



Variance Review Board  
City Council Chambers  
City Hall  
315 E. Kennedy Blvd., Third Floor  
Tampa, Florida 33602

ANY PERSON WHO DECIDES TO APPEAL ANY DECISION OF THE VARIANCE REVIEW BOARD WITH RESPECT TO ANY MATTER CONSIDERED AT THIS MEETING WILL NEED A RECORD OF THE PROCEEDINGS, AND FOR SUCH PURPOSE, MAY NEED TO HIRE A COURT REPORTER TO ENSURE THAT A VERBATIM RECORD OF THE PROCEEDINGS IS MADE, WHICH RECORD INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED.

IN ACCORDANCE WITH THE AMERICANS WITH DISABILITIES ACT AND SECTION 286.26, FLORIDA STATUTES, PERSONS WITH DISABILITIES NEEDING SPECIAL ACCOMMODATION TO PARTICIPATE IN THIS MEETING SHOULD CONTACT THE CITY CLERK'S OFFICE AT LEAST FORTY-EIGHT (48) HOURS PRIOR TO THE DATE OF THE MEETING.

IF YOU DECIDE TO APPEAL A DECISION OF THE VARIANCE REVIEW BOARD, YOU WILL NEED TO APPLY TO THE CITY OF TAMPA CITY CLERK'S OFFICE NO LATER THAN SEVEN BUSINESS DAYS AFTER THE ORAL DECISION IS MADE. YOU WILL NEED TO OBTAIN A COMPLETE COPY OF THE RECORD FOR YOUR APPEAL.

**FINAL MINUTES**  
(as of February 13, 2008)

**MEETING DATE: January 8, 2008**

**MEETING TIME: 6:30 PM**

I. **ROLL CALL** Antonio Amadeo, Randy Barron, James Catalano, Melanie Higgins, Randy O'Kelley, Lucinda "Alyson" Utter  
Samantha Fenger (City of Tampa Land Development Coordination Division)  
John McKirchy (City of Tampa Legal Department)

II. **APPROVAL OF MINUTES FOR December 11, 2007**

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

A. **ADMINISTRATIVE APPEALS**

PETITION: VRB08-12  
PETITIONER: Don and Julie Watson  
AGENT: John R. Thomas  
LOCATION: 4325 Euclid Avenue  
REQUEST: Appeal Zoning Administrator's determination  
PURPOSE: To remove car wash air blowers  
NEIGHBORHOOD: FairOaks/Manhattan Manor, Virginia Park, Bayside

Mr. O'Kelley asked for clarification from the City of Tampa's legal department regarding the standard of review process for the variance.

The agent, John R. Thomas, explained the case saying the petitioner had not been able to rent or sell the property for two years. The agent presented documentation for the file.

Cathy Coyle, of the City of Tampa Land Development Coordination Division, said she reviewed the transcripts and the site plan. Cathy explained requirements of planned development site plans. Historically the Land Development Coordination Division has determined air blowers to be accessory structures. A variance request isn't necessary because the air blowers are not encroaching into the setback. Cathy noted that the code does not specifically address car wash air blowers so when the code is silent, the zoning administrator has to make a determination.

John Grandoff represented the property owner. Mr. Grandoff said that the property owner is in full compliance with the site plan and advised the board to support Ms. Coyle's determination.

Julie Watson spoke against the case stating the blowers have disturbed the neighborhood for three years.

Ms. Watson spoke against the case siting other car washes owned by the property owner.

Brian Lewinston spoke against the case siting noise as a factor.

Steve Labelle spoke against the case siting noise as a factor

Ray Thompson spoke against the case.

Alan Dobbs stated the board should consider what the intent of city council was at the night of the public hearing and should uphold that determination.

Mr. Amadeo moved to not uphold the zoning administrator's determination, seconded by Ms. Higgins. The motion passed 6-0.

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

**C. GENERAL VARIANCES**

PETITION: VRB07- 107  
PETITIONER: Alan C. Dobbs  
AGENT: N/A  
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

The agent, Alan Dobbs, explained the case. The agent reviewed the site plan, the history of the neighborhood and the age of the units.

Mr. Catalano moved to approve, seconded by Mr. Amadeo, with the four voluntary conditions that are provided on the site plan and that the porch never be enclosed. The motion passed 6-0.

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 west 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

Dorothy Bland reviewed the case. Dorothy and William Bland explained the site plan. Dorothy reviewed photos. Dorothy submitted a revised letter of support for the file.

Mr. Amadeo moved to approve, seconded by Mr. Barron with the condition of no encroachment of the eaves and gutters in the front yard. The motion passed 6-0.

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 requested a continuance to the February 12, 2008, public hearing date.

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

##### **A. ADMINISTRATIVE APPEALS**

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

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, and removal of a rear yard grand oak tree  
PURPOSE: To construct a carport and a residential addition  
NEIGHBORHOOD: Oakford Park

Albert Ferrera explained the case and discussed removal of the rear yard oak tree

Mr. Reilly of the City of Tampa Parks Department provided photos of the tree from a previous site visit. He stated that the Parks Department denied the request to remove the tree.

Roger Kirk, City of Tampa Transportation Department, stated that the petitioner should maintain a minimum 20' front yard setback for the garage.

