



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 DAY'S AFTER THE ORAL DECISION IS MADE. YOU WILL NEED TO OBTAIN A COMPLETE COPY OF THE RECORD FOR YOUR APPEAL.

FINAL MINUTES

(as of May 14, 2008)

MEETING DATE: April 8, 2008

MEETING TIME: 6:30 PM

I. ROLL CALL

Randy Baron, Lucinda "Alyson" Utter, Melanie Higgins, Antonio Amadeo, Nicholas Bradford, Gennaro DiNola
Samantha Fenger (City of Tampa Land Development Coordination Division)
Donna Wysong (City of Tampa Legal Department)

II. APPROVAL OF MINUTES FOR March 11, 2008

Mr. Baron moved to approve the March 11, 2008, Variance Review Board minutes, seconded by Ms. Higgins. The motion carried 6-0.

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

B. TREE & LANDSCAPE / TRANSPORTATION / SIGN VARIANCES

C. GENERAL VARIANCES

PETITION: VRB08-23
PETITIONER: Jack D. and Nancy H. Suarez
AGENT: Becky M. Craig and Cameron Coe
LOCATION: 1001 ½ South Sterling Avenue
REQUEST: To reduce the southern side yard setback from 7' to 3'4" and the rear yard setback from 20' to 7', with the allowed encroachment of the eaves and gutters
PURPOSE: To build an 8' wall along 155' long west property line abutting medical office; to increase allowable accessory structure square footage from 1125 sq. ft. to 1685 sq. ft.
NEIGHBORHOOD: Golfview Civic and Garden Association

John Grandoff provided an affidavit from the petitioner to authorize him as the acting agent. Mr. Grandoff explained the case and reviewed photographs.

Mr. Bradford questioned whether the petitioner met the hardship criteria for the proposed outdoor open kitchen. Mr. Bradford also asked about the noise of the parking from the adjacent medical offices. Mr. Amadeo asked the agent to clarify the variance request by walking the Board members through the site plan. Ms. Utter asked about the relocation of the oak trees behind the guest house.

Nancy Aft spoke in objection of the variance request. Ms. Aft said that she had requested the petitioner provide more details of the proposed wall.

Mr. Grandoff requested a continuance to the May 13, 2008, public hearing.

Mr. Baron moved to approve the request for continuance to the May 13, 2008, public hearing seconded by Ms. Higgins. The motion carried 6-0.

PETITION: VRB08-25
PETITIONER: Stephen and Elizabeth Couture
AGENT: N/A
LOCATION: 215 West Thomas Street
REQUEST: To reduce the rear yard setback from 20' to 2.8' and the east side yard setback from 7' to 3.1', with the allowed encroachment of the eaves and gutters
PURPOSE: To remove an existing garage and construct a new two story garage
NEIGHBORHOOD: Old Seminole Heights

Stephen Couture explained the case and reviewed the proposed site plan and photographs.

The Board discussed concerns regarding the proposed rear garage doors.

Mr. Baron moved to approve, seconded by Ms. Utter. The motion carried 5-1, with Mr. Bradford voting no.

V. NEW BUSINESS

A. ADMINISTRATIVE APPEALS

PETITION: VRB08-43
PETITIONER: Ross Dress for Less, Inc.
AGENT: Daniel Hernandez
LOCATION: 2231 East Hillsborough Avenue
REQUEST: Administrative Appeal
PURPOSE: Administrative Appeal of an administrative determination
NEIGHBORHOOD: East Tampa
Per the Zoning Administrator's review of newly adopted provisions, this case has been removed from the agenda.

B. TREE & LANDSCAPE / TRANSPORTATION / SIGN VARIANCES

PETITION: VRB08-41
PETITIONER: City of Tampa
AGENT: Marques Smith
LOCATION: 700 North Ashley Drive
REQUEST: Tree removal of 50% or more
PURPOSE: To construct Curtis Hixon Park, the Tampa Museum of Art and Glazer's Children's Museum
NEIGHBORHOOD: Uptown Council

Marques Smith explained the case and reviewed the proposed site plan and photographs.

Mary Danielewicz-Bryson, City of Tampa Land Development Coordination, spoke regarding the variance request. Ms. Danielewicz-Bryson said that the current conditions of the site have compromised the trees' health. She had determined that from a sustainability aspect, these trees would not survive a transplant or future development. Based on these facts, she found the request consistent with Chapter 13. Ms. Danielewicz-Bryson reviewed site photos and clarified the tree table on the site plan.

Ms. Utter confirmed with staff that the tree replacement totals in the tree table are far exceeding the requirements.

Ms. Utter moved to approve, seconded by Ms. Higgins. The motion carried 6-0.

C. GENERAL VARIANCES

PETITION: VRB08-34
PETITIONER: Yannibert Jota
AGENT: Juan C. Suarez
LOCATION: 2337 Walnut Street
REQUEST: To reduce the east side yard setback from 5' to 2'6" and the front yard setback from 20' to 5', with the allowed encroachment of the eaves and gutters
PURPOSE: To construct a single family home
NEIGHBORHOOD: Old West Tampa
This case was improperly noticed and will be rescheduled for the May 13, 2008, public hearing.

PETITION: VRB08-35
PETITIONER: Johann and Anthony Grieco
AGENT: N/A
LOCATION: 18902 Woodsage Drive
REQUEST: To reduce the wetland setback from 30' to 23', with the allowed encroachment of the eaves and gutters
PURPOSE: To construct a residential addition
NEIGHBORHOOD: Hunters Green
This case was improperly noticed and will be rescheduled for the May 13, 2008, public hearing.

