

**CITY OF TAMPA, FLORIDA
VARIANCE REVIEW BOARD
PUBLIC HEARING**

MEETING DATE: January 13, 2004 MEETING TIME: 6:30 PM LOCATION: 315 East Kennedy Boulevard, 3 rd Floor, City Council Chambers
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Board Members Present: John Weiss;, Jeff Conner Ana Wallrapp, Eric Rahenkamp, Vice-Chair, Thomas Cheshire and Rebecca Smith, Chairman

Board Members Absent: Bob McDonough

Staff Members Present: Roland Santiago, Assistant City Attorney, Roger Kirk, Engineer II, Eric Cotton, Urban Planner II

I. SILENT ROLL CALL

II. APPROVAL OF MINUTES FOR November and December 2003 Public Hearings

Moved by Ms. Wallrapp and seconded by Mr. Conner for approval. The motion passed 6-0.

III. OLD BUSINESS:

A. ADMINISTRATIVE APPEALS

B. TREE & LANDSCAPE / TRANSPORTATION / SIGN VARIANCES

C. GENERAL VARIANCES

VRB04-02	PETITIONER:	Kenneth and Brandi Jackson
Approved 6-0	AGENT:	None
	LOCATION:	3206 Bay Vista
	REQUEST:	To reduce the side yard setback from 7' to 2', with the allowed encroachment of the eaves and gutters and to increase the height of an accessory structure from 15' to 24'
	PURPOSE:	To construct a two-story garage
	NEIGHBORHOOD:	Bayshore Beautiful
	CONDITION:	That the carport remain open on three sides

Brandy Jackson explained that they were withdrawing the height request and that the site plan had been "flipped".

Jeff Deter had no objection to the request.

Ms. Wallrapp moved to approve the request with conditions and was seconded by Mr. Rahenkamp. The motion passed 6-0.

IV. NEW BUSINESS:

A. ADMINISTRATIVE APPEALS

VRB04-20A	PETITIONER:	Publix Supermarket
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Missed Notice AGENT: Sue Murphy/Charles Klug
 LOCATION: 201 West Platt Street
 REQUEST: Administrative Appeal
 PURPOSE: To appeal the decision of the Zoning Administrator's designee
 NEIGHBORHOOD: Hyde Park North

B. TREE & LANDSCAPE / TRANSPORTATION / SIGN VARIANCES

VRB03-156 PETITIONER: Robert Jones
Approved 6-0 AGENT: None
 LOCATION: 1745 East Hillsborough Avenue
 REQUEST: To reduce the landscape buffer from 8' to 3', the corner
 yard setback from 10' to 0' and a parking waiver from 8 to 5
 PURPOSE: To construct a commercial building
 NEIGHBORHOOD: Belmonte/Jackson Heights

Robert Jones and Steve Michelini presented the case.

Mr. Rahenkamp moved to approve the request and was seconded by Ms. Wallrapp. The motion passed 6-0.

C. GENERAL VARIANCES

VRB03-134 PETITIONER: Henry Claude Sagi and Kelly Ann Everson
Denied 6-0 AGENT: Sugarloaf Enterprises
 LOCATION: 3211 West Tambay Avenue
 REQUEST: To reduce the side yard setback from 7' to 3' and the rear yard
 setback from 20' to 10', with the allowed encroachment of the
 eaves and gutters
 PURPOSE: To construct a second story on an existing masonry garage
 NEIGHBORHOOD: Bayshore Beautiful

Roxanne Bruskin explained the request, presenting pictures of the house and backyard and letters of support from some adjacent neighbors.

Frank Caranach voiced his opposition to the variance.

Dorothy Williams objected to the variance request.

Ken Jackson supported the request.

Deff Deter objected to the variance.

Ms. Wallrapp moved to deny the request and seconded Mr. Rahenkamp. The motion passed 6-0.

VRB03-135 PETITIONER: Terrance Gowen
Approved 6-0 AGENT: None
 LOCATION: 409 Chippewa Avenue
 REQUEST: To reduce the side yard setback from 7' to 3' and the rear yard
 setback from 20' to 15', with the allowed encroachments of
 the eaves and gutters
 PURPOSE: To construct a screen room
 NEIGHBORHOOD: Davis Islands
 CONDITION: That the structure never be enclosed into air-conditioned space
 and that it have an 8' to 7' monopitch sloped roof

Mr. Gowen presented his case.

Mr. Conner moved to approve with conditions and was seconded by Mr. Weiss. The motion passed 6-0.

VRB03-136 PETITIONER: Terrance Gowen
Approved 6-0 AGENT: None
 LOCATION: 413 Chippewa Avenue
 REQUEST: To reduce the side yard setback from 7' to 3' and the rear yard setback from 20' to 13.5', with the allowed encroachments of the eaves and gutters

 PURPOSE: To construct a screen room
 NEIGHBORHOOD: Davis Islands
 CONDITION: That the structure never be enclosed into air-conditioned space and that it have an 8' to 7' monopitch sloped roof

Mr. Conner moved to approve with conditions and was seconded by Mr. Weiss. The motion passed 6-0.

VRB04-05 PETITIONER: Barbara O'Shaughnessy
Approved 4-2 AGENT: Scott Stigall
 LOCATION: 2703 Nassau Street
 REQUEST: To reduce the side yard from 3' to 0', the front yard from 60' to 0' and the building separation from 5' to 3', with the allowed encroachment of the eaves and gutters

 PURPOSE: To keep an existing (unpermitted) carport
 NEIGHBORHOOD: Midtown
 CONDITION: That the structure never be enclosed and to remain open on four sides

Barbara O'Shaughnessy explained her request and why the carport was erected. She also showed pictures and supplied letters of support.

Ms. Wallrapp moved to approve the request with conditions and was seconded by Mr. Conner. The motion passed 4-2, with Mr. Rahenkamp and Mr. Cheshire voting nay.

VRB04-07 PETITIONER: Clarence Dukart
Denied AGENT: None
 LOCATION: 4701 Ohio Avenue
 REQUEST: To reduce the front yard setback from 25' to 9' and the side yard setback from 7' to 0', with the allowed encroachments of the eaves and gutters

 PURPOSE: To keep an existing (unpermitted) carport
 NEIGHBORHOOD: Gandy Civic Association

Clarence Dukart explained his request, showed pictures of other carports in the area and that he built it with friends.

Ms. Smith voiced her opinion that the carport was too large and inconsistent with a residential use.

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

VRB04-08 PETITIONER: Conrad Zotz
Approved 4-2 AGENT: None
 LOCATION: 4415 West Bay Villa Avenue
 REQUEST: To reduce the rear yard setback from 3' to 0' and the side yard setback from 3' to 0'

 PURPOSE: To keep an existing accessory structure
 NEIGHBORHOOD: South West Shore

CONDITION: Not to become air-conditioned space and to maintain foliage on the part of the structure which abuts the adjacent properties

Conrad Zotz explained how he got to this point. He explained, through pictures, the structure and its function.

Mr. Conner moved to approve the request was conditions and was seconded by Ms. Wallrapp.

The motion passed 4-2, with Mr. Rahenkamp and Mr. Cheshire voting nay.

VRB04-09	PETITIONER:	Stacie Reimick
Denied 2-4	AGENT:	William Alford
	LOCATION:	4308 South Hale
	REQUEST:	To reduce the front yard setback from 25' to 11.5', with the allowed encroachments for the eaves and gutters
	PURPOSE:	To construct a residential addition
	NEIGHBORHOOD:	Fairoaks/Manhattan Manor

Reg Alford presented the case to the Board. He indicated that they were proposing to put the garage in the rear, but could not because of an existing tree. He showed pictures, indicating that the current development is consistent with the proposed garage.

The Board discussed the request, including approving a one-car garage.

Mr. Conner moved to approve with conditions and was seconded by Ms. Smith (who passed the gavel). The motion failed 2-4, with Ms. Wallrapp, Mr. Rahenkamp, Mr. Weiss and Mr. Cheshire voting nay.

VRB04-10	PETITIONER:	Aram and Clare Guczian
Approved and	AGENT:	Steve Michelini
Continued 6-0	LOCATION:	578 Riviera Drive
	REQUEST:	To reduce the rear yard setback from 20' to 4' , with the allowed encroachments for the eaves and gutters and to increase the height of a structure from 35' to 39'
	PURPOSE:	To construct a single family residence and an elevated pool
	NEIGHBORHOOD:	Davis Islands
	NOTE:	The rear yard setback reduction for the pool was approved and the height request was continued

Steve Michelini presented the case, explaining the pool needed to be elevated because of the existing deadman which are supporting the seawall and the additional height because of the Velocity zone.

Ms. Wallrapp commented on the mass of the structure.

Mr. Conner moved to approve and was seconded by Mr. Cheshire. The motion failed 3-3, with Mr. Rahenkamp, Ms. Wallrapp and Mr. Weiss voting nay.

Mr. Conner moved to vacate the vote and was seconded by Mr. Rahenkamp. The motion passed 6-0.

Ms. Wallrapp moved to reopen the hearing. Mr. Rahenkamp seconded the motion, which passed 6-0.

Mr. Conner moved to approved the rear yard reduction and seconded by Mr. Rahenkamp. The motion passed 6-0.

Mr. Conner moved to continue the height request, which was seconded by Mr. Rahenkamp. The motion passed 5-1, with Ms. Wallrapp voting nay.

Mr. Rahenkamp moved to approve and was seconded by Ms. Wallrapp. The motion passed 5-1, with Mr. Cheshire voting nay.

VRB04-21	PETITIONER:	Franklin Hills, jr
Approved 5-1	AGENT:	None
	LOCATION:	2713 West Gray Street
	REQUEST:	To reduce the side yard setback from 7' to 0' and the front yard setback from 25' to 0'
	PURPOSE:	To construct a screened enclosure
	NEIGHBORHOOD:	Midtown
	NOTE:	The Board approved the front yard setback with the condition that the structure remain open on three sides and never be enclosed. The side yard setback was denied and not part of the motion.

Franklin Hills presented his case.

Mr. Conner moved to approve the front yard setback with conditions. The motion was seconded by Ms. Wallrapp and passed 5-1. Mr. Cheshire voted nay.

VI. ADJOURNMENT

**CITY OF TAMPA, FLORIDA
VARIANCE REVIEW BOARD
PUBLIC HEARING**

MEETING DATE: February 10, 2004 MEETING TIME: 6:30 PM LOCATION: 315 East Kennedy Boulevard, 3 rd Floor, City Council Chambers

Board Members Present: John Weiss, Jeff Conner Ana Wallrapp, Eric Rahenkamp, Vice-Chair, Thomas Cheshire, Randy O'Kelly, and Melanie Higgins

Board Members Absent: None

Staff Members Present: Roland Santiago, Assistant City Attorney, Roger Kirk, Engineer II, Eric Cotton, Urban Planner II

I. SILENT ROLL CALL

II. APPROVAL OF MINUTES FOR January 13, 2003

III. OLD BUSINESS:

A. ADMINISTRATIVE APPEALS

B. TREE & LANDSCAPE / TRANSPORTATION / SIGN VARIANCES

C. GENERAL VARIANCES

VRB04-10 Withdrawn	PETITIONER:	Aram and Clare Gucuzian
	AGENT:	Steve Michelini
	LOCATION:	578 Riviera Drive
	REQUEST:	To increase the height of a structure from 35' to 39'
	PURPOSE:	To construct a single family residence
	NEIGHBORHOOD:	Davis Islands

IV. NEW BUSINESS:

A. ADMINISTRATIVE APPEALS

VRB04-20A Missed Notice	PETITIONER:	Publix Supermarket
	AGENT:	Sue Murphy/Charles Klug
	LOCATION:	201 West Platt Street
	REQUEST:	Administrative Appeal
	PURPOSE:	To appeal the decision of the Zoning Administrator's designee
	NEIGHBORHOOD:	Hyde Park North

B. TREE & LANDSCAPE / TRANSPORTATION / SIGN VARIANCES

VRB04-24 Approved 6-1	PETITIONER:	Bricklemyer, Smolker and Bolves, PA
	AGENT:	None
	LOCATION:	6601 South Westshore Boulevard
	REQUEST:	To reduce the wetland setback from 25' to 3'
	PURPOSE:	To fill and construct residential units
	NEIGHBORHOOD:	Gandy Civic Association

Mike Brooks, David Beleau and John Goolsby spoke in favor of the request.

Mr. Conner moved to approve and was seconded by Mr. Cheshire. The motion passed 6-1, with Mr. Weiss voting nay.

VRB04-34	PETITIONER:	Wal-Mart Stores, Inc
Approved	AGENT:	Todd Pressman
7-0	LOCATION:	8851 North Florida Avenue
	REQUEST:	To increase the allowable wall signage square footage
	PURPOSE:	To allow for additional wall signs
	NEIGHBORHOOD:	Lowery Park North
	CONDITION:	Based on the drawings submitted to staff

Todd Pressman spoke on behalf of Wal-Mart.

Ms. Wallrapp moved to approve and was seconded by Ms. Higgins. The motion passed 7-0.

C. GENERAL VARIANCES

VRB04-22	PETITIONER:	Linda Rackleff
Approved	AGENT:	Ronald Rackleff
7-0	LOCATION:	3607 West San Juan Street
	REQUEST:	To reduce the side yard setback from 3' to 1', with the allowed encroachment of the eaves and gutters
	PURPOSE:	To create a buildable lot
	NEIGHBORHOOD:	Virginia Park

Ronald Rackleff spoke in favor of the request.

Ileen O'Hara Garcia spoke against the request.

William Higgins spoke in favor of the request.

Ms. Wallrapp moved to approve the request and was seconded by Mr. Conner. The motion passed 7-0.

VRB04-23	PETITIONER:	Jim and Melissa Nunamaker
Continued	AGENT:	None
	LOCATION:	3705 San Miguel Street
	REQUEST:	To reduce the rear yard setback from 20' to 3' and the side yard setback from 7' to 3', with the allowed encroachment of the eaves and gutters
	PURPOSE:	To construct a two-story accessory structure
	NEIGHBORHOOD:	Golfview Civic Association

Jim and Melissa Nunamaker presented their case.

The Board then discussed the number of trees, if any of the trees could be removed, the size of the garage and other issues.

Ms. Wallrapp moved to continue the request and was seconded by Mr. Weiss. The motion passed 7-0.

VRB04-25	PETITIONER:	Marvin and Natalie Weeks
Continued	AGENT:	None
	LOCATION:	4217 West San Pedro Street
	REQUEST:	To reduce the front yard setback from 25' to 22', with the allowed encroachment of the eaves and gutters
	PURPOSE:	To construct a residential addition
	NEIGHBORHOOD:	Virginia Park

Staff explained the issue with the notice and why the petitioner probably was not there.

