

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

<b>MEETING DATE:</b> April 12, 2005
<b>MEETING TIME:</b> 6:30 PM
<b>LOCATION:</b> 315 East Kennedy Boulevard, 3 <sup>rd</sup> Floor, City Council Chambers

**MINUTES**

**I. SILENT ROLL CALL**

John Weiss, Chairman; James Catalano, Vice-Chairman; Eric Rahenkamp; Randy O'Kelley; Thomas Cheshire; Melanie Higgins; Steve LaBour. Ana Wallrapp was absent.

**II. APPROVAL OF MINUTES FOR March 8, 2005**

**III. NEW BUSINESS**

VRB05-59	PETITIONER:	Chris Ritter
Continued	AGENT:	None
5-2	LOCATION:	7303 Swoope Street
	REQUEST:	To remove a grand tree
	PURPOSE:	To remove a tree
	NEIGHBORHOOD:	Port Tampa City

Thomas Snelling, Land Development Manager, summarize the reason for the request, stating that the issue was brought to the City's attention by a neighbor to the north. The site does not have access via a public right-of-way, since the road was vacated in the 1940s by the City of Port Tampa. In order for all the homes to line up, the City was requesting that the property owner setback his structure from his property line about 40 feet. In doing so, the house would encroach into the setback required for the tree.

Dave Reilly from the Parks Department indicated that he had no strong objection to the tree removal, as it was a laurel oak in decline.

Dave Jennings from Residential Development stated that the petitioner would need to meet the requirements for tree replacement.

Chris Ritter, the petitioner, commented on the request.

John Thomas spoke in favor of the request.

Board discussion ensued regarding the request and even if he should have gotten a permit.

Mr. LaBour moved to continue in order for Legal to address the access issue and was seconded by Mr. Rahenkamp. The motion passed 5-2, with Mr. Cheshire and Mr. Catalano voting nay.

**IV. OLD BUSINESS: Cases Continued by the Board/Staff**

**A. ADMINISTRATIVE APPEALS**

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

VRB05-19	PETITIONER:	Andrew L Sirna
Approved	AGENT:	None
6-1	LOCATION:	5701 River Terrace

REQUEST: To reduce the rear yard setback from 20' to 5', the side yard setback from 7' to 0' and a wetland setback from 25' to 0'

PURPOSE: To keep an existing wood deck

NEIGHBORHOOD: Old Seminole Heights

Cliff Smith from Code Enforcement explained the two letters in the file and the recommendation from Code Enforcement to come into compliance.

Dave Jennings, Residential Development, explained his lack of concern with the wetland setback issue.

Geraldine Holloway voiced her opposition to the request.

Mr. Labour moved to approve the request and was seconded by Mr. Cheshire. The motion passed 6-1, with Mr. Catalano voting nay.

C. GENERAL VARIANCES

V. OLD BUSINESS: Continuances and Missed Notices

A. ADMINISTRATIVE APPEALS

B. TREE & LANDSCAPE / TRANSPORTATION / SIGN VARIANCES

C. GENERAL VARIANCES

VRB05-36 PETITIONER: Thomas Maiolo  
 Approved AGENT: None  
 7-0 LOCATION: 905 East Caracas Street  
 REQUEST: To reduce the side yard setback from 10' to 1', with the allowed encroachment of the eaves and gutters  
 PURPOSE: To reconstruct a detached garage  
 NEIGHBORHOOD: Southeast Seminole Heights

Mr. Maiolo explained his request and passed out letters of support from his neighbors.

