

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

MEETING DATE: June 12, 2007
MEETING TIME: 6:30 PM
LOCATION: 315 East Kennedy Boulevard, 3 rd Floor, City Council Chambers

MINUTES

I. SILENT ROLL CALL

In attendance were: Melanie Higgin, Randy O’Kelly, Steve LaBour, James Catalano, Antonio Amadeo, and Tom Cheshire.

II. APPROVAL OF MINUTES FOR May 8, 2007

Minutes were approved 6-0.

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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|--------------|----------------------------------|
| 1. PETITION: | VRB07-25 |
| PETITIONER: | Carlos A Rivera Morales |
| LOCATION: | 4008 Ohio Avenue |
| REQUEST: | Front Yard setback 25’ to 13.5’. |
| PURPOSE: | To construct a 2 car carport. |
| NEIGHBORHOOD | Gandy/Sun Bay South |

Donna Wysong spoke about the remand back to the VRB from City Council. Carlos Morales spoke about the need to keep his carport. That code enforcement stopped the work being done on the carport. The builder that the petitioner hired did not pull permits. Showed site plan and pictures of carports in the area. Carlos stated that he is a disabled veteran and needs easy access to the house. LaBour asked questions of the petitioner. Donna Wysong indicated that City Council stated that the variance would not interfere with or injure the health safety or welfare of others. Tom Cheshire spoke about visiting site and that in his opinion the carports look terrible. O’Kelly felt that the charge of the board was to uphold the intent of the code and while he sympathized with the petitioner he could not agree with it. LaBour did not feel that there was competent and substantial evidence to support this request. The pictures did not show clearly the other carports. Amadeo went through the hardship criteria and feels it does not meet the hardship criteria. Cheshire made a point of the carport being as large as the living space. Amadeo made motion to deny based on not meeting the hardship criteria. Cheshire seconded. Motion passed 6-0. Variance was denied.

IV. OLD BUSINESS: Continuances and Missed Notices

A. ADMINISTRATIVE APPEALS

B. TREE & LANDSCAPE / TRANSPORTATION / SIGN VARIANCES

C. GENERAL VARIANCES

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| 2. PETITION: | VRB07-33 (b) |
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PETITIONER: Suresh Ragoobar
 LOCATION: 8100 N Orangeview Avenue
 REQUEST: Reduction of side yard setback from 7' to 3' and 7' to 4'.
 PURPOSE: To retain a residential addition.
 NEIGHBORHOOD Temple Crest Civic Association

The petitioner presented his case. Showed site plans. Chairman moved to close public hearing. Amadeo made a statement that this is an irregular lot-that it is unique and singular. Labour made a motion to approve the variance request of a side yard setback reduction of 7' to 3.8' and side yard 7' to .9' and a front yard reduction of 25' to 20.5', with the allowed encroachments of the eaves and gutters, as per the site plan. Amadeo seconded. Motion Passed 4-2, with Cheshire and Higgins voting.

3. PETITION: VRB07-45
 PETITIONER: Jeffrey Diettert
 LOCATION: 3208 W Bayvista Avenue
 REQUEST: To reduce front yard from 25' to 20'6", and side yard from 7' to 1'6", with the allowed encroachment of the eaves and gutters.
 PURPOSE: To construct a detached residential structure.
 NEIGHBORHOOD Bayshore Beautiful

The petitioner spoke about the need for the variance and the flooding issues concerned with the property. Showed pictures of existing home. Showed pictures of other Porte cocheres in the neighborhood. Cheshire asked questions of petitioner. Amadeo asked about the need for the variance because of the columns. He asked if the petitioner could not move the house back. Amadeo asked questions of staff about the accessory structure. Doug McFadden 2210 w Bay Vista said he does have issues with drainage-concerned with the porte cochere and the side yard setback. Ken Jackson lives on east side and is in opposition to the variance request-3rd structure on the property adding impervious material would create a drainage issue. Ricky Russell spoke in opposition to the variance. Petitioner rebutted the opposition and explain how the front structure would only enhance the neighborhood. Chairman moved to close the public hearing. Catalano spoke to his concerns with the building. Steve Labour stated that he cannot support this variance. Randy O'kelly said he could not support this request too much impervious material. Catalano made a motion to deny based on the hardship criteria not being met. Seconded Labour. Motion passed 6-0. Variance was denied.

