



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 October 7, 2010)

MEETING DATE: September 14, 2010

MEETING TIME: 6:30 PM

- I. **ROLL CALL: ROLL CALL: Gennaro DiNola, Sue Lyon, Randy Barron, Antonio Amadeo, Steve Labour, Lucinda Utter.**
- II. **APPROVAL OF MINUTES FOR August 10, 2010**
- III. **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, Melanie Calloway, 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 October 12th or November 9th. Joel Sousa stated that we are normally in City Council Chambers, when tape beeps we are to stop.

VRB10-102 wishes to be continued to next meeting on 10/12/10. Motion made by Barron, with a second by Labour to continue the application. Motion carried unanimously.

Ernie swore everyone in.

Sue moved to take them on October 12 meeting.

Ernie asked about exparte communications

IV. OLD BUSINESS: Cases Continued/ Mis-Notice . There was none.

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.

Meeting moved to October 12 2010.

Motion : Barron to continue application to November 9, 2010 hearing date.

Motion 2nd By: Labour

Motion carried: 6 - 0

APPLICATION: VRB10-49
APPLICANT: Jon Solomon/Javic Homes
AGENT: Jon Solomon
LOCATION: 51 Sandpiper Rd.
REQUEST: To reduce the front yard setback from 25' to 22' and rear yard setback from 20' to 12'.
PURPOSE: To construct a new single family residence.
NEIGHBORHOOD: Beach Park
1This case was moved to the September 14, 2010 hearing due to an amendment to the variance request requiring a re-notice.

Joel Sousa introduced the case and showed..

John Solomon (agent), went over the particulars of the case.

Owner Brandon Maderos addressed the board.

Randy Barron made a motion to approve, with the condition that the rear yard setback only applies to the first floor per the submitted site plan. No second floor rear yard encroachment.

2nd by: Sue Lyon.

Ernie asked that he ask that the petitioner clarify that he understands and agrees no 2nd story in rear setback.

Motion carried unanimously. 6-0.

V. NEW BUSINESS

A. TREE & LANDSCAPE / TRANSPORTATION / SIGN VARIANCES

APPLICATION: VRB10-54
APPLICANT: Patricia Ortiz
AGENT: Patricia Ortiz
LOCATION: 2508 W Waters Ave.
REQUEST: To increase the allowable sign square footage from 0' to 103 SF.
PURPOSE: To place wall sign square footage on building frontage that does not face a public street and make it legal conforming.
NEIGHBORHOOD: Lowery Park Central Civic

Joel Sousa introduced the case and showed.

Patricia Ortiz went over the particulars of the case.

DiNola made a motion to approve sign on frontage, he believes hardship is the building itself.

Motion 2nd: Utter

Motion carried: 4-2, with Barron and Labour in opposition.

PETITION: VRB10-55
APPLICANT: Dr. Jeffery Miller
AGENT: Jeremy Anderson
LOCATION: 2400 E Busch Blvd.
REQUEST: Tree removal.
PURPOSE: To allow constructing of a commercial retail building.
NEIGHBORHOOD: University Square Civic

Joel Sousa introduced the case and showed photographs.

Dave Reilly addressed the board, the request tonight is for removal of grand tree ti is a laurel oak as it stands it is non-hazardous. It is a 56 diameter laurel oak. He showed pictures.

Motion to approve made by Dinola, to allow reasonable use.

Motion 2nd by: Randy Barron

Motion carried: 4-2

Opposed: Labour & Lyon

B. GENERAL VARIANCES

APPLICATION: VRB10-52
APPLICANT: Mako Wash II
AGENT: Stephen Michelini
LOCATION: 4442 Kennedy Blvd.
REQUEST: To reduce setback from 10' to 3'.
PURPOSE: To extend a canopy at an existing car wash.
NEIGHBORHOOD: Beach Park

Joel Sousa introduced the case and showed photos.

Ernie Mueller swore in those persons that have not been sworn in.

Steve Michelini went over the particulars of the case. He stated that it is keeping with Kennedy Overlay District.

Questions from board.

The board asked for and received clarification on the extension of the bay and the relationship to the sidewalk. There is no change to the green space and sidewalk.

The board asked what was the use of the new lane. Protection of customer for drop off. No mechanical equipment only vacuum hoses. And it was clarified there was no signage.

There was a question regarding the exiting tent structure if it was being removed.

If they wanted to put in equipment for was will they. It was stated that it was not practical and was not long enough.

Public:

Carlton Gray 109 S. Hesperides. Spoke in objection.

