use to retain an existing fourplex in an single family residential district be GRANTED, which motion was carried by a four to two vote, Mrs. Parker and Mrs. Mulder voting against granting the subject variance request. The property located at 9611 46th Street is in an RS-60 Zoning District.

CONDITIONAL USE/HOME OCCUPATION

- BOA87-117 It was moved by Mr. Prange and seconded by Mr. Diaz that the appeal of Jean-Claude Eckstein for a Home Occupation; to operate an office from home be GRANTED, which motion was carried unanimously. The property located at 2701 Okara Road is in an RS-60 Zoning District.

PARKING, BUFFER, AND HEIGHT VARIANCES

- BOA87-104 It was moved by Mrs. Parker and seconded by Mr. Diaz that the appeal of James and Lesley Lee to increase the required 6' high fence within the area above the 25' front setback to 7'-4"; to construct a privacy wall be GRANTED, which motion was carried unanimously. The property located at 4523 Culbreath Avenue is in an RS-75 Zoning District.
- BOA87-119 It was moved by Mrs. Campisi and seconded by Mr. Prange that the appeal of Donald and Morris D. Blumenthal to reduce the required on-site parking spaces to zero; to renovate the existing building for office and light commercial uses be GRANTED, which motion was carried unanimously. The property located at 4315 West Kennedy Boulevard is in a C-1 Zoning District.

- BOA87-122 It was moved by Mrs. Campisi and seconded by Mr. Diaz that the appeal of Kenneth E. Graves to reduce the required 9' x 18' parking dimensions to 8' x 16' for 179 parking spaces, and to reduce the accompanying drive aisle to 24'; to develop a one story movie theater be granted a CONTINUANCE, which motion was carried unanimously. The property located at 3308 West Hillsborough Avenue is in a C-2 and C-2E Zoning District.
- BOA87-124 It was moved by Mr. Diaz and seconded by Mrs. Parker that the appeal of Farris T. McElreath, III/Rittenhouse Homes to increase the required 6' fence height to 7.2' within the area above the 25' front yard setback ' to allow the existing privacy wall to remain be GRANTED, with the condition that the fence be finished on both sides, which motion was carried unanimously. The property located at 4409 Swan Circle is in an R-1A Zoning District.
- BOA87-125 It was moved by Mr. Diaz and seconded by Mrs. Parker that the appeal of Farris T. McElreath, III/Rittenhouse Homes to increase the required 6' fence height to 7.2' within the area above the 25' front yard setback ' to allow the existing privacy wall to remain be GRANTED, with the condition that the fence be finished on both sides, which motion was carried unanimously. The property located at 4411 Swan Circle is in an R-1A Zoning District.

EXTENSION

- BOA87-012 It was moved by Mrs. Campisi and seconded by Mrs. Parker that the request for extension on the variance of Richard T. and Susan Coley to increase the required maximum height of 35' to 42'; to construct a single family home be GRANTED, for a period of six months, which motion was carried unanimously. The property located at 2505 West Gardner Court is in an R-1A Zoning District.

The next meeting of the Board of Adjustment is scheduled for August 10, 1987 AT 6:30 P.M. in the City Council Chambers.

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

Sandra Mulder

CHAIRMAN

Mary A. Samelung

SECRETARY

FORM 4 MEMORANDUM OF VOTING CONFLICT

LAST NAME—FIRST NAME—MIDDLE NAME <i>Denz Fedde H.</i>	THE BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE ON WHICH I SERVE IS A UNIT OF:
MAILING ADDRESS <i>2203 N. Lois Ave</i>	<input checked="" type="checkbox"/> CITY <input type="checkbox"/> COUNTY <input type="checkbox"/> OTHER LOCAL AGENCY <input type="checkbox"/> STATE
DATE ON WHICH VOTE OCCURRED <i>7-13-87</i>	NAME OF POLITICAL SUBDIVISION OR STATE AGENCY
NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE <i>Board of Adjustment</i>	COUNTY <i>Hills</i>

WHO MUST FILE FORM 4

This form is for use by any person serving on either an appointed or elected board, council, commission, authority, or committee, whether state or local, and it applies equally to members of advisory and non-advisory bodies who are faced with a voting conflict of interest.

