



## 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.*

November 13, 2018

### **I. SILENT ROLL CALL**

In attendance were: Susan Long, Gary Brown, Joseph Citro, John Dingfelder, Bret Feldman

Staff in attendance: Kristin Mora, Legal Department; Aileen Rosario, Eric Cotton & Towanda Anthony- Land Development Coordination

### **II. APPROVAL OF MINUTES for October 9, 2018 Public Hearing**

Susan Long moved to approve the October 9, 2018 minutes and was seconded by John Dingfelder. The motion passed 7-0 unanimously.

Gary Brown moved to nominate Bret Feldman as vice pro-temp for this evening meeting and seconded by John Dingfelder. The motion passed 5-0.

Because of absences from the Board, Chair Joseph Citro advised members of the public that they will still require four affirmative votes for approval of any variance, and they could request a postponement of their hearing. No one requested postponement.

### **III. CONTINUED CASES:**

APPLICATION:	<b>VRB18-28</b>	<b>(APPROVED)</b>
APPLICANT:	GF Properties, LLc	
AGENT:	Stephen Michelini	
LOCATION:	5145 S Dale Mabry Hwy	
REQUEST:	Increase height of a flag pole, 20' to 100' (Section 27-289.3)	
PURPOSE:	To erect a flag pole	

NEIGHBORHOOD: Gandy/ Sun Bay South

Staff introduced the case, reviewing the request, showing an aerial and photographs and explaining of the site plan. Being reheard due to a Neighborhood Association that was not notified in the original notice.

- Kim Baramore – Opposing Neighbor
- Wanda Harkins – Opposing Neighbor

**BOARD DISCUSSION:**

After Board discussion Bret Feldman moved to increase flag pole from 20’ to 100’ to deny, hardship was not met and it was seconded by N/A. The motion failed for lack of a second.

After Board discussion Gary Brown moved to increase flag pole from 40’ to 100’ to approve, presenting competent hardship and it was seconded by Susan Long. The motion was approved 4-1 voting nay Bret Feldman.

APPLICATION: **VRB18-37 (APPROVED)**  
APPLICANT: William Starling  
AGENT: Stephen Michelini  
LOCATION: 2118 S Venus St  
REQUEST: To reduce corner yard setback 15’ to 18”, reduce rear yard 3’ to 18”, reduce building separation distance from 5’ to 3’, with allowed encroachment for eaves and gutters (Section 27-290)  
PURPOSE: To construct a shed for an existing house  
NEIGHBORHOOD: Sunset Park Area

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

- Ken Shick – Opposing Neighbor – 4822 San Miguel

**BOARD DISCUSSION:**

After Board discussion Susan Long moved to approve with the following condition the shed cannot be taller than 7ft above grade and it was seconded by John Dingfelder. The motion was approved 5-0 unanimously.

**IV. CONTINUED CASES:**

APPLICATION: **VRB18-46 (APPROVED)**

APPLICANT: Timothy Jones  
AGENT: Stephen Michelini  
LOCATION: 3120 W Santiago St  
REQUEST: To decrease the front yard setback from 25' to 8' and the rear yard setback from 15' to 3', with the allowed encroachment of the eaves and gutters (Section 27-156)  
PURPOSE: To vest existing structures allowed by previous variance, to a single family residence. Based upon a submitted site plan, staff believes this request will be for a residential duplex and not a single family residence.  
NEIGHBORHOOD: McFarlane Park, La Maddalena, Bowman Heights

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

### **BOARD DISCUSSION:**

After Board discussion John Dingfelder moved to approve as per the site plan without conditions to and it was seconded by Susan Long. The motion was approved 5-0 voting unanimously.

APPLICATION: **VRB18-83** (Misnoticed)  
APPLICANT: Miguel Pene  
AGENT: Charles Kitzmiller  
LOCATION: 1608 E Idell St  
REQUEST: To reduce the side yard setback from 7' to 5.2', with the allowed Encroachment of the eaves and gutters (Section 27-156)  
PURPOSE: To construct a new single family house  
NEIGHBORHOOD: Sulphur Springs

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

### **BOARD DISCUSSION:**

After Board discussion \_\_\_\_\_ moved to be approved as per the site plan and has been met and it was seconded by \_\_\_\_\_. The motion was approved 7-0 voting unanimously.

