

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

MEETING DATE: December 11, 2007
MEETING TIME: 6:30 PM
LOCATION: 315 East Kennedy Boulevard, 3 rd Floor, City Council Chambers

FINAL MEETING MINUTES

(as of January 9, 2008)

- I. **SILENT ROLL CALL**
- II. **APPROVAL OF MINUTES FOR November 13, 2007**
- III. **OLD BUSINESS: Cases Continued by the Board/Staff**

- A. **ADMINISTRATIVE APPEALS**
- B. **TREE & LANDSCAPE / TRANSPORTATION / SIGN VARIANCES**
- C. **GENERAL VARIANCES**

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

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

The petitioner explained the case. The petitioner reviewed numerous photos, explaining the site and the age of the units.

Eric Cotton, City of Tampa Land Development Coordination staff, spoke on behalf of the Zoning Administrator. He referenced Section 27-297 and explained legal non-conforming uses could not be expanded.

Rod Gillis spoke in favor of the case.

Mr. Amadeo moved to not uphold the Zoning Administrator's determination, seconded by Mr. DiNola. The motion passed 6-1, with Mr. LaBour voting no.

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

The petitioner explained the case and reviewed former tax records.

Eric Cotton, City of Tampa Land Development Coordination, spoke on behalf of the Zoning Administrator.

Joe Fuges spoke against the case.

Mr. Amadeo moved to uphold the Zoning Administrator's determination. Mr. LaBour seconded. The motion passed 7-0.

B. TREE & LANDSCAPE / TRANSPORTATION / SIGN VARIANCES

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 retain an existing addition and to grandfather in the existing setback on the accessory structure
NEIGHBORHOOD: Lowry Park Central

The petitioner had submitted a letter requesting to withdraw the variance request.

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

The petitioner explained the case and submitted two documents for file.

David Reilly, City of Tampa Parks and Recreation, commented that minor pruning would be needed on one tree.

Mr. Amadeo moved to approve, seconded by Mr. Barron. The motion passed 6-1, with Mr. LaBour voting no.

PETITION: VRB07- 102
PETITIONER: Maria E. Padilla
AGENT: N/A
LOCATION: 4223 West San Luis
REQUEST: To reduce front yard setback from 25' to 5', with the allowed encroachment of the eaves and gutters
PURPOSE: To construct a garage and a second story residential addition
NEIGHBORHOOD: Virginia Park

The petitioner explained the case. The petitioner reviewed numerous photos and submitted letters of support for the file.

Roger Kirk, City of Tampa Transportation, commented that the petitioner would need approval for the driveway, would need to meet the required corner lot garage setback of 18', and the Department has no preference regarding whether the garage is located in the front yard or the rear yard..

Ken Miller spoke against the case.

Mr. O'Kelley moved to deny, seconded by Mr. DiNola. The motion passed 7-0.

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

The petitioner explained the case. The petitioner reviewed numerous photos and architectural plans.

David Reilly, City of Tampa Parks and Recreation, spoke about a potential grand tree in the front yard and commented that the petitioner was presenting different site plans in the public hearing than were provided at the time of application submittal; therefore, the Department would not support the project.

Margaret Vizzi spoke against the case.

Mr. O'Kelley moved to deny, seconded by Mr. LaBour. The motion passed 7-0.

PETITION: VRB07- 104
PETITIONER: Albert Ferrera
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 January 8, 2008 public hearing.

V. NEW BUSINESS

A. ADMINISTRATIVE APPEALS

B. TREE & LANDSCAPE / TRANSPORTATION / SIGN VARIANCES

PETITION: VRB08-05
PETITIONER: Brian Kelleher
AGENT: N/A
LOCATION: 2708 North 50th Street
REQUEST: To increase two pylon signs height from 35' to 50'
PURPOSE: Install two new pylon signs
NEIGHBORHOOD: Highland Pines Community Task Force

A representative spoke in the petitioner's absence. The representative explained the case and provided images of the proposed signs.

Mr. LaBour moved to deny, seconded by Mr. Barron. The motion passed 6-1, with Mr. Amadeo voting no.

C. GENERAL VARIANCES

PETITION: VRB08-01
PETITIONER: Dorothy Bland
AGENT: N/A
LOCATION: 3002 West San Nicholas Street
REQUEST: To reduce the front yard setback from 20' to 9.5' and the side yard setback from 7' to 1', with the allowed encroachment of the eaves and gutters
PURPOSE: To construct a front porch and an attached carport
NEIGHBORHOOD: Palma Ceia

The petitioner explained the case. The petitioner reviewed numerous photos and provided letters of support for the file.

Mr. LaBour moved to continue the case to the January 8, 2008, public hearing provided the petitioner presents a revised site plan with dimensions, seconded by Mr. Barron. The motion passed 7-0.