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

VRB05-37 PETITIONER: Rick Hoyt  
 Missed Notice AGENT: None  
 LOCATION: 2212 Davis Street  
 REQUEST: To increase fence height to 6 feet  
 PURPOSE: Increase fence height  
 NEIGHBORHOOD: Palmetto Beach Community Association

VRB05-39 PETITIONER: Gary Simmons and James Digvido  
 Continued by AGENT: Rachel Russo  
 Staff LOCATION: 4014 West Azeele Street  
 REQUEST: To reduce the rear yard setback from 20' to 6', with the allowed encroachment of the eaves and gutters  
 PURPOSE: To construct a pool cage  
 NEIGHBORHOOD: Swann Estates

VI. NEW BUSINESS

A. ADMINISTRATIVE APPEALS

B. TREE & LANDSCAPE / TRANSPORTATION / SIGN VARIANCES

VRB05-47 PETITIONER: Konried Muench and Anna Giuliano

Denied 6-1	AGENT: LOCATION: REQUEST:	None 705 Skagway Avenue To reduce the side yard setback from 10' to 7' and the rear yard from 20' to 15', with the allowed encroachments of the eaves and gutters, and the landscape buffer along the vehicular use area from 8' to 2'
	PURPOSE: NEIGHBORHOOD:	To construct a commercial building (artist studio) None (Notice to Lowry Park North)

Konried Muench explained the request and how he was trying to improve the area. The building was already purchased and he was trying to make it fit on the lot.

Anna Giuliano voiced her support for the request.

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

C. GENERAL VARIANCES

VRB05-45 Approved 7-0	PETITIONER: AGENT: LOCATION: REQUEST:	Greg and Monica Babin None 107 South Beverly Avenue To reduce the rear yard setback from 20' to 14.5' (principal) and the side yard setback from 3' to 1.8', with the allowed encroachment of the eaves and gutters, and to reduce the building separation from 5' to 3'
	PURPOSE: NEIGHBORHOOD:	To construct a residential addition Civic Association of Bon Air/Gray Gables/Southern Pines

Greg Babin explained the request and the need for the variance.

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

VRB05-46 Approved 7-0	PETITIONER: AGENT: LOCATION: REQUEST:	Anthony Galarza Sunshine Builders 1605 Mobile Avenue To reduce the front yard setback from 18' to 12' and the rear yard setback from 15' to 7', with the allowed encroachments of the eaves and gutters
	PURPOSE: NEIGHBORHOOD:	To construct a single family home East Tampa Business and Civic Association

Anthony Galarza explained the request.

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

VRB05-48 Approved 6-1	PETITIONER: AGENT: LOCATION: REQUEST: PURPOSE: NEIGHBORHOOD:	Michael and Angela Giordano None 17 Bahama Circle To reduce the corner yard setback from 15' to 7' To construct a pool and cabana Davis Islands Civic Association
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Michael Giordano explained the request and how the existing wall would act as a buffer to the pool.

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

VRB05-49 Continued	PETITIONER: AGENT: LOCATION: REQUEST: PURPOSE:	Diane Straub and Andy Stephan None 612 Superior Avenue To reduce the rear yard setback from 20' to 7' To construct a pool
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NEIGHBORHOOD: Davis Islands Civic Associations

At the beginning of the meeting, moved by Mr. Rahenkamp and seconded by Mr. LaBour, motion passed.

VRB05-50  
Continued  
PETITIONER: Conchita Horner  
AGENT: Mark Hartley  
LOCATION: 100 West Davis Boulevard  
REQUEST: To reduce the front yard setback from 25' to 0' and to increase the height of a wall from 3' to 6'  
PURPOSE: To construct a pool and wall  
NEIGHBORHOOD: Davis Islands Civic Association

At the beginning of the meeting, moved by Mr. Rahenkamp and seconded by Mr. Catalano, motion passed.

VRB05-51  
Approved  
7-0  
PETITIONER: Robert and Elizabeth Weaver  
AGENT: None  
LOCATION: 3906 West Empedrado Street  
REQUEST: To reduce the front yard setback from 25' to 21', with the allowed encroachment of the eaves and gutters  
PURPOSE: To construct a front porch  
NEIGHBORHOOD: Palma Ceia Neighborhood Association  
CONDITION: That the porch remain open and be of a size of 7' x 30'

Elizabeth Weaver explained her request and went through a number of pictures showing other sites which had front porches.

