

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

**MEETING DATE:** November 13, 2007

**MEETING TIME:** 6:30 PM

**LOCATION:** 315 East Kennedy Boulevard, 3<sup>rd</sup> Floor, City Council Chambers

**I. SILENT ROLL CALL**

Melanie Higgins, Chair; Randy O'Kelley, Vice-Chair; Antonio Amadeo; Steve LaBour; Randy Baron; James Catalano, Gennaro DiNola

Staff present: Samantha Fenger, Eric Cotton, Roger Kirk, John McKirchy

Waiver of rules to allow for all continued cases that make notice to be heard in December. Mr. LaBour moved to waive and was seconded by Mr. O'Kelley, passed 7-0.

**II. APPROVAL OF MINUTES FOR October 9, 2007**

Mr. LaBour moved to approve the minutes and was seconded by Mr. Amadeo. Motion with correction to minutes, passed 7-0.

Ms. Higgins discussed her email to the Board as a private citizen from the last meeting.

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

**A. ADMINISTRATIVE APPEALS**

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

PETITION: VRB07-58  
PETITIONER: Bricklemyer Smolker & Bolves, PA  
LOCATION: 1905 West Cass Street  
REQUEST: To reduce the required parking spaces from 9 to 0  
PURPOSE: To bring the site into commercial conformance  
NEIGHBORHOOD: North Hyde Park Civic Association

Biff Craine, representing the petitioner, showed the new site plan for the property, indicating that Mr. Kirk had reviewed it. Mr. Craine indicated that Mr. Kirk was okay with the changes to the plan.

Mr. Kirk indicated that the request and revised site plan was consistent with the request.

Mr. Amadeo moved to approve the parking from 9 spaces to 4 spaces, per the site plan. Mr. LaBour moved to second and the motion passed 7-0.

C. GENERAL VARIANCES

PETITION: VRB07-94  
PETITIONER: CIG Real Estate  
AGENT: URS Corporation  
LOCATION: 700 North Dale Mabry Highway  
REQUEST: To reduce the corner yard setback from 10' to 5', and increase the allowed encroachment of the eaves and gutters from 3' to 5'  
PURPOSE: To expand the principal structure and associated overhang to accommodate coverage for an ADA accessible ramp  
NEIGHBORHOOD: North Bon Air/Oakford Park

*This case was withdrawn per the petitioner's request.*

IV. OLD BUSINESS: Continuances and Missed Notices

A. ADMINISTRATIVE APPEALS

B. TREE & LANDSCAPE / TRANSPORTATION / SIGN VARIANCES

PETITION: VRB07-86  
PETITIONER: Andy Alvarez  
AGENT: Stephen Michelini  
LOCATION: 2202 West Kennedy Boulevard  
REQUEST: Reduce the required parking from 42 spaces to 21 spaces and to reduce the greenspace required for the vehicle use area  
PURPOSE: Convert retail center to a restaurant  
NEIGHBORHOOD: Courier City/Oscawana

*This case was withdrawn. Per Section 27-468, the Board does not have jurisdiction over changes to the Code requirements within the Kennedy Overlay District and any relief to these requirements necessitate a rezoning public hearing before City Council.*

C. GENERAL VARIANCES

PETITION: VRB07-79  
PETITIONER: Virginia Bentley  
LOCATION: 8403 North Dexter Avenue  
REQUEST: To reduce the side yard setback from 3' to 0.5', with the allowed encroachment of the eaves and gutters  
PURPOSE: To keep an existing addition and to grandfather in the existing setback on the accessory structure  
NEIGHBORHOOD: Lowry Park Central

*This case was improperly noticed and will be scheduled for the December 11, 2007 public hearing.*

PETITION: VRB07- 96  
PETITIONER: Robert H. and Pamela L. Huntley  
AGENT: N/A  
LOCATION: 5126 Sterling Manor Drive  
REQUEST: To reduce rear yard setback from 20' to 11', with the allowed encroachment of the eaves and gutters  
PURPOSE: To construct a roofed, screened patio  
NEIGHBORHOOD: Tampa Palms and Sterling Manor

Mr. Huntley presented his case, showing pictures of adjacent properties development. He showed letters of approval from the Tampa Palms Homeowners Association.

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

**V. NEW BUSINESS**

**A. ADMINISTRATIVE APPEALS**

PETITION: VRB07-105  
PETITIONER: John D. Hudson  
AGENT: N/A  
LOCATION: 8102 & 8102 ½ North Boulevard (NKA 905 & 905 ½ West Sitka Street)  
REQUEST: A continuance of the properties' legal non-conforming status  
PURPOSE: To retain rental units  
NEIGHBORHOOD: Lowry Park Central Civic

*This case was improperly noticed and will be scheduled for the December 11, 2007 public hearing.*

PETITION: VRB07-148  
PETITIONER: David Counts  
AGENT: N/A  
LOCATION: 8714 North Tampa Street  
REQUEST: A continuance of the property's legal non-conforming status  
PURPOSE: To retain rental units  
NEIGHBORHOOD: Lowry Park Central Civic

*This case was improperly noticed and will be scheduled for the December 11, 2007 public hearing.*

B. TREE & LANDSCAPE / TRANSPORTATION / SIGN VARIANCES

PETITION: VRB07-100  
PETITIONER: Michael and Frances Hepf  
AGENT: N/A  
LOCATION: 18121 Palm Beach Drive  
REQUEST: To reduce wetland setback  
PURPOSE: New pool construction  
NEIGHBORHOOD: Cory Lake Isles

Fred Hanson, representing the petitioner, presented his case, showing pictures of the neighborhood. The hardship is that the wetland setback interferes with the ability to develop the site consistent with the development patterns in the area.

