

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

MEETING DATE: November 14, 2006
MEETING TIME: 6:30 PM
LOCATION: 315 East Kennedy Boulevard, 3 rd Floor, City Council Chambers

**ACTION AGENDA
SILENT ROLL CALL**

II. APPROVAL OF MINUTES FOR October 10, 2006

Randy O’Kelly moved to approve and was seconded by John Weis. Motion passed 7-0

New Rules were discussed by Donna Wysong. The Board approved the new rules to limiting 10 new cases and 3 continuances per meeting. The Board moved to approve and was seconded. Motion passed 7-0.

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

A. ADMINISTRATIVE APPEALS

B. TREE & LANDSCAPE / TRANSPORTATION / SIGN VARIANCES

1. PETITION: VRB06- 102
PETITIONER: Chris Bilar
LOCATION: 4509 N. Nebraska Ave
REQUEST: To reduce the front yard setback from 10’ to 4’.
PURPOSE: To construct the new sign
NEIGHBORHOOD Seminole Heights

Mr. Bilar discussed the sign variance, reviewed pictures and answered questions from the Board.
John Weis questioned the height of the sign.
Joel Sousa spoke as to code requirements on behalf of CSC.
Seminole Heights spokesman stated that he would prefer a wall sign. No more than 20 SF. And to finished the sign so that it matched the Office building.
Chris Bilar rebuttal will match the sign to the bungalow building.
Section of code 20.5 13(3)(f) should be Sec 20.5 13(c)(e). Staff report is incorrect. Good neighbor notice is noticed corrected.
Donna Wysong spoke to conditioning the variance to allow the sign size to remain the same.
O’Kelly had concerns that they didn’t meet with the neighborhood association.
Sec 20.5 Ground sign shall be set back 10 feet from right of way.
John Weis moved to deny. Seconded by Tom Cheshire. Motion was approved to deny. 7-0.

C. GENERAL VARIANCES

2. PETITION: VRB06-112
PETITIONER: Solomon Oyegunle
LOCATION: 1309 E Palifox St
REQUEST: To reduce the side yard setback from 7’ to 2.8’ with the allowed encroachments of the eaves and gutters

PURPOSE: To create a buildable lot.
NEIGHBORHOOD Seminole Heights

Mr. Oyegunle spoke about the requested setback discussed his site plan and his reasons for needing the variance.

Tom Warren a member Southeast Seminole Heights Neighborhood Assoc. felt that the request did not meet the predominant layout of the neighborhood.

John Weis spoke about the need for infill in this area.

Rebuttal by petitioner-he stated that the home would only be 30 feet in width.

Ann Wallrapp moved to approve. Seconded by Catalano Seconded. Motion passed 7-0.

IV. OLD BUSINESS: Continuances and Missed Notices

V. NEW BUSINESS

A. ADMINISTRATIVE APPEALS

3. PETITION: VRB06- 136
PETITIONER: Thomas and Holly Myers
LOCATION: 2202 E Busch Blvd
REQUEST: To allow an activated sign.
PURPOSE: To post the time and temperature display.
NEIGHBORHOOD: Temple Crest

Holly Myers spoke about the sign and the changeable copy component with time and temperature display. She felt that time and temperature should be allowed.

Steve LaBour asked for clarification on what exactly was before them.

Joel Sousa from CSC explained the discrepancy within the code.

John Weiss spoke about technological changes.

The 24 hour rule applies to the changeable sign.

LaBour what would be the impact it will have if they approve this variance?

LaBour made a motion to uphold the zoning administrator's decision to deny this sign variance.

Seconded by O'Kelly. Motion passed 6-1.

B. TREE & LANDSCAPE / TRANSPORTATION / SIGN VARIANCES

4. PETITION: VRB06- 129
PETITIONER: The Fox
LOCATION: 5401 W Kennedy Blvd
REQUEST: To increase sign height from 15' to 40', to increase the square footage from 46 to 160, and to allow an electric message center.
PURPOSE: To install the sign
NEIGHBORHOOD: Beach Park

Mr. Pressman presented his case.

LaBour asked if they were allowed to grant a variance from the Westshore Commercial Overlay District.

Ms Wysong stated that at a previous meeting it was discussed by staff that the Board could not. She asked the board to review what they could. The board discussed what they could review that does not pertain to the Westshore Overlay District.

Ann Wallrapp made a motion to uphold the zoning administrators ruling. Seconded by Cheshire.

Motion passed.

5. PETITION: VRB06-135
 PETITIONER: Courtesy Nissan
 LOCATION: 3800 W Hillsborough Ave
 REQUEST: To increase square footage of new signs.
 PURPOSE: To install three new signs on the wall.
 NEIGHBORHOOD: Plaza Terrace

Staff discussed made to the staff report to clarify the request.