As the voting conflict requirements for public officers at the local level differ from the requirements for state officers, this form is divided into two parts: PART A is for use by persons serving on local boards (municipal, county, special tax districts, etc.), while PART B is prescribed for all other boards, i.e., those at the state level.

PART C of the form contains instructions as to when and where this form must be filed.

PART A VOTING CONFLICT DISCLOSURE FOR LOCAL PUBLIC OFFICERS

[Required by Section 112.3143(3), Florida Statutes (Supp. 1984).]

The Code of Ethics for Public Officers and Employees PROHIBITS each *municipal, county, and other local public officer* FROM VOTING in an official capacity upon any measure which inures to his special private gain. Each local officer also is prohibited from knowingly voting in his official capacity upon any measure which inures to the special gain of any principal (other than a government agency as defined in Section 112.312(2), Florida Statutes) by whom he is retained.

In any such case a local public officer must disclose the conflict:

- (a) PRIOR TO THE VOTE BEING TAKEN by publicly stating to the assembly the nature of his interest in the matter on which he is abstaining from voting; and
- (b) WITHIN 15 DAYS AFTER THE VOTE OCCURS by describing the nature of his interest as a public record in this part below.

NOTE: Commissioners of a Community Redevelopment Agency created or designated pursuant to Section 163.356 or Section 163.357, Florida Statutes (Supp. 1984), or officers of independent special tax districts elected on a one-acre, one-vote basis are not prohibited from voting. In such cases, however, the oral and written disclosure of this part must be made.

I, the undersigned local public officer, hereby disclose that on 7-13, 1987:

(a) I abstained from voting on a matter which (check one):

inured to my special private gain; or

inured to the special gain of Employment, by whom I am retained.

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 10 1987 at 6:30 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
EDDIE DIAZ
EDWARD PRANGE

GRACE CAMPISI
MARY ESTHER PARKER

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 March 9, 1987, and filed in the office of the Board of Adjustment, City Hall, Tampa, Florida.

HOLDOVER

BOA87-122 It was moved by Mr. Diaz to approve the appeal of Kenneth E. Graves to reduce the required 9' x 18' parking dimensions to 8' x 16' for 179 parking spaces, and to reduce the accompanying drive aisle to 24'; to develop a one story movie theater, which motion died for lack of a second, it was further moved by Mr. Prange and seconded by Mrs. Parker to **DENY** the subject appeal, which motion was carried by a four to one vote, Mr. Diaz voting against denial. The property located at 3308 West Hillsborough Avenue is in a C-2 and C-2E Zoning District.

There was no opposition to the subject appeal.

BOA87-123 It was moved by Mrs. Parker and seconded by Mrs. Campisi that the appeal of Kirk Barrios to reduce the required 30' rear yard setback to 20'; to construct a house be **GRANTED** which motion was carried unanimously. The property located at 3213 West Lasalle Street is in an R-1 Zoning District.

There was no opposition to the subject appeal

BOA87-126 It was moved by Mrs. Campisi and seconded by Mr. Prange that the appeal of Robert Healy to reduce the required 25' front setback to 15' and to reduce the required 5' setback for a swimming pool screen enclosure and wall to zero; and to reduce the special street setback from 54' to 35' for the pool and screen enclosures, if necessary, to construct swimming pools for units C-1 to C-4 be granted a CONTINUANCE until the November 9, 1987 Board of Adjustment Public Hearing, which motion was carried unanimously. The property located at 5013 Bayshore Boulevard is in an RM-35 Zoning District.

BOA87-127 It was moved by Mrs. Campisi and seconded by Mr. Diaz that the appeal of Lahnne Johnson to reduce the required 20' front yard setback to 15'; to add an addition to the existing building for a garage be **GRANTED**, which motion was carried unanimously. The property located at 4216 East Busch Boulevard is in a CG Zoning District.