Mr. Weiss moved to continue the request and was seconded by Ms. Wallrapp. The motion passed 7-0.

VRB04-26 Continued by Staff	PETITIONER: AGENT: LOCATION: REQUEST: PURPOSE: NEIGHBORHOOD: NOTE:	Thomas and Angela Van Zandt None 810 South Lakeview Road To reduce the side yard setback from 7' to 1' and the rear yard from 20' to 5', with the allowed encroachment of the eaves and gutters To construct a residential addition (detached garage) Parkland Estates This Variance Request is pending a code change. The side yard may not be eligible.
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VRB04-27 Approved 7-0	PETITIONER: AGENT: LOCATION: REQUEST: PURPOSE: NEIGHBORHOOD: CONDITION:	Donald Petts None 11536 Braeside Place To increase the height of a fence from 3' to 6' To keep an existing six foot fence Forest Hills That should a gate be utilized, the visibility triangle must be met and the entrance to the gate must be 18' from the sidewalk
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Mr. Petts presented his case.

Roger Kirk from Transportation expressed his concerns.

Mr. Conner moved to approve with condition and the motion was seconded by Ms. Wallrapp. The motion passed 7-0.

VRB04-28 Approved 7-0	PETITIONER: AGENT: LOCATION: REQUEST: PURPOSE: NEIGHBORHOOD:	William and Cindy Herold None 473 Marmora Avenue To reduce the rear yard setback from 20' to 12', with the allowed encroachment of the eaves and gutters To construct a residential addition Davis Islands
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Bill Herold spoke in favor of the variance.

Ms. Wallrapp moved to approve and was seconded by Mr. Weiss. The motion passed 7-0.

VRB04-29 Approved 6-1	PETITIONER: AGENT: LOCATION: REQUEST: PURPOSE: NEIGHBORHOOD: CONDITION:	Pedro Angulo None 326 West Rio Vista Court To reduce the rear yard setback from 20' to 7' 4", with the allowed encroachment of the eaves and gutters To construct a residential addition Old Seminole Heights Based on the submitted site plans
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James Poince spoke in favor of the variance.

Mr. Conner moved to approve the request with conditions. Mr. Weiss seconded the motion, which passed 6-1. Mr. Cheshire voted nay.

VRB04-30 Approved	PETITIONER: AGENT:	Tracy Householder None
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6-1 LOCATION: 2916 West Sitios Street
REQUEST: To reduce the corner yard setback for the entrance to a garage
from 15' to 4.5'
PURPOSE: To construct a residential addition
NEIGHBORHOOD: Palma Ceia Park

Tracy Householder spoke in support of the variance.

Ms. Wallrapp moved to approve and was seconded by Ms. Higgins. The motion passed 6-1, with Mr. Cheshire voting nay.

VRB04-31 PETITIONER: Bobby Justice
Approved AGENT: None
7-0 LOCATION: 3610 South Clark Avenue
REQUEST: To reduce the front yard setback from 25' to 16', with the
allowed encroachment of the eaves and gutters
PURPOSE: To construct a residential addition
NEIGHBORHOOD: Virginia Park
CONDITION: That the porch remain open on three sides

Bobby Justice spoke in favor of the variance.

Mr. Weiss moved to approve and was seconded by Ms. Wallrapp. The motion passed 7-0.

VRB04-32 PETITIONER: Alex Prieto
Approved AGENT: Andrew Baker
7-0 LOCATION: 3824 West Vasconia Street
REQUEST: To reduce the front yard setback from 25' to 20' (Vasconia)
and the front yard setback from 25' to 8' (Church) , with the
allowed encroachment of the eaves and gutters
PURPOSE: To construct a residential addition
NEIGHBORHOOD: Virginia Park
CONDITION: That the porch never be enclosed

Alex Prieto and Sergio Mendoza spoke in favor of the request.

Ms. Wallrapp moved to approve the request with a condition. The motion was seconded by Mr. Weiss and passed 7-0.

VRB04-33 PETITIONER: Andrew Phipps
Withdrawn AGENT: None
LOCATION: 4220 West Sevilla
REQUEST: To reduce the side yard setback from 7' to 1', with the allowed
encroachment of the eaves and gutters
PURPOSE: To construct a residential addition
NEIGHBORHOOD: Virginia Park

VI. OLD BUSINESS CONTINUED

VII. ADJOURNMENT

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

MEETING DATE: March 9, 2004 MEETING TIME: 6:30 PM LOCATION: 315 East Kennedy Boulevard, 3 rd Floor, City Council Chambers

Board Members Present: Ana Wallrapp, Eric Rahenkamp, Vice-Chair, Thomas Cheshire, Steve Labour, James Catalano and Melanie Higgins

Board Members Absent: John Weiss, Randy O'Kelley

Staff Members Present: Roland Santiago, Assistant City Attorney, Roger Kirk, Engineer II, Eric Cotton, Urban Planner II, Dave Jennings, Residential Site Review Supervisor

I. SILENT ROLL CALL

II. APPROVAL OF MINUTES FOR December 2003 and February 10, 2003

III. OLD BUSINESS:

A. ADMINISTRATIVE APPEALS

VRB04-20A Missed Notice	PETITIONER:	Publix Supermarket
	AGENT:	Sue Murphy/Charles Klug
	LOCATION:	201 West Platt Street
	REQUEST:	Administrative Appeal
	PURPOSE:	To appeal the decision of the Zoning Administrator's designee
	NEIGHBORHOOD:	Hyde Park North

B. TREE & LANDSCAPE / TRANSPORTATION / SIGN VARIANCES

C. GENERAL VARIANCES

VRB04-23 Denied 6-0	PETITIONER:	Jim and Melissa Nunamaker
	AGENT:	None
	LOCATION:	3705 San Miguel Street
	REQUEST:	To reduce the rear yard setback from 20' to 3' and the side yard setback from 7' to 3', with the allowed encroachment of the eaves and gutters
	PURPOSE:	To construct a two-story accessory structure
	NEIGHBORHOOD:	Golfview Civic Association

Melissa Nunamaker explained the need for the variance and explained the events at last months meeting. The Board had requested an arborist to examine the trees, which the petitioner had hired. She also provided a statement from a contractor indicating that a second story on the existing house would be cost prohibitive.

After Board discussion, Mr. Cheshire moved to deny, indicating that a two-story structure was inconsistent with the neighborhood and too big for the property. The motion was seconded by Ms. Wallrapp. After further discussion, Ms. Wallrapp withdrew her request and the motion died for a lack of second. The

Board had further discussion and Mr. Cheshire moved to deny and was seconded by Mr. LaBour. The motion passed 5-1, with Mr. Catalano voting nay.

VRB04-25 Missed Notice	PETITIONER: AGENT: LOCATION: REQUEST: PURPOSE: NEIGHBORHOOD:	Marvin and Natalie Weeks None 4217 West San Pedro Street To reduce the front yard setback from 25' to 22', with the allowed encroachment of the eaves and gutters To construct a residential addition Virginia Park
VRB04-26 Continued by Staff	PETITIONER: AGENT: LOCATION: REQUEST: PURPOSE: NEIGHBORHOOD: NOTE:	Thomas and Angela Van Zandt None 810 South Lakeview Road To reduce the side yard setback from 7' to 1' and the rear yard from 20' to 5', with the allowed encroachment of the eaves and gutters To construct a residential addition (detached garage) Parkland Estates This Variance Request is pending a code change. The side yard may not be eligible.

IV. NEW BUSINESS:

A. ADMINISTRATIVE APPEALS

B. TREE & LANDSCAPE / TRANSPORTATION / SIGN VARIANCES

VRB04-36 Missed Notice	PETITIONER: AGENT: LOCATION: REQUEST: PURPOSE: NEIGHBORHOOD:	Tom Anderson Charles Courter 2612 West Morrison To remove a grand tree To construct a single family residence New Suburb Beautiful
VRB04-40 Denied 6-0	PETITIONER: AGENT: LOCATION: REQUEST: PURPOSE: NEIGHBORHOOD:	Douglas Rodriguez Anthony Pita 1402 West Coral Street To reduce the wetland setback from 30' to 0', the building height from 35' to 43', the entrance of the garage from 15' to 0', increase the height of a fence from 6' to 8', reduce the side yard setbacks from 7' to 6' and the from 7' to 0', with the allowed encroachments of the eaves and gutters To construct a single family residence Riverside Heights

Anthony Pita explained that he no longer needed the height variance or the garage entrance variance. He showed a colored site plan and explained the needed variances and where they would be.

Sister Marie Sullivan, Rhonda Nelson, Jessie Dominguez, Sharon Keene, Victor Heiser, Kathy Boothby all spoke against.

Dave Jennings expressed his concerns regarding the trees and the original subdivision.

Mr. Pita contended that there would be no damage to the trees or that he would cause any drainage issues.

The Board discussed scheduling a workshop on March 23, 2004 to review the hardship criteria.

VIII. ADJOURNMENT

**CITY OF TAMPA, FLORIDA
VARIANCE REVIEW BOARD
PUBLIC HEARING**

MEETING DATE: April 13, 2004

MEETING TIME: 6:30 PM

LOCATION: 315 East Kennedy Boulevard, 3rd Floor, City Council Chambers

Board Members Present: Ana Wallrapp; Eric Rahenkamp, Chair; Thomas Cheshire; Steve Labour; James Catalano; John Weiss, Vice-Chair; Randy O'Kelley and Melanie Higgins

Board Members Absent: Ana Wallrapp left early

Staff Members Present: Roland Santiago, Assistant City Attorney; Eric Cotton, Urban Planner II; Dave Reilly, City Forester

I. SILENT ROLL CALL

II. APPROVAL OF MINUTES FOR March 10, 2004

III. OLD BUSINESS:

A. ADMINISTRATIVE APPEALS

VRB04-20A PETITIONER: Publix Supermarket
Withdrawn AGENT: Sue Murphy/Charles Klug
 LOCATION: 201 West Platt Street
 REQUEST: Administrative Appeal
 PURPOSE: To appeal the decision of the Zoning Administrator's designee
 NEIGHBORHOOD: Hyde Park North

B. TREE & LANDSCAPE / TRANSPORTATION / SIGN VARIANCES

VRB04-36 PETITIONER: Tom Anderson
Denied 7-0 AGENT: Charles Courter
 LOCATION: 2612 West Morrison
 REQUEST: To remove a grand tree
 PURPOSE: To construct a single family residence
 NEIGHBORHOOD: New Suburb Beautiful

Charles Courter explained the need for the variance and the damage to the house on the adjacent lot. He discussed the damage and the reports from the arborists.

Dave Reilly, Parks Department, indicated that the request to trim the tree was considered an "effective removal".

Daryl Dahl, 2614 W Morrison, spoke in favor of removing the tree. Charles Courter explained the need for the variance and the damage to the house on the adjacent lot. He discussed the damage and the reports from the arborists.

Dave Reilly, Parks Department, indicated that the request to trim the tree was considered an "effective removal".

Daryl Dahl, 2614 W Morrison, spoke in favor of removing the tree.

LOCATION: 5102 North Saint Vincent Street
REQUEST: To reduce the rear yard setback from 20' to 15', with the allowed encroachment of the eaves and gutters
PURPOSE: To construct a single family residence
NEIGHBORHOOD: None

Arnoldo Hernandez explained the need for the rear yard setback reduction in order to build around the tree.

Mr. Cheshire moved to approve and was seconded by Mr. Catalano. The motion passed 7-0.

VRB04-53 PETITIONER: Susan Del Valle
Approved 6-1 AGENT: None
LOCATION: 456 West Davis Boulevard
REQUEST: Reduce the front yard setback from 25' to 20', with the allowed encroachment of the eaves and gutters
PURPOSE: To construct a garage
NEIGHBORHOOD: Davis Islands

Ms. Del Valle explained the need for the variance, indicating that her mom was going to be moving in.

Mr. Cheshire moved to approve and was seconded by Mr. O'Kelley. The motion passed 6-1, with Mr. Rahenkamp voting nay.

VRB04-54 PETITIONER: Boys and Girls Club
Continued AGENT: RBK Architects
LOCATION: 1720 North MacDill Avenue
REQUEST: Reduce the front yard setback from 20' to 7'8"
PURPOSE: To construct a gymnasium
NEIGHBORHOOD: Northeast McFarlene

VRB04-55 PETITIONER: Rafael Miguel
Denied 5-2 AGENT: None
LOCATION: 25 South Treasure Drive
REQUEST: To reduce the front yard setback from 25' to 19'6", with the allowed encroachment of the eaves and gutters
PURPOSE: To construct a residential addition (second story and garage)
NEIGHBORHOOD: Beach Park

James Borgan, representing the petitioner, explained the need for the garage and the second story.

Margaret Vissi objected to the variance.

Mr. Rahenkamp and Mr. LaBour questioned the hardship.

Mr. Weiss moved to deny and was seconded by Mr. LaBour. The motion passed 5-2, with Mr. Cheshire and Mr. Catalano voting nay.

VRB04-56 PETITIONER: Chunilel Shah
Approved 7-0 AGENT: None
LOCATION: 5157 West San Jose Street
REQUEST: To reduce the rear yard setback from 20' 17'4", with the allowed encroachment of the eaves and gutters
PURPOSE: To construct a single family residence
NEIGHBORHOOD: Sunset Park

Paul Sidwell indicated that it was new construction and that the house was placed in the wrong position by accident. The City had not red-tagged the property; the petitioner had come in to seek a correction.

Mr. Cheshire moved to approve the request and was seconded by Ms. Higgins. The motion passed 7-0.

VRB04-58	PETITIONER:	Jesse Braiser
Approved 6-1	AGENT:	None
	LOCATION:	4003 West Obispo Street
	REQUEST:	To reduce the side yard setback from 7' to 4.7' and the rear yard setback from 20' to 6' with the allowed encroachment of the eaves and gutters
	PURPOSE:	To construct a residential addition
	NEIGHBORHOOD:	Virginia Park

Jessie Braiser explained the variance request, indicating that the site had been restored.

Ferrel Busby was in favor of the request.

Mr. Weiss moved to approve and was seconded by Mr. Cheshire. The motion passed 6-1, with Mr. Rahenkamp voting nay.

VRB04-59	PETITIONER:	Angelo Montanaro
Approved 7-0	AGENT:	C Graham Carothers
	LOCATION:	4004 West Bay to Bay Boulevard
	REQUEST:	To reduce the front yard setback from 25' to 19.17', the side yard from 7' to 3.78' and the rear yard from 3' to 0', with the allowed encroachments of the eaves and gutters
	PURPOSE:	To construct a new residence
	NEIGHBORHOOD:	Virginia Park

Graham Carothers explained that the side and rear yard setbacks were for vesting only and the new setback was for a garage and rec room.

