



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 MEETING MINUTES**

(as of August 13, 2008)

**MEETING DATE: July 8, 2008**

**MEETING TIME: 6:30 PM**

**I. ROLL CALL**

Randy Baron, Lucinda "Alyson" Utter, Melanie Higgins, Antonio Amadeo, Nicholas Bradford, Randy O'Kelley, Steve LaBour, Gennaro Gennaro Dinola (arrived during VRB08-68)  
Samantha Fenger (City of Tampa Land Development Coordination Division)  
Towanda Anthony (City of Tampa Land Development Coordination Division)  
Ernest Mueller (City of Tampa Legal Department)

**II. APPROVAL OF MINUTES FOR June 10, 2008**

Mr. LaBour moved to approve the July 8, 2008, minutes, seconded by Ms. Higgins. The motion carried 7-0.

**III. ADMINISTRATIVE APPEALS**

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

A. TREE & LANDSCAPE / TRANSPORTATION / SIGN VARIANCES

B. GENERAL VARIANCES

**V. NEW BUSINESS**

A. TREE & LANDSCAPE / TRANSPORTATION / SIGN VARIANCES

B. GENERAL VARIANCES

PETITION: VRB08-65  
PETITIONER: Isaac Borges  
AGENT: Not Applicable  
LOCATION: 1809 West Kirby  
REQUEST: To reduce the rear yard setback from 20' to 4.97',  
with the allowed encroachment of the eaves and  
gutters  
PURPOSE: To retain an existing residential addition  
NEIGHBORHOOD: Lowry Park Central

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

PETITION: VRB08-66  
PETITIONER: Camp Nebraska, Inc.  
AGENT: Nicole Weis  
LOCATION: 10314 North Nebraska Avenue  
REQUEST: To allow a barbed wire fence  
PURPOSE: To retain an existing 6' barbed wire fence  
NEIGHBORHOOD: North Tampa Community Crime Association and  
Civic and University Square Civic Association

Agent Nicole Weis reviewed the variance request and presented crime statistics for the area to establish hardship. No public comments. Randy O' Kelley recommended applicant look into a Crime Prevention Through Environmental Design (CPTED) review by Tampa Police Department if feasible.

Randy Baron moved to deny the request citing the need for security under City Code Section 27-133 had not been adequately established, seconded by Steve LaBour. The motion carried 4-2, with Mr. Amadeo and Ms. Utter voting no.

PETITION: VRB08-68  
PETITIONER: Stephen Chahal  
AGENT: Madison Construction, Inc.  
LOCATION: 4942 West Melrose Avenue  
REQUEST: To reduce the front yard setback from 25' to 9'11"  
and the rear yard setback from 20' to 14', with the  
allowed encroachment of the eaves and gutters  
PURPOSE: To construct a residential addition  
NEIGHBORHOOD: Stoney Point Civic Association

Agent from Madison Construction presented petition request citing seawall and FEMA regulations uniqueness to property. No public comments. Board commented rear yard setback approval based on rear yard setback area identified on site plan, not entire rear seawall.

Mr. LaBour moved to approve request citing unique and singular hardship, seconded by Ms. Higgins. The motion carried 7-0.

PETITION: VRB08-69  
PETITIONER: Margaret Kelley  
AGENT: Dr. George Foxx  
LOCATION: 3209 North 44<sup>th</sup> Street  
REQUEST: To reduce the front yard setback from 25' to 11',  
with the allowed encroachment of the eaves and  
gutters  
PURPOSE: To construct a carport  
NEIGHBORHOOD: Highland Pines Community Task Force

Agent Dr. George Foxx reviewed the variance request a carport in the best interest and welfare of the property owner. Mary Danielewicz of Land Development Coordination spoke on tree concerns including a hazardous tree that should be removed. Roger Kirk of Transportation also stated transportation encroachment not a concern due to location on a dead end street. No public comments.

Mr. O Kelley motioned to deny because agent failed to demonstrate competent evidence, motioned second by Randy Baron. Motion carried 5-2 with Mr. LaBour and Ms. Higgins voting nay.

PETITION: VRB08-70  
PETITIONER: Joe Wright  
AGENT: Clyde Keller  
LOCATION: 1507 South Georgia Avenue  
REQUEST: To reduce the north side yard setback from 7' to 1',  
with the allowed encroachment of the eaves and  
gutters  
PURPOSE: To create a buildable lot  
NEIGHBORHOOD: Palma Ceia

Petitioner Joe Wright reviewed the variance needed to allow construction on adjacent lot. Mary Danielewicz of Land Development Coordination pointed out trees not displayed on site plan. Board pointed out site plan presented at hearing is for adjacent property and petitioner needs to provide site plan of property where variance request will apply. Members of the public spoke in opposition of the 0' lot line request.

Mr. LaBour motioned to continue the case to allow plaintiff to provide site plan for lot in question, seconded by Mr. Baron. Motion carried 6-0 with Ms. Higgins absent.