4. PETITION: VRB07-47
 PETITIONER: Peggy Gebler
 LOCATION: 10921 N Annette Avenue
 REQUEST: To reduce the side yard setback from 7' to .5' and to increase fence height from 3' to 6'.
 PURPOSE: To retain a carport and privacy fence.
 NEIGHBORHOOD North Tampa Community

Petitioner showed site plan and pictures to the board. Received and file. Spoke about the need for the 6' fence in the front yard. Spoke about the theft in the area. Catalano asked questions of the petitioner. Length of carport is 41' by 14' height. Tom Cheshire spoke about his concerns on the variance. Out of state contractor was supposed to pull permits for this and did not. Amadeo does not that feel that this is unique and singular. Does not meet #1, and 2 of the hardship criteria. O'Kelly spoke about his concerns. Amadeo made a motion to deny the variance request. He said it does not meet the hardship criteria. Seconded by Catalano. Motion passed 6-0. Variance was denied.

V. NEW BUSINESS

A. ADMINISTRATIVE APPEALS

B. TREE & LANDSCAPE / TRANSPORTATION / SIGN VARIANCES

C. GENERAL VARIANCES

5. PETITION: VRB07-48
PETITIONER: New Millennial Homes
LOCATION: 4624 Courtland Street
REQUEST: To reduce rear yard from 15' to 12.4', with the allowed encroachment of the eaves and gutters.
PURPOSE: To construct a single family residence
NEIGHBORHOOD East Tampa Business Civic Association

Petitioner spoke about the need for a rear yard setback. Alan Dobbs spoke in opposition to the request. Labour made a motion to approve the rear yard setback reduction from 15' to 12.4', with the allowed encroachment of the eaves and gutter. Amadeo seconded. Motion passed 6-0.

6. PETITION: VRB07-49
PETITIONER: New Millennial Homes
LOCATION: 4626 Courtland Street
REQUEST: To reduce the rear yard setback from 15' to 12.4', with the allowed encroachment of the eaves and gutters.
PURPOSE: To construct a single family residence
NEIGHBORHOOD East Tampa Business Civic Association

Petitioner spoke about the need for a rear yard setback. Catalano made a motion to approve the rear yard setback reduction from 15' to 12.4', with the allowed encroachment of the eaves and gutter. LaBour seconded. Motion passed 6-0.

7. PETITION: VRB07-50(a)
PETITIONER: New Millennial Homes
LOCATION: 4628 Courtland Street
REQUEST: To reduce the rear yard setback from 15' to 12.3', with the allowed encroachment of the eaves and gutters.
PURPOSE: To construct a single family residence
NEIGHBORHOOD East Tampa Business Civic Association

Petitioner spoke about the need for a rear yard setback. Catalano made a motion to approve the rear yard setback reduction from 15' to 12.3', with the allowed encroachment of the eaves and gutter. Amadeo seconded. Motion passed 6-0.

8. PETITION: VRB07-50(b)
PETITIONER: Sol J. Fleischman Jr
LOCATION: 88 Martinique Avenue
REQUEST: To increase the height of an accessory structure from 15' to 21'.
PURPOSE: To construct a pool pavillion
NEIGHBORHOOD Davis Island Civic Association

This item was withdrawn by the petitioner.

9. PETITION: VRB07-51
PETITIONER: Jeff Strickland
LOCATION: 8201 Prairie Ridge Way
REQUEST: To reduce the wetland setback from 30' to 20'.
PURPOSE: To construct a swimming pool.
NEIGHBORHOOD West Meadows Civic Association

Petitioner asked to reduce the rear yard wetland setback. Showed site plan and pictures about the grass extending 70' into the wetland. Catalano asked questions about re-delineation of the setback lines. EPC would not comment Melanie Higgins asked questions about permitting to the petitioner. Amadeo spoke about the irregular line. LaBour spoke about the being able to support the motion. Amadeo made a motion to approve rear yard wetland setback from 30' to 20'. Seconded by Labour. Motion passed 5-1, with Higgins voting nay.