Mr. Weiss moved to approve and was seconded by Ms. Higgins. The motion passed 7-0.

VRB04-60	PETITIONER:	William McLaughlin
Approved 7-0	AGENT:	None
	LOCATION:	710 East Broad Street
	REQUEST:	To reduce the rear yard setback from 20' to 15' and the side yard setback from 7' to 5.7', with the allowed encroachment of the eaves and gutters
of	PURPOSE:	To keep an existing addition
	NEIGHBORHOOD:	Seminole Heights

Will McLaughlin explained that he built the addition without permits.

Mr. Catalano moved to approve and was seconded by Mr. Cheshire. The motion passed 7-0.

VRB04-61	PETITIONER:	Warren and Sally Colhouer
Approved 6-1	AGENT:	Timothy Powell
	LOCATION:	5615 Bayshore Boulevard
	REQUEST:	To reduce the front yard setback from 20' to 13' and the rear yard setback from 20' to 2.3', with the allowed encroachment for the eaves and gutters
	PURPOSE:	To create a buildable lot
	NEIGHBORHOOD:	Ballast Point

Tim Powell explained the variance request and emphasized that it was to grandfather in the existing structure and that no new construction was going to take place.

Sally Flynn stated some concerns with the property.

Mr. LaBour moved to approve and was seconded by Mr. Catalano. The motion passed 5-2 with Mr. O'Kelley and Ms. Higgins voting nay.

VRB04-62	PETITIONER:	William Paul Hulton
Approved 6-1	AGENT:	None
	LOCATION:	3023 West Chapin Avenue
	REQUEST:	To reduce the front yard setback from 25' to 15', the front yard setback for an accessory structure from 60' to 15', both with the allowed encroachment of the eaves and gutters, and increase the height of a wall from 3' to 6'
to	PURPOSE:	To construct a residential addition and a wall
	NEIGHBORHOOD:	Bayshore Beautiful

William Hulton explained the request and definition of front yard.

Mr. Cheshire moved to approve and was seconded by Mr. O'Kelley. The motion passed 6-1, with Mr. Weiss voting nay.

VRB04-64	PETITIONER:	Frank Otero
Approved 7-0	AGENT:	None
	LOCATION:	2308 Rio Vista
	REQUEST:	To reduce the front yard setback from 25' to 19' with the allowed encroachment of the eaves and gutters
	PURPOSE:	To keep an existing addition
	NEIGHBORHOOD:	None

Frank Otero explained the request.

Mr Weiss moved to approve and was seconded by Ms. Higgins. The motion passed 7-0.

VRB04-65	PETITIONER:	John and Elizabeth Harden
Approved 5-2	AGENT:	Larry Brindley
	LOCATION:	420 South Oregon Avenue
	REQUEST:	To reduce the rear yard setback from 15' to 8' and the side yard setback from 7' to 3', with the allowed encroachment of the eaves and gutters
	PURPOSE:	To construct a garage
	NEIGHBORHOOD:	Hyde Park North
	MOTION:	To reduce the rear yard setback from 15' to 10' and the side yard setback from 7' to 3', with the allowed encroachment of the eaves and gutters

Larry Brindley explained the request.

Mr. LaBour moved to approve the request, with the rear yard to 10' only, and was seconded by Mr. Weiss. The motion passed 5-2, with Mr. Catalano and Mr. Weiss voting nay.

VRB04-66	PETITIONER:	Reinaldo Oliveras and Mayran Ramos
Approved 7-0	AGENT:	Tonya Russell
	LOCATION:	1021 22 nd Avenue

REQUEST: To reduce the side yard setbacks from 7' to 5', with the
allowed encroachment of the eaves and gutters
PURPOSE: To construct a residential addition
NEIGHBORHOOD: V M Ybor

Tonya Russell explained the variance request.

Mr. LaBour moved to approve and was seconded by Mr. Cheshire. The motion passed 7-0.

VI. ADJOURNMENT

**CITY OF TAMPA, FLORIDA
VARIANCE REVIEW BOARD
PUBLIC HEARING**

MEETING DATE: May 11, 2004

MEETING TIME: 6:30 PM

LOCATION: 315 East Kennedy Boulevard, 3rd Floor, City Council Chambers

Board Members Present: Eric Rahenkamp, Chair; Thomas Cheshire; Steve LaBour; James Catalano; John Weiss, Vice-Chair; and Melanie Higgins

Board Members Absent: Ana Wallrapp and Randy O'Kelley

Staff Members Present: Roland Santiago, Assistant City Attorney; Eric Cotton, Urban Planner II

Others Present: Seth Nelson, prospective member, was in attendance.

I. SILENT ROLL CALL

II. APPROVAL OF MINUTES FOR April 13, 2004

Mr. LaBour moved to approve and was seconded by Mr. Weiss. The motion passed 6-0.

III. OLD BUSINESS:

A. ADMINISTRATIVE APPEALS

VRB03-62	PETITIONER:	Joan Mickiewicz and Angelo Montanaro
3-3	AGENT:	Graham Carothers
Continued	LOCATION:	2501 South Parkview Street
	REQUEST:	Administrative appeal of the zoning administrator's determination
	PURPOSE:	To create two buildable lots through reconfiguration
	NEIGHBORHOOD:	Sunset Park

Roland Santiago, Assistant City Attorney, summarized the history of the case.

Mr. L Perkins asked about being able to speak, as he received notice in the mail. He was informed that only individuals of record were allowed to speak and he had not previously participated.

Mr. Carothers summarized the history of the case and then discussed the merits.

Ted Taub, co-counsel with Mr. Carothers, set forth the rules as stipulated in the Code in regards to lot reconfigurations.

Gloria Moreda, Zoning Administrator, showed the proposed lots and explained her rationale for denial.

Debbie Rosenthal and Linda Butler voiced support for the request.

Jim Tagg, representing the Sunset Park Home Owners Association, voiced support of the request.

After the hearing was closed and Board discussion, Mr. Catalano moved to overturn the zoning administrator's determination and was seconded by Ms. Higgins. The motion tied 3-3, with Mr. Weiss, Mr. LaBour and Mr. Rahenkamp voting nay. As a result, the case was continued.

B. TREE & LANDSCAPE / TRANSPORTATION / SIGN VARIANCES

C. GENERAL VARIANCES

VRB04-09 PETITIONER: Stacie Reimick
6-0 AGENT: William Alford
Continued LOCATION: 4308 South Hale
REQUEST: To reduce the front yard setback from 25' to 11.5', with the
allowed encroachments for the eaves and gutters
PURPOSE: To construct a residential addition
NEIGHBORHOOD: Fair Oaks/Manhattan Manor

Mr. Alford presented his case and went through the hardship criteria.

After the hearing was closed and Board discussion, Mr. Weiss moved to continue the request and was seconded by Mr. Cheshire. The motion passed 6-0. The Board instructed the petitioner to look at other alternatives, including a one-car garage.

VRB04-25 PETITIONER: Marvin and Natalie Weeks
6-0 AGENT: None
Approved LOCATION: 4217 West San Pedro Street
REQUEST: To reduce the front yard setback from 25' to 18', with the
allowed encroachment of the eaves and gutters
PURPOSE: To construct a residential addition
CONDITION: That the porch remain open on three sides

Marvin Weeks presented his case, explaining the changes they made to their site plan based on the previous meeting.

After the hearing was closed and Board discussion, Mr. Weiss moved to approve the request, with conditions, and was seconded by Mr. Catalano. The motion passed 6-0.

VRB04-54 PETITIONER: Boys and Girls Club
Continued AGENT: RBK Architects
By Staff LOCATION: 1720 North MacDill Avenue
REQUEST: Reduce the front yard setback from 20' to 7'8"
PURPOSE: To construct a gymnasium
NEIGHBORHOOD: Northeast McFarlane

VRB04-57 PETITIONER: Marchant and Antionette Stokes
5-1 AGENT: None
Denied LOCATION: 3806 River Grove Court
REQUEST: To reduce the setback distance from a tree from 20' to 6.5'
PURPOSE: To extend a patio
NEIGHBORHOOD: River Grove

The petitioner was not in attendance.

Mr. LaBour moved to continued. The motion died for lack of a second.

Mr. Cheshire moved to deny and was seconded by Ms. Higgins. The motion carried 5-1, with Mr. LaBour voting nay.

IV. NEW BUSINESS:

A. ADMINISTRATIVE APPEALS

B. TREE & LANDSCAPE / TRANSPORTATION / SIGN VARIANCES

VRB04-70 PETITIONER: Earl Boggs
6-0 AGENT: Terry McClain
Continued LOCATION: 1213 West Waters Avenue
 REQUEST: To reduce the required number of parking spaces from 39 to 27

 PURPOSE: To construct a commercial addition
 NEIGHBORHOOD: Lowry Park North

The petitioner was not in attendance because of car problems.

Mr. Weiss moved to continue the case and was seconded by Mr. LaBour. The motion passed 6-0.

VRB04-71 PETITIONER: Wescar Enterprises
5-1 AGENT: Scott Carroll
Denied LOCATION: 517 North Newport Avenue
 REQUEST: To reduce the required buffer from 8' to 2' for the vehicle use area

 PURPOSE: To construct a mini-warehouse
 NEIGHBORHOOD: None

Scott Carroll explained his request and his desire and need to maximize the site.

After the hearing was closed and Board discussion, Mr. LaBour moved to deny and was seconded by Ms. Higgins. The motion passed 5-1, with Mr. Cheshire voting nay.

VRB04-74 PETITIONER: Family Owned Service Company, Inc
6-0 AGENT: Lisa Curry
Approved LOCATION: 3328 South Dale Mabry
 REQUEST: To reduce the setback for a sign from 10' to 7'
 PURPOSE: To construct a sign
 NEIGHBORHOOD: Virginia Park

Lisa Curry explained the request and wishes for a new sign.

After the hearing was closed and Board discussion, Mr. Cheshire moved to approve the request and was seconded by Mr. Weiss. The motion passed 5-1, with Mr. LaBour voting nay.

C. GENERAL VARIANCES

VRB04-26 PETITIONER: Thomas and Angela Van Zandt
Missed Notice AGENT: None
 LOCATION: 810 South Lakeview Road
 REQUEST: To reduce the side yard setback from 7' to 1' and the rear yard from 20' to 5', with the allowed encroachment of the eaves and gutters

 PURPOSE: To construct a residential addition (detached garage)
 NEIGHBORHOOD: Parkland Estates

VRB04-67 PETITIONER: David and Elizabeth Cabrera
Missed Notice AGENT: Clyde Botner
 LOCATION: 5109 North Lincoln
 REQUEST: To reduce the rear yard setback from 20' to 8', with the allowed encroachment of the eaves and gutters

 PURPOSE: To construct a screen room
 NEIGHBORHOOD: None

VRB04-68 PETITIONER: Ronald Ford

	REQUEST:	To reduce side yard setback from 7' to 3'
	PURPOSE:	To construct an elevated pool
	NEIGHBORHOOD:	Sunset Park
VRB04-82	PETITIONER:	John Ossi
6-0	AGENT:	Robert Ossi
Approved	LOCATION:	2916 West San Nicholas Avenue
	REQUEST:	To reduce the front yard setback from 20' to 14', with the allowed encroachment of the eaves and gutters and the building separation distance from 5' to 6"
	PURPOSE:	To construct a two-story addition
	NEIGHBORHOOD:	Palma Ceia Park

John Ossi and Robert Ossi explained the request.

Ronald Christaldi expressed his support for the variance.

After the hearing was closed and Board discussion, Mr. Catalano moved to approve the request and was seconded by Mr. LaBour. The motion passed 6-0.

VRB04-83	PETITIONER:	New Millennial Homes
6-0	AGENT:	Langee Realty
Approved	LOCATION:	317 East Azalea Avenue
	REQUEST:	To reduce the side yard from 7' to 4', with the allowed encroachments of the eaves and gutters
	PURPOSE:	To create a buildable lot
	NEIGHBORHOOD:	None

Sara Python explained her request.

After the hearing was closed and Board discussion, Mr. LaBour moved to approve and was seconded by Ms. Higgins. The motion passed 6-0.

VI. OLD BUSINESS CONTINUED

VII. ADJOURNMENT

**CITY OF TAMPA, FLORIDA
VARIANCE REVIEW BOARD
PUBLIC HEARING**

MEETING DATE: June 8, 2004

MEETING TIME: 6:30 PM

LOCATION: 315 East Kennedy Boulevard, 3rd Floor, City Council Chambers

I. SILENT ROLL CALL

Board Members Present: Eric Rahenkamp, Chair; Thomas Cheshire; Seth Nelson; John Weiss, Vice-Chair; Ana Wallrapp; Randy O'Kelley and Melanie Higgins

Board Members Absent: James Catalano

Staff Members Present: Roland Santiago, Assistant City Attorney; Eric Cotton, Urban Planner II

II. APPROVAL OF MINUTES FOR May 11, 2004

III. OLD BUSINESS:

A. ADMINISTRATIVE APPEALS

VRB03-62	PETITIONER:	Joan Mickiewicz and Angelo Montanaro
Continued	AGENT:	Graham Carothers
7-0	LOCATION:	2501 South Parkview Street
	REQUEST:	Administrative appeal of the zoning administrator's determination
	PURPOSE:	To create two buildable lots through reconfiguration
	NEIGHBORHOOD:	Sunset Park

Because some members had not viewed the video tape of the public hearing, the Board continued this case. Ms. Wallrapp moved to continue and was seconded by Mr. Cheshire. The motion passed 7-0.

B. TREE & LANDSCAPE / TRANSPORTATION / SIGN VARIANCES

C. GENERAL VARIANCES

VRB04-09	PETITIONER:	Stacie Reimick
Approved	AGENT:	William Alford
4-3	LOCATION:	4308 South Hale Avenue
	REQUEST:	To reduce the front yard setback from 25' to 11.5', with the allowed encroachments for the eaves and gutters
	PURPOSE:	To construct a residential addition
	NEIGHBORHOOD:	Fairoaks/Manhattan Manor
	MOTION:	To reduce the front yard setback from 25' to 14.1', with the allowed encroachment of the eaves and gutters

Reg Alford, representing the petitioner, explained that she was going to build a one car garage with storage. As a result, the setback only needed to be reduced from 25' to 14.1'.

Mr. Weiss moved to approve the request, citing that the reduction in the setback was less than originally asked for; the existing trees that would make getting to the rear difficult; the distance between the house and side property lines; the reduction in the mass from what was originally asked for and no sidewalk. Ms. Higgins seconded the request, which passed 4-3. Ms. Wallrapp, Mr. Rahenkamp and Mr. Cheshire voted nay.