Mr. Catalano questioned the EPC's input to the request. Staff indicated that the final jurisdictional determination is by the City.

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

C. GENERAL VARIANCES

PETITION: VRB07-99  
PETITIONER: Robert Hankin and Nancy Smith-Hankin  
AGENT: N/A  
LOCATION: 4603 Lowell Avenue  
REQUEST: To reduce the required separation between an accessory structure and the principal structure from 10' to 7.09'  
PURPOSE: To retain a screen enclosed patio  
NEIGHBORHOOD: Sunset Park

Mr. Hankin explained the variance request. Original plan had the accessory structure being demolished. That changed and after the remodeling was done, it was determined that the accessory structure was too close, about 8 square feet of the entire structure, was within the building separation.

Mr. Catalano moved to approve and was seconded by Mr. Amadeo, with amendment per the site plan and an irregular shape. The motion passed 7-0.

PETITION: VRB07- 101  
PETITIONER: Stephanie Lentz  
AGENT: N/A  
LOCATION: 1010 South Lincoln Avenue  
REQUEST: To reduce front yard setback from 25' to 8', with the allowed encroachment of the eaves and gutters  
PURPOSE: To add second story addition to existing detached garage  
NEIGHBORHOOD: Gulfview Civic and Garden Association

*This case was improperly noticed and will be scheduled for the December 11, 2007 public hearing.*

PETITION: VRB07- 102  
PETITIONER: Maria E. Padilla  
AGENT: N/A  
LOCATION: 4223 West San Luis  
REQUEST: To reduce rear yard setback from 20' to 6', with the allowed encroachment of the eaves and gutters  
PURPOSE: To construct a garage and a second story residential addition  
NEIGHBORHOOD: Virginia Park

*This case was amended by the petitioner and will be scheduled for the December 11, 2007 public hearing.*

PETITION: VRB07- 103  
PETITIONER: Julio and Judy Ayon  
AGENT: N/A  
LOCATION: 4505 West Azeele Street  
REQUEST: To reduce front yard setback from 25' to 19'10", with the allowed encroachment of the eaves and gutters  
PURPOSE: To extend existing front porch  
NEIGHBORHOOD: Beach Park

*This case was improperly noticed and will be scheduled for the December 11, 2007 public hearing.*

PETITION: VRB07- 104  
PETITIONER: Albert Ferara  
AGENT: N/A  
LOCATION: 506 North Habana Avenue  
REQUEST: To reduce front yard setback from 20' to 15', with the allowed encroachment of the eaves and gutters  
PURPOSE: To construct a carport  
NEIGHBORHOOD: Oakford Park

*This case was improperly noticed and will be scheduled for the December 11, 2007 public hearing.*

PETITION: VRB07- 106  
PETITIONER: Benton Meyer  
AGENT: N/A  
LOCATION: 3910 West Barcelona 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 new single family residence  
NEIGHBORHOOD: Virginia Park

Mr. Meyer presented his case. The setback will be 21 feet to the property line and 34 feet to the street. The porch will be open on three sides. The petitioner submitted letters of support from neighbors.

The Board questioned the petitioner regarding the trees and design of the house in regard to the setbacks of the property.

Board discussion ensued regarding the petitioner's request.

Mr. Amadeo moved to approve and was seconded by Mr. Catalano. The motion passed 4-3, Mr. O'Kelley, Mr. LaBour and Ms. Higgins voting nay.

PETITION: VRB07- 107  
PETITIONER: Alan C. Dobbs  
AGENT: same  
LOCATION: 3504 North Highland Avenue  
REQUEST: To reduce the front yard setback from 25' to 9'9.5", side from 7' to 5.25', south side from 7' to 1.25' and on the south portion of the property to reduce the rear to 0', corner to 0', front to 10', with the allowed encroachment of the eaves and gutters  
PURPOSE: To bring existing buildings into compliance, to allow lot split and construction of new future residence on south portion  
NEIGHBORHOOD: Tampa Heights

Mr. Dobbs presented his case and showed the Sanbourn maps and photographs of the existing conditions. He then reviewed the proposed site plan, explaining the numerous variance requests.

Board discussion ensued regarding the number of variances being requested and what specifically was requested. The Board was concerned with the discrepancy between the setbacks shown on the plan and what was noticed.

Mr. Dobbs requested a continuance to fix issues with the site plan.

Mr. LaBour moved to continue so that the petitioner could renote the case and redo the site plan, with Mr. DiNola seconding the motion. The motion passed 7-0.

PETITION: VRB07- 109  
PETITIONER: Randall Brinson  
AGENT: N/A  
LOCATION: 8423 North 15<sup>th</sup> Street  
REQUEST: To reduce side yard setback from 7' to 4.1', with the allowed encroachment of the eaves and gutters  
PURPOSE: To prevent this lot from becoming nonconforming  
NEIGHBORHOOD: Sulphur Springs Action League

Mr. Brinson explained the request and need to get the variance in order to split the lot and create a buildable lot.

Edward Ramirez, property owner, spoke in favor of the request.

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