

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

<b>MEETING DATE:</b> May 9, 2006 <b>MEETING TIME:</b> 6:30 PM <b>LOCATION:</b> 315 East Kennedy Boulevard, 3 <sup>rd</sup> Floor, City Council Chambers
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**MEETING MINUTES**

**I. SILENT ROLL CALL**

Eric Rahenkamp, Melanie Higgins, John Weiss, James Catalano, Ana Wallrapp, Randy O'Kelley and Tom Cheshire were in attendance. Note: Melanie Higgins, Vice-Chair, served as Chair for Eric Rahenkamp, pending Mr. Rahenkamp's reappointment by Mayor Iorio.

Eric Cotton, Barbara Lepore and Mary Danielewicz-Bryson of LDC, Dave Reilly of Parks and Donna Wysong of the Legal Department were in attendance.

**II. APPROVAL OF MINUTES FOR April 11, 2006**

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

A. ADMINISTRATIVE APPEALS

B. TREE & LANDSCAPE / TRANSPORTATION / SIGN VARIANCES

C. GENERAL VARIANCES

PETITION: VRB06-27  
PETITIONER: Philip and Ann Anderson  
LOCATION: 5203 Green Forest Court  
REQUEST: To reduce the rear yard setback from 15' to 5', with the allowed encroachment of the eaves and gutters  
PURPOSE: To construct a residential addition  
NEIGHBORHOOD: New Tampa Community Council  
*NOTE: The petitioner is requesting a continuance to the June 13, 2006 public hearing because of personal reasons.*

PETITION: VRB06-43  
PETITIONER: Annemarie Sklaruk  
AGENT: Michael Joseph Sklaruk  
LOCATION: 701 East Hollywood  
REQUEST: To reduce the rear yard setback from 20' to 13', with the allowed encroachment of the eaves and gutters  
PURPOSE: To create a buildable lot  
NEIGHBORHOOD: Old Seminole Heights  
*NOTE: The case was administratively withdrawn.*

**IV. OLD BUSINESS: Continuances and Missed Notices**

PETITION: VRB05-154  
PETITIONER: Tyrus Woods

AGENT: Miriam L. Sumpter Richard, Esq.  
LOCATION: 1206 East Curtis Street  
REQUEST: To reduce side yard from 7 feet to 1 foot.  
PURPOSE: To create a buildable lot  
NEIGHBORHOOD: Southeast Seminole Hights  
*NOTE: The petitioner has withdrawn this case.*

PETITION: VRB06-48  
PETITIONER: Jose Perez  
AGENT: Stephen Michelini  
LOCATION: 1709 North Gomez Avenue  
REQUEST: To remove a grand tree  
PURPOSE: To remove a tree  
NEIGHBORHOOD: Northeast MacFarlene  
ACTION: The Board approved your request.  
CONDITION: That the petitioner meet inch for inch replacement.

Mr. Michelini, representing the petitioner, asked for the removal of the grand tree.

David Reilly, Parks Department, did not object to the removal, stating that the City would be in a better position with the Board approving the removal than it being removed through permitting. The City's Tree Trust Fund would receive a donation.

Mr. Catalano moved to approve, with the condition that the petitioner meet inch for inch replacement. Mr. O'Kelley seconded the motion, which passed 7-0.

PETITION: VRB06-38  
PETITIONER: Donald and Cheryl Smith  
LOCATION: 1910 South Ardsley Street  
REQUEST: To 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: Golfview Civic  
ACTION: The Board denied the request.

Donald Smith explained that the space was need to expand the family room. He indicated that the property was similar to other ones next door.

Mr. Weiss questioned what the hardship was.

Ms. Wallrapp moved to approve. The motion failed for lack of second.

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

PETITION: VRB06-49  
PETITIONER: Amador Ernesto  
AGENT: Carlos Castillo  
LOCATION: 1106 Yukon Street  
REQUEST: To reduce the rear yard setback from 20' to 13', with the allowed encroachment of the eaves and gutters  
PURPOSE: To construct a single family home  
NEIGHBORHOOD: Lowery Park Central  
ACTION: The Board approved the request.