APPLICATION: **VRB 18-88** (DENIED)  
APPLICANT: Kyle Bartley  
AGENT: Stephen Michelini

LOCATION: 2620 N Dundee St  
REQUEST: To increase the height of a fence in the front yard from 3' to 6', reduce the front yard setback from 25' to 8'hpooo, with the encroachment of the eaves and gutters (Section 27-156)  
PURPOSE: To construct a front yard pool with privacy fence  
NEIGHBORHOOD: Sunset Park

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

### **BOARD DISCUSSION:**

After Board discussion Bret Feldman moved that the application be denied because the hardship requirement was not met with evidence in the record. The house is very large and is built up to the setbacks, and lack of a pool is not considered a hardship was seconded by John Dingfelder. The motion was denied 5-0 voting unanimously.

APPLICATION: **VRB 18-108** (CONTINUED TO 2/12/19)  
APPLICANT: Ashley Atigre  
AGENT: Lewis Thibeault  
LOCATION: 5003 W Cleveland St  
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.

### **BOARD DISCUSSION:**

After Board discussion Susan Long moved to continue till 02/12/2019 and it was seconded by Gary Brown. The motion was approved 5-0 voting unanimously.

APPLICATION: **VRB 18-109** (APPROVED)  
APPLICANT: Jody P Keeling  
AGENT: Charles Kitzmiller  
LOCATION: 2816 W Sitios St  
REQUEST: To decrease the side yard setback from 7' to 3', with the allowed

encroachment of the eaves and gutters (Section 27-156)  
PURPOSE: To construct an addition to a single family house  
NEIGHBORHOOD: Parkland Estates, Palma Ceia

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

#### **BOARD DISCUSSION:**

After Board discussion, Gary Brown moved to be approved as depicted by the site plan submitted and motion was seconded by John Dingfelder. The motion passed 5-0 voting unanimously.

APPLICATION: **VRB 18-111 (DENIED)**  
APPLICANT: Hugo Ruiz  
AGENT: Rafael Alvarez / Amy Ruiz  
LOCATION: 2905 W Louisiana Ave  
REQUEST: To decrease the rear yard setback from 3’ to 1.7’ and side yard from 3’ to 5”, with the allowed encroachment of the eaves and gutters (Section 27-290 )  
PURPOSE: To re-construct an accessory structure for a single family house  
NEIGHBORHOOD: Plaza Terrace

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

- **William Sill – 2911 W Louisiana Ave – Opposing the wooden fence was taken down and a cement wall was put up... which there is an additional cinder block wall.**

#### **BOARD DISCUSSION:**

After Board discussion, Bret Feldman moved that the motion be denied because the hardship requirement was not met with evidence in the record. There was insufficient evidence to justify a hardship for placing the addition where it was placed, and portions of the structure encroached into the neighbor’s property. The motion was seconded Susan Long. The motion passed 4-1 voting nay John Dingfelder.

APPLICATION: **VRB 18-114 (APPROVED)**  
APPLICANT: Greg P Cortner, Chick-fil-A  
AGENT: Sam Walker, Esquire  
LOCATION: 2811 E Fowler Ave  
REQUEST: To install two wall signs that don’t face a public right of way (Section 27-289)  
PURPOSE: To install wall signs for restaurant  
NEIGHBORHOOD: University Square

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

**BOARD DISCUSSION:**

After Board discussion, Gary Brown moved to be granted as depicted by the site plan to be submitted and motion was seconded Bret Feldman. The motion passed 5-0 voting unanimously.

APPLICATION: **VRB 18-115 (CONTINUED TO 1/8/19)**  
APPLICANT: 2 W Properties, LLC  
AGENT: Joseph Gibbons  
LOCATION: 709 W Plymouth St.  
REQUEST: To remove a grand tree (Section 13-45)  
PURPOSE: To construct a single family home  
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.

**BOARD DISCUSSION:**

After Board discussion, Bret Feldman moved to continued til January 8, 2019 and motion was seconded John Dingfelder. The motion passed 5-0 voting unanimously

APPLICATION: **VRB 18-117 (APPROVED)**  
APPLICANT: Devonshire Custom Homes  
AGENT: Brooke Layton/ John Ackerman  
LOCATION: 2619 W Prospect Rd.  
REQUEST: To increase height of an accessory structure from 15' to 27' (Section 27-290)  
PURPOSE: To construct a 2 story garage for a single family house  
NEIGHBORHOOD: New Suburb Beautiful, Parkland Estates Civic, SOHO Business,  
Palma Ceia Neighborhood

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

- **Liby Gilbert – Opposing due to being too high, requesting big trees to be built between her and 2ft structure**
- **Michelle Foster – Opposing neighbor same as above**

- **John Sparr – Opposing neighbor same as above**

**BOARD DISCUSSION:**

After Board discussion, Bret Feldman moved to be granted as depicted by the site plan to be submitted and motion was seconded Gary Brown. The motion passed 4-1 voting nay John Dingfelder.

V. **OLD BUSINESS:**  
None

V. Meeting adjourned \* \* **11:00 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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