10. PETITION: VRB07-52
PETITIONER: Paul Arcos
LOCATION: 1005 E Idlewild Avenue
REQUEST: To reduce the front yard setback from 27.5' to 24.25', with the allowed encroachment of the eaves and gutters.
PURPOSE: To construct a front porch.
NEIGHBORHOOD Old Seminole Heights.

Mr. Padron presented his case and showed site plans and elevations on what the porch addition will look like. Catalano moved to approve the front yard setback from 27.5' to 24.25', with the allowed encroachment of the eaves and gutters with the condition that the porch remains open as shown on the elevation. Seconded by O'Kelly. Motion passed 5-0.

11. PETITION: VRB07-53
PETITIONER: Beth Rouse
LOCATION: 4213 W Santiage Street
REQUEST: To reduce the front yard setback from 25' to 21.1', with the allowed encroachment of the eaves and gutters.
PURPOSE: To construct a single family addition and expansion of front porch.
NEIGHBORHOOD Virginia Park Neighborhood Association

Board made a motion to continue the case to July 24th. Motion passed 4-1, with Cheshire voting nay.

12. PETITION: VRB07-54
PETITIONER: Alan Dobbs
LOCATION: 2404 West Prospect Road
REQUEST: To reduce the rear yard setback from 20' to 10' and side yard setback from 7' to 2', with the allowed encroachment of the eaves and gutters.
PURPOSE: To construct a 2-story garage.
NEIGHBORHOOD New Suburb Beautiful

Mr. Dobbs spoke as to the need for the variance. Showed pictures and site plans. The petitioner is proposing a two story accessory structure. Chairman moved to receive and file pictures of other two story accessory structure in the neighborhood. Dave Reilly spoke about the grand tree and the need to stay out of the protective radius. O'Kelly asked questions of the petitioner. Labour asked questions of the petitioner, about having a single story garage. Ed Dates spoke in support of the petition. Moved to close. Catalano spoke to the issues that he sees with the site plan.-concerns about the tree. Catalano made a motion to deny. The motion was seconded by Labour. Motion passed 4-1 with Cheshire voting nay. Variance was denied.

13. PETITION: VRB07-55
PETITIONER: Alan Dobbs
LOCATION: 205 S. Sherrill Street
REQUEST: Reduction of side yard setback from 7' to 6', with the allowed encroachment of the eaves and gutters.
PURPOSE: To construct a one story single family addition.
NEIGHBORHOOD New Suburb Beautiful

Mr. Dobbs spoke to the petition and showed site plans and as to the need for expansion and the hardship of the grand oak in the back/side yard. Catalano spoke in favor of this. Cheshire made a motion to approve the side yard setback from 7' to 6', with the allowed encroachments of the eaves and gutters. Seconded by Catalano. Motion passed 5-0.

14. PETITION: VRB07-56
PETITIONER: John D. Okun
LOCATION: 3701 W Corona Street
REQUEST: Reduction of rear yard setback from 20' to 13.1', with the allowed encroachment of the eaves and gutters.
PURPOSE: To construct a second story single family addition.
NEIGHBORHOOD The Virginia Park Residential

William Stone showed pictures of the existing house. A corner lot. Showed pictures of existing homes in the neighborhood. Catalano asked questions. Labour made a motion to approve the request. Seconded by Catalano. Motion passed 5-0.

15. PETITION: VRB07-57
PETITIONER: Camelia Forster
LOCATION: 1429 E Powhatan Ave
REQUEST: Reduction of rear yard setback from 3' to 2' and side yard setback from 3' to 1.4', with the allowed encroachment of the eaves and gutters.
PURPOSE: To retain an accessory structure.
NEIGHBORHOOD: Old Seminole Heights

Petitioner spoke about the violations. Received and filed letter from neighbor. Showed pictures. Catalano asked questions about the foot print of the original building. Showed site plan. Moved to close. Randy O'Kelly stated he was in favor of this petition. O'Kelly made a motion to approve the rear yard setback reduction from 3' to 2' and 3' to 1.4' side yard setback. Seconded by Catalano. Motion approved 6-0.

Melanie Higgins chairman stated that staff writes a letter to EPC to please respond to variance request.

Adjourned at 10:20 pm.