

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

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| MEETING DATE: June 14, 2005 |
| MEETING TIME: 6:30 PM |
| LOCATION: 315 East Kennedy Boulevard, 3 rd Floor, City Council Chambers |

MINUTES

Present: John Weiss, Chair; James Catalano, Vice-Chair; Eric Rahenkamp; Melanie Higgins, Tom Cheshire, Randy O'Kelley, Steve LaBour

Absent: Ana Wallrapp

Staff Present: Roger Kirk, Transportation; Julia Cole, Legal; Rolando Santiago, Legal; Dave Reilly, Parks; Eric Cotton, LDC

II. APPROVAL OF MINUTES FOR May 10, 2005 - Approved

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

A. ADMINISTRATIVE APPEALS

B. TREE & LANDSCAPE / TRANSPORTATION / SIGN VARIANCES

C. GENERAL VARIANCES

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| VRB05-37 | PETITIONER: | Rick Hoyt |
| Continued | AGENT: | None |
| 7-0 | LOCATION: | 2212 Davis Street |
| | REQUEST: | To increase fence height to 6 feet |
| | PURPOSE: | Increase fence height |
| | NEIGHBORHOOD: | Palmetto Beach Community Association |

Mr. Hoyt showed pictures, establishing that the wall was constructed in the mid-1980s.

Tom Cagnina spoke in favor of the variance.

John Hester spoke in favor of the variance.

Mr. Catalano stated that he needed to see a survey showing the exact wall location.

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

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| VRB05-50 | PETITIONER: | Conchita Horner |
| Approved | AGENT: | Mark Hartley |
| 6-1 | 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 |
| | NOTE: | Approval for pool only |

Mark Hartley discussed the revised plan and that the majority of the fence met the City standards.

Connie Horner spoke to her variance, saying that the site will remain on the national register and then reviewed a traffic study.

Mr. Hartley then reviewed other fences and walls on Davis Islands.

John Hotchkiss spoke in favor of the request.

After Board discussion, regarding the trees and sight issues, Mr. LaBour moved to approve the reduction in the front yard for the pool and was seconded by Mr. O’Kelley. The motion passed 6-1, with Mr. Cheshire voting nay.

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| VRB05-62 Approved 6-1 | PETITIONER: AGENT: LOCATION: REQUEST: PURPOSE: NEIGHBORHOOD: | Gerald and Victoria DiFrabrizio None 3319 San Miguel Street To reduce the front yard setback from 25’ to 20’, with the allowed encroachment of the eaves and gutters To construct a single family residence Palma Ceia |
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Mr. DiFrabrizio explained the revised site plan and showed the footprints of the adjacent properties.

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

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| VRB05-65 Continued | PETITIONER: AGENT: LOCATION: REQUEST: PURPOSE: NEIGHBORHOOD: | Roosevelt and Delorius Lester None 3209 East Frierson Avenue To reduce the front yard setback from 18’ to 0’, with the allowed encroachments of the eaves and gutters To keep an existing (unpermitted) carport East Tampa |
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Ms. Lester explained that she had tried to contact the contractor, but was given the “run around”.

Mr. Rahenkamp moved to continue for 30 days , with instructions to contact Bob Bass, and was seconded by Mr. O’Kelley. The motion passed 5-2, with Mr. Cheshire and Ms. Higgins voting nay.

IV. OLD BUSINESS: Continuances and Missed Notices

A. ADMINISTRATIVE APPEALS

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| VRB05-75 Continued | PETITIONER: AGENT: LOCATION: REQUEST: PURPOSE: NEIGHBORHOOD: | Norman Murray, Junior David Smith 811-817 East Paris Street and 6007 King Street To reduce the finished floor from 18” to 8” To keep existing as-built structures Old Seminole Heights |
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B. TREE & LANDSCAPE / TRANSPORTATION / SIGN VARIANCES

C. GENERAL VARIANCES

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| VRB05-66 Approved 7-0 | PETITIONER: AGENT: LOCATION: REQUEST: PURPOSE: NEIGHBORHOOD: | Donald S Bennett None 4623 Lowell Avenue To reduce the side yard setback from 7’ to 2.8’ and the rear yard setback from 20’ to 8’, with the allowed encroachment of the eaves and gutters To build a residential addition Sunset Park |
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Mr. Bennett explained his request and that the variance was needed because he was connecting his house to the existing carport.

Mr. Rahenkamp moved to approve and was seconded by Ms. Higgins. The motion included a condition that the carport never be enclosed and that the existing shed be removed.

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| VRB05-71 | PETITIONER: | Leslie Lambert and Lonnie Herman |
| Denied | AGENT: | None |
| 7-0 | LOCATION: | 4313 West Granada Street |
| | REQUEST: | To reduce the rear yard setback from 20' to 9'8" and the side yard setback from 7' to 3', with the allowed encroachments of the eaves and gutters |
| | PURPOSE: | To construct a single family home |
| | NEIGHBORHOOD: | Virginia Park |

Ms. Lambert explained how a simple remodeling job ended up with the demolition of the house. She then explained the request.