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

VRB05-52  
Denied  
6-1  
PETITIONER: Terrence Gowen/Goldseal Roofing and Construction  
AGENT: None  
LOCATION: 4809 West Juno Street  
REQUEST: To reduce the rear yard setback from 5' to 1' and the side yard setback from 5' to 0', with the allowed encroachment of the eaves and gutters  
PURPOSE: To construct a pool cage  
NEIGHBORHOOD: Sunset Park Neighborhood Association

Terry Gowen explained the request and showed similar sites in the area which has pool cages.

Valerie Clark expressed support for the request.

Gary Dolgin expressed opposition to the petition and reviewed the hardship criteria.

Mr. Gowen rebutted the comments and argued that the cage was a necessity.

Mr. Catalano moved to deny the request and was seconded by Mr. O'Kelley. The motion passed 6-1, with Mr. Cheshire voting nay.

VRB05-53  
Approved  
4-3  
PETITIONER: Anthony Prieto  
AGENT: Ralph Schuler  
LOCATION: 810 West Amelia Avenue  
REQUEST: To reduce the vehicular entrance setback from 15' to 10' and to increase the height from 15' to 22'  
PURPOSE: To construct an accessory structure  
NEIGHBORHOOD: Ridgewood Park Homeowners Association

Anthony Prieto explained his request and the need for the garage.

Ralph Schuler spoke in favor of the request.

Roger Kirk, Transportation, explained the need for a minimum of ten feet.

Mr. Rahenkamp moved to approve the request and was seconded by Mr. Catalano. The motion passed 4-3, with Mr. LaBour, Mr. Cheshire and Mr. O'Kelley voting nay.

VRB05-54	PETITIONER:	Jeffrey Jones
Denied	AGENT:	Ralph Schuler
4-3	LOCATION:	817 West Amelia Avenue
	REQUEST:	To reduce the vehicular entrance setback from 15' to 7' and to increase the height from 15' to 22.5'
	PURPOSE:	To construct an accessory structure
	NEIGHBORHOOD:	Ridgewood Park Homeowners Association

Jeff Jones explained his variance request, focusing on the character of the neighborhood and how the garage request fits into the neighborhood.

Mr. O'Kelley moved to deny and was seconded by Mr. Cheshire. The motion passed 4-3, with Mr. LaBour, Mr. Rahenkamp and Mr. Catalano voting nay.

VRB05-55	PETITIONER:	Blake/Ezell Development 001, LLC
Approved	AGENT:	William Ezell
7-0	LOCATION:	5803 South 3 <sup>rd</sup> Street
	REQUEST:	To increase the height of a fence from 3' to 6' and to reduce the front yard from 20' to 5' for a pool
	PURPOSE:	To construct a 6' fence
	NEIGHBORHOOD:	Ballast Point Neighborhood Association

Will Ezell explained the request and reviewed the site plan.

Mr. Rahenkamp moved to approve with the condition that the five feet be landscaped and the landscaping be maintained. Ms. Higgins seconded the motion, which passed 7-0.

VRB05-56	PETITIONER:	Kevin Moran
Approved	AGENT:	None
6-1	LOCATION:	802 South Lakeview Road
	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:	Parkland Estates Civic Association

Kevin Moran explained the request and showed pictures and how the addition would buffer the rest of the house from the church and school in the rear.

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

VRB05-57	PETITIONER:	Paul G Martin
Approved	AGENT:	None
7-0	LOCATION:	3201 West San Luis
	REQUEST:	To reduce the front yard setback from 25' to 17' 8" and the side yard setback from 7' to 1', with the allowed encroachment of the eaves and gutters
	PURPOSE:	To construct a residential addition
	NEIGHBORHOOD:	None (Notice to Palm Ceia Civic Association)

Paul Martin explained the request and reviewed the site plan.

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

**VII. ADJOURNMENT**