- BOA87-129 It was moved by Mrs. Parker and seconded by Mr. Prange that the appeal of John D. Jackson to reduce the required 20' rear ayrd setback to 15'; to add an addition to the existing house for a family room and utility/storage room be GRANTED, which motion was carried unanimously. The property located at 4507 Beachway Drive is in an RS-75 Zoning District.
- BOA87-131 It was moved by Mrs. Parker to deny the appeal of Michael Shea, there being no second to the motion,=the motion died. It was further moved by Mr. Prange and seconded by Mrs. Pampisi that the appeal of Michael Shea be GRANTED, which motion did not pass due to a three to two vote against granting of the subject appeal; Mrs. Campisi and Mr. Prange voted to grant the appeal and Mrs. Mulder, Mr. Diaz, and Mrs. Parker voting to DENY the appeal of Michael Sheal 1) to reduce the required 20' front yard setback on Dale Mabry Highway to 0' and to 15' on Roberts Avenue, and to reduce the required 10' side yard setback to 0' to the North property line, also, the request to include the reduction of the 54' special street setback from the centerline of Dale Mabry Highway to 50' 2) to reduce the required three (3) on-site parking spaces to one (1) space; to develop a jewelry store, the vote being three to two against the granting of appeal, the appeal is thus denied. The property located at 6305 South Dale Mabry is in a CG Zoning District.
- BOA87-132 It was moved by Mr. Prange and seconded by Mr. Diaz that the appeal of Doris Davis Overton to reduce the required 25' front yard sethack to 22' for an accessory structure; to allow the existing storage shed to remain as shown on the site plan be GRANTED, which motion was carried by a four to one vote, Mrs. Mulder voting against granting the subject appeal. The property located at 3807 South Grady Avenue is in an RS-60 Zoning District.
- BOA87-134 It was moved by Mrs. Campisi and seconded by Mrs. Parker that the appeal of Stephen Hinrichs to reduce the required 7' side yard setback to 3.4' on the West and to 2.6' on the East line of Lot 31; to allow the construction of single family houses on Lots 30 and 32 be granted a CONTINUANCE which motion was carried unanimously. The property located at 4205 Santiago Street is in an RS-60 Zoning District.
- BOA87-135 It was moved by Mr. Diaz and seconded by Mrs. Campisi that the appeal of Jose M. Rivera to reduce the required 15' corner yard setback to 11'; to add an addition to the existing house for a screen room be GRANTED, which motion was carried unanimously. The property located at 4729 East 98th Avenue is in an RS-60 Zoning District.
- BOA87-137 It was moved by Mrs. Parker and seconded by Mrs. Campisi that the appeal of Curry and Son Funeral Home 1) to waive the required side yard setback (of proposed RO-1 District) from 15' to 6'; 2) to waive the required front yard setback from 25' to 7'; 3) to waive the 15' buffer requirement to 0' along the West side; to construct a 1,904 square foot office addition to the main structure of the funeral home be GRANTED (for Curry and Son only), which motion was carried unanimously. The property located at 605 South Mac Dill Avenue is in a C-1 Zoning District.

- BOA87-139 It was moved by Mr. Diaz and seconded by Mrs. Campisi that the appeal of John R. and Nancy T. Koch to reduce the required 7' side yard setback to 6'-1" on the West property line; to add an second story froom addition to the existing residence be GRANTED, which motion passed by a four to one vote, Mr. Prange voting against granting the subject appeal. The property located at 3415 West Barcelona Street is in an RM-16 Zoning District.
- BOA87-140 It was moved by Mrs. Campisi and seconded by Mrs. Parker that the appeal of Michael Dominick Fucile to reduce therequired 25' front yard setback to 18'; to allow the existing carport to remain be granted a CONTINUANCE, until October 12, 1987, which motion was carried unanimously. The property located at 4403 Leila Avenue is in an RS-60 Zoning District.
- BOA87-142 It was moved by Mrs. Campisi and seconded by Mr. Prange the the appeal of A. Woodson Isom to reduce the required 25' front yard setback to 23', and to reduce the required 15' corner yard setback to 8.4', also to reduce the required 5' rear yard setback for a free standing garage to 3'; to add a second story addition to the existing house and to construct a garage be GRANTED, which motion was carried unanimously. The property located at 4419 West Melrose Avenue is in an RS-75 Zoning District.
- BOA87-143 It was moved by Mrs. Campisi and seconded by Mr. Prange that the appeal of Richard Barnes 1) to reduce the corner setback for the structure from 20; to 0'; 2) to waive the required 15' buffer to 0' (along the rear property line, to allow the expansion of the building to follow the original setbacks and to allow for the development of 1.5 parkins spaces (required for the site) be GRANTED, which motion was carried unanimously. The property located at 815 South Howard Avenue is in a CG Zoning District.
- BOA87-144 It was moved by Mrs. Campisi and seconded by Mr. Diaz that the appeal of Farooq B. Adelia to reduce the required 20' front yard setback to 12' on Busch Boulevard, and to 10' on Skagway Avenue, also, to reduce the required 20' corner yard setback to 5' on 20th Street to include waiver of the required 10' buffering to 1' to the South 100' of the East line; to develop a motel be GRANTED, which motion was carried unanimously. The property located at 2001 East Busch Boulevard is in a CG Zoning District.
- BOA87-145 It was moved by Mrs. Campisi and seconded by Mrs. Parker that the appeal of Alice and Frazier D. Bess to reduce the required 15' corner yard setback to 10'; to remodel and enlarge the existing kitchen be GRANTED, which motion was carried unanimously. The property located at 3622 Tacon Street is in an RS-50 Zoning District.
- BOA87-146 It was moved by Mr. Prange and seconded by Mrs. Campisi that the appeal of Bay Villa/Sterling Developers, Inc. to reduce the required 25' front yard setback to 14'; to construct a single family house be GRANTED, which motion was carried unanimously. The property located at 3707 Palma Ceia Court is in an RS-75 Zoning District.

