



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.

AGENDA MINUTES

(As of November 9, 2010)

MEETING DATE: October 12, 2010

MEETING TIME: 6:30 PM

I. ROLL CALL: Gennaro DiNola, Sue Lyon, Randy Barron, Antonio Amadeo, Lucinda Utter.

II. 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, Jonathan Scott, 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. Continuances will be November or December. Joes Sousa stated that VRB10-102 was withdrawn based on applicant and Zoning Administrator determination. City staff received an e-mail from Mr. Harden (VRB10-57) withdrawing variance application. VRB10-62 is requesting a continuance to the November 9, 2010 hearing due to an offsite tree issue. VRB-61, Linda Pearson (agent) is requesting a continuance per her submitted letter. Last VRB case has information to give to Board concerning a substantial application determination.

Randy Baron moved to continue VRB10-62 and VRB 10-61 to the November 9, 2010 hearing date. Randy Barron moved to continue the cases to November 9, 2010 and they were approved unanimously without objection.

III. APPROVAL OF MINUTES FOR August 10, 2010 and September 14, 2010
Randy Barron moved to approve minutes and it was seconded by Gennaro DiNola, the minutes were approve unanimously. Antonio asked who was Mr. Anderson, and Dinola 2nd minutes no objection minutes were approved.

Ernie Mueller swore every one in.

Ernie Muller went over exparte communication and to please disclose nature and file it in the record. There were none from the board members.

IV. OLD BUSINESS: Cases Continued/ Mis-Notice

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

Case was approved by the Board to be continued from the July 13, 2010 hearing, to the September 14th hearing. Case was approved by the Board to be continued from the September 14th hearing to the October 12th hearing at the request of both the applicant and the Zoning Administrator. Per a 9/21/10 e-mail, the applicant has withdrawn his case from consideration due to a new determination by the Zoning Administrator.

APPLICATION: VRB10-57
APPLICANT: Charles Harden III
LOCATION: 415 S Orleans Ave.
REQUEST: To reduce the principal structure side set setbacks from 7.3' to 6'7 3/8" and from 2' to 16"; and to reduce the accessory structure setbacks: rear yard 20' to 10', north side yard from 7' to 2', south side yard from 7' to 5'1 3/4 "; and increase the height from 15' to 24'.
PURPOSE: To construct 2-story a single family residence with detached accessory structure.
NEIGHBORHOOD: Hyde Park North

Application has been removed from the agenda per a height determination from the Zoning Administrator and a request from the applicant.

V. NEW BUSINESS

A. TREE & LANDSCAPE / TRANSPORTATION / SIGN VARIANCES

APPLICATION: VRB10-64
APPLICANT: Anchor Sign
AGENT: Jason O'Coin
LOCATION: 2102 E Fowler Ave.
REQUEST: To increase the allowable sign square footage from 45' to 340 SF.
PURPOSE: To place wall signs square footage on building frontage that both does and does not face a public street, and make them conforming.
NEIGHBORHOOD: University Square Civic

Joel Sousa introduced the case and went over the particulars of the application.

Mr. Jason O'Coin addressed the board on behalf of Panda Express.

Randy Baron moved to continue with 2nd by Sue Lyon, motion carried unanimously (5-0) to continue to hear the case on 11/9/10.

B. GENERAL VARIANCES

PETITION: VRB10-59
APPLICANT: Marilin & Norbiel Felipe
AGENT: N/A
LOCATION: 2523 W. Walnut Street
REQUEST: To reduce the front yard setback from 25' to 4' for the main structure, and reduce the rear yard setback from 15' to 2.1' and side yard setback from 7' to 1.4' for a detached accessory structure.
PURPOSE: To allow construction of a shed and make the existing single family residence conforming.
NEIGHBORHOOD: Old West Tampa

Joel Sousa introduced case and went over the particulars of the case.

Norbiel Felipe addressed the board and explained why he needed the variance due to space considerations.

Randy made motion to grant variance, motion died.

Allison asked that other structure be removed.

Ernie stated that that structure would need variance and seconded the motion.

Randy Barron asked to reopen public hearing and made a motion to approve with the condition that Ms. Utter's motion that the front porch never be enclosed. 2nd by Ms. Utter, motion carried 5-0.