Mr. Castillo explained the request for the variance.

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

PETITION: VRB06-47  
PETITIONER: Albert and Mary Ellen Elia  
AGENT: Stephen Michelini  
LOCATION: 3602 Jetton Avenue  
REQUEST: To reduce the side yard setback from 7' to 4' and the rear yard setback from 20' to 8.9', with the allowed encroachment of the eaves and gutters  
PURPOSE: To construct a residential addition  
NEIGHBORHOOD: Golfview Civic  
NOTE: *The petitioner is requesting a one month continuance to the June 13, 2006 public hearing.*

V. **NEW BUSINESS**

A. **ADMINISTRATIVE APPEALS**

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

PETITION VRB06-24  
PETITIONER: James Brownrigg and Robert J Wilbur, Jr  
AGENT: Joseph Kowalski  
LOCATION: 3919 East Columbus Drive  
REQUEST: To appeal the denial of a driveway access by the Transportation Division  
PURPOSE: To gain driveway access on to East 15<sup>th</sup> Avenue  
NEIGHBORHOOD: East Tampa  
ACTION: The Board overturned the denial by Transportation and approved the access.

Mr. Kowalski explained the request. He stated that the hours of operation were from 7 AM to 7 PM. Traffic flow would improve, as traffic would go back out to 40<sup>th</sup> rather than through the neighborhood.

Roger Kirk, Transportation, indicated that it was policy to deny commercial access and to have the VRB determine the request.

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

C. **GENERAL VARIANCES**

PETITION: VRB06-51  
PETITIONER: Stefan A August  
LOCATION: 1717 West Nassau Street  
REQUEST: To reduce the side yard setback from 5' to 3', with the allowed encroachment of the eaves and gutters  
PURPOSE: To construct a single family residence  
NEIGHBORHOOD: North Hyde Park  
ACTION: The Board approved the request.

Mr. August explained the request and the need for the variance because of the narrowness of the lot.

Phillip and Maritha Tucker spoke against the request.

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

PETITION: VRB06-52

PETITIONER: Alex and Desiree Leva  
AGENT: Kenneth P Kroger  
LOCATION: 5148 West San Jose 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 residential addition  
NEIGHBORHOOD: Sunset Park  
*NOTE: The petitioner missed notice and should move forward on June 13, 2006.*

PETITION: VRB06-53  
PETITIONER: Lois P Latimer  
AGENT: Joni Hipple  
LOCATION: 3924 West San Juan Street  
REQUEST: To reduce the rear yard setback from 20' to 10' and the corner yard from 15' to 10.6', with the allowed encroachment of the eaves and gutters  
PURPOSE: To construct a residential addition  
NEIGHBORHOOD: Virginia Park  
ACTION: The Board continued the request until the June 13, 2006 public hearing.

Ms. Hipple presented the case, indicating that the petitioner was in poor health and needed the carport in order to use her wheelchair and walker.

The Board questioned the size of the structure.

Mr. Catalano moved to continue the request and was seconded by Mr. O'Kelley.

PETITION: VRB06-54  
PETITIONER: Clifford A Poole  
AGENT: Reginald Tim  
LOCATION: 4209 East Cayuga Street  
REQUEST: To reduce the side yard setback from 5' to 0', with the allowed encroachment of the eaves and gutters  
PURPOSE: To create a buildable lot  
NEIGHBORHOOD: Northview Hills  
*NOTE: This site can not move forward, as a nonconforming lot will be created.*

PETITION: VRB06-55  
PETITIONER: Mark Sutkoff  
LOCATION: 3708 West San Pedro Street  
REQUEST: To 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: Virginia Park/Palma Ceia West  
ACTION: The Board denied the request.

Mr. Sutkoff summarized his request. He indicated that the house was built at 30' from the front and lost 10' from the back.

Mr. Rahenkamp moved to deny and was seconded by Mr. Cheshire and the motion passed 7-0.