BOA87-147 It was moved by Mrs. Parker and seconded by Mrs. Campisi that the appeal of Bay Villa/Sterling Developers, Inc. to reduce the required 25' front yard setback to 8'-3 1/2"; to construct a single family house be GRANTED, which motion was carried unanimously. The property located at 3710 Palma Ceia Court is in an RS-75 Zoning District.

ADMINISTRATIVE DECISION

BOA87-136 It was moved by Mr. Diaz and seconded by Mrs. Campisi that the appeal of William A., Jr., and Patricia O. Long 1) to challenge an administrative decision of the maximum size for an accessory structure being 500' square feet, 2) to reduce the required 5' rear yard setback for an accessory structure to 0.25'; to add an addition to an existing structure for a two car garage be DENIED (the Board upheld the City's Administrative Decision), which motion was carried unanimously. The property located at 2512 Sunset Drive is in an RS-60 Zoning District.

PARKING, BUFFER, AND HEIGHT VARIANCES

BOA87-130 It was moved by Mrs. Campisi and seconded by Mr. Diaz that the appeal of David E. Lowery to waive 12' of the required 15' buffer area and the 6' high wall providing for three (3) feet of landscaping material; to develop a professional sales office (for the sale of swimming pools and spas) be GRANTED, which motion was carried unanimously. The property located at 1705 West Sligh Avenue is in an RO-1 Zoning District.

BOA87-133 It was moved by Mrs. Campisi and seconded by Mrs. Parker that the appeal of Dallas-Justin Corp. to waive the required 15' buffer to 0'; to provide for off-site parking for adjacent church site be granted a CONTINUANCE, to September 14, 1987, which motion was carried unanimously. The property located at 1602 West Sligh Avenue is in an RO Zoning District.

BOA87-141 It was moved by Mrs. Parker and seconded by Mrs. Prange that the appeal Vanguard Group, Inc. to increase the required 3' high wall within the 25' front yard setback to 6'; to construct a privacy wall be granted a CONTINUANCE, which motion was carried unanimously. The property located at 302 Royal Palm Way is in an R-1A Zoning District.

The petition was heldover because the petitioner was not present and although they had verbally withdrawn their application, formal confirmation had not been received.

BOA87-157 It was moved by Mr. Prange and seconded by Mrs. Campisi that the appeal of R and G Commercial properties, Inc. to reduce the required 9' x 18' parking dimensions to 9 x 15.5' and to reduce the accompanying drive aisle to 22'-8"; to develop an office building be GRANTED, which motion was carried unanimously. The property located at 702 East Jackson Street is in a C-2 Zoning District.

- BOA87-163 It was moved by Mr. Prange and seconded by Mr. Diaz that the appeal of Morton Gould to 1) reduce the required seven (7) parking spaces to three (6) spaces, 2) to reduce the required 15' landscaping buffering to three (3) feet to the North and East side of the property, 3) to waive the required six (6) foot high solid masonry wall at the property line to the North and East; to convert the existing single family house into a professional office be GRANTED, which motion was carried unanimously. The property located at 220 Woodlynne Avenue is in an R0-1 Zoning District.
- BOA87-166 It was moved by Mr. Diaz and seconded by Mrs. Campisi that the appeal of Ruben Herrea to waive the two (2) required on-site parking spaces to zero (0); to construct an addition to an existing retail/wholesale business' of 1,274 square feet be GRANTED, which motion was carried unanimously. the property located at 2106 North Howard Avenue is in a C-2 Zoning District.