APPLICATION: VRB10-62
APPLICANT: Scott & Sarah Stockstad
AGENT: N/A
LOCATION: 2913 W San Rafael Street
REQUEST: To reduce the side yard setback from 7' to 2'.
PURPOSE: To construct a bedroom addition to a single family residence and make the existing house conforming.
NEIGHBORHOOD: Palma Ceia Neighborhood

Hearing was continued to 11/9/10

APPLICATION: VRB10-61
APPLICANT: Michael & Kelly Malatin
AGENT: Linda Pearson
LOCATION: 917/921 Golf View Street
REQUEST: To increase the allowable masonry fence, with wrought iron, height from 3' to 13', and to increase the height of a single family home from 35' to 40'.
PURPOSE: To construct a masonry and wrought iron fence and new single family residence.
NEIGHBORHOOD: Golf View Civic & Garden

The applicant requested and received a continuance of the variance request to the November 9, 2010 hearing date.

APPLICATION: VRB10-63
APPLICANT: Robert Niswonger, Jr.
AGENT: Robert Niswonger, Jr.
LOCATION: 10559 Cory Lakes Drive
REQUEST: To reduce the side yard setback from 7' to 3'.
PURPOSE: To construct a new single family residence.
NEIGHBORHOOD: West Meadows

Joel Sousa introduced the case, showed picture and aerial photo. He stated that Dr. Jirada opposed presented letter to board.

Robert Niswonger, Jr. addressed the board and stated that he would like to amend his petition to a 5' setback because of concerns of adjacent property owners. He is putting an underground gutter system to take runoff to the rear lake. He stated that he is asking for a variance of 2'.

J. D. Alspaugh, Sycamore Engineering. Representing Dr. Jirahda on the right side of the petitioner's house. The setbacks vary based on the size of the lot. One reason is for

drainage. Applicant stated that he will have pipe, drainage is one reason and second is for landscaping, emergency accessibility and privacy.

Singi Desai, 10561 Cory Lake Drive, stated that this is going to be my neighbor. If I have 5' side yard setback, applicant can have 5' side yard setback. If I have 7' setback, then applicant should abide by regulations.

San Jurade, 10557 Cory Lake Dr. stated that the setback is to protect each other it is from the builder's representative that my land is his public access landscaping services and fire hazards and privacy and drainage.

Barron motioned to approve variance and make it tied to site plan. The motion was seconded by Allison utter.

Ernie Muller asked that the petitioner state that he is changing the request from 3' to 5'. The petitioner stated the he is officially changing the request from 3' to 5'.

Barron, Amadeo and Utter voted to approve the variance request. Dinola and Lyon voted against the variance request. It is insufficient vote (3-2) and will carryover to next meeting as unfinished business.

PETITION:	
APPLICANT:	Brian Hebert
AGENT:	Brian Hebert
LOCATION:	2718 N 40 th Street
REQUEST:	To request a determination from the Variance Review Board that the latest variance request is substantially different from the previous June 2010 variance request (VRB10-26).
PURPOSE:	To keep a non-conforming wall sign.
NEIGHBORHOOD:	East Tampa Business & Civic

Joel Sousa introduced case and gave the board a copy of the prior paperwork. Ernie went over the grounds for what is substantially different request. No testimony to be heard and the board must have a majority 3 members and it would go to next hearing. Applicant is allowed 10 minutes.

Joel went over what the board decision was and what the variance was for. He showed the wall signs. And gave the location 40th St. is on a corner lot.

Brian Hebert original application was for a variance to allow a 600 sqft wall sign. Would like to reapply at 400 square feet not the 600 square feet originally proposed. Leave 2 signs and the mural and remove the sign with all the writing on it. Amadeo asked how it is substantially different. Applicant stated it is 1/3 of the requested variance.

Motion made by Barron, 2nd by DiNola, and the motion carried unanimously 5-0.

VI. BOARD ORGANIZATIONAL MATTERS

Ernie Muller addressed the board regarding the note on the agenda to schedule a December Meeting, with the City's Legal Dept., to discuss tree and landscaping issues as they relate to the Variance Review Board.

Ernie stated that he originally scheduled a December meeting for tree issues, but he would like to schedule it for January and there was discussion with regard to the time. It was decided that at 5:30 p.m. on January 11, 2011 would be the best time for the workshop.

Randy Barron moved to schedule the tree workshop for 5:30 p.m. January 11, 2010 and it was seconded by Lucinda Utter. The motion carried unanimously 5-0.

There being no further business, the meeting adjourned at 9:00 p.m.