Lynn Webster objected to the request.

Lynn Webster objected to the request.

Fred Lambert indicated that the objections were focused on the neighbors property.

After Board discussion, Mr. Catalano moved to deny and was seconded by Mr. Rahenkamp. The motion passed 7-0.

V. NEW BUSINESS

A. ADMINISTRATIVE APPEALS

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| VRB05-81 | PETITIONER: | Ronald Cosby |
| Denied | AGENT: | None |
| 5-2 | LOCATION: | 6102 South Dale Mabry Highway |
| | REQUEST: | Appeal of a driveway waiver |
| | PURPOSE: | To appeal a driveway waiver |
| | NEIGHBORHOOD: | Gandy/Sunbay South |

Ronald Cosby discussed safety issues with the abutting apartment complex, access on Bay Avenue and presented a petition against the access.

Roger Kirk explained the rationale behind the request regarding safety and discouraging U-turns along Dale Mabry.

Chris Hattan, Kimley-Horn, spoke in favor of the request. He explained the different scenarios that had been submitted to Transportation.

Virginia Alloway, the developer of the property, explained that she was denied by FDOT when applying for full-access onto Dale Mabry.

Mr. Cosby rebutted, stating that the traffic down Ohio would be more dangerous than U-turns.

Mr. Weiss questioned the access and was told it was channelized.

Mr. LaBour moved to uphold the Transportation Division's decision, providing that the entrance from Dale Mabry is a right in and the entrance to Ohio is a right in only and the exit is a left out only.

The motion passed 5-2, with Mr. Weiss and Mr. Rahenkamp voting nay.

B. TREE & LANDSCAPE / TRANSPORTATION / SIGN VARIANCES

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| VRB05-87 | PETITIONER: | Anthony Puleo |
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Denied
7-0

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| AGENT: | None |
| LOCATION: | 1415 West Humphrey Street |
| REQUEST: | To remove a grand tree |
| PURPOSE: | To create two buildable lots |
| NEIGHBORHOOD: | Lowry Park North |

Russ Puleo discussed his request and his desire to construct two single family homes on the property. He showed pictures of the trees.

Mr. Reilly expressed his objections and indicated that the site had active citations for the removal of tree limbs.

Mr. Rahenkamp moved to deny and was seconded by Mr. O’Kelley. The motion passed 6-1, with Mr. Weiss voting nay.

C. GENERAL VARIANCES

VRB05-73
Denied
6-1

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| PETITIONER: | Elaine Whiteford |
| AGENT: | None |
| LOCATION: | 2310 West Powhattan Avenue |
| REQUEST: | To keep a recreational vehicle parked in the front yard |
| PURPOSE: | To keep a recreational vehicle |
| NEIGHBORHOOD: | None (Wellswood) |

Ms. Whiteford explained her situation and the monetary problems with storage. She showed photos and submitted a petition in support of the request.

Mr. O’Kelley moved to deny and was seconded by Ms. Higgins. The motion passed 6-1, the Mr. Weiss voting nay.

VRB05-74
Denied
7-0

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| PETITIONER: | Arnaldo Pelaz |
| AGENT: | None |
| LOCATION: | 5301 North Nebraska Avenue |
| REQUEST: | To reduce the corner yard setback from 10’ to 0’ |
| PURPOSE: | To keep an existing (unpermitted) addition |
| NEIGHBORHOOD: | Southeast Seminole Heights |

Mr. Pelaz explained the request and how the structure was built without permits.

Beverly Morrow, president of the Southeast Seminole Heights neighbor association, spoke against the petition. She indicated that they felt that the petitioner should have gotten the permit first.

Mr. Catalano moved to deny and was seconded by Mr. O’Kelley. The motion passed 7-0.

VRB05-76
Missed Notice

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| PETITIONER: | Samuel Martinez |
| AGENT: | Hogan’s Permit Service |
| LOCATION: | 9414 North Boulevard |
| REQUEST: | To reduce the front yard setback from 20’ to 7’, with the allowed encroachment of the eaves and gutters |
| PURPOSE: | To split a lot |
| NEIGHBORHOOD: | Forest Hills |

VRB05-77
Missed Notice

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| PETITIONER: | Mitchell and Barbara Bodden |
| AGENT: | None |
| LOCATION: | 909 South Golf View Street |
| REQUEST: | To reduce the front yard setback from 25’ to 15’, with the allowed encroachment of the eaves and gutters |
| PURPOSE: | To construct a new single family residence |
| NEIGHBORHOOD: | Golf View |

VRB05-78
Approved
7-0

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| PETITIONER: | Lightening Aluminum |
| AGENT: | John Foens |
| LOCATION: | 10628 Grand Riviere Drive |
| REQUEST: | To reduce the side yard setback from 5’ to 2’ |

PURPOSE: To keep an existing pool cage
NEIGHBORHOOD: New Tampa Community Council

A representative of Lightning Aluminum explained that the pool cage was built without permits.

