



Variance Review Board

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

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.

February 12, 2019

I. SILENT ROLL CALL

In attendance were: Gary Brown, Dustin Pasteur, Michael DePappa, Bret Feldman, Michael Via

Staff in attendance: Kristin Mora, Legal Department; Aileen Rosario & Towanda Anthony, Land Development Coordination; Brian Knox of Natural Resources, John Marsh of Transportation

II. APPROVAL OF MINUTES for December 11,2018 & January 8,2019 Public Hearing

Michael DePappa moved to approve the December 11, 2018 minutes and was seconded by Bret Feldman.
The motion passed 5-0

Bret Feldman moved to approve the January 8, 2019 minutes and was seconded by Dustin Pasteur.
The motion passed 5-0

III. CONTINUED CASES:

APPLICATION: **VRB18-74** (CONTINUED 4/9/19)
APPLICANT: Javier Moreno & Victoria Skrimshire
AGENT: John Lum
LOCATION: 4001 W McKay Avenue
REQUEST: Removal of a Grand Tree
PURPOSE: To prove reasonable use of the parcel is being denied, to construct a single family residence
NEIGHBORHOOD: None

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

Hardship is they are still working with natural resources

No comments from anyone in audience.

BOARD DISCUSSION:

After Board discussion Dustin Pasteur moved to be continued. The motion was approved 5-0.

APPLICATION: **VRB18-108 (DENIED)**
APPLICANT: Philip & Ashlyn Atigre
AGENT: Lewis Thibeault
LOCATION: 5003 W Cleveland Street
REQUEST: To reduce the side yard setback from 7' to 1', (Section 27-156)
PURPOSE: To construct a patio with outside grill
NEIGHBORHOOD: Beach Park, Westshore Alliance, Bayshore Beautiful, Bayshore Gardens, Armory Gardens

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

Kevin Kurtis – project manager stating no effects to the neighbors, it's an outdoor kitchen.

The applicant did not provide any statement regarding hardship.

No comments from anyone in audience.

BOARD DISCUSSION:

After Board discussion Dustin Pasteur moved to be denied due to the applicant not proving his case and failing to provide any statement of hardship therefore not having met the required hardship criteria, was seconded by Bret Feldman. The motion passed and the application was denied 5-0.

APPLICATION: **VRB18-115 (APPROVED)**
APPLICANT: 2 W Properties, LLC
AGENT: Joseph Gibbons – Gulf Bay Homes
LOCATION: 709 W Plymouth St.
REQUEST: To reduce east side yard setback from 7' to 3' and the rear yard setback from 20' to 17.98' (Section 27-156)
PURPOSE: To construct a new single family house
NEIGHBORHOOD: One Laurel Place, Riverside Civic, THCA Land Use, Business Guild of Seminole Heights, Tampa Heights Civic

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

Hardship is – a grand live oak tree, the house is a single story, and builder will put gutters all the way around the complete house down to the right of way. They will like to save the tree.

Comments from people in the audience:

James Cunningham adjacent neighbor is worried that the water can damage his property with water and privacy.

Alan Dobbs adjacent neighbor concerned how land development approved the lot split.

BOARD DISCUSSION:

After Board discussion Michael DePappa moved that the application be approved as per the site plan, having met the required hardship criteria regarding the need to impact the setbacks for preservation of the grand tree. The motion was seconded by Dustin Pasteur. The motion was approved 5-0.

APPLICATION: **VRB18-116 (APPROVED)**
APPLICANT: Tessa Shiver & Paul Kramer
AGENT: N/A
LOCATION: 22 ½ Hamilton Heath Dr.
REQUEST: To reduce wetland setback from 25' to 18' (Section 27-286)
PURPOSE: To allow for an in ground swimming pool and deck
NEIGHBORHOOD: Old Seminole Heights Neighbor Assoc., Neighborhood Watch, Business Guild of Seminole Heights, South Seminole Heights Civic Assoc., Sulphur Springs Action League

Staff introduced the case, reviewing the request, showing an aerial and photographs and explaining the site plan. Natural Resources has a condition that need to have a Purvis pavers.

Hardship is house built all the way to the front of the property, they attempted to construct the pool and deck closer to the house but could not, and by virtue of the preservation of foliage they lost 9' of wetland from 1yr ago survey. The homeowner will not be impeding on the 15' mandatory wetlands setback, only the 25' preferred wetlands setback.

No comments from anyone in audience.

BOARD DISCUSSION:

After Board discussion Michael Via moved to be approved as per the site plan, without condition having met the required hardship criteria due to the EPC lines on their property and wetlands, and was seconded by Bret Feldman. The motion was approved 5-0.