PETITION: VRB08-36
PETITIONER: Carlos Amaya
AGENT: N/A
LOCATION: 3617 West Carmen Street
REQUEST: To reduce the north side yard setback from 3' to 1' and to reduce the minimum building separation distance from 5' to 3', with the allowed encroachment of the eaves and gutters
PURPOSE: To retain an existing accessory structure
NEIGHBORHOOD: Oakford Park

Carlos Amaya's translator explained the case and reviewed the site plan and photographs.

John Gonzalez spoke against the variance request.

Mr. Baron expressed concerns regarding code violations, an inaccurate site plan, stormwater runoff and not seeing a hardship. Ms. Higgins said that if she had looked at this variance request prior to the conditions presented at the public hearing, she would have objected. Mr. DiNola agreed.

Mr. Baron moved to deny the variance, seconded by Mr. DiNola citing that the hardship criteria #1, #2 and #3 had not been met. The motion carried 6-0.

PETITION: VRB08-37
PETITIONER: Jeff Gonzalez and Melonie Wilkerson
AGENT: John Matera
LOCATION: 6530 Bayshore Boulevard
REQUEST: To reduce the wetland setback from 25' to 15' and the front yard setback from 25' to 15', with the allowed encroachment of the eaves and gutters
PURPOSE: To construct a single family home
NEIGHBORHOOD: Ballast Point

John Matera explained the case and reviewed the proposed site plan and photographs.

Mr. Matera explained the proposed 15' tree buffer on the west property line.

Mary Danielewicz-Bryson, City of Tampa Land Development Coordination, spoke regarding the variance request. Ms. Danielewicz-Bryson discussed the Environmental Protection Commission (EPC) requirements, the mangroves and the Brazilian pepper.

Rob Picard spoke against the variance request.

Mr. DiNola moved to approve the front yard setback from 25' to 15', seconded by Mr. Bradford. The motion carried 5-1, with Ms. Higgins voting no.

Mr. DiNola moved to deny the wetland setback from 25' to 15', seconded by Mr. Baron. The motion carried 6-0.

PETITION: VRB08-39
PETITIONER: Elizabeth P. Guyton
AGENT: Jonathan Greeves
LOCATION: 2949 West Knights Avenue
REQUEST: To reduce the south side yard setback from 17'7" to 10'11", with the allowed encroachment of the eaves and gutters
PURPOSE: To construct a residential addition
NEIGHBORHOOD: Bayshore Beautiful

Jonathan Greeves explained the case and reviewed the proposed site plan and photographs.

Mr. DiNola asked the City's legal department if the Board should hear the case considering the following three items: the petitioner didn't prove ownership of the land, the Condo Association did not approve the request, and the Association should have filed the variance request.

Barbara Crassy, the Condo Association attorney, spoke in objection of the variance request.

Mr. Greeves requested to withdraw the variance request.

PETITION: VRB08-40
PETITIONER: Woodside Tampa Palms, LLC
AGENT: John Sabetta
LOCATION: 16020 Bella Woods Drive
REQUEST: To reduce the rear yard setback from 20' to 7.4', with the allowed encroachment of the eaves and gutters
PURPOSE: To construct a single family home
NEIGHBORHOOD: Tampa Palms

John Sabetta explained the case and reviewed the proposed site plan and photographs.

Ms. Higgins moved to approve the variance request siting the property is unique and singular, seconded by Mr. Baron. The motion carried 5-1, with Mr. Bradford voting no.

PETITION: VRB08-42
PETITIONER: Jeffrey D. Mason
AGENT: N/A
LOCATION: 6018 South Switzer Avenue
REQUEST: To reduce the front yard setback from 20' to 17'1", with the allowed encroachment of the eaves and gutters
PURPOSE: To construct a residential addition
NEIGHBORHOOD: Ballast Point

Jeffrey Mason explained the case and reviewed the proposed site plan and photographs.

Mr. Mason presented letters of support for the file.

Bruce Lucas, City of Tampa Parks Department, and Mary Danielewicz-Bryson, City of Tampa Land Development Coordination, reviewed photos of the trees on site.

Ms. Higgins moved to approve the variance request siting the property is unique and singular, seconded by Mr. Baron. The motion carried 6-0.

PETITION: VRB08-44
PETITIONER: Garry Scott and Cagle Dominique
AGENT: Todd M. Caroline
LOCATION: 132 Baltic Circle
REQUEST: To reduce the front yard setback from 25' to 24'4"
and to reduce the minimum building separation
distance from 10' to 8', with the allowed
encroachment of the eaves and gutters
PURPOSE: To construct a second story garage addition
NEIGHBORHOOD: Davis Islands Civic

Todd Caroline reviewed the proposed site plan and presented letters of support for the file.

Mr. Baron moved to approve the variance request, seconded by Mr. DiNola. The motion carried 6-0.

BOARD DISCUSSION

Mr. Baron requested that the continued/improperly noticed cases be moved to the end of the agenda. Mr. Baron moved to put that discussion item on the May 13, 2008, agenda, the motion passed 6-0.

Ms. Higgins asked the City's legal department to remind the Board members about replying to emails. Ms. Wysong advised the Board to forward all communication through the legal department or through the Variance Review Board administrator.