EXTENSIONS

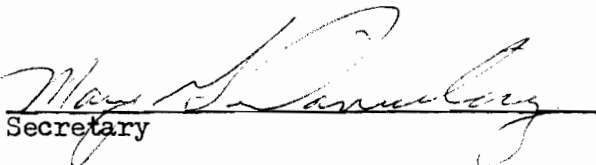
It was moved by Mrs. Parker and seconded by Mrs. Campisi that the request for extension to reduce the rear setback from and to reduce the number of parking spaces from be GRANTED, which motion was carried unanimously. The property located at 4206 Bay to Bay Boulevard is in a Zoning District.

The next meeting of the Board of Adjustment is scheduled for September 14, 1987 at 6:30 p.m. in the City of Tampa 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



Secretary

MINUTES OF MEETING OF
OF
BOARD OF ADJUSTMENT

A meeting of the Board of Adjustment of the city of Tampa, Florida was held on Monday, September 13, 1987, at 6:30 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
EDWARD PRANGE
EDDIE DIAZ

MARY ESTHER PARKER
GRACE CAMPISI
GASPER FICAROTTA

The meeting was opened and called to order by Mrs. Mulder, Chairman; Michael Adejumo, Zoning Analyst, was present, and Mr. Pete Cowell, 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 September 14, 1987, and filed in the office of the Board of Adjustment, City of Tampa, Florida.

HOLDOVER

BOA87-133 It was moved by Mrs. Campisi and seconded by Mr. Diaz that the appeal of Dallas-Justin Corp. to waive the required 15' buffer to 0', and to waive the wall on the West side; to provide for off-site parking for the adjacent church site be GRANTED, which motion was carried unanimously. The property located at 1602 West Sligh Avenue is in an RO Zoning District.

BOA87-134 It was moved by Mrs. Parker and seconded by Mr. Diaz that the appeal of Stephin Hinrichs to reduce the required 7' side yard setback to 2.6' on the East line of lot 31; to allow the construction of single family house on lot 30 be GRANTED, however, it was moved that the appeal to reduce the required 7' side yard setback to 3.4' on the West property line be DENIED, which motion was carried by a five to one vote, Mrs. Mulder voting against the granting the subject appeal. The property located at 4205 Santiago Street is in an RS-60 Zoning District.

SETBACK AND LOT WIDTH VARIANCES

BOA87-148 It was moved by Mr. Ficarotta and seconded by Mrs. Parker that the appeal of Ghanshyam Patel to reduce the corner setbacks in a CG Zone from 20' to 5' and to reduce the side setbacks from 10' to 5', also to modify the entire buffer requirement along the East property line as follows: commencing North for 107' to reduce the buffer requirement from 15' to 10', providing only a 6' high block wall for the buffer, thence East 50' to reduce the

- BOA87-148 buffer requirement from 15' to 4', providing for a block wall and 3' of landscaping for the buffer requirement; thence North 107' to reduce the buffer requirement from 15' to 10', providing a 6' high block wall and 0' of landscaping for the buffer requirement be GRANTED, which motion was carried unanimously. The property located at 3314 South Dale Mabry is in a CG Zoning District.
- BOA87-151 It was moved by Mr. Prange and seconded by Mrs. Campisi that the appeal of Tom Szumlic to reduce the required side yard setback from 7' to 5'; and to reduce the required rear yard setback from 20' to 5'; to construct a new master bedroom suite and a family room be HELDOVER until October 12, 1987, which motion was carried unanimously. The property located at 2515 Morrison Avenue is in an RS-75 Zoning District.
- BOA87-154 It was moved by Mr. Prange and seconded by Mr. Diaz that the appeal of Richard McLaughlin to reduce the required 20' rear yard setback to 11.7'; to build a single family stilt home be GRANTED, which motion was carried by a five to one vote, Mr. Ficarotta voting against granting the subject appeal. The property located at 2710 West Trilby is in an RS-50 Zoning District.
- BOA87-162 It was moved by Mr. Diaz and seconded by Mrs. Parker that the appeal of Willie Williams to waive the required corner setback in an RM-16 Zone from 15' to 10'; to enclose an existing carport to construct a family room be GRANTED, which motion was carried unanimously. The property located at 3403 21st Avenue is in an RM-16 Zoning District.
- BOA87-167 It was moved by Mrs. Campisi and seconded by Mrs. Parker that the appeal of Benny and Jeanne Fernandez 1) to reduce the required corner setback from 20' to 0', and to reduce the required rear setback from 10' to 6.4' 2) to waive the required 15' buffer requirement and block wall to 0' along the East property line to add a second story storage area to the existing auto repair shop be HELDOVER to the October 12, 1987 Public Hearing, and further that the appeal to waive the required off-street loading requirements be removed from consideration due to the fact that waiving such requirements is not within the powers of the Board to grant, which motion was carried unanimously. The property located at 10715 North Nebraska Avenue is in a CI Zoning District.