Catalano asked the question on who would be driving to the service side of the property. Would it be customers or the employees moving the car? Petitioner said that the customer would be driving the car.

John Weiss made a motion to approve. Seconded by LaBour. Motion passed 7-0.

C. GENERAL VARIANCES

6. PETITION: VRB06- 126
 PETITIONER: Carolyn Kaiser Wolfe
 LOCATION: 4605 S Gaines Rd
 REQUEST: To reduce the side yard setback from 7' to 3.5', front yard setback from 25' to 21' on the south-west side of the property, front yard setback from 25' to 17' on the south-east side of the property, with the allowed encroachment of the eaves and gutters, and to reduce the protected radius of the live oak tree from 20' to 15'.
 PURPOSE: To enlarge the existing attached garage, and to extend the covered porch.
 NEIGHBORHOOD: Bayside West

Staff pointed out that the front porch request does not need a variance. Petitioner spoke and asked the board to approve variances as requested. Petitioner submitted a letter in support of the variance request. O'Kelly asked why they needed to expand. The Board moved to file and receive letter in support of petition.

O'Kelly moved to deny the variance. Weis seconded the motion. Motion passed.

7. PETITION: VRB06- 127
 PETITIONER: John Bush
 LOCATION: 8706 N Brooks St
 REQUEST: To reduce the side yard setback from 7' to 4.2', with the allowed encroachment of the eaves and gutters
 PURPOSE: To create a buildable lot.
 NEIGHBORHOOD: Sulphur Springs Action League

Petitioner spoke about his variance and reasons for a variance from side yard set back from 7' to 4.2'. John

John Weiss made a motion to approve. The motion was seconded. The motion passed.

8. PETITION: VRB06- 130
 PETITIONER: New Millennial Homes
 LOCATION: 8218 N Alaska St
 REQUEST: To reduce the side yard setbacks from 7' to 2' with the allowed encroachment of the eaves and gutters.
 PURPOSE: To create a buildable lot.
 NEIGHBORHOOD: Sulphur Springs Action League

Jenny Murphy spoke on behalf of New Millemium homes.

LaBour moved to approve the variance for a side yard setback from 7' to 3.2'. Tom Cheshire seconded. Motion passed 7-0.

9. PETITION: VRB06- 131
PETITIONER: New Millennial Homes
LOCATION: 1302 E Chelsea St
REQUEST: To reduce the side yard setback from 7' to 4', with the allowed encroachment of the eaves and gutters.
PURPOSE: To create a buildable lot.
NEIGHBORHOOD: South Seminole

Petitioner discussed the lot as being a Buildable lot of record. Spoke with Roger about hold harmless agreement. O'Kellely asked about the survey and the 4.9 feet. Does the Variance run with the land?
Anna Walrapp made a motion to approve. Seconded by Catalano. Motion passed 7-0.

10. PETITION: VRB06- 132
PETITIONER: Jairo H. Padin
LOCATION: 2613 W Saint Louis St
REQUEST: To reduce the rear yard setback from 15' to 10', with the allowed encroachment of the eaves and gutters.
PURPOSE: To build a residential addition.
NEIGHBORHOOD: Northeast Macfarlane

To reduce the rear yard setback from 15' to 10'. Catalano concerns are that it is not compatible with the porch.

John Weiss made a motion to deny. Wallrapp seconded. Motion passed 5-2.

11. PETITION: VRB06- 133
PETITIONER: Mark and Sarah Straley
LOCATION: 4619 Woodmere Rd
REQUEST: To reduce the side yard setback requirement from 5' to 0'.
PURPOSE: To build the screen enclosure for an existing in-ground swimming pool.
NEIGHBORHOOD: Beach Park

Mark Straley spoke about the screen enclosure over the existing pool, which was granted by a variance to be built in 1989. A letter was filed that indicated that the neighbor to the rear of this property was in favor of the request.

Wallrapp made a motion to deny. Weiss seconded. Motion passed 6-1. Variance was denied.

12. PETITION: VRB06- 134
PETITIONER: Darlene Miller
LOCATION: 3307 W Pearl Ave
REQUEST: reduce the side yard setback from 7' to 0', with the allowed encroachment of the eaves and gutters.
PURPOSE: To enclose existing carport.
NEIGHBORHOOD: Gandy/South Bay

Darlene Miller spoke about having an existing slab with the carport. She paid a contractor to enclose the carport and it was done without any permits. Code enforcement has cited petitioner.

A Motion was made to reduce the sideyard setback from 7' to 2.9'with the allow encroachment of the eaves and gutters. Seconded by Catalano. Motion passed 4-3.

