



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.

DRAFT MINUTES

(As of August 3th, 2010)

MEETING DATE: July 13, 2010

MEETING TIME: 6:30 PM

- I. **ROLL CALL: Gennaro DiNola, Sue Lyon, Randy Barron, Antonio Amadeo, Steve Labour.**

- II. **APPROVAL OF MINUTES FOR June 8, 2010 Motion made by Randy Barron and seconded by Steve Labour. All in Favor: Gennaro DiNola, Sue Lyon, Randy Barron, Antonio Amadeo, Steve Labour. Opposed - none, Motion carried 5-0.**

Antonio Amadeo introduced the staff that was Present: Ernie Mueller, Senior Assistant City Attorney, Joel Sousa, Land Development Coordination, Mary Danielewicz-Bryson, Land Development Coordination, Dave Reilly, Parks and Recreation, Thomas Stinson, Transportation.

He went over the rules and appeals process and procedures. He asked staff if there was any additional information regarding the agenda he wanted to present to the board. Joes Sousa stated VRB-10-99 was mis-noticed.

Ernie Mueller swore everyone in.

Ernie Mueller went over exparte communication and to please disclose 10-101 Antonio met with Truitt Gardner and stated that decisions based on competent and substantial evidence and would consider police reports.

III. OLD BUSINESS: Cases Continued/ Mis-Notice

APPLICATION: VRB10-36
APPLICANT: Tait Kmentt
LOCATION: 7 W Spanish Main St.
REQUEST: Appeal of the denial of the Parks Department to reduce the setback for protective radius of a tree from 15' to 8', and remove a grand tree.
PURPOSE: To allow installation of a basketball court.
NEIGHBORHOOD: Beach Park Homeowners Assn.
Case was moved to the July 13th hearing date due to a mis-notice

Joel Sousa introduced the case and stated that it was originally mis-noticed parks and LDC found it inconsistent.

Ernie described case as an appeal of the Parks and Recreation Department and they do not have any more authority than the Parks Dept. It is a De Novo procedure and they either approve or disapprove the request.

Sue Lyon made a motion to reopen the public hearing and Randy Barron second the motion to reopen the public hearing. All in favor: Gennero Dinola, Sue Lyon, Randy Barron, Antonio Amadeo, Steve Labour. Opposed; none. The motion was approved unanimously.

Sue Lyon made a motion to continue the case to August 12, 2010 public hearing. Steve Labour seconded the motion. All in favor: Sue Lyon, Randy Barron, Antonio Amadeo, Steve Labour. Gennero Dinola voted against supporting the continuance. The motion carried 4-1.

V. NEW BUSINESS

A. TREE & LANDSCAPE / TRANSPORTATION / SIGN VARIANCES

PETITION: VRB10-102
APPLICANT: Francisco Otero-Cossio
LOCATION: 2101 W Cypress St
REQUEST: To appeal the Zoning Administrator's decision to allow open storage as follows: no more than three (3) vehicles measuring 14' wide by 26' long allowed to be stored on site.
PURPOSE: To allow more open storage
NEIGHBORHOOD: North Hyde Park

Joel Sousa introduced the case, showed aerial photos and photos.

Randy Otero-Cossio presented the variance case petition.

Randy Baron made a motion to continue the public hearing to the September 14, 2010 hearing. Antonio Amadeo passed the gavel to Sue Lyon and made a second to the motion.

All in favor: Randy Baron, Antonio Amadeo and Steve Labour. Opposed: Sue Lyon and Gennaro DiNola.

The motion carried 3-2.

PETITION: VRB10-99
APPLICANT: Salem Gharsalli
AGENT: Edward Martin
LOCATION: 2015 50th Street
REQUEST: Sign Variance
PURPOSE: To replace existing changeable copy sign to an electronic message center
NEIGHBORHOOD: East Tampa Community Revitalization Partnership, Florence Villa/Beasley/Oak Park Civic Association
Case was moved to the August 10th hearing date due to a mis-notice.