BOA87-170 It was moved by Mr. Prange and seconded by Mrs. Campisi that the appeal of William T. and Virginia Driscoll to reduce the required 7' side yard setback to 5' (for the garage) and to reduce the required 7' side yard setback to 6' (for the house), also, increase to increase the maximum 6' high privacy fence to 7.2' for a length of 105' on the West property line be GRANTED, which motion was carried by a five to one vote, Mrs. Mulder voting against granting the subject appeal. The property located at 3010 Harbor View is in an RS-60 Zoning District.

BOA87-174 It was moved by Mr. Prange and seconded by Mrs. Campisi that the appeal of Ronald Painter 1) to reduce the required side yard setback in an R-4 Zone from 7' to 2', 2) to reduce the required front yard setback in a C-1 Zone from 15' to 0', and 3) to increase the maximum height from 35' to 42' be GRANTED, and further that the appeal to reduce the size of a standard parking space from 9' x 18' to 8' x 18' be DENIED, which motion was carried by a four to one vote, Mr. Ficarotta voting against granting the subject appeal; and Mr. Diaz was absent at the time the vote was taken. The property located at 303 South Magnolia is in a C-1 Zoning District.

CONDITIONAL USE/HOME OCCUPATION

BOA87-152 It was moved by Mrs. Parker and seconded by Mrs. Campisi that the appeal of Julia Antol to utilize her home in an R-1A Zoning District for an in home occupation; to allow phone and desk privileges for an administrative office for a pediatric occupation therapy office be GRANTED, which motion was carried unanimously. The property located at 321 Frierson Avenue is in an R-3 Zoning District.

BOA87-155 It was moved by Mr. Diaz and seconded by Mrs. Parker that the appeal of Ken Purdy 1) for Conditional Use approval for a medical office in an R-3 Zoning District 2) to reduce the required rear setback from 30' to 10'; to allow a medical office in an R-3 Zoning District be GRANTED, which motion was carried unanimously. The property located at 2111 Swann Avenue is in an R-3 Zoning District.

PARKING, BUFFER, AND HEIGHT VARIANCES

BOA87-149 It was moved by Mr. Prange and seconded by Mrs. Campisi that the appeal of Roland Martino to reduce the required number of parking spaces from 15 to 9; to construct a 60 bed nursing home (Adult Congregate Living Facility) be GRANTED, further, the appeal to waive the required 6' high block wall along the North and West property lines and replace it with a wood fence be DENIED, which motion was carried unanimously. The property located at 4415 Melton is in a C-2 Zoning District.

BOA87-150 It was moved by Mr. Ficarotta and seconded by Mrs. Parker that the appeal of Kenneth Henriquez to waive the required on-site parking of a commercial business and to allow the subject parking on an adjacent R-1 Zoned property, also, to waive the required 24 parking spaces to twenty-two (22) spaces (nineteen (19) of these spaces will be located within the R-1 Zoning District); to provide parking due to the widening of Himes Street and the expansion of the commercial structure be Granted, which motion did not carry due to a tie vote, and therefore, the appeal would be automatically held over to the next hearing being a tie vote is considered a nullity (See Rules of the Tampa Board of Adjustment, Article V Section 2(A)). The property located at 3418 Arch Street is in a C-2, C-2E, and R-1 Zoning District.

