



Variance Review Board  
City Council Chambers  
City Hall  
315 E. Kennedy Blvd, Third Floor

February 11, 2014  
Minutes

**I. SILENT ROLL CALL**

In attendance were Randy Baron, Chair; Alyson Utter, Gary Brown, Richard Peterika, Antonio Amadeo and Joseph Citro. Susan Long arrived for the last case. Sue Lyon was not in attendance.

Staff in attendance were Ernest Muller, Legal Department; Roberta Meade, Karencia Ciagala and Eric Cotton from Land Development Coordination.

**II. APPROVAL OF MINUTES for January 14, 2014, Public Hearing**

Antonio Amadeo made motion to approve, seconded by Richard Peterika

**III. EXPARTE COMMUNICATION – NONE**

**IV. NEW BUSINESS**

APPLICATION: VRB14-10  
APPLICANT: David and Carolyn Carastro  
AGENT: Stephen Michelini  
LOCATION: 4812 West Bay Court  
REQUEST: To increase the height of a wall from 6' to 8' (Section 27-290.1)  
PURPOSE: To construct a masonry wall  
NEIGHBORHOOD: Bayside West/Beach Park

Staff introduced the case, reviewing the request, showing an aerial and photographs and explaining the site plan.

Mr. Michelini presented on behalf of applicant with photos and examples of similar construction of walls, indicating heights, and material and design concepts. Presented petition in support with 21 signatures. Photos and signed petitions were entered into record.

Board asked questions regarding height and material selections, and needed clarification of construction. Board confirmed no TPD reports were presented as part of application. Board confirmed applicant met hardships.

Mr. Michelini confirmed wall will return back into property approximately 5'-8' in length at the 8'-0" height then taper down to 6'-0" for structural stability. Existing chainlink fence will be removed.

No comments from Public. Public hearing was closed. Motion to approve made by Mr. Amadeo, seconded by Mr. Brown. The motion was approved unanimously.

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APPLICATION: VRB14-17  
APPLICANT: Maria L Valido  
LOCATION: 2713 West Heiter Street  
REQUEST: To reduce the rear yard from 20' to 3' (Section 27-156) and the building separation from 5' to 2' (Section 27-290)  
PURPOSE: To keep an unpermitted addition  
NEIGHBORHOOD: None

Staff introduced the case, reviewing the request, showing an aerial and photographs and explaining the site plan. Board asked questions to clarify shed was existing and if drawing submitted was to scale. Staff confirmed drawing submitted was not to scale but dimensions noted, and that shed/porch is existing.

Ms. Valido presented her case, explaining how they had to rebuild open porch due to collapse of existing porch construction had deteriorated. She presented photos which were entered in the record.

Discussion with Board members regarding construction permits, confirmation of hardships and size of porch.

Juan Fernandez objected to the request. He presented several photos and brought several letters from neighbors which are signed; these were entered into the record.

Petitioner was asked to review letters and identify. She confirmed that two of the letters were from the neighbors directly behind her property. These neighbors have objected.

Public comment closed. Board continued to ask questions of petitioner and staff. Board offer continuance to petitioner. Petitioner accepted on the conditions she will counsel with the building department regarding permits and construction requirements to meet building code and will redraw plan to scale noting existing and new construction.

Case has been granted a continuance to March 11, 2014 hearing.

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APPLICATION: VRB14-18  
APPLICANT: James Bisbee  
LOCATION: 2231 East 113<sup>th</sup> Street  
REQUEST: To reduce the front yard from 60' to 20' and the building separation from 5' to 4', with the allowed encroachment of the eaves and gutters (Section 27-290)  
PURPOSE: To keep an unpermitted accessory structure  
NEIGHBORHOOD: University Square Civic Association

Staff introduced the case, reviewing the request, showing an aerial and photographs and explaining the site plan. Staff confirmed Accessory Structure in question is existing, and can be repositioned to better meet setbacks.

Petitioner James Bisbee presented case, explained hardships. Board asked questions if applicant had obtained permits. He stated shed contractor stated he did not need them, however, he has now discovered this was incorrect information. Board asked further questions regarding alternative positioning to structure, if petitioner would be open to exploring these. He stated he would.

Public comments: Jerry Kohls – 2232 E. 113<sup>th</sup> St. – Objects on the basis of aesthetics, feels it is bring down property values along street. Does not understand why he could not have just added onto existing carport instead, would have been a better solution. Presented photos which were entered into record.

Public comments: Frank Hines – 2235 E. 113<sup>th</sup> St. – Objects on the basis of aesthetics, feels it is not appropriate location nor look for the neighborhood.