VRB04-47	PETITIONER:	Marlon Colindres
Missed Notice	AGENT:	None
	LOCATION:	501 North Gomez Avenue

REQUEST: To reduce the side yard setback from 7' to 0'
PURPOSE: To keep an unpermitted addition
NEIGHBORHOOD: Midtown

VRB04-70
Denied
7-0
PETITIONER: Earl Boggs
AGENT: Terry McClain
LOCATION: 1213 West Waters Avenue
REQUEST: To reduce the required number of parking spaces from 39 to 27
PURPOSE: To construct a commercial addition
NEIGHBORHOOD: Lowry Park North

Steve Young, representing the petitioner, showed a graphic indicating the parking spaces which were being proposed, along with the proposed commercial addition.

Earl Boggs indicated that he wanted to rebuild what was burnt down in 1992.

Mr. Weiss expressed concern over the amount of traffic that the existing bar can generate.

There was discussion over the access onto Willow, a local street.

Mr. Weiss moved to deny the request, citing concern over the number of cars that may park in the neighborhood behind this site. Mr. O'Kelly seconded the motion, which passed 7-0.

VRB04-54
Withdrawn
PETITIONER: Boys and Girls Club
AGENT: RBK Architects
LOCATION: 1720 North MacDill Avenue
REQUEST: Reduce the front yard setback from 20' to 7'8"
PURPOSE: To construct a gymnasium
NEIGHBORHOOD: Northeast McFarlene

VRB04-26
Continued
10/04
7-0
PETITIONER: Thomas and Angela Van Zandt
AGENT: None
LOCATION: 810 South Lakeview Road
REQUEST: To reduce the side yard setback from 7' to 1' and the rear yard from 20' to 5', with the allowed encroachment of the eaves and gutters
PURPOSE: To construct a residential addition (detached garage)
NEIGHBORHOOD: Parkland Estates

Ms. Wallrapp moved to continue and was seconded by Mr. Cheshire. The motion passed 7-0.

VRB04-67
Approved
7-0
PETITIONER: David and Elizabeth Cabrera
AGENT: Clyde Botner
LOCATION: 5109 North Lincoln
REQUEST: To reduce the rear yard setback from 20' to 8', with the allowed encroachment of the eaves and gutters
PURPOSE: To construct a screen room
NEIGHBORHOOD: None
CONDITION: That it never be air conditioned space and remain open on three sides

Clyde Botner presented the case, explaining that they needed the space for outdoor living.

Mr. Cheshire moved to approve the request, citing that there was no other place to logically place the porch, but placed a condition on the request that the porch remain open and never be enclosed.

Ms. Wallrapp seconded the motion, which passed 7-0.

VRB04-72
Missed Notice
PETITIONER: Vondalyn Bryant
AGENT: James Little
LOCATION: 1125 West Arch Street
REQUEST: Reduce the rear yard setback from 20' to 10', with the allowed encroachment of the eaves and gutters
PURPOSE: To construct a residential addition
NEIGHBORHOOD: West Riverfront

VRB04-73	PETITIONER:	Elizabeth Lahitte
Approved	AGENT:	None
7-0	LOCATION:	1731 West Rio Vista Avenue
	REQUEST:	Reduce the side yard setback from 7' to 5.5', with the allowed encroachment of the eaves and gutters
	PURPOSE:	To keep an enclosed (unpermitted) carport
	NEIGHBORHOOD:	None

Ana Questa, representing Elizabeth Lahitte, explained why the carport was enclosed.

Ms. Wallrapp expressed concern over the parking situation, if the carport was gone.

Mr. Weiss moved to approve, citing that the encroachment into the setback was minimal, it blended with the character of the neighborhood, that a number of carports have been enclosed and that the site can still have two off street parking spaces.

Ms. Wallrapp seconded the motion, which passed 7-0.

VRB04-75	PETITIONER:	Win Barnett
Approved	AGENT:	None
6-1	LOCATION:	2508 Mystic Point Way
	REQUEST:	To reduce the rear yard setback from 20' to 3.67' with the allowed encroachment of the eaves and gutters
	PURPOSE:	To construct a second story on an existing accessory structure
	NEIGHBORHOOD:	Ballast Point

Win Barnett explained the request.

The Board questioned the existing building. It had been red-tagged.

Ms. Wallrapp moved to approve, citing that there was no objection from the neighbors and that the existing one story garage was at that setback. Mr. Weiss seconded the motion, which passed 6-1, with Mr. O'Kelley voting nay.

VRB04-79	PETITIONER:	Juan Majia
Approved	AGENT:	None
6-1	LOCATION:	4314 West Nassau Street
	REQUEST:	To reduce the rear yard setback from 20' to 12.26', the west side yard setback from 7' to 5.5' and the east side yard from 7' to 5', with the allowed encroachment of the eaves and gutters
	PURPOSE:	To construct a two-story residential addition
	NEIGHBORHOOD:	Lincoln Gardens/Carver City

Mr. Majia presented his case.

Mr. Cheshire questioned why he could not meet current setbacks.

Ms. Wallrapp indicated that this was the only logical place to build the addition. She moved to approve the request, citing no opposition and that this was the only logical place to build the addition given the existing location of the building. Mr. O'Kelley seconded the motion, which passed 6-1, with Mr. Cheshire voting nay.

IV. NEW BUSINESS:

A. ADMINISTRATIVE APPEALS

B. TREE & LANDSCAPE / TRANSPORTATION / SIGN VARIANCES

VRB04-85	PETITIONER:	Jairamki, LLC
Missed Notice	AGENT:	George Aubin
	LOCATION:	4620 West Gandy Boulevard
	REQUEST:	To increase signage to 238.42 square feet
	PURPOSE:	To add additional wall signs
	NEIGHBORHOOD:	Sun Bay South

VRB04-89	PETITIONER:	Devonshire Homes
Continued	AGENT:	Lisa Ayers

5-2 LOCATION: 3502 West San Pedro Street
 REQUEST: To remove a grand tree
 PURPOSE: To remove a grand tree
 NEIGHBORHOOD: Palma Ceia

Ms. Wallrapp moved to continue and was seconded by Mr. Cheshire. The motion passed 7-0.

VRB04-93 PETITIONER: Dora Noto
 Withdrawn AGENT: None
 LOCATION: 1901 West Orient Street
 REQUEST: To remove a grand tree
 PURPOSE: To remove a grand tree
 NEIGHBORHOOD: None

VRB04-98 PETITIONER: WCI Communities
 Withdrawn AGENT: Mark Bentley, Esquire
 By Staff LOCATION: 6001 South Westshore Boulevard
 REQUEST: To allow for additional, temporary signage
 PURPOSE: To allow for larger construction signs
 NEIGHBORHOOD: Sun Bay Civic Association

C. GENERAL VARIANCES

VRB04-86 PETITIONER: Donald Petts
 Approved AGENT: Kevin Bynum
 5-2 LOCATION: 2601 East 4th Avenue
 REQUEST: To reduce the corner yard setback from 10' to 0', with the
 allowed encroachment of the eaves and gutters
 PURPOSE: To construct a commercial addition
 NEIGHBORHOOD: East Ybor Historic

Mr. Bynum presented his case, explaining the request and urban, industrial nature of the area.

Geraldine Williams and Joan Montreirro expressed opposition to the variance and proposed use.

Mr. Cheshire indicated that there was no reason not to meet the required setback.

Ms. Wallrapp moved to approve the request, citing that the 0' setback was appropriate for the area. Mr. Weiss seconded the motion, which passed 5-2, with Mr. Cheshire and Ms. Higgins voting nay.

VRB04-87 PETITIONER: Arthur Erickson
 Missed Notice AGENT: None
 LOCATION: 2324 East 111th Avenue
 REQUEST: To reduce the front yard setback from 25' to 3'
 PURPOSE: To keep an existing (unpermitted) carport
 NEIGHBORHOOD: University Square

VRB04-88 PETITIONER: Charles Michael Brill
 Missed Notice AGENT: Tina Atkins
 LOCATION: 4520 North B Street
 REQUEST: To increase the height of a wall at the rear of the property
 from 6' to 9'6"
 PURPOSE: To increase the height of a wall
 NEIGHBORHOOD: Westshore Palms

VRB04-90 PETITIONER: Cooper Johnson Smith
 Missed Notice AGENT: Erin Pryor
 LOCATION: 80 Ladoga Avenue
 REQUEST: To reduce the rear yard setback for a pool from 20' to 11'
 PURPOSE: To construct a new residence
 NEIGHBORHOOD: Davis Islands

VRB04-91 PETITIONER: Franklin Street Properties
 Approved AGENT: Steve Michelini
 7-0 LOCATION: 1523 North Franklin Street

REQUEST: To reduce the side yard setback from 10' to 0', with the allowed encroachment of the eaves and gutters
PURPOSE: To construct a commercial addition
NEIGHBORHOOD: Tampa Heights

Steve Michelini presented his case, indicating that the building was cut by the interstate expansion. FDOT refused to take the entire site, leaving them with what they have.

Mr. Wiess moved to approve the request, indicating that there was no impact to anything except the interstate and that the hardship was created by FDOT.

Ms. Wallrapp seconded the motion, which passed 7-0.

VRB04-92 PETITIONER: Suzanne Mortensen-Nallar
Approved AGENT: None
7-0 LOCATION: 4706 West Anita Boulevard
 REQUEST: To reduce the front yard setback from 25' to 18', with the allowed encroachment of the eaves and gutters
 PURPOSE: To construct a front porch
 NEIGHBORHOOD: South Westshore

Suzanne Mortensen-Nallar presented her case, showing pictures, explaining the architectural and practical needs of the porch, including weather and porch sitting.

Ms. Wallrapp moved to approve and was seconded by Mr. Weiss. The motion passed 7-0.

VRB04-94 PETITIONER: Robert E Valdez, jr
Denied AGENT: None
6-1 LOCATION: 640 Hudson Avenue
 REQUEST: To reduce the front yard setback from 25' to 20' or the rear yard setback from 20' to 15', with the allowed encroachment of the eaves and gutters, to increase the height of the building from 35' to 43' and to increase the height of a fence from 4' to 6'
 PURPOSE: To construct a new single family residence
 NEIGHBORHOOD: Davis Islands

Robert Valdez explained the new home construction and the desire to save some trees. The height was needed because of the French Tudor design. He showed some pictures of other homes on the island.

Richard Garnick presented a petitioner signed by 22 persons, indicating opposition to the request.

Linda Lewal voiced opposition to the request.

Steve Stanley, Vice-President of Davis Islands, stated that the Association was against the request.

Mr. Valdez, in rebuttal, said that he was not looking for financial gain, only a nice home.

The Board discussed the request and Ms. Wallrapp moved to approve the front yard setback reduction only. Mr. O'Kelley seconded the motion. After further discussion, Ms. Wallrapp withdrew her motion.

Mr. Weiss moved to deny the request, citing the lack of hardship. Ms. Higgins seconded the motion, which passed 6-1, Ms. Wallrapp voting nay.

VRB04-95 PETITIONER: Lisa Bostic
Approved AGENT: Steven Michelini
4-3 LOCATION: 4907 Bayshore Boulevard
 REQUEST: To reduce the front yard setback from 25' to 0'
 PURPOSE: To build a pool in the front yard
 NEIGHBORHOOD: Ballast Point
 MOTION: To reduce the front yard setback from 25' to 5'

Steve Michelini explained the request for the pool. He explained that the site had two front yards – Pilgrims Pathy and Bayshore. As a result, there was no place to put the pool.

After Board discussion, Ms. Wallrapp moved to approve the request to a setback of 5', not 0'. Mr. Weiss seconded that motion. After discussion, Ms. Wallrapp withdrew her motion. After more discussion, Ms. Wallrapp moved to approve the reduction to 5' and was seconded by Mr. Weiss. The motion passed 4-3, with Mr. Nelson, Mr. Cheshire and Mr. O'Kelley voting nay.

VRB04-96	PETITIONER:	John and Caroline Shepard
Missed Notice	AGENT:	Richard Perez
	LOCATION:	1222 South Roxmere Road
	REQUEST:	To reduce the rear yard setback from 20' to 13.35', with the allowed encroachment of the eaves and gutters
	PURPOSE:	To construct a residential addition
	NEIGHBORHOOD:	Culbreath Bayou

VRB04-97	PETITIONER:	Darren and Evelyn Farfante
Approved	AGENT:	None
7-0	LOCATION:	3903 West San Juan Street
	REQUEST:	To reduce the rear yard setback from 20' to 15', with the allowed encroachment of the eaves and gutters
	PURPOSE:	To construct a residential addition
	NEIGHBORHOOD:	Virginia Park

Darren Farfante explained the request and the need for the variance.

Mr. Weiss moved to approve the request and was seconded by Ms. Higgins. The motion passed 7-0.

VI. OLD BUSINESS CONTINUED

VII. ADJOURNMENT

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

MEETING DATE: July 13, 2004

MEETING TIME: 6:30 PM

LOCATION: 333 S Franklin St – Tampa Convention Center

I. SILENT ROLL CALL

Board Members Present: Eric Rahenkamp, Chair; James Catalano; Steve LaBour; John Weiss, Vice-Chair; Ana Wallrapp; Randy O'Kelley and Melanie Higgins

Board Members Absent: Thomas Cheshire

Staff Members Present: Roland Santiago, Assistant City Attorney; Eric Cotton, Urban Planner II; Roger Kirk, Engineer II; David Reilly, Forest Examiner

II. APPROVAL OF MINUTES FOR June 8, 2004

Approved 7-0

III. OLD BUSINESS:

A. ADMINISTRATIVE APPEALS

VRB03-62 Overturned 4-3	PETITIONER: AGENT: LOCATION: REQUEST: PURPOSE: NEIGHBORHOOD:	Joan Mickiewicz and Angelo Montanaro Graham Carothers 2501 South Parkview Street Administrative appeal of the zoning administrator's determination To create two buildable lots through reconfiguration Sunset Park
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The public hearing was kept closed. Eric Cotton and Roland Santiago summarized previous actions and read a letter into the record from the petitioner's agent.

The Chair conducted a roll call on who had either been at the May 2004 hearing or had viewed the tape from the hearing. All members indicated that they were familiar with the request.

The Board kept the public hearing closed and went straight into Board discussion.

Ms. Wallrapp moved to overturn the zoning administrator's determination and was seconded by Mr. Catalano.

After further Board discussion, the motion passed 4-3, with Mr. Rahenkamp, Mr. Weiss and Mr. LaBour voting nay.

