



**Variance Review Board  
City Council Chambers  
City Hall  
315 E. Kennedy Blvd, Third Floor  
Tampa, Florida 33602**

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 TEN BUSINESS DAY'S AFTER THE ORAL DECISION IS MADE.

May 14, 2013

**I. SILENT ROLL CALL**

Mr. Citro, Ms. Lyon, Mr. Baron, Dr. Long, Mr. Brown, and Mr. Amadeo were in attendance. Ms. Utter arrived late. Mr. LaBour was absent.

**II. APPROVAL OF MINUTES for March 12, 2013, Public Hearing**

Dr. Long moved to approve minutes, seconded by Mr. Brown. The motion passed unanimously.

**III. OLD BUSINESS: Continuances**

APPLICATION:	VRB13-21
APPLICANT:	TT and J of Tampa, Incorporated
AGENT:	Stephen Michellini
LOCATION:	9806 North Nebraska Avenue
REQUEST:	To allow for an electric fence (27-290.1)
PURPOSE:	To keep an existing, unpermitted electric fence
NEIGHBORHOOD:	North Tampa Community

*This case was automatically continued from the April 9, 2013, public hearing after a motion to deny resulted in a 3-3 vote. The case has been closed and can be voted on without reopening the case.*

Mr. Michellini asked the board to reopen to present evidence that had been asked prior. The Board accepted the evidence.

Dr. Long moved to deny VRB 13-21 because they did not present enough evidence that the electric fence was a security means of last resort. Ms. Lyons seconded the motion. The motion failed 3 to 4, with Mr. Citro, Mr. Brown, Mr. Amadeo and Ms. Utter voting nay.

Mr. Brown moves to pass motion stating they have shown a the security need and was seconded by Ms. Utter. The motion passed 4-3 with Mr. Baron, Dr. Long and Ms. Lyon voting nay.

#### IV. NEW BUSINESS

##### A. GENERAL/SIGN/TRANSPORTATION VARIANCES

APPLICATION: VRB13-31  
APPLICANT: Matthew Lent  
LOCATION: 4531 West Rosemere Road  
REQUEST: To reduce the required side and rear yard setbacks for a pool enclosure from 5' to 3' (27-290.5)  
PURPOSE: To construct a pool and screen enclosure  
NEIGHBORHOOD: Beach Park

Staff presented the case, showing an aerial, photos and the site plan.

Mr. Lent presented his case explaining the enclosure and clean-up process. Board ask questions about site plan

After the case was closed to public, Board discussion ensued. Mr. Amadeo moved to approve, due to the irregular lot shape, and was seconded by Dr. Long. The motion was approved unanimously.

APPLICATION: VRB13-28  
APPLICANT: JOPICO LLC  
AGENT: Stephen Michelini  
LOCATION: 3681 Westshore Boulevard  
REQUEST: To reduce the front yard from 10' to 2' and the corner yard from 10' to 3.5' (27-156)  
PURPOSE: To vest an existing structure  
NEIGHBORHOOD: Bayside West/Belmar/Belmar Gardens/Beach Park/Virginia Park

Staff presented the case, showing an aerial, photos and the site plan.

Mr. Michelini presented the case and requested to provide relief to the business showing that there is no obstruction to the intersection. The business has agreed to keep it as a patio/open space and not to enclose the patio.

Board opened case to the public. Joe Figueredo, Karen Golden, Michelle Passoff, Jerry Frankhouse and Mary Ramer spoke in opposition of this case.

Mr. Citro wants to see evidence if they take patio down will it cause a hardship to the business

After the case was closed to public, Board discussion ensued can see both sides of the case and would like to come to a compromise.

Motion on side yard setback back by Dr. Long seconded Mr. Baron moved to approve, stating that the hardship was met, and was seconded by Mr. Brown. Motion was approved unanimously.

Mr. Brown moved to deny the front yard setback and was seconded by Ms. Lyon. The motion passed 5-2, with Mr. Amadeo and Ms. Utter voting nay.

APPLICATION: VRB13-29  
APPLICANT: PRASAD Inc of Tampa  
AGENT: Stephen Michelini  
LOCATION: 2520 North 50<sup>th</sup> Street  
REQUEST: To increase the height of a sign from 20' to 60' and to increase the square footage of a sign from 50 square feet to 62.2 square feet (27-289.12)  
PURPOSE: To make a sign conforming  
NEIGHBORHOOD: None

Notice was done incorrectly on this case and will be renoticed for the July 9, 2013, public hearing.