Petitioner Rebuttal: Offered apologies to neighbors and understand they are entitled to their opinions. He is open to repositioning structure.

Board continued discussion re and asked clarification of legal advisor e. Mueller. E. Mueller advised they can condition variance as long as petitioner agrees to the conditions. Board offered continuance to applicant to explore other options like a Design Exception 2, or repositioning, so that the variance might be withdrawn. Petitioner accepted.

No motion was entered by Board to grant continuance.

Public hearing closed. Motion to deny petition entered by A. Amadeo stating that hardship criteria has not been demonstrated. Seconded by R. Peterika. Board denies unanimously.

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APPLICATION: VRB14-19  
APPLICANT: Jennifer Turinsky  
LOCATION: 629 Riviera Drive  
REQUEST: To reduce the rear yard from 20' to 2.5' (Sections 27-290.3 and 27-290.5)  
PURPOSE: To construct a pool and screen enclosure  
NEIGHBORHOOD: Davis Islands

Case was continued.

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APPLICATION: VRB14-20  
APPLICANT: Anna Katherine Stone  
LOCATION: 3602 West Lykes Avenue  
REQUEST: To reduce the corner yard from 15' to 7', with the allowed encroachment of the eaves and gutters (Section 27-156)  
PURPOSE: To construct a two car garage  
NEIGHBORHOOD: Golfview

Staff introduced the case, reviewing the request, showing an aerial and photographs and explaining the site plan. Board asked for clarification to transportation comments, staff confirmed they are not an issue at this time.

Petitioner Anna Stone and Brian Agliano presented hardships regarding life safety, public safety, and safety to their family due Himes Avenue having now more traffic volume than when house was originally constructed. Relocating the garage and driveway to West Lykes Avenue would be a more safe solution, would eliminate visual obstruction, improve neighborhood, eliminate drivers from driving upon to their yard in order to avoid flooding on Himes Avenue. They submitted into record photos and letters from neighbors in support.

No Public comments entered, public hearing was closed.

A. Amadeo entered Motion to approve. A. Utter seconded. Approved Unanimously.

APPLICATION: VRB14-21  
APPLICANT: Turk Holdings, LLC  
LOCATION: 1010 West Charter Street  
REQUEST: To reduce the front yard from 20' to 16', with the allowed encroachment of the eaves and gutters (Section 27-156)  
PURPOSE: To enclose a proposed front porch into a bedroom  
NEIGHBORHOOD: Riverside Heights

Case was continued.

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APPLICATION: VRB14-22  
APPLICANT: Bob Grosso  
LOCATION: 2405 South Dundee Street  
REQUEST: To reduce the rear yard from 5' to 3.5' for a pool (27-290.3)  
PURPOSE: To remove and reconstruct a pool  
NEIGHBORHOOD: Sunset Park

Staff introduced the case, reviewing the request, showing an aerial and photographs and explaining the site plan.

Authorized Agent for petitioner Bob Grosso presented case and hardships.  
No Public comments entered. Public hearing closed.

J.Citro entered motion to approve. Seconded by A. Amadeo. Approved Unanimously.

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APPLICATION: VRB14-7  
APPLICANT: Khosrow Jabbari and Christopher Willingham  
LOCATION: 4808 West McElroy Avenue  
REQUEST: To reduce the front yard from 53' 6" to 25', the west side yard from 35' 6" to 7' and the rear yard from 48' 6" to 20' (Section 27-156)  
PURPOSE: To construct a townhouse development  
NEIGHBORHOOD: Gandy/Sunbay South

Staff introduced the case, reviewing the request, showing an aerial and photographs and explaining the site plan. Staff explained there has been a change to setback dimensions being requested. Board conferred with legal advisor that this was not a mis-noticed and case could be heard. Revised drawings were distributed during hearing and accepted into the record.

Authorized Agent Wayne Roberts presented case, and joined by Khosrow Jabbari. They explained adjacent property uses and heights, and how they have redeveloped plan per City of Tampa staff comments regarding how to better address saving trees and grand tree located on adjacent property. The three trees previously shown to be removed, which staff has designated as "pristine" have now been saved and incorporated into overall development of site. They further explained by saving the trees this has caused the increase and adjustment to variance request regarding the setback and height dimensions. Due to adjustment from a 3-story building now to a 4-story building and are now required to add an elevator. They will entertain adjusting height if Board so wishes.

Board confirmed that petitioner wishes continue with revised plan distributed tonight, plan entered into record.

No Public Comments entered. Public Hearing closed. Board continued discussions.  
Motion made by S. Long to approve with the following changes to setback dimensions\_\_\_\_\_. Seconded by J. Citro. Approve 4 to 2 vote.