B. TREE & LANDSCAPE / TRANSPORTATION / SIGN VARIANCES

VRB04-85 Denied 7-0	PETITIONER: AGENT: LOCATION: REQUEST: PURPOSE: NEIGHBORHOOD:	Jairamki, LLC George Aubin 4620 West Gandy Boulevard To increase signage to 238.42 square feet To add additional wall signs Sun Bay South
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George Aubin explained the need for the variance, citing the lack of visibility of the hotel for traffic traveling east and west along Gandy Boulevard.

The Board discussed the signage on the property, including the existing poll sign and billboard. Mr. Aubin explained that the billboard blocked the view of traffic heading westbound on Gandy.

Continued 7-0	AGENT:	None
	LOCATION:	4406 North Cortez Avenue
	REQUEST:	To reduce the number of parking spaces from 4 to 2
	PURPOSE:	To redevelop an existing office
	NEIGHBORHOOD:	Drew Park

Carmen Rodriguez explained the request. The Board asked about the ability to park in the back and therefore provide adequate parking.

Roger Kirk expressed concerns over the tightness of the turns to exit the property. He did indicate that it was possible for vehicles to gain access to the rear of the property.

Ms. Wallrapp moved to continue the case and was seconded by Mr. LaBour. The motion passed 7-0.

VRB04-112 Missed Notice	PETITIONER:	H S Wetmore
	AGENT:	Avid Engineering, Inc (Richard Bowman)
	LOCATION:	309 North Westshore Boulevard
	REQUEST:	To reduce the vehicular green space from 1995 square feet to 1005 square feet; the required east buffer from 15' to 1.88'; the required south buffer from 3' to .46'; the required north buffer from 8' to 4.48' and to reduce the front yard setback from 10' to 3.65'
	PURPOSE:	To redevelop a property into a restaurant
	NEIGHBORHOOD:	West Shore Palms

C. GENERAL VARIANCES

VRB04-101 Continued 7-0	PETITIONER:	William Congelio
	AGENT:	None
	LOCATION:	2304 Riverside Drive
	REQUEST:	To reduce the front yard setback from 25' to 15' and the side yard setbacks from 7' to 5', with the allowed encroachment of the eaves and gutters
	PURPOSE:	To construct a single family home
	NEIGHBORHOOD:	Ridgewood Park Homeowners Association

William Congelio expressed his need for the variance and desire to save both trees. He indicated that he was told that the 24 inch oak could be removed, but wished to save it. As a result, he needed the side yard setbacks. The larger tree in the rear he also wanted to save, which is why he had a front yard setback request.

Mr. Catalano questioned if the tree could remain there once the house was built.

Charles Keeble indicated that he was only concerned over a precedence being set if the variance was approved.

Mr. LaBour stated that the request was because of the design, not a hardship.

Mr. Rahenkamp urged a minimization into the setback.

Ms. Wallrapp moved to continue the case until August and was seconded by Mr. O'Kelley. The motion passed 7-0.

VRB04-102 Approved 7-0	PETITIONER:	Mark P Kelly
	AGENT:	Kimberly Clement
	LOCATION:	4920 South Melrose Avenue
	REQUEST:	To reduce the rear yard setback from 20' to 8', with the allowed encroachment of the eaves and gutters
	PURPOSE:	To construct a residential addition
	NEIGHBORHOOD:	Sunset Park
	CONDITION:	That the porch never be enclosed into air conditioned space

Kimberly Clement presented the case on behalf of the petitioner. She explained the variance needed the reasoning behind it. She showed a site plan highlighting the job in the seawall.

Judith Rothburg of the Sunset Park Homeowners Association indicated that the executive board was against this and any variances.

Pat Kelly spoke in support of her variance, agreeing that the area under consideration would never be enclosed.

Mr. Weiss moved to approve, with conditions, and was seconded by Mr. Catalano. The motion passed 7-0.

VRB04-103	PETITIONER:	Terry G Council
Continued	AGENT:	None
6-1	LOCATION:	2526 West Watrous Avenue
	REQUEST:	To increase the height of a garage from 15' to 24'; reduce the rear yard setback from 20' to 3' and the side yard setback from 7' to .75, with the allowed encroachment of the eaves and gutters
	PURPOSE:	To construct a second story
	NEIGHBORHOOD:	New Suburb Beautiful

Terry Council explained his request and the need, summarizing the hardship criteria.

The Board began discussions regarding the condition that was previously placed on the property through another variance.

At the suggestion of counsel, Ms. Wallrapp moved to continue the case and was seconded by Mr. O'Kelley. The motion passed 6-1, with Mr. Catalano voting nay.

VRB04-104	PETITIONER:	Edward Randall and William Kittredge
Approved	AGENT:	None
4-3	LOCATION:	209 West Curtis Street
	REQUEST:	To reduce the side yard setback from 7' to 3.2'
	PURPOSE:	To keep an existing (unpermitted) addition
	NEIGHBORHOOD:	South Seminole Heights
	MOTION:	Limited addition to 96 square feet and for a length of 12'

William Kittredge explained the request and how the addition was built without permits.

Ms. Wallrapp moved to approve and was seconded by Mr. Catalano. The motion passed 7-0.

VRB04-105	PETITIONER:	Chris Muller
Approved	AGENT:	None
7-0	LOCATION:	619 South Dale Mabry Highway
	REQUEST:	To reduce the side yard setback from 10' to 1.8'
	PURPOSE:	To construct a commercial addition
	NEIGHBORHOOD:	Swann Estates
	MODIFIED:	Reduction to 2.6'

Pat McNeill explained the variance request and the need for the freezer.

Chris Muller went through the hardship criteria.

Counsel was asked if the Board could require that space to only a freezer. The answer was negative.

Mr. Weiss moved to approve the modified request and was seconded by Ms. Wallrapp. The motion passed 7-0.

VRB04-107	PETITIONER:	Joseph and Kimberly Mello
Continued	AGENT:	Steve Michelini
7-0	LOCATION:	3144 Waverly Park
	REQUEST:	To reduce the rear yard setback from 20' to 5'
	PURPOSE:	To construct a single family home
	NEIGHBORHOOD:	Bayshore Beautiful Homeowners Association
	NOTE:	Hearing continued to the September 14, 2004 public hearing

Steve Michelini explained the variance request and why the petitioner's need the variance. He explained the odd jobs in the rear property line.

Howard Belman and Robert Gografe spoke against the variance request.

Mr. Michelini stressed the irregular shape of the lot and that there were no windows in the rear of the property.

Mr. Rahenkamp expressed concerns that although this was a unique lot, the variance being requested in great.

Mr. Weiss, at the behest of the petitioner, moved to continue the hearing until September 14, 2004 and was seconded by Ms. Wallrapp. The motion passed 7-0.

VRB04-108 Approved 5-2	PETITIONER: AGENT: LOCATION: REQUEST:	Chris Connelly None 317 West North Bay Street To reduce the front yard setback from 20' to 9' and the rear yard setback from 20' to 5', with the allowed encroachment of the eaves and gutters
	PURPOSE: NEIGHBORHOOD: MOTION:	To vest the existing structure and add a residential addition South Seminole Heights Civic Association To approve the front yard setback to 9' and deny the rear yard setback

Chris Connelly explained his request for the variance.

Mr. Weiss stated that he could support the request based on his site visit.

After Board discussion, Ms. Wallrapp moved to approve the front yard (as-built) request and deny the rear yard setback request. The motion was seconded by Mr. LaBour, and passed 5-2, with Mr. Weiss and Ms. Higgins voting nay.

VRB04-110 Approved 7-0	PETITIONER: AGENT: LOCATION: REQUEST: PURPOSE: NEIGHBORHOOD:	Joseph and Mary Wessel Steve Michelini 2923 West Tambay Avenue To increase the height of an accessory structure from 15' to 24'11" To construct a second story Bayshore Beautiful Homeowners Association
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Steve Michelini presented the case, explaining the expanding horizontal would require encroaching too close to a tree and going up would be the only way to do so. He submitted a petition of support.

Mr. Catalano moved to approve the request and was seconded by Mr. LaBour. The motion passed 7-0.

VRB04-111 Approved 7-0	PETITIONER: AGENT: LOCATION: REQUEST: PURPOSE: NEIGHBORHOOD:	Rachel Streety Jimmy Muggy 3916 Treasure Circle To increase the height of an accessory structure from 15' to 22'4" To construct an accessory structure Sun Bay South Civic Association
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Rachel Streety explained the request.

Mr. LaBour moved to approve and was seconded by Ms. Wallrapp. The motion passed 7-0.

VRB04-113 Denied 7-0	PETITIONER: AGENT: LOCATION: REQUEST: PURPOSE: NEIGHBORHOOD:	Stephen Kimbler None 1228 South Roxmere Road To reduce the rear yard setback from 12' to 2' and the side yard setback from 7' to 2', with the allowed encroachment of the eaves and gutters To construct a residential addition Culbreathe Bayou Homeowners Association
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Stephen Kimbler explained his request and the need for the variance.

Jim Eisch spoke against the variance request, going through the hardship criteria.

Mr. Weiss moved to deny the request and was seconded by Mr. Catalano.

The motion passed 7-0.

V. OLD BUSINESS CONTINUED

None

VI. ADJOURNMENT

The Board adjourned.

**CITY OF TAMPA, FLORIDA
VARIANCE REVIEW BOARD
PUBLIC HEARING**

MEETING DATE: August 10, 2004

MEETING TIME: 6:30 PM

LOCATION: 333 South Franklin Street, Tampa Convention Center

I. SILENT ROLL CALL

Board Members Present: Eric Rahenkamp, Chair; James Catalano; Tom Cheshire; John Weiss, Vice-Chair; Ana Wallrapp; Randy O'Kelley and Melanie Higgins

Board Members Absent: None

Staff Members Present: Roland Santiago, Assistant City Attorney; Eric Cotton, Urban Planner II; Roger Kirk, Engineer II; David Reilly, Forest Examiner; Christina Anton, Legal Intern

II. APPROVAL OF MINUTES FOR July 13, 2004

III. OLD BUSINESS:

A. ADMINISTRATIVE APPEALS

B. TREE & LANDSCAPE / TRANSPORTATION / SIGN VARIANCES

VRB04-89	PETITIONER:	Devonshire Homes
Approved	AGENT:	Lisa Ayers
5-2	LOCATION:	3502 West San Pedro Street
	REQUEST:	To remove a grand tree
	PURPOSE:	To remove a grand tree
	NEIGHBORHOOD:	Palma Ceia

Paul Wiczorek, representing Devonshire Properties, explained the request and read from the arborist's report. He also showed pictures of the tree in question.

Dave Reilly stated that the hazard rating was an 8 out of 12 and that the tree was borderline in its health and expectancy. He further indicated that any development on the site would push the tree's health over the edge.

Melanie Higgins asked where the mitigation was to be done for the tree replacement.

Paul Wiczorek indicated that there were other places on the lot where mitigation could be done.

Dave Reilly stated that the replacement would be 17 2" trees and money put into the trust fund.

Pete Flynt spoke against the tree removal request.

Dave Jennis, speaking on behalf of the Palma Ceia neighborhood association, objected to the variance. He highlighted the neighborhood's objections.

James Weaver, arborist hired by the petitioner, discussed his report and indicated that the laurel oak was in decline.

James Catalano stated that this tree competed with others on the property and any tree replacement would need to meet City Code.

Tom Cheshire indicated that the tree was in decline.

James Catalano moved to approve the request and was seconded by Tom Cheshire. The motion passed 5-2, with John Weiss and Melanie Higgins voting nay.

VRB04-109
Approved
7-0

PETITIONER: Carmen Rodriguez
AGENT: None
LOCATION: 4406 North Cortez Avenue
REQUEST: To reduce the required buffer from 8' to 2', reduce the required buffer on the south side from 15' to 0', with the use of a vinyl wall and the required parking from 4 spaces to 3 spaces
PURPOSE: To redevelop an existing office
NEIGHBORHOOD: Drew Park
NOTE: The request to reduce the required 8' buffer for the area adjacent to Cortez Avenue was denied.

Carmen Rodriguez summarized her request and stated that she spoke with Roger Kirk, City of Tampa Transportation Division, and will put in the required speed bumps and signage. She also stated that the previous use was a "drive" company that moved cars for people.

Ana Wallrapp moved to approve the request, stating that the petitioner met the hardship criteria; because of the agreement with Transportation, the reduction in the eight foot buffer was denied. The motion was seconded by Mr. Catalano and passed 7-0.

VRB04-100
Continued
7-0

PETITIONER: Darrell A Dahl, Senior
AGENT: None
LOCATION: 2614 West Morrison Avenue
REQUEST: To remove a grand oak tree
PURPOSE: To remove a tree
NEIGHBORHOOD: New Suburb Beautiful

Ana Wallrapp moved to continue and was seconded by Tom Cheshire. The motion passed 7-0.

C. GENERAL VARIANCES

VRB04-101
Approved
7-0

PETITIONER: William Congelio
AGENT: None
LOCATION: 2304 Riverside Drive
REQUEST: To reduce the front yard setback from 25' to 15', with the allowed encroachment of the eaves and gutters
PURPOSE: To construct a single family home
NEIGHBORHOOD: Ridgewood Park Homeowners Association

William Congelio presented his case. He stated that the setback in the front was all that was needed and Residential Plans Review signed off on the request. He discussed the neighbors and their support.

Charlie Keeble expressed concern over a precedent being set.

John Weiss moved to approve and was seconded by Randy O'Kelley. The motion passed 7-0.

VRB04-103
Continuance
Requested
Granted 7-0

PETITIONER: Terry G Council
AGENT: None
LOCATION: 2526 West Watrous Avenue
REQUEST: To increase the height of a garage from 15' to 24'; reduce the rear yard setback from 20' to 3' and the side yard setback from 7' to .75, with the allowed encroachment of the eaves and gutters
PURPOSE: To construct a second story
NEIGHBORHOOD: New Suburb Beautiful

Melanie Higgins moved to continue and was seconded by Tom Cheshire. The motion passed 7-0.

VRB04-96
Approved
7-0

PETITIONER: John and Caroline Shepard
AGENT: Richard Perez
LOCATION: 1222 South Roxmere Road
REQUEST: To reduce the rear yard setback from 20' to 13.35', with the allowed encroachment of the eaves and gutters
PURPOSE: To construct a residential addition

NEIGHBORHOOD: Culbreath Bayou

Richard Perez explained his variance request and submitted a revised site plan.

James Catalano moved to approve and was seconded by Ana Wallrapp. The motion passed 7-0.