PETITION: VRB06-56  
PETITIONER: LandSource Development  
AGENT: Steve Umansky  
LOCATION: 104 West South Avenue

REQUEST: To reduce the side yard setback from 7' to 2.5, with the allowed encroachment of the eaves and gutters  
PURPOSE: To create buildable lot  
NEIGHBORHOOD: South Seminole Heights  
ACTION: The Board approved the request.

Mr. Umansky indicated that he was going to move the new house over in order to create a 14' separation distance between the homes.

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

PETITION: VRB06-57  
PETITIONER: Alan Dobbs  
LOCATION: 1000 West Charter Street  
REQUEST: To reduce the side yard setback from 7' to 2.7' and the front yard setback from 20' to 13', with the allowed encroachment of the eaves and gutters  
PURPOSE: To construct a residential addition  
NEIGHBORHOOD: Ridgewood Park  
ACTION: The Board approved your request.

Mr. Dobbs explained the request and the significance of the home.

Mr. Weiss moved to approve and was seconded by Ms. Wallrapp. The motion passed 4-3, with Mr. Cheshire, Mr. Catalano and Mr. O'Kelley voting nay.

PETITION: VRB06-58  
PETITIONER: Latrice Flagler-Mack  
AGENT: Nakota Rentz  
LOCATION: 7415 South Elliot Street  
REQUEST: To reduce the rear yard setback from 20' to 12', with the allowed encroachment of the eaves and gutters  
PURPOSE: To construct a single family residence  
NEIGHBORHOOD: Port Tampa  
ACTION: The Board approved your request.

Mr. Rentz explained the request.

Toni Wilcox spoke in favor of the variance.

Mr. Catalano moved to approve and was seconded by Ms. Wallrapp. The motion passed 5-2, with Mr. Cheshire and Mr. Rahenkamp voting nay.

PETITION: VRB06-59  
PETITIONER: George F Hickey  
AGENT: Robert A Williams  
LOCATION: 7939 North Florida Avenue  
REQUEST: To allow for razorwire  
PURPOSE: To place razorwire on fence  
NEIGHBORHOOD: Old Seminole Heights  
ACTION: The Board denied the request.

Mr. Williams discussed the need for the barbed, not razor wire, for the site. He indicated that it was the final measure of security that his client was trying to utilize.

Randy Baron, Kristy Hess and Susan Long all voiced opposition to the request.

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

PETITION: VRB06-60  
PETITIONER: Russell M Blain  
AGENT: Sol J Fleischman  
LOCATION: 3205 West Fountain Boulevard  
REQUEST: To reduce the rear yard setback from 20' to 13'  
PURPOSE: To construct a residential addition  
NEIGHBORHOOD: Parkland  
ACTION: The Board denied the request.

Russell Blaine and Sol Fleischman explained the variance request.

Warren Bourgios spoke in favor of it.

Mr. Catalano moved to approve, inclusive of the eaves and gutters. Ms. Wallrapp seconded the motion, which failed 3-4, with Mr. Cheshire, Mr. Weiss, Ms. Higgins and Mr. Rahenkamp voting nay.

Mr. Catalano the moved to continue, with Ms. Wallrapp seconding the motion. The motion failed 3-4, with Mr. Cheshire, Mr. Weiss, Ms. Higgins and Mr. Rahenkamp voting nay.

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

PETITION: VRB06-61  
PETITIONER: Michael Mundy  
LOCATION: 3612 North Arlington Avenue  
REQUEST: To reduce the rear yard setback from 20' to 2' and the side yard setback from 7' to 3', with the allowed encroachment of the eaves and gutters  
PURPOSE: To construct a residential addition  
NEIGHBORHOOD: Tampa Heights  
*NOTE: The petitioner missed notice and should move forward on June 13, 2006.*

PETITION: VRB06-62  
PETITIONER: Christopher Hicks  
LOCATION: 912 Frankland Road  
REQUEST: To reduce the building separation from 10' to 1'  
PURPOSE: To construct a residential addition  
NEIGHBORHOOD: Golfview  
*NOTE: The petitioner missed notice and should move forward on June 13, 2006.*