APPLICATION: **VRB19-01 (CONTINUED TO 3/12/19)**
APPLICANT: Charles Arnao
AGENT: N/A
LOCATION: 10406 N Lantana Ave
REQUEST: To reduce the side yard setback from 7' to 2.9', reduce the rear yard 20' to 4', and building separation from 5' to 2', with allowed encroachments for eaves & gutters (Section 27-156)
PURPOSE: To construct a metal storage building and keep existing structures
NEIGHBORHOOD: North Tampa Community

BOARD DISCUSSION:

After Board discussion Michael Via moved that the case be continued. TThe motion was approved 5-0.

IV. NEW CASES:

APPLICATION: **VRB19-11 (DENIED)**
APPLICANT: Yudit Crespo
AGENT: N/A
LOCATION: 2710 W Louisiana Ave
REQUEST: To reduce the east side yard from 7' to 0' and west side yard from 3' to 0' (Section 27-290 and Section 27-156)
PURPOSE: To keep existing carport and covered concrete area
NEIGHBORHOOD: N/A

Staff introduced the case, reviewing the request, showing an aerial and photographs and explaining the site plan. The state requirements do not over rule the guidelines and zoning of the City of Tampa.

The applicant argued that the hardship is that the carport is necessary for a home day care. The applicant could not establish why the carport needed to be at the as-built location, or why it need to encroach to the lot line.

Comments from people in audience:

Eligha Delgado – 2709 W Louisiana is stating that the neighbor is a great person and that they have been harassed by the code enforcement dept.

Geraldine Monjove – 2717 W Osborne – is opposed against the request stating that the neighbor did this to herself just like other people in the neighborhood

Nelson Monjove – 2717 W Osborne – is opposed against the request stating that people are building additions without permitting.

BOARD DISCUSSION:

After Board discussion Dustin Pasteur moved to be denied as per the site plan, having not met the required hardship criteria because the applicant failed to establish a hardship regarding the size or location of the carport, and was seconded by Michael DePappa. The motion passed and was denied 5-0.

APPLICATION: **VRB19-20** (Continue to 4/9/19)
APPLICANT: Tampa Rejuvenation Holdings, LLc
AGENT: Mark Bentley
LOCATION: 220 N Howard Ave
REQUEST: To reduce the number of parking spaces from 19 to 9 (Section 27-283.7)
PURPOSE: To allow medical office
NEIGHBORHOOD: North Hyde Park Civic Assoc., West Tampa CRA Community Advisory Committee, SOHO Business Alliance, North Hyde Park Alliance, Parkland Estates Civic Club, Historic Hyde Park Neighborhood Assoc.

Staff introduced the case, reviewing the request, showing an aerial and photographs and explaining the site plan.
Dustin Pasteur has requested to recuse himself, due to conflict of interest.
John Marsh objects 58% decrease due to not enough parking, alley may need to be paved, some spaces don't meet, 24ft includes alley width, and driveway apron on north b will probably need to be modified.
Hardship is there needs to be some flexibility due to 85-year-old house being redeveloped into office space.

No comments from anyone in the audience.

BOARD DISCUSSION:

After Board discussion Bret Feldman moved to continue due to the issues that have been brought up from the transportation dept. and seconded by Michael Via. The motion was approved 4-0. Dustin Pasteur was recused from voting.

APPLICATION: **VRB19-22** (CONTINUED TO 3/12/19)
APPLICANT: Rebecca Kujawski
AGENT: Alan Dobbs
LOCATION: 3004 W Bay Vista Avenue

REQUEST: To reduce the rear yard setback from 3' to 1.3' and the side yard setback from 3' to 12" (Section 27-290)
PURPOSE: To allow construction of a new accessory structure
NEIGHBORHOOD: Bayshore Beautiful Homeowners Assoc., Keep Bayshore Beautiful, 345 Bayshore Condo Assoc., Parkland Estates Civic Club

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

Hardship was –

No comments from anyone in the audience.

BOARD DISCUSSION:

After Board discussion, Dustin Pasteur moved to be continued as per requested. The motion was passed 5-0.

APPLICATION: **VRB 19-23 (APPROVED)**
APPLICANT: ****Confidential****
AGENT: Gina Grimes
LOCATION: 4911 W San Rafael St
REQUEST: Reduce side yard setback 7' to 1' (Section 27-156)
PURPOSE: To keep existing back porch
NEIGHBORHOOD: Stoney Point Civic Assoc., Sunset Park Area Homeowners Assoc.

Staff introduced the case, reviewing the request, showing an aerial and photographs and explaining the site plan. Bret Feldman has recused himself due to owning an empty lot on 4924 W San Rafael.