IV. NEW BUSINESS:

A. ADMINISTRATIVE APPEALS

B. TREE & LANDSCAPE / TRANSPORTATION / SIGN VARIANCES

VRB04-116 PETITIONER: Feste Capital Development
Continued AGENT: Tara Gardner
By Legal LOCATION: 4201 West Hillsborough Avenue
Granted 7-0 REQUEST: To allow signage on a building not oriented to the street
PURPOSE: To allow additional signage
NEIGHBORHOOD: None

Melanie Higgins moved to continue and was seconded by Tom Cheshire. The motion passed 7-0.

VRB04-126 PETITIONER: Bay Gulf Credit Union
Continued AGENT: International Sign and Design
By Legal LOCATION: 2203 North Lois Avenue
Granted 7-0 REQUEST: To allow for signage on side of building not facing right-of-way
PURPOSE: To place signage on the south and east side of the building
NEIGHBORHOOD: Carver City/Lincoln Gardens

Melanie Higgins moved to continue and was seconded by Tom Cheshire. The motion passed 7-0.

VRB04-124 PETITIONER: Allen Rogers
Continued AGENT: None
7-0 LOCATION: 6915 North Dakota Avenue
REQUEST: To remove a grand tree or to reduce the required setback from 20' to 10'
PURPOSE: To construct a residential addition
NEIGHBORHOOD: Lowry Park Central

Allen Rogers and Gail Rogers and Gabriel Navaretti (architect) indicated that the addition was for an additional bedroom and bathroom.

They submitted a changed site plan showing setback reductions which had not been advertised.

As a result of the discussion, Ana Wallrapp moved to continue the request and was seconded by John Weiss. The motion passed 7-0.

C. GENERAL VARIANCES

VRB04-114 PETITIONER: Richard Brown
Approved AGENT: None
7-0 LOCATION: 4606 South Lois Avenue
REQUEST: To reduce the rear yard setback from 20' to 12', with the allowed encroachment of the eaves and gutters
PURPOSE: To construct a residential addition
NEIGHBORHOOD: Fair Oaks Manhattan Manor

Richard Brown showed his site plan and explained the minimal encroachment that he was requesting. The orientation of the house when built is the reason for the needed variance. He indicated that only 87 square feet of a 787 square foot addition was in the setback.

John Weiss moved to approve and was seconded by Ana Wallrapp. The motion passed 7-0.

VRB04-117 PETITIONER: Dennis Carr
Withdrawn AGENT: None
LOCATION: 3116 West Lawn Avenue

REQUEST: To reduce the side yard setback from 7' to 1' and the rear yard setback from 20' to 1'
PURPOSE: To construct an accessory structure
NEIGHBORHOOD: Bayshore Beautiful

VRB04-118 PETITIONER: Paul and Carolea Ringenberg
Approved AGENT: Terrance Gowen
7-0 LOCATION: 4516 North Jamaica Street
REQUEST: To reduce the side yard setback from 5' to 3'
PURPOSE: To construct a screen enclosure
NEIGHBORHOOD: Plaza Terrace

Terrance Gowen explained the need for the variance. In response to a question, he indicated the height of the structure was 10' at the peak, with 8' walls.

Ana Wallrapp moved to approve and was seconded by John Weiss. The motion passed 7-0.

VRB04-119 PETITIONER: Colleen Bevis
Approved AGENT: None
7-0 LOCATION: 6532 South Bayshore Boulevard
REQUEST: To reduce the front yard setback from 25' to 18', with the allowed encroachment of the eaves and gutters
PURPOSE: To construct a residential addition
NEIGHBORHOOD: Ballast Point

Colleen Bevis and Andy Medentoff explained her request that she was building an additional bedroom.

Melanie Higgins moved and was seconded by James Catalano and the motion passed 7-0.

VRB04-120 PETITIONER: Jason and Rachel Haman
Denied AGENT: None
6-1 LOCATION: 1611 South Arrawana Avenue
REQUEST: To reduce the side yard setback from 7' to 4.2', with the allowed encroachment of the eaves and gutters
PURPOSE: To construct a residential addition
NEIGHBORHOOD: Palma Ceia

Jason and Rachel Haman summarized their variance request.

Eric Rahenkamp asked why they did not go straight back from the existing house.

Rachel Haman explained that it was for the cohesiveness and flow of the property.

The Board discussion centered over the community and the way the houses have been built. After the discussion, Ana Wallrapp moved to deny the request and was seconded by Randy O'Kelley. The motion passed 6-1, with James Catalano voting nay.

VRB04-121 PETITIONER: Andreas and Daphne McConnie
Continued AGENT: None
5-2 LOCATION: 5010 West Longfellow Avenue
REQUEST: To reduce the west side yard setback from 7' to 4.55', with the allowed encroachment of the eaves and gutters
PURPOSE: To reconstruct a carport
NEIGHBORHOOD: Sunset Park

Andreas McConnie and Michael Benetiz explained their request and the cause (termite damage). They indicated that the flat roof was going to become peaked in order to provide for storage.

Ana Wallrapp and John Weiss expressed concern over the height of the structure.

John Weiss moved to approve the request, with the condition that the carport remain open and that the roof not be enclosed. Ana Wallrapp seconded the motion.

Board discussion then ensued regarding conditions and what is granted under a variance approval. After the discussion, John Weiss withdrew his motion.

John Weiss moved to continue the request and was seconded by Ana Wallrapp. The motion passed 5-2, with James Catalano and Tom Cheshire voted nay.

VRB04-122	PETITIONER:	Alan Lopez
Approved	AGENT:	None
7-0	LOCATION:	3415 West Empedrado Street
	REQUEST:	To reduce the side yard setback from 3' to 1.3' and the rear yard setback from 3' to 2.6' (accessory), and the side yard from 7' to 5.1' with the allowed encroachment of the eaves and gutters
	PURPOSE:	To vest an existing accessory structure
	NEIGHBORHOOD:	Palma Ceia

Alan Lopez explained his request.

John Weiss moved to approve and was seconded by Melanie Higgins. The motion passed 7-0.

VRB04-125	PETITIONER:	Bricklemyer, Smolker and Bolves, PA
Continuance	AGENT:	None
Requested	LOCATION:	2913 West Knights Avenue
Granted 7-0	REQUEST:	To reduce the side yard setback from 7' to 5'
	PURPOSE:	To construct a gazebo
	NEIGHBORHOOD:	Bayshore Beautiful

Melanie Higgins moved to continue and was seconded by Tom Cheshire. The motion passed 7-0.

VRB04-127	PETITIONER:	Mary Louise Perusse
Missed Notice	AGENT:	David Jones
	LOCATION:	4309 South Lois Avenue
	REQUEST:	Reduce the rear yard from 20' to 17'9", with the allowed encroachment of the eaves and gutters
	PURPOSE:	To keep an existing addition
	NEIGHBORHOOD:	Fairoaks Manhattan Manor Neighborhood Association

VI. OLD BUSINESS CONTINUED

VII. ADJOURNMENT

**CITY OF TAMPA, FLORIDA
VARIANCE REVIEW BOARD
PUBLIC HEARING**

MEETING DATE: September 14, 2004
MEETING TIME: 6:45 PM
LOCATION: 333 South Franklin Street, Ballroom D

I. SILENT ROLL CALL

Board Members Present: Eric Rahenkamp, Chair; James Catalano; John Weiss, Vice-Chair; Ana Wallrapp; Melanie Higgins; Steve LaBour

Board Members Absent: Randy O'Kelley; Tom Cheshire

Staff Members Present: Roland Santiago, Assistant City Attorney; Eric Cotton, Urban Planner II; Roger Kirk, Engineer II; David Reilly, Forest Examiner

I. SILENT ROLL CALL

II. APPROVAL OF MINUTES FOR August 10, 2004

Prior to the first case being called, there was discussion regarding cases and reviews by other departments. The Board indicated that it wanted only one request to be considered by them, not an either/or situation. The Board also indicated that it wanted complete information and comments from other Departments for the review of cases.

III. OLD BUSINESS CONTINUED BY BOARD:

VRB04-100	PETITIONER:	Darrell A Dahl, Senior
Denied	AGENT:	None
5-1	LOCATION:	2614 West Morrison Avenue
	REQUEST:	To remove a grand oak tree
	PURPOSE:	To remove a tree
	NEIGHBORHOOD:	New Suburb Beautiful

Mr. Dahl passed out photos showing the tree and the damage it is causing. He reviewed reports submitted by engineers and arborists.

Tim Therian, arborist, expressed concern with the location of the tree and the wet soil. He indicated that the tree was healthy.

Dave Reilly stated that the tree was not hazardous and in good health. He also indicated that it was possible to save the tree and the house from any kind of damage through new piers and lentles next to the existing area.

Mr. LaBour indicated that tree was there when the house was purchased.

Mr. Catalano expressed concern over the location of the tree in regards to the house.

Mr. Weiss moved to deny the petition, stating that there was other ways to protect both the house and the tree and was seconded by Ms. Higgins. The motion passed 5-1, with Mr. Catalano voting nay.

VRB04-124	PETITIONER:	Allen Rogers
Approved	AGENT:	None
6-0	LOCATION:	6915 North Dakota Avenue
	REQUEST:	To remove a grand tree or to reduce the required setback from 20' to 10'
	PURPOSE:	To construct a residential addition
	NEIGHBORHOOD:	Lowry Park Central

David Reilly spoke in regards to the petition. He indicating that the tree was in decline and was effectively removed. Inch for inch replacement would be required.

Mr. Catalano moved to approve the request and was seconded by Mr. LaBour. The motion passed 6-0.

VRB04-121	PETITIONER:	Andreas and Daphne McConnie
Approved	AGENT:	None
5-1	LOCATION:	5010 West Longfellow Avenue
	REQUEST:	To reduce the west side yard setback from 7' to 4.55', with the allowed encroachment of the eaves and gutters
	PURPOSE:	To reconstruct a carport
	NEIGHBORHOOD:	Sunset Park

Mr. McConnie discussed the request and showed the line of sight as requested by the Board.

Mr. Catalano moved to approve the request, stating that hardship had been met, the neighbors support the request and the petitioner had completed the architectural study.

Mr. LaBour seconded the motion, which passed 5-1. Mr. Weiss voted nay.

IV. OLD BUSINESS:

A. ADMINISTRATIVE APPEALS

B. TREE & LANDSCAPE / TRANSPORTATION / SIGN VARIANCES

VRB04-112	PETITIONER:	H S Wetmore
Continued	AGENT:	Avid Engineering, Inc (Richard Bowman)
3-3	LOCATION:	309 North Westshore Boulevard
	REQUEST:	To reduce the vehicular green space from 1995 square feet to 1005 square feet; the required east buffer from 15' to 1.88'; the required south buffer from 3' to .46'; and the required north buffer from 8' to 4.48'
	PURPOSE:	To redevelop a property into a restaurant
	NEIGHBORHOOD:	West Shore Palms

Rik Bowman passed out permit history and a site plan. He summarized the request.

Mr. Catalano moved to approve, with the condition that the vinyl fence be covered in vines. Ms. Wallrapp seconded the motion.

Mr. LaBour stated that he was going to vote nay, since he did not know what was being placed in the buffer area. Mr. Weiss indicated that he wanted a concrete wall at that location.

The motion tied, 3-3, with Mr. LaBour, Ms. Wallrapp and Mr. Weiss voting nay.

VRB04-116	PETITIONER:	Feste Capital Development
Continued by	AGENT:	Tara Gardner
Staff	LOCATION:	4201 West Hillsborough Avenue
	REQUEST:	To allow signage on a building not oriented to the street
	PURPOSE:	To allow additional signage
	NEIGHBORHOOD:	None

VRB04-126	PETITIONER:	Bay Gulf Credit Union
Continued by	AGENT:	International Sign and Design
Staff	LOCATION:	2203 North Lois Avenue
	REQUEST:	To allow for signage on side of building not facing right-of-way
	PURPOSE:	To place signage on the south and east side of the building
	NEIGHBORHOOD:	Carver City/Lincoln Gardens

C. GENERAL VARIANCES

VRB04-103	PETITIONER:	Terry G Council
Denied	AGENT:	None
5-1	LOCATION:	2526 West Watrous Avenue
	REQUEST:	To increase the height of a garage from 15' to 24'; reduce the rear yard setback from 20' to 3' and the side yard setback from 7' to .75, with the allowed encroachment of the eaves and gutters
	PURPOSE:	To construct a second story

Mr. Scime showed pictures of the existing pole and previous sign.

Mr. LaBour questioned the legality of the sign.

Mr. Catalano moved to approve and was seconded by Ms. Wallrapp. Board discussion ensued as to why the petitioner was in front of the Board. Ms. Wallrapp withdrew her second.

Mr. LaBour moved to continue and was seconded by Ms. Higgins. The motion passed 5-1, with Mr. Catalano voting nay.

VRB04-136 Continued	PETITIONER: AGENT: LOCATION: REQUEST: PURPOSE: NEIGHBORHOOD:	Randolph Merrill None 4909 West Spring Lake Drive To reduce the wetland setback from 25' to 1' To construct a four foot tall wooden wall South Westshore Neighborhood Civic Association
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VRB04-140 Approved 6-0	PETITIONER: AGENT: LOCATION: REQUEST: PURPOSE: NEIGHBORHOOD:	Franklin Street Properties Steve Michelini 1523 North Franklin Street To waive the required buffer from 8' to 0' for the vehicle use area Inability to put one in because of FDOT taking Tampa Heights
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Mr. Michelini explained the request.

Mr. LaBour moved to approve and was seconded by Mr. Catalano. The motion passed 6-0.

C. GENERAL VARIANCES

VRB04-128 Approved 6-0	PETITIONER: AGENT: LOCATION: REQUEST: PURPOSE: NEIGHBORHOOD:	Elizabeth Fravega Toni Sloman 2910 West Bay View Avenue To reduce the side yard setback from 7' to 3' To construct a new two-story residence Bayshore Beautiful
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Ms. Sloman explained the request for the property. The setback reduction was against a parking area and would not impact anyone.

Mr. Weiss move to approve and was seconded by Ms. Wallrapp. The motion passed 6-0.

VRB04-130 Approved 6-0	PETITIONER: AGENT: LOCATION: REQUEST: PURPOSE: NEIGHBORHOOD:	Yusimit Leiva and Ariel Valdes Arnaldo Pelaez 3327 West Walnut Street To reduce the side yard setback from 7' to 2.3', with the allowed encroachment of the eaves and gutters To keep an unpermitted addition Northwest McFarlene
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Mr. Pelaez explained his request.

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

VRB04-131 Approved 6-0	PETITIONER: AGENT: LOCATION: REQUEST: PURPOSE: NEIGHBORHOOD:	Sid and Dealey Dansby None 9321 Forest Hills Drive To reduce the side yard setback from 7' to 3', with the allowed encroachment of the eaves and gutters To construct a residential addition Forest Hills Community Association
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Mr. Dansby explained his request to the Board.