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

VRB05-79 PETITIONER: Linda B Cunningham
Denied AGENT: None
6-1 LOCATION: 7512 South Shamrock Road
REQUEST: To reduce the side yard setback from 7' to 0'
PURPOSE: To keep an existing unpermitted porch
NEIGHBORHOOD: Port Tampa City

Ms. Cunningham explained the situation, stating that they had hired a contractor to put the porch up. She explained the Code Enforcement issues with her neighbor.

Ramesh and Manju Khurana objected to the variance request.

Mr. Rahenkamp stated that a contractor should have known better, especially since the porch was built right at the edge of the property line.

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

VRB05-80 PETITIONER: Marco A Perilla
Approved AGENT: None
7-0 LOCATION: 4102 N Holly Street
REQUEST: To reduce the side yard setbacks from 7' to 6' and the rear yard
setback from 20' to 10', with the allowed encroachment of the eaves
and gutters
PURPOSE: To finish construction
NEIGHBORHOOD: South Seminole Heights

Mr. Perilla stated that the foundation was built for the house and has sat unfinished for a number of years.

After Board discussion, Mr. Catalano moved to approve and was seconded by Mr. LaBour. The motion passed 7-0.

VRB05-82 PETITIONER: Beverly Addison
Approved AGENT: None
4-3 LOCATION: 3422 West Barcelona Street
REQUEST: To reduce the rear yard setback from 20' to 3'5" and the building
separation from 5' to 0' with the allowed encroachment of the eaves
and gutters
PURPOSE: To construct a carport

Charles Moore explained his variance request and showed pictures of the site.

Mr. Rahenkamp moved to approve the rear yard setback from 20' to 3'5" and was seconded by Mr. Cheshire. The motion passed 4-3, with Mr. LaBour, Ms. Higgins and Mr. Catalano voting nay.

VRB05-83 NEIGHBORHOOD: Palma Ceia
PETITIONER: Richard Hartmann
Approved 6-1 AGENT: None
LOCATION: 2811 Southpointe Lane
REQUEST: To reduce side yard setback from 7' to 6' and the rear yard from 20'
to 11', with the allowed encroachment of the eaves and gutters
PURPOSE: To construct a residential addition
NEIGHBORHOOD: Ballast Point

Mr. and Mrs. Hartman explained their request.

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

VRB05-84
Missed Notice

PETITIONER: C Todd Alley and Cynthia Holloway Alley
AGENT: John Grandoff and Roy Ford
LOCATION: 184 Baltic Circle
REQUEST: To reduce the side yard setback from 7' to 4'
PURPOSE: To keep an existing rock climbing wall
NEIGHBORHOOD: Davis Islands

VRB05-85
Approved
7-0

PETITIONER: Edward Kinley
AGENT: None
LOCATION: 4207 West Barcelona Street
REQUEST: To reduce the side yard setback from 7' to 5'8", with the allowed encroachment of the eaves and gutters
PURPOSE: To construct a residential addition
NEIGHBORHOOD: Virginia Park

Mr. Kinley summarized his request.

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

VRB05-86
Missed Notice

PETITIONER: Franklin Cruz
AGENT: None
LOCATION: 211 West Frances Avenue
REQUEST: To reduce the side yard setback from 7' to 3' and the rear yard setback from 20' to 7', with the allowed encroachment of eaves and gutters
PURPOSE: To construct an accessory structure greater than 750 square feet
NEIGHBORHOOD: Tampa Heights

VRB05-88
Missed Notice

PETITIONER: Florida Shed Company
AGENT: Ammie Willis
LOCATION: 3706 North Clearfield Avenue
REQUEST: To reduce the side yard setback from 7' to 3' and rear yard from 20' to 3', with the allowed encroachment of the eaves and gutters
PURPOSE: To construct an accessory structure greater than 750 square feet
NEIGHBORHOOD: Tampa Heights

VRB05-94
Approved
7-0

PETITIONER: City of Tampa
AGENT: Jo-Anne Peck
LOCATION: 110 West Amelia Avenue
REQUEST: To reduce the side yard setbacks from 7' to 5' and the front yard setback from 25' to 10', with the allowed encroachment of the eaves and gutters
PURPOSE: To place a house on a site
NEIGHBORHOOD: Tampa Heights

Ms. Peck summarized her request and the reasoning for the moving of the house.

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

VI. **ADJOURNMENT**