BOA87-158 It was moved by Mrs. Campisi and seconded by Mrs. Parker that the appeal of Nurad Investments, Inc., 1) to allow off-site parking within 500' of the principle structure, 2) to reduce the number of parking spaces from 34 to 29, 3) to reduce the required rear setback from 30' to 7'; to redevelop Senior Meadows at 601 South Magnolia Avenue into an office complex be Granted a CONTINUANCE, until October 12, 1988, which motion was carried unanimously. The Property located at 600 and 601 South Magnolia Avenue is in an R-4 Zoning District.

The Board granted a continuance to allow the petitioner to change the use of his request.

BOA87-159 It was moved by Mrs. Campisi and seconded by Mrs. Parker that the appeal of Richard Freeman and Tampa Bay Federal Credit Union to reduce the required number of parking spaces from the Zoning requirement of 109 (plus the Department of Public Works standards for four drive in tellers) to a total of 98 parking spaces, also to reduce the buffer requirement from 15' of landscaping and 6'

high wall to that of the existing vegetation and existing 6' high fence to construct a 15,267 square foot addition to the existing credit union facilities be GRANTED, which motion was carried unanimously. The property located at 3815 North Nebraska Avenue is in an CG Zoning District.

- BOA87-164 It was moved by Mr. Diaz and seconded by Mr. Ficarotta that the appeal of Margaret J. Bowles and Austin South I, Ltd. 1) for parking variance to reduce the required width of parking stall from 9' to 8'-6" for 90 degree parking 2) for parking variance to reduce the required wall to wall length from 62' to 58'-4"; to construct 3 stories of a 6 story parking facility be GRANTED, which motion was carried unanimously. The property located at 700 North Westshore is in a C-2 Zoning District.
- BOA87-165 It was moved by Mrs. Campisi and seconded by Mrs. Parker that the appeal of Rodriguez, Oliver, and Vaughn and Del F> Marcotte and Associates, Inc. to reduce the required 15' buffer to 10' (to include the 6' high masonry wall within the 5' setback); to develop an office in the CN Zoning District be Granted a CONTINUANCE until October 12, 1987, which motion was carried unanimously. The property located at 3722 Santiago Street is in a CN Zoning District.
- BOA87-165 It was moved by Mr. Ficarotta and seconded by Mrs. Campisi that the appeal of Joe C. and Barbara A. Byars to increase the required maximum 35' height limit to 37'; to provide for a third story play room be GRANTED, which motion was carried unanimously. The property located at 4930 New Providence Avenue is in an RS-50 Zoning District.
- BOA87-172 It was moved by Mr. Ficarotta and seconded by Mr. Diaz that the appeal of Hyde Park Presbyterian Church, Inc., to waive the 16 required parking spaces for a church to include a daycare, classrooms, and an office be GRANTED, subject to the vacation of the right-of-ways being granted by City Council, which motion was carried unanimously. The property located at 1309 Swann Avenue is in an R-3 Zoning District.

EXTENSIONS

- BOA86-198 It was moved by Mrs. Parker and seconded Mr. Ficarotta that the request of Gaylord Broadcasting Company for six months extension on the variance granted October 13, 1987, to allow the erection of two hundred (200) foot concrete tower with 20' radar antenna dome on Top of the tower and radar antenna be GRANTED, which motion was carried unanimously. The Property located at 3212 West Kennedy Boulevard is in an C-1 and C-1E Zoning District.

BOA87-037 It was moved by Mrs. Campisi and seconded by Mrs. Parker that the request for extension on the variance that was granted on March 9, 1987 appeal to reduce the required side yard setback to 0' to rebuild the existing house to the west property line be GRANTED, which motion was carried unanimously. The property located at 493 Bosphorous Avenue is in an RS-60 Zoning District.

BOA87-049 It was moved by Mrs. Campisi and seconded by Mr. Prange that the request for extension on the variance that was granted on April 13, 1987 appeal of Larry Meadows, Cedar Concepts, Inc. to reduce the required 30' rear yard setback to 20'; to construct a house be GRANTED, which motion was carried unanimously. The property located at 6514 Bayshore Blvd. is in an R-1 Zoning District.

The meeting closed at 12:20 A.M. and the next meeting of the Board of Adjustment is October 12, 1987 at 6:30 p.m. in City Council Chambers.

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


SECRETARY


CHAIRMAN