Mr. Weiss moved to approve and was seconded by Mr. LaBour. The motion passed 6-0.

**CITY OF TAMPA, FLORIDA
VARIANCE REVIEW BOARD
PUBLIC HEARING**

MEETING DATE: October 12, 2004 MEETING TIME: 6:30 PM LOCATION: 315 East Kennedy Boulevard, 3 rd Floor, City Council Chambers
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I. SILENT ROLL CALL

Board Members Present: Eric Rahenkamp, Chair; Melanie Higgins; James Catalano; Seth Nelson; Randy O'Kelley

Board Members Absent: John Weiss, Vice-Chair; Ana Wallrapp

Staff Present: Rolando Santiago, Assistant City Attorney III; Roger Kirk, Engineer II; Eric Cotton, Urban Planner II

II. APPROVAL OF MINUTES FOR September 14, 2004

III. OLD BUSINESS: Cases Continued by the Board

A. ADMINISTRATIVE APPEALS

B. TREE & LANDSCAPE / TRANSPORTATION / SIGN VARIANCES

VRB04-112 Approved 5-0	PETITIONER: AGENT: LOCATION: REQUEST: PURPOSE: NEIGHBORHOOD:	H S Wetmore Avid Engineering, Inc (Richard Bowman) 309 North Westshore Boulevard To reduce the vehicular green space from 1995 square feet to 1005 square feet; the required east buffer from 15' to 1.88'; the required south buffer from 3' to .46'; and the required north buffer from 8' to 4.48' To redevelop a property into a restaurant West Shore Palms
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Michael Bertolli of Chipotle Restaurant showed pictures of the existing conditions and explained the need for the buffer waivers and setback reductions.

Mr. Catalano moved to approve and was seconded by Ms. Higgins. The motion passed 5-0.

VRB04-129 Withdrawn	PETITIONER: AGENT: LOCATION: REQUEST: PURPOSE: NEIGHBORHOOD:	Todd Scime None 2904 Melburne Boulevard To increase the height of a sign from 35' to 70' To change a cabinet of a nonconforming sign Highland Pines
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C. GENERAL VARIANCES

VRB04-133 Continued 5-0	PETITIONER: AGENT: LOCATION: REQUEST: PURPOSE: NEIGHBORHOOD:	William Veltrie None 303 West Jean Street To reduce the side yard setback from 7' to 0' To create a buildable lot Old Seminole Heights
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VRB04-142 PETITIONER: Gerardo Barrachina
Continued AGENT: Mario Vargas
5-0 LOCATION: 2005 East Waters Avenue
REQUEST: To reduce the side yard setback from 7' to 3.1', with the
allowed encroachment
PURPOSE: To create a buildable
NEIGHBORHOOD: None (Sulfer Springs Noticed)

Mr. Catalano moved to continue the case because of no representation and was seconded by Mr. O'Kelley. The motion passed 5-0.

V. NEW BUSINESS:

A. ADMINISTRATIVE APPEALS

B. TREE & LANDSCAPE / TRANSPORTATION / SIGN VARIANCES

C. GENERAL VARIANCES

VRB04-143 PETITIONER: Kevin James
Approved AGENT: None
5-0 LOCATION: 1914 West Carmen
REQUEST: To reduce the front yard setback from 60' to 27', with the
allowed encroachment of the eaves and gutters
PURPOSE: To construct an accessory structure
NEIGHBORHOOD: North Hyde Park

Kevin James presented his case, showing through a power point presentation why he needed the variance. He also submitted letters of support into the record.

William Whatley stated his opposition to the request, showing pictures of detached structures meeting the 60 feet setback.

There was Board discussion over the placement of the accessory structure. After the discussions and gaining input from the petitioner, Mr. Nelson moved to approve and was seconded by Mr. Catalano. The motion passed 5-0.

VRB04-144 PETITIONER: Linda M Wright
Approved AGENT: None
5-0 (side yard) LOCATION: 3228 North Rome Avenue
Continued 5-0 REQUEST: To reduce the side yard setback from 7 feet to 3 feet and the
(rear yard) rear yard setback from 20' to 8', with the allowed
encroachment of the eaves and gutters
PURPOSE: To enclose an existing carport
NEIGHBORHOOD: None (Notice to Riverside Heights)

Linda Wright presented her case. She went over the requests and submitted letters of support. She indicated that there was an oak tree that would effect the development of the property in the rear.

Mr. Nelson moved to approve the side yard setback reduction and continue the rear yard setback reduction. The motion was seconded by Mr. Catalano. The motion passed 5-0.

VRB04-145 PETITIONER: Matthew Campbell
Approved AGENT: None
5-0 LOCATION: 1009 East Crenshaw Street
REQUEST: To reduce the side yard setback from 7' to 1.9', with the
allowed encroachment of the eaves and gutters
PURPOSE: To create a buildable lot

**CITY OF TAMPA, FLORIDA
VARIANCE REVIEW BOARD
PUBLIC HEARING**

MEETING DATE: November 9, 2004

MEETING TIME: 6:30 PM

LOCATION: 315 East Kennedy Boulevard, 3rd Floor, City Council Chambers

I. SILENT ROLL CALL

Eric Rahenkamp, Chair; John Weiss, Vice-Chair; James Catalano; Ana Wallrapp; Melanie Higgins; Tom Cheshire; Randy O'Kelley; Steve LaBour (Mr. LaBour served until Ms. Wallrapp arrived at the hearing.)

II. APPROVAL OF MINUTES FOR October 12, 2004

III. RECONSIDERATION OF DENIED CASE FOR SUBSTANTIAL CHANGE

VRB04-108	PETITIONER:	Chris Connolly
Approved 6-1	AGENT:	None
	LOCATION:	317 West North Bay Street
	PURPOSE:	Consideration of substantially different site plan for Board to waive the required one year requirement

Chris Connolly explained the change in the site plan.

Mr. Catalano commented that the new design was further from the tree, 23 percent less of a setback and he used more of the western portion of the property.

Mr. Catalano moved to allow the rehearing and found that the change was substantially different. Ms. Higgins seconded the motion, which passed 6-1, with Mr. Rahenkamp voting nay.

IV. OLD BUSINESS: Cases Continued by the Board

A. ADMINISTRATIVE APPEALS

B. TREE & LANDSCAPE / TRANSPORTATION / SIGN VARIANCES

VRB04-136	PETITIONER:	Randolph Merrill
Approved 7-0	AGENT:	Dennis Manelli
	LOCATION:	4909 West Spring Lake Drive
	REQUEST:	To reduce the wetland setback from 25' to 1'
	PURPOSE:	To construct a four foot tall wooden wall
	NEIGHBORHOOD:	South Westshore Neighborhood Civic Association

Dennis Manelli summarized the request from last month's hearing. He discussed the reasonable use criteria.

David Fuscon spoke in favor of the variance, reviewing the elevation of the wall and the drainage plan.

Jane and Rich Beaucort spoke against the request.

Mr. Manelli summarized the request, stating that without the wall, erosion would continue, that the engineer has stated the drainage plan will work, and the mangroves will remain.

Searing Merrill stated that the wall will remain the same height as the adjacent wall.

Ms. Wallrapp moved to approve and was seconded by Mr. Cheshire. The motion passed 7-0.

C. GENERAL VARIANCES

VRB04-144	PETITIONER:	Linda M Wright
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Approved 5-2 AGENT: None
 LOCATION: 3228 North Rome Avenue
 REQUEST: To reduce the rear yard setback from 20' to 10', with the allowed encroachment of the eaves and gutters
 PURPOSE: To enclose an existing carport
 NEIGHBORHOOD: None (Notice to Riverside Heights)

Linda Wright explained the change in the request from a setback reduction of 8' to 10'. She showed pictures of an oak tree in the rear of her property.

Roger Kirk indicated that Transportation had no objection.

Mr. Catalano moved to approve, stating that she could build a detached structure 3' from the rear property line. Ms. Wallrapp seconded the motion, which passed 5-2, with Mr. Rahenkamp and Mr. O'Kelley voting nay.

VRB04-133 PETITIONER: William Veltrie
 Denied 7-0 AGENT: None
 LOCATION: 303 West Jean Street
 REQUEST: To reduce the side yard setback from 7' to 0'
 PURPOSE: To create a buildable lot
 NEIGHBORHOOD: Old Seminole Heights

Mr. Weiss moved to deny because of a second consecutive no show and was seconded by Mr. Catalano. The motion passed 7-0.

VRB04-142 PETITIONER: Gerardo Barrachina
 Approved 7-0 AGENT: Mario Vargas
 LOCATION: 2005 East Waters Avenue
 REQUEST: To reduce the side yard setback from 7' to 3.1', with the allowed encroachment
 PURPOSE: To create a buildable
 NEIGHBORHOOD: None (Sulfer Springs Noticed)

John Garcia, representing the petitioner, explained how the owner deeded a lot to a relatively. The current owner, Tony Moniz, explained his inability to get permits for the property.

Ms. Wallrapp moved to approve and was seconded by Mr. Catalano. The motion passed 7-0.

IV. OLD BUSINESS: Continuances and Missed Notices

A. ADMINISTRATIVE APPEALS

B. TREE & LANDSCAPE / TRANSPORTATION / SIGN VARIANCES

C. GENERAL VARIANCES

VRB04-123 PETITIONER: Scott Brown
 Approved 7-0 AGENT: None
 LOCATION: 5221 South Nichols Street
 REQUEST: To increase the height of a fence in the front yard from 4' to a maximum of 6'
 PURPOSE: To increase the height of a fence
 NEIGHBORHOOD: Ballast Point

Scott Brown showed pictures of other fences and the site plan. He reviewed the hardship criteria, as shown in the application.

Mr. Weiss moved to approve and was seconded by Ms. Higgins. The motion passed 6-1, with Mr. O'Kelley voting nay.

VRB04-135 PETITIONER: Dennis and Maira Garcia
 Continued AGENT: Sugarloaf Enterprises
 LOCATION: 306 North Gomez Avenue

	REQUEST:	To reduce the side yard setback from 7' to 3' and the rear yard setback from 20' to 3', with the allowed encroachment
	PURPOSE:	To build a two-story accessory structure
	NEIGHBORHOOD:	None (Oakford Park Noticed)
VRB04-150 Approved 7-0	PETITIONER:	Brent Baris
	AGENT:	None
	LOCATION:	1402 South Moody Avenue
	REQUEST:	To reduce the front yard setback from 25' to 20', with the allowed encroachment of the eaves and gutters
	PURPOSE:	To construct a front porch
	NEIGHBORHOOD:	Bay Shore Gardens
	CONDITION:	Per elevations as submitted

Brent Baris indicated that the need for the front porch is to keep in the historical nature of the building.

Karen Crawford of Bay Shore Gardens expressed support.

Ms. Wallrapp moved to approve the request per the elevations shown and was seconded by Mr. Weiss. The motion passed 7-0.

VRB04-151 Approved 7-0	PETITIONER:	Idalberto and Michelle Cordero
	AGENT:	Joseph Diaz
	LOCATION:	3409 North B Street
	REQUEST:	To reduce the front yard setback from 20' to 18.75' and the side yard setback from 7' to .57', with the allowed encroachment of the eaves and gutters
	PURPOSE:	To create a buildable lot
	NEIGHBORHOOD:	Oakford Park
	APPROVAL:	Front yard from 20' to 18.75 and side yard from 7' to 5.2' for the east ½ of the west 100 feet of the south 100 feet of Lot 1, Block 19 once the property is subdivided into two lots

Joe Diaz explained the need for the variance.

Mr. Cheshire commented that the existing encroachment of the aluminum porch could be removed. Mr. Diaz agreed it could be done.

Ms. Wallrapp moved to approve the Front yard from 20' to 18.75 and side yard from 7' to 5.2' for the east ½ of the west 100 feet of the south 100 feet of Lot 1, Block 19 once the property is subdivided into two lots. She was seconded by Mr. Cheshire and the motion passed 7-0.

V. **NEW BUSINESS:**

A. **ADMINISTRATIVE APPEALS**

VRB04-158 Withdrawn	PETITIONER:	Metzger and Willard
	AGENT:	Lisa Ayers
	LOCATION:	3412 West Bay to Bay Boulevard
	REQUEST:	To reduce the front yard setback from 10' to 8.2'
	PURPOSE:	To construct a commercial building
	NEIGHBORHOOD:	Palma Ceia Neighborhood Association

B. **TREE & LANDSCAPE / TRANSPORTATION / SIGN VARIANCES**

VRB04-160 Denied 6-1	PETITIONER:	David and Sharon Cox
	AGENT:	John Grandoff
	LOCATION:	3601 West Horatio Street
	REQUEST:	To remove a grand tree
	PURPOSE:	To remove a grand tree
	NEIGHBORHOOD:	Civic Association of Grey Gable

David Cox explained the need for the variance and showed pictures of the tree. He discussed defects in the tree, damage done by the roots and the effect that the hurricanes had on trees throughout Tampa. He also showed the support of the neighbors.

Dave Reilly stated that the building being damaged is a screen porch, not a building. The grand tree is not hazardous and could be pruned and supported to keep it intact.

Mr. Rahenkamp stated that there was a lack of evidence from experts regarding the tree.

Ms. Wallrapp moved to deny the request and was seconded by Ms. Higgins.

Mr. Catalano stated concern over how close trees are to houses and with the support of the neighbors, who is the Board serving by denying the request.

Mr. Grandoff asked for a continuance.

The vote was taken and the motion passed 6-1, with Mr. Catalano voting nay.

C. GENERAL VARIANCES

VRB04-152	PETITIONER:	Harris and Briget Hart
Approved 5-2	AGENT:	None
	LOCATION:	110 West Minnehaha Street
	REQUEST:	To reduce the building separation from 5' to 0' (existing); rear yard setback from 20' to 2.3'; side yard setback from 7' to 1.9'; side yard setback from 3' to 2.2' and rear yard setback from 3' to 2.3' (accessory structure); gate/fence height from 6' to 8.5' and waiver of Seminole Heights Overlay District restriction regarding building foundation height
	PURPOSE:	To construct a residential addition and keep existing fence/gate
	NEIGHBORHOOD:	Old Seminole Heights Neighborhood Association
	APPROVAL:	The building separation from 5' to 0' (existing); side yard setback from 3' to 2.2' and rear yard setback from 3' to 2.3' (accessory structure); side yard 7' to 1.9' existing; gate/fence height from 6' to 8.5'

Chris Hart summarized his request.

Beth Alden stated her support for the fence.

Mr. Rahenkamp expressed his concern that the house was too close to the property line.

Mr. Weiss supported the "grandfathering" of the existing structure, but could not support the new construction as it would not be supported by the concept of air and light movement.