PETITION: VRB08-02
PETITIONER: Thomas W. Garland
AGENT: N/A
LOCATION: 2913 East Hillsborough Avenue
REQUEST: To reduce the corner yard setback from 10' to 0', with the allowed encroachment of the eaves and gutters
PURPOSE: To retain two existing steel shelters
NEIGHBORHOOD: East Tampa Business and Civic Association

The petitioner explained the case. The petitioner reviewed numerous photos and described the right-of-way giving that occurred in the 1940s.

Michael Farmer spoke against the case.

Mr. LaBour moved to continue the case to the January 8, 2008, public hearing with the condition the petitioner meets with the City of Tampa Transportation Department. Mr. O'Kelley seconded. The motion passed 6-1, with Mr. DiNola voting no.

PETITION: VRB08-03
PETITIONER: Patricia Davis
AGENT: N/A
LOCATION: 3824 North 51st Street
REQUEST: To reduce parking from 6 spaces to 0 and allow maneuvering in the right-of-way; buffer waiver from 15' to 0'
PURPOSE: To retain existing fish market
NEIGHBORHOOD: Grant Park

This case was improperly noticed and will be scheduled for the January 8, 2008 public hearing.

PETITION: VRB08-04
PETITIONER: Andrew Rey, Jr. and Lorenda A. Pucci-Rey
AGENT: Robert J. Lence
LOCATION: 4014 West Granada Street
REQUEST: To reduce the front yard setback from 25' to 16', with the allowed encroachment of the eaves and gutters
PURPOSE: To construct a front porch
NEIGHBORHOOD: Virginia Park

The petitioner requested to move to the January 8, 2008, public hearing.

PETITION: VRB08-06
PETITIONER: Robert Valdez, Sr.
AGENT: Ty Maxey
LOCATION: 24 Adalia Avenue
REQUEST: To reduce the side yard setback from 7' to 1.9', with the allowed encroachment of the eaves and gutters
PURPOSE: To renovate a single family residence
NEIGHBORHOOD: Davis Islands Civic Association

Ty Maxey, the agent representing the petitioner, requested a continuance due to neighborhood objection and the absence of the project's architect. Mr. LaBour moved to continue the case, seconded by Mr. O'Kelley. The motion failed, with Ms. Higgins, Mr. Amadeo, Mr. Barron, Mr. DiNola voting no.

Mr. Maxey explained the case. He reviewed numerous photos and provided handouts for the file.

Rod Gillis spoke against the case citing stormwater flow concerns. Linda Carson spoke against the case citing the property has been poorly maintained.

Mr. Barron moved to continue the case to the February 12, 2008, public hearing, seconded by Mr. LaBour with the condition that a more detailed staff report be provided and the project's architect appear at the hearing. The motion passed 7-0.

PETITION: VRB08-07
PETITIONER: Mildred Dominguez
AGENT: N/A
LOCATION: 3106 West Crest Avenue
REQUEST: To reduce the rear yard setback from 20' to 14', with the allowed encroachment of the eaves and gutters
PURPOSE: To retain existing residential addition
NEIGHBORHOOD: Plaza Terrace

The petitioner explained the case.

Mr. O'Kelley moved to approve, seconded by Mr. LaBour with the condition that the variance be tied to the submitted site plan. The motion passed 7-0.

PETITION: VRB08-08
PETITIONER: Dan Collins
AGENT: N/A
LOCATION: 15348 Sherwood Forest Drive
REQUEST: To reduce the rear yard setback from 15' to 3', with the allowed encroachment of the eaves and gutters
PURPOSE: To construct a screen enclosed room
NEIGHBORHOOD: Tampa Palms

The petitioner explained the case. The petitioner reviewed numerous photos of other sunrooms that had been constructed in the neighborhood.

Charles Hight spoke against the case.

Mr. LaBour moved to approve, seconded by Mr. DiNola. The motion passed 6-1, with Mr. O'Kelley voting no.

PETITION: VRB08-09
PETITIONER: Dan Collins
AGENT: N/A
LOCATION: 15350 Sherwood Forest Drive
REQUEST: To reduce the rear yard setback from 15' to 2', with the allowed encroachment of the eaves and gutters
PURPOSE: To construct a screen enclosed room
NEIGHBORHOOD: Tampa Palms

The petitioner explained the case. The petitioner discussed the grand oak trees and reviewed the changes on the site plan.

Charles Hight spoke against the case. Kelly Alio spoke against the case.

Mr. LaBour moved to approve, seconded by Mr. DiNola with the condition that the room never be enclosed and be 12' x 24'. The motion passed 4-3, with Mr. Barron, Mr. Amadeo, and Mr. O'Kelley voting no.