Hardship is irregular lot, protection from neighbors, and difficulty as to where to put anything

Comments from anyone in the audience:

Linda Rhodes, 4906 W San Rafael – support of the patio
Peter Rhodes, 4906 W San Rafael – support of the patio
Joe Lopez, Sr, 1204 Calder Fells Dr. – Support of the patio
Joe Lopez, Jr., Support of the patio
Joseph Lopez, Support of the patio
Wayne Timberland – 4917 W San Rafael – Support of the patio
Amber Parker, 1909 S Bayshore Blvd – Support of the patio
Steve Parker, 1909 S Bayshore Blvd – Support of the patio
Sam Irmagela, 4909 W San Rafael – Support of the patio
Mark Cox –Valrico – Support of the patio
Rebecca Lang, 4939 W San Rafael – Support of the patio
Eric Page – Shutts Firm, Representative to the neighbor Steven Frey – Opposing of the patio
Nelson Monjave – 2717 W Osborne – See the board is right or wrong

Mark Ober – owner -

BOARD DISCUSSION:

After Board discussion, Michael Via moved to be approved with the condition that it will not be enclosed as depicted on the site plan and motion was seconded by Dustin Pasteur. The motion passed 4-0, Bret Feldman not voted due to recused himself.

APPLICATION: **VRB 19-25 (CONTINUED TO 4/9/19)**
APPLICANT: Fred & Michelle Adams
AGENT: John Grandoff, III
LOCATION: 810 Grove Park Avenue
REQUEST: Reduce rear yard setback from 20' to 4.7', wetland setback from 25' to 4.7' (Section 27-156 and 27-286)
PURPOSE: To allow accessory structure in front yard
NEIGHBORHOOD: Beach Park Homeowners Assoc., Westshore Alliance, Bayshore Gardens Neighborhood Assoc., Armory Gardens Neighborhood Assoc.

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

Hardship due to still working with natural resources

No comments from anyone in the audience.

BOARD DISCUSSION:

After Board discussion, Dustin Pasteur moved to be continued till 4/9/19 and the motion passed 5-0.

APPLICATION: **VRB 19-26 (CONTINUED AUTOMATICALLY 3/12/19)**
APPLICANT: Paul & Kathleen Caldarelli
AGENT: Anthony Severino
LOCATION: 177 Cyprus Avenue
REQUEST: Reduce rear yard setback from 5' to 1' (Section 27-283.11)
PURPOSE: To allow pool screen cage
NEIGHBORHOOD: Davis Islands Civic Assoc.

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

APPLICANT: Lynn E Hodges
AGENT:
LOCATION: 3605 W Platt St
REQUEST: Reduce side yard setback from 7' to 1.1' (Section 27-156), and the side yard from 3' to 1.1' (Section 27-290)
PURPOSE: To allow existing detached garage and awning to remain
NEIGHBORHOOD: Gary Gables Neighborhood Assoc., Cardino ATC, Parkland Estates Civic Club, Ballast Point Neighborhood Assoc., K Bar Ranch, Bon Air Neighborhood Assoc.

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

Hardship was self-created due to awning put without permits

Comments from the audience:

Dave Riding – stating that the awning covers part of the house.

Elizabeth Simon – 3607 W Platt St – Opposing neighbor due to negligence from the applicants not taking care of her trees from her property

BOARD DISCUSSION:

After Board discussion, Dustin Pasteur moved to bifurcate this application to address the garage and awning separately, motion was seconded by Michael DePappa. Bifurcation motion passed 5-0.

After Board discussion, Dustin Pasteur moved that the garage is to be vested as depicted by the site plan submitted and motion was seconded by Michael Via. The motion passed 5-0.

After Board discussion, Dustin Pasteur moved that the awning be denied due to not meeting setbacks and motion was seconded by Michael Via. The motion passed 4-1 voting nay Bret Feldman.

APPLICATION: **VRB 19-32** (CONTINUED TO 3/12/19)
APPLICANT: Richard Valdes
AGENT:
LOCATION: 8725 33rd Street
REQUEST: Reduce side yard setback from 7' to 2" (Section 27-156)
PURPOSE: To build new single family residence
NEIGHBORHOOD: Temple Crest Civic Assoc.

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

No one in the audience for discussion.

Hardship:

BOARD DISCUSSION:

After Board discussion, Gary Brown moved to be continued to March 12, 2019 it was incorrectly noticed. The motion passed 5-0.

V. OLD BUSINESS:

None

VI. Meeting adjourned * 1130 PM ***

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The VRB meets the second Tuesday of the month at 6:30pm to hear and decide variance requests for zoning, tree and landscape, and sign issues. Replays are on Tuesday's at 6:30pm.
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