Mr. O'Kelley moved to approve, seconded by Mr. Amadeo. The motion passed 4-2, with Ms. Higgins and Ms. Utter voting no.

PETITION: VRB08-03  
PETITIONER: Patricia Davis  
AGENT: N/A  
LOCATION: 3824 North 51<sup>st</sup> Street  
REQUEST: To reduce parking from 6 spaces to 0 and allow maneuvering in the right-of-way; buffer waiver from 15' to 0'; green space waiver of 730 sq. ft.; reduce rear yard setback from 10' to 0', with the allowed encroachment of eaves and gutters  
PURPOSE: To retain existing fish market  
NEIGHBORHOOD: Grant Park

Patricia Davis explained the case and discussed the property's existing conditions.

Roger Kirk, City of Tampa Transportation Department, stated that an adequate number of parking spaces should be provided.

Nicole Richardson spoke in favor of the variance stating that parking and traffic does not negatively impact her adjacent business.

Alexander Wynn spoke in favor of the variance.

Mr. Catalano moved to deny the parking waiver and the maneuvering in the right-of-way and approve the buffer waiver, the green space waiver and the rear yard setback, seconded by Mr. Barron. The motion passed 6-0.

#### C. GENERAL VARIANCES

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 17', with the allowed encroachment of the eaves and gutters  
PURPOSE: To construct a front porch  
NEIGHBORHOOD: Virginia Park

Lorenda A. Pucci-Rey explained the case. The petitioner reviewed the proposed site plan and several photos. The petitioner submitted letters of support for the file.

The agent, Robert J. Lence, reviewed the site plan and spoke about the bay configuration of the proposed front porch.

Mr. Catalano moved to approve, seconded by Mr. Amadeo, and Mr. O'Kelley added the condition that the porch never be enclosed. The motion passed 5-1, with Mr. Barron voting no.

**V. NEW BUSINESS**

A. ADMINISTRATIVE APPEALS

B. TREE & LANDSCAPE / TRANSPORTATION / SIGN VARIANCES

C. GENERAL VARIANCES

PETITION: VRB08-10  
PETITIONER: Wendell and Debra Wells Duggins  
AGENT: N/A  
LOCATION: 3201 East Paris Street  
REQUEST: To reduce the east side yard setback from 7' to 1'1", with the allowed encroachment of the eaves and gutters  
PURPOSE: To construct a residential addition  
NEIGHBORHOOD: Live Oaks Square

Wendell Duggins explained the case. The petitioner presented one photo of the home.

Mr. Barron moved to approve, seconded by Mr. Catalano. The motion passed 6-0.

PETITION: VRB08-11  
PETITIONER: Glynn R. Morgan  
AGENT: John D. Ehas  
LOCATION: 15904 Layton Court  
REQUEST: To reduce the rear yard setback from 20' to 3', with the allowed encroachment of the eaves and gutters  
PURPOSE: To construct a residential addition  
NEIGHBORHOOD: Tampa Palms

The agent, John D. Ehas, explained the case. The agent reviewed the proposed site plan and several photos.

Mr. Amadeo moved to approve with the condition that the petitioner meet two of the recommendations provided by the Hillsborough County Environmental Protection Commission, seconded by Mr. Barron, with Mr. Catalano, Mr. O'Kelley, and Ms. Higgins voting no. As a result of a tie vote, the case was continued to the February 12, 2008, public hearing date.

PETITION: VRB08-13  
PETITIONER: Maurice and Sharon Capobianco  
AGENT: N/A  
LOCATION: 3012 West Bay Court Avenue  
REQUEST: To reduce the west side yard setback from 3' to 1.2', with the allowed encroachment of the eaves and gutters  
PURPOSE: To tear down and replace an existing one car garage  
NEIGHBORHOOD: Bayshore Beautiful

Maurice Capobianco explained the case. The petitioner reviewed several photos and the proposed site plan. The petitioner submitted a letter of support for the file.

Mr. Amadeo moved to approve, seconded by Mr. Catalano, with the condition that the west side yard setback be 2'2" instead of 1.2'. The motion passed 6-0.

PETITION: VRB08-14  
PETITIONER: Michael J. Wood  
AGENT: N/A  
LOCATION: 5019 Southampton Circle  
REQUEST: To reduce the rear yard setback from 30' to 21'6",  
with the allowed encroachment of the eaves and  
gutters  
PURPOSE: To expand existing pool deck and screen  
NEIGHBORHOOD: Tampa Palms

This case was improperly noticed and will be rescheduled for the February 12, 2008, public hearing.

PETITION: VRB08-15  
PETITIONER: Scott Sieja  
AGENT: Don Myers  
LOCATION: 5606 Samter Court  
REQUEST: To reduce the rear yard setback from 20' to 17'3",  
with the allowed encroachment of the eaves and  
gutters  
PURPOSE: To construct a second story residential addition  
NEIGHBORHOOD: Gandy/Sun Bay South Civic Association

Scott Sieja explained the case. The petitioner reviewed several photos and the proposed site plan. The petitioner submitted a letter of support for the file.

Mr. Catalano moved to approve, seconded by Mr. O'Kelley. The motion passed 6-0.