B. GENERAL VARIANCES

PETITION: VRB10-46
PETITIONER: Jacquelyn Gardner & Sam Lewis
AGENT: Bill Norman Custom Homes, Inc.
LOCATION: 2811/13 W. Marlin Avenue
REQUEST: To reduce the side yard setback from 7-feet to 0-feet.
PURPOSE: To construct addition and connect to main house.
NEIGHBORHOOD: Ballast Point Neighborhood Assn.

Joel Sousa introduced the case, showed aerial photos and photos.

Mike Horner presented the variance case.

Gennaro DiNola made a motion to approve the variance. The motion was seconded by Sue Lyon.

Steve Labour stated that he wanted to make the record clear that the variance was granted because of the PD Zoning District.

Gennaro DiNola stated that this does not change the PD zoning.

All in favor: Gennaro DiNola, Sue Lyon, Randy Barron, Antonio Amadeo, Steve Labour.

Opposed: none. The motion carried unanimously.

PETITION: VRB10-48
PETITIONER: Lisa Nero
AGENT: N/A
LOCATION: 604 Superior Ave.
REQUEST: Reduce the corner yard from 15' to 8', and reduce the rear yard from 12' to 11'.
PURPOSE: To enclose a porch addition.
NEIGHBORHOOD: Davis Island Civic Assn. /Davis Island Neighborhood Assn.

Antonio Amadeo disclosed that he is member of the Davis Island Civic Association and that he can make a fair decision and further stated that he did not receive anything regarding the case.

Joel Sousa introduced the case, showed aerial photos and photos.

Lisa Nero went over the particulars of her variance case.

Steve Labour made a motion to approve the setback request as the lot is unique and singular given how house situated on the lot and stated that the variance is for the corner yard for the whole house existing on the lot, and only for the addition on the rear as requested.

The motion was seconded by Randy Baron.

All in Favor: Gennaro Dinola, Sue Lyon, Randy Barron, Antonio Amadeo, Steve Labour

The motion carried unanimously.

PETITION: VRB10-101
APPLICANT: T. Truett Gardner
LOCATION: 3528, 3601 & 3608 N Nebraska
REQUEST: To allow security barbed wire fencing
PURPOSE: To allow existing barbed wire fencing to remain.
NEIGHBORHOOD: Ybor Heights

Joel Sousa introduced the case, showed aerial photos and photos.

Gennaro DiNola asked about the letter from Zoning Administrator on this case.

Ernie Mueller stated that the Zoning Administrator determination was made; however, they are not appealing the decision but going for a variance instead.

Truitt Gardner went over particulars of his case.

The board stated that they can't approve all barbed wire and asked the petitioner if they wanted a continuance to August 10, 2010.

Amadeo received and filed the reports submitted to the board with out objection.

Motion to continue was made by Randy Baron and seconded by Sue Lyon.

All in Favor: Gennaro DiNola, Sue Lyon, Randy Baron, Antonio Amadeo, Steve Labour.

Steve Labour stated that he is not here for 8/10/10 public hearing.

Truitt Gardner asked them to clarify on what they want.

Antonio Amadeo stated that the board would like to see buffer and screening of the barbed wire, stating Security need to specific for all parcels.

Sue Lyon stated that the screening should meet CEPTED requirements.

Motion carried: unanimously.

VI. BOARD ORGANIZATIONAL MATTERS

Joel Sousa gave members of the board supplement number 72, of Chapter 27.

Steve Labour stated that he wanted clarification of information to include in the packets. The cases that are not the usual ones, they need to see a copy of the Technical Code.

Randy Barron stated that regarding security cases for barbed wire, cases bringing police reports they were asked to look at 80 page. Staff should let petitioners know that they should show security need. Be prepared as possible.

Ernie Mueller asked the board to limit their conversation.

The public hearing was closed at 9:51 p.m.