Bonnie Reynolds 400 S. Hesperides spoke in opposition.

*Margaret Vizzie, Beach Park homeowner assn. spoke in opposition.
Ernie a lot of the this said have been code enforcement issued stay focused on variance.*

Barbara Reynolds 108 S. Hesperides. Beach Park had no objection to extension of canopy.

Joel Sousa stated that this is in the Westshore Overlay District not in the Kennedy Overlay.

Steve Michelini stated that he is requesting a continuance.

Motion to: Continue to November 9, 2010 made by Steve Labour

Motion 2nd By: Randy Barron

Motion carried: 6 - 0

APPLICATION:	VRB10-56
APPLICANT:	Joshua Freeman
AGENT:	Jack Bodziak
LOCATION:	6233 Bayshore Blvd.
REQUEST:	To increase the allowable fence height from 3' to 7'2", to increase the height of architectural features from 1' to 2'10", and to reduce the distance of architectural features from 8' to 4'.
PURPOSE:	To construct a masonry and wrought iron fence for a single family residence.
NEIGHBORHOOD:	Sunset Park

Joel Sousa introduced the case and showed photographs.

Jack Bodziak (architect), representative of Joshua Freeman, went over the particulars of the case.

Motion to: approve by DiNola.

Motion 2nd by: Randy Barron, with the condition that the fence will always remain translucent and have the same number of posts per the submitted site plan dated 7/26/10.

Motion carried: 5-1

Opposed: Labour

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 ¾"; 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

Joel Sousa introduced the case and showed photographs.

Mary Danielewicz-Bryson went over the concerns regarding the trees and that these must be handled at time of permitting.

Chip Fletcher (City Attorney), this is unusual process through PD, determination it is consistent with PD and not a substantial change. You can look at the setbacks.

Charles Harden (applicant), went over particulars of case. And, submitted letters of support from the adjacent property owners and other neighbors.

Motion to: approve made by Randy Barron

Motion 2nd by: Lucinda Utter.

All in favor: Barron, Amadeo, & Utter.

Opposed: DiNola, Labour & Lyon.

Motion tied and it gets continued to next public hearing. (10/14/10).

Barron made a motion to waive the rules to continue to next meeting and continue to discuss case.

Motion 2nd by: DiNola

Motion carried: 6-0

Motion by: Barron to reopen public hearing.

Motion 2nd: Labour

Motion carried: 6-0.

Motion by: Steve Labour to deny height from 15' to 24'.

Motion 2nd: Dinola.

All in favor of denying height – DiNola, Labour, Lyon

Opposed: Barron, Amadeo, Utter.

Application continued to October 12, 2010.

Motion by: Dinola to approve the requested setbacks, less the height request.

Motion 2nd: Barron

All in favor - 6-0, no one in opposition.

Height request is carried over.

APPLICATION: VRB10-58
APPLICANT: Ralph & Pamela Roberts
LOCATION: 3217 E Fern Street
REQUEST: To reduce the corner yard setback from 7' to 5'.
PURPOSE: To erect a pool enclosure for a single family residence.
NEIGHBORHOOD: Woodland Terrace

Joel Sousa introduced the case and showed photographs.

Ralph Roberts, gave particulars of case.

Motion to approve by: Sue Lyon.

Motion 2nd by: Randy Barron

Motion carried: 6-0

APPLICATION: VRB10-60
APPLICANT: Nicole Anne DeBartolo
AGENT: Gina Grimes
LOCATION: 5138/40 W Longfellow Ave.
REQUEST: To increase the allowable fence height from 3' to 7'2", to increase the height of architectural features from 1' to 2'10", and to reduce the distance of architectural features from 8' to 4'.
PURPOSE: To construct a masonry and wrought iron fence for a single family residence.
NEIGHBORHOOD: Sunset Park

Joel Sousa introduced the case and showed photographs.

Gina Grimes handed out presentation booklets and gave the particulars of the case.

Susan Johnson Valez – on behalf of Dr Latife and his wife. Spoke in opposition.

Mike Rothenburg –spoke in opposition.

Osmond O'teef, 5136 Longfellow. Spoke in opposition.

Mr Anderson stated that three weeks ago was approached by TPD and testified that there is security issues. .

Motion to: approve by DiNola with the condition that the bottom 3-feet of the gates may not be opaque and tied to the site plan dated 8/13/10, and supersedes VRB05-128.

Motion 2nd By: Labour

Motion carried: 5 - 1

Opposed: Amadeo

VI. BOARD ORGANIZATIONAL MATTERS

None.