APPLICATION: VRB13-32  
APPLICANT: Charles and Carmen Henry  
LOCATION: 3305 West Beach Street  
REQUEST: To reduce the front yard setback from 20' to 0', the side yard from 7' to 5' (27-156) and the fence height from 3' to 6' (27-290.1)  
PURPOSE: To keep an existing carport  
NEIGHBORHOOD: MacFarlane Park/Bowman Heights

Staff presented the case, showing an aerial, photos and the site plan.

Mrs. Henry and Mr. Michelini presented this case stating that the contractor they hired previously did not pull permits like they were suppose to.

Reginald Bowen and spoke in support of the structure.

After the case was closed to public, Board discussion ensued. Mr. Citro moved to approve, hardship of medical and a pervious builder, and was seconded by Dr. Long. The motion was approved unanimously.

APPLICATION: VRB13-33  
APPLICANT: Jimmy Jordan  
AGENT: John LaRocca  
LOCATION: 11302 North Oregon Avenue  
REQUEST: To increase the height of a fence from 6' to 7' (27-290.1) and to reduce the building separation from 5' to 0', eave to eave (27-290)

PURPOSE: To construct an accessory structure and place a new fence on the west property line  
NEIGHBORHOOD: Forest Hills

Staff presented the case, showing an aerial, photos and the site plan.

John LaRocca presented the case for his client stating they want to clean up the property. Need to create access to the street since there is an overhang in the way of an accessory structure. R. Jordan discussed his needs for the property.

After the case was closed to public, Board discussion ensued. Mr. Citro moved to approve, to construct an accessory structure and place a new fence on the west property line, motion failed due to a lack of a second.

Dr. Long moved to deny the variance the whole structure can be pushed to the west no evidence of hardship, and was seconded by Mr. Brown. The motion passed 6 to 1 with Mr. Citro voting nay.

APPLICATION: VRB13-34  
APPLICANT: DR Horton, Incorporated  
AGENT: Jeremy Couch, PE  
LOCATION: 3410 West Obispo Street  
REQUEST: To reduce the front yard from 20' to 17.5', with the allowed encroachment of the eaves and gutters (27-156)  
PURPOSE: To construct a single family home  
NEIGHBORHOOD: Palma Ceia

*The applicant has redone their notice in order to modify their request. They have noticed for the June 11, 2013, public hearing.*

APPLICATION: VRB13-35  
APPLICANT: Alan C Dobbs  
LOCATION: 403 South Royal Palm Way  
REQUEST: To reduce the front yard setback from 25' to 20', with the allowed encroachment of the eaves and gutters  
PURPOSE: To add a front porch  
NEIGHBORHOOD: Beach Park

Staff presented the case, showing an aerial, photos and the site plan.

Mr. Dobbs presented the case and reviewed the site plan.

After the case was closed to public, Board discussion ensued. Mr. Amadeo moved to approve, stating that the hardship was met, and was seconded by Mr. Brown. Motion was approved unanimously.

**V. OLD BUSINESS: Continuances**

APPLICATION: VRB13-20  
APPLICANT: Apple Sign  
LOCATION: 5008 South Dale Mabry Highway  
REQUEST: To increase the height of a sign from 20' to 24.5', to increase the square footage of a sign from 50 square feet to 79 square feet and to reduce the required setback from 15' to 5' (27-289.12)  
PURPOSE: To modify an existing sign  
NEIGHBORHOOD: Gandy/Sunbay South

*The applicant had originally requested a continuance to the April 9, 2013, public hearing. They then requested a continuance to the May 14, 2013 hearing. As City Council has continued a workshop for electronic messaging centers, the applicant has asked for a continuance to the July 9, 2013, hearing.*

Motion Made by Mr. Citro seconded by Dr. Long to continue July 9<sup>th</sup> meeting.

APPLICATION: VRB13-22  
APPLICANT: Rodda Construction, Incorporated  
LOCATION: 3220 West Cypress Street  
REQUEST: To reduce the rear yard setback from 10' to 8' (27-156)  
PURPOSE: To construct exterior stairs on the rear of the building  
NEIGHBORHOOD: Oakford Park

*The applicant requested a continuance from the April 9, 2013, for their case in order to revise their site plan and modify the requested variance.*

Staff presented the case, showing an aerial, photos and the site plan.

Mr. Justin Bowling presented the case and explained the changes to the site plan.

After the case was closed to public, Board discussion ensued. Mr. Citro moved to approve, stating that the hardship was met, and was seconded by Dr. Long. Motion was approved unanimously.