Mr. Weiss moved to approve the building separation from 5' to 0' (existing); side yard setback from 3' to 2.2' and rear yard setback from 3' to 2.3' (accessory structure); side yard 7' to 1.9' existing; gate/fence height from 6' to 8.5' and deny the remainder of the request.

Mr. Catalano seconded the motion which passed 5-2, with Mr. O'Kelley and Ms. Wallrapp voting nay.

VRB04-153	PETITIONER:	Shannon Simpson
Approved 7-0	AGENT:	None
	LOCATION:	2806 West Angeles Street
	REQUEST:	To reduce the side yard setback from 7' to 4.8', with the allowed encroachment of the eaves and gutters
	PURPOSE:	To construct a residential addition
	NEIGHBORHOOD:	Palma Ceia Neighborhood

Shannon Simpson summarized her request.

Mr. Weiss moved to approve and was seconded by Ms. Higgins. The motion passed 7-0.

VRB04-154	PETITIONER:	William and Berdina Morgan
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After Board discussion, Mr. Weiss moved to continue and was seconded by Ms. Wallrapp. The motion passed 7-0, with the instruction that the petitioner meet with the neighbor in an effort to come to an understanding.

VRB04-161	PETITIONER:	John and Peter Diakiw
Missed Notice	AGENT:	None
	LOCATION:	2320 West Arch Street
	REQUEST:	To reduce the side yard setback from 7' to 0.7 feet, with the allowed encroachment of the eaves and gutters
	PURPOSE:	To construct a residential addition
	NEIGHBORHOOD:	North Hyde Park Civic Association

VI. ADJOURNMENT

**CITY OF TAMPA, FLORIDA
VARIANCE REVIEW BOARD
PUBLIC HEARING MINUTES**

MEETING DATE: December 14, 2004
MEETING TIME: 6:30 PM
LOCATION: 315 East Kennedy Boulevard, 3 rd Floor, City Council Chambers

I. SILENT ROLL CALL

Eric Rahenkamp, Chair; James Catalano; Ana Wallrapp; Randy O’Kelley; Steve LaBour, Seth Nelson were in attendance.

Tom Cheshire, Melanie Higgins and John Weiss were not in attendance.

II. APPROVAL OF MINUTES FOR November 9, 2004 – Mr. Catalano moved to approve and was seconded by Mr. O’Kelley. The motion passed 6-0.

III. RECONSIDERATION OF DENIED CASE FOR SUBSTANTIAL CHANGE

VRB04-152 Denied 5-1	PETITIONER: AGENT: LOCATION: PURPOSE:	Chris Hart None 110 West Minnehaha Consideration of substantially different site plan for Board to waive the required one year requirement before consideration of request
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Chris Hart explained the reasons why he was back before the Board. He showed the original site plan and then the new proposed site plan.

After Board discussion, Ms. Wallrapp moved to deny the reconsideration, stating that she saw no real difference between the two requests. Her motion was seconded by Mr. LaBour, and the motion passed 5-1, with Mr. Catalano voting nay.

IV. OLD BUSINESS: Cases Continued by the Board

A. ADMINISTRATIVE APPEALS

B. TREE & LANDSCAPE / TRANSPORTATION / SIGN VARIANCES

C. GENERAL VARIANCES

VRB04-159 Approved 4-2	PETITIONER: AGENT: LOCATION: REQUEST: PURPOSE: NEIGHBORHOOD: MOTION:	Chris and Diane Watson None 3612 West Tacon Street To reduce the rear yard setback from 20’ to 10’, the building separation from 5’ to 4’, and the side yard and rear yard setbacks from 3’ to 2’, with the allowed encroachments of the eaves and gutters To construct a residential addition and a detached garage Virginia Park To reduce the rear yard from 20’ to 15’ and the building separation from 5’ to 4’, with the allowed encroachment of the eaves and gutters, with the condition that the Petitioner will follow Parts Department requirements at the time of permitting including, but not limited to, hand dug piers and a suspended floor.
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Chris and Diane Watson explained their request and the changes to the site plan. They indicated that they had to work around a grand oak tree. They discussed the compromise that they tried to reach with their neighbors.

Abigail Cronin stated her objection to the 15', stating that she would rather have 17' in the rear.

Ms. Wallrapp moved to approve and was seconded by Mr. Catalano. The motion passed 4-2, with Mr. LaBour and Mr. Rahenkamp voting nay.

V. OLD BUSINESS: Continuances and Missed Notices

A. ADMINISTRATIVE APPEALS

B. TREE & LANDSCAPE / TRANSPORTATION / SIGN VARIANCES

C. GENERAL VARIANCES

VRB04-135	PETITIONER:	Dennis and Maira Garcia
Denied 6-0	AGENT:	Sugarloaf Enterprises
	LOCATION:	306 North Gomez Avenue
	REQUEST:	To reduce the side yard setback from 7' to 3' and the rear yard setback from 20' to 3', with the allowed encroachment
	PURPOSE:	To build a two-story accessory structure
	NEIGHBORHOOD:	None (Oakford Park Noticed)

Roxanne Bruskin presented the case. She indicated that the garage was part of the overall development of the property. She showed pictures and discussed the site plan.

John Gonzalez objected to the request, citing lack of two story garages in the area, the drainage problem and the privacy issue.

After Board discussion, there were issues regarding the hardship criteria. Mr. Catalano moved to deny, citing the lack of hardship. Ms. Wallrapp seconded the motion, which passed 6-0.

VRB04-147	PETITIONER:	William Oliver
Approved 6-0	AGENT:	None
	LOCATION:	313 West Alva Street
	REQUEST:	To reduce the west side yard setback from 7' to 4', with the allowed encroachment of the eaves and gutters
	PURPOSE:	To keep an existing addition
	NEIGHBORHOOD:	South Seminole Heights
	MOTION:	To reduce the west side yard setback from 7' to 4.5', with the allowed encroachment of the eaves and gutters

William Oliver presented his request.

Mr. O'Kelley moved to approve and was seconded by Ms. Wallrapp. The motion passed 6-0.

VRB04-161	PETITIONER:	John and Peter Diakiw
Withdrawn	AGENT:	None
	LOCATION:	2320 West Arch Street
	REQUEST:	To reduce the side yard setback from 7' to 0.7 feet, with the allowed encroachment of the eaves and gutters
	PURPOSE:	To construct a residential addition
	NEIGHBORHOOD:	North Hyde Park Civic Association

VI. BUSINESS

A. ADMINISTRATIVE APPEALS

VRB05-13
Withdrawn
PETITIONER: Amscot
AGENT: Todd Pressman
LOCATION: 609 West Kennedy Boulevard
REQUEST: Appeal the determination of a roadway
PURPOSE: To be able to place a wall sign
NEIGHBORHOOD: None (Hyde Park Historic notice)

B. TREE & LANDSCAPE / TRANSPORTATION / SIGN VARIANCES

VRB05-09
Denied 6-0
PETITIONER: St. Joseph's Community Care Clinic
AGENT: Nanci Cernak
LOCATION: 2550 West Martin Luther King Boulevard
REQUEST: To reduce the setback for a sign from 10' to 5'
PURPOSE: To construct a commercial sign
NEIGHBORHOOD: None (Notice to Wellswood)

Nanci Cernak explained the need for the setback variance, stating that the existing trees caused a visual problem.

Mr. Catalano expressed his opposition stating that the sign is obtrusive.

Mr. LaBour moved to deny, indicating the lack of hardship presented. Mr. Catalano seconded the motion, which passed 6-0.

D. GENERAL VARIANCES

VRB05-01
Approved 6-0
PETITIONER: Albert and Deborah Baker
AGENT: None
LOCATION: 8008 Interbay Boulevard
REQUEST: To reduce the front yard setback from 60' to 40' and the building separation from 5' to 33"
PURPOSE: To keep an existing, unpermitted carport
NEIGHBORHOOD: Port Tampa City and Rembrant Gardens Apartments
CONDITION: That it never be enclosed

Debbie Baker presented her case, stating that she had called the City and asked about permits. She was told that permits were not needed, then she was cited for not having permits.

Ms. Wallrapp moved to approve with conditions and was seconded by Mr. LaBour. The motion passed 6-0.

VRB05-02
Denied 6-0
PETITIONER: Chris Connelly
AGENT: None
LOCATION: 317 West North Bay Street
REQUEST: To reduce the rear yard setback from 20' to 9', with the allowed encroachment of the eaves and gutters
PURPOSE: To construct a residential addition
NEIGHBORHOOD: South Seminole Heights

Chris Connelly explained his past request and how this one was different. He showed his plans and discussed the tree and internal mechanics of the house.

Mr. Catalano stated that he saw areas to expand without entering into the setback.

Mr. Rahenkamp voiced the opinion that too much of the addition was encroaching into the setback.

Mr. Nelson moved to approve and was seconded by Ms. Wallrapp. The motion passed 6-0.

VRB05-03
Approved 4-2
PETITIONER: Gregory Gary
AGENT: None
LOCATION: 6401 North River Boulevard

REQUEST: To reduce the front porch from 20' to 9'
PURPOSE: To keep an as-built, permitted front porch
NEIGHBORHOOD: Old Seminole Heights

Gregory Gary explained how he got to where he was now with the house, that he had taken the measurements himself and had not used a surveyor.

Mr. LaBour moved to approve and was seconded by Mr. Nelson. The motion passed 4-2, with Ms. Wallrapp and Mr. Rahenkamp voting nay.

VRB05-04 PETITIONER: Lara Fingar
Missed Notice AGENT: None
LOCATION: 406 South Oregon Avenue
REQUEST: To reduce the north side yard setback from 7' to 2.54' and the side yard setback from 7' to 2.68', with the allowed encroachment of the eaves and gutters
PURPOSE: To construct a residential addition
NEIGHBORHOOD: Hyde Park

VRB05-05 PETITIONER: Herbert and Oletha Jones
Approved 6-0 AGENT: Thomas Hills
LOCATION: 4803 North 9th Street
REQUEST: To reduce the front yard setback from 25' to 19.8', the rear yard setback from 20' to 2', the side yard setbacks from 7' to 2.6' and from 7' to 3.4, with the allowed encroachment of the eaves and gutters
PURPOSE: To keep an "as-built" front porch
NEIGHBORHOOD: Southeast Seminole Heights
MOTION: To reduce the front yard setback from 25' to 19.8', with the allowed encroachment of the eaves and gutters, with the condition that it never be enclosed

Thomas Hills presented the case, showing pictures of the previous overhang in comparison to the one which was built without permits. He indicated that the lot was nonconforming and that there was no place else to sit outside under some shade.

Beverly Marrow objected to the request.

Ms. Wall moved to approve and was seconded by Mr. Catalano. The motion passed 6-0.

VRB05-06 PETITIONER: New Millennial LLC
Approved 6-0 AGENT: Tonya Russell
LOCATION: 2011 East 22nd Avenue
REQUEST: To reduce the front yard setback from 18' to 11' and the rear yard setback from 15' to 9', with the allowed encroachment of the eaves and gutters
PURPOSE: To construct a single family residence
NEIGHBORHOOD: East Tampa Business and Civic Association

Tonya Russell explained her request, showing the odd shaped lot.

Ms. Wallrapp moved to approve and was seconded by Mr. LaBour. The motion passed 6-0.

VRB05-07 PETITIONER: New Millennial LLC
Approved 6-0 AGENT: Tonya Russell
LOCATION: 4512 North 35th Street
REQUEST: To reduce the side yard setback from 5' to 2.4', with the allowed encroachment of the eaves and gutters
PURPOSE: To construct a single family residence
NEIGHBORHOOD: East Tampa Business and Civic Association

Tonya Russell explained her request.

Ms. Wallrapp moved to approve and was seconded by Mr. LaBour. The motion passed 6-0.

VRB05-08
Withdrawn

PETITIONER:	New Millennial LLC
AGENT:	Tonya Russell
LOCATION:	4622 North 35 th Street
PURPOSE:	To construct a single family residence
NEIGHBORHOOD:	East Tampa Business and Civic Association

VRB05-10
Continued 6-0

PETITIONER:	Martin McGuinness
AGENT:	None
LOCATION:	2907 West Pearl Avenue
REQUEST:	To reduce the side yard setback from 7' to 0'
PURPOSE:	To keep an existing carport
NEIGHBORHOOD:	Ballast Point Neighborhood Association

Martin McGuinness explained the need for the carport (seagulls) and that it has been there for three years.

Mr. Santiago expressed concern with the encroachment of the carport onto the adjacent property. He indicated that the Board should continue the case in order for the petitioner to reach an easement agreement with the property owner on which the encroachment takes place.

Ms. Wallrapp moved to continue and was seconded by Mr. O'Kelley. The motion passed 6-0.

VRB05-11
Continued 6-0

PETITIONER:	New Millennial LLC
AGENT:	Tonya Russell
LOCATION:	1717 West Nassau Street
REQUEST:	To reduce the side yard setbacks from 5' to 3.5', with the allowed encroachment of the eaves and gutters
PURPOSE:	To construct a single family residence
NEIGHBORHOOD:	North Hyde Park

This case was missed noticed, as the site plan did not agree with the requested setbacks.

The hearing will be held in February.

Legal had the Board continued to the case, which was moved by Mr. LaBour and seconded by Mr. Nelson.

VRB05-12
Approved 6-0

PETITIONER:	Jennifer Waller
AGENT:	David Waller
LOCATION:	124 Adalia Avenue
REQUEST:	To reduce the front yard setback from 25' to 14.1', the east side yard setback from 7' to 2.8' and the west side yard setback from 7' to 5.3', with the allowed encroachment of the eaves and gutters
PURPOSE:	To keep an existing addition
NEIGHBORHOOD:	Davis Islands
CONDITION:	That all encroachments remain one story.

David Waller explained the mess ups in the way he had measured his property lines and the proposed building.

Ann Marie said that she was okay with the request, but that it had to be one story.

Mr. Nelson moved to approve and was seconded by Ms. Wallrapp. The motion passed 6-0.

VRB05-14
Approved 6-0

PETITIONER:	Luis Alvarez
AGENT:	None
LOCATION:	5126 North Matanzas Avenue
REQUEST:	To reduce the front yard setback from 20' to 0', with the allowed encroachment of the eaves and gutters
PURPOSE:	To keep existing carport and reroof

NEIGHBORHOOD: Plaza Terrace Neighborhood Association
MOTION: To reduce the front yard setback from 20' to 8', with the allowed encroachment of the eaves and gutters

Luis Alvarez explained the request and that the survey was incorrect and showed some pictures.

Ms. Wallrapp moved to approve and was seconded by Mr. Catalano. The motion passed 6-0.