PETITION: VRB08-71  
PETITIONER: Byron and Patsy Taylor  
AGENT: Frank Otero  
LOCATION: 2314 -2316 North Dale Mabry Highway  
REQUEST: To reduce the required number of parking spaces  
from 11 to 8  
PURPOSE: To remodel an existing structure  
NEIGHBORHOOD: Carver City

Agent Frank Otero reviewed the variance request to reduce number of required parking spaces. Roger Kirk of Transportation pointed out transportation concerns with request on proposed site. No public comments.

Ms. Higgins motioned to approve; citing petitioner demonstrated hardship unique because only changing interior of building, seconded by Mr. LaBour. Motioned carried 7-0.

PETITION: VRB08-72  
PETITIONER: Chris Nash  
AGENT: Not Applicable  
LOCATION: 1408 South Moody Avenue  
REQUEST: To reduce the north side yard setback from 7' to 3' and the south side yard setback from 7' to 1', with the allowed encroachment of the eaves and gutters  
PURPOSE: To construct a residential addition  
NEIGHBORHOOD: Bayshore Gardens

Petitioner Chris Nash reviewed the variance request for side yard setbacks due to lot configuration. Mary Danielewicz of Land Development Coordination addressed tree preservation concerns with proposed request. Petitioner demonstrated construction will not come within 20' of protected trees. No public comments.

Ms. Higgins motioned to approve citing no neighborhood association or resident opposition and Camphor tree not seen as a protected tree, seconded by Mr. DiNola. Motioned carried 7-0.

PETITION: VRB08-73  
PETITIONER: CFF Recycling USA, Inc.  
AGENT: Tim Hughes  
LOCATION: 1110 North 35<sup>th</sup> Street  
REQUEST: To increase the stacking height from 6' up to 30' and to increase the fence height from 8' to 12'  
PURPOSE: To construct a general recycling facility  
NEIGHBORHOOD: East Ybor Historic and Civic Association

Agent Tim Hughes reviewed the variance request to allow for additional stacking along the industrial corridor. Mary Danielewicz of Land Development Coordination pointed out proposed site plan does not address tree preservation or tree plan and will need to meet green space requirements. Board had height concerns with the 30' stacking request in this area along the Leroy Selmon Expressway. Agent suggested a 12' stacking height instead of 30' stacking height consistent with the request for a 12' fence. No public comments.

Mr. DiNola motioned to approve the 12' stacking height and 12' solid structure fence request, seconded by Mr. Baron. Motioned carried 7-0. Mr. O'Kelley suggested petitioner consider landscape.

PETITION: VRB08-74  
PETITIONER: James Haggerty  
AGENT: Not Applicable  
LOCATION: 507 Columbia Drive  
REQUEST: To reduce the north side yard setback from 3' to 0', with the allowed encroachment of the eaves and gutters, and to increase the accessory structure height limit from 15' to 19'  
PURPOSE: To construct a detached two-story garage  
NEIGHBORHOOD: Davis Islands Civic Association and Davis Islands Neighborhood Planning Task Force

Petitioner James Haggerty reviewed the variance request to construct a garage as an accessory structure. Mary Danielewicz of Land Development Coordination commented on removal of on-site Palm Trees. Public comments in opposition to request due to adverse impacts such as: noise, limitation light and air and large building height. In addition signatures were provided in opposition of the request. Board concerned with runoff to neighborhood property. James stated

design will be sloped to prevent runoff to neighbor property and used as irrigation on applicant property.

Mr. LaBour motioned to deny request based on hardship criteria not demonstrated, seconded by Randy Baron. Motioned carried 6-1 with Gennaro DiNola voting no. Randy O'Kelley stated and hardship criteria will interfere with rights of others.

PETITION: VRB08-75  
PETITIONER: Michael and Luisa Jeske  
AGENT: Anthony Sicignano  
LOCATION: 6405 North Orleans Avenue  
REQUEST: To reduce the rear yard setback from 5' to 0'  
PURPOSE: To construct a pool  
NEIGHBORHOOD: Riverbend Civic

Agent Anthony Sicignano reviewed the variance request to reduce back yard setback for an in ground pool consistent with surrounding properties. No City comments. No public comments.

Mr. LaBour motioned to approve citing unique and singular use, seconded by Mr. DiNola. Motion carried 7-0.

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

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

### **B. GENERAL VARIANCES**

## **VII. BOARD ORGANIZATIONAL MATTERS**

### **A. BOARD WORKSHOP**

Legal asked if the Board would like another workshop for members not present at previous workshop. Board agrees the workshop was adequate.

### **B. SPECIAL HEARING**

Legal recommends the Board consider special meetings for administrative appeals. Board approves motion unanimously to hear only one appeal per month. Legal will have to determine if a conflict with a timely hearing.

### **C. BOARD START TIME**

Legal asked if the Board would consider moving the start time to 6:00 p.m. Board determined 6:30 is the most appropriate meeting time.