



## 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.*

October 9, 2018

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

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

Staff in attendance: Kristin Mora, Legal Department; Aileen Rosario, Joel Sousa, Eric Cotton & Towanda Anthony- Land Development Coordination, Brian Mims & Dave Reilly- Natural Resources

### **II. APPROVAL OF MINUTES for September 11, 2018 Public Hearing**

Gary Brown moved to approve the September 11, 2018 minutes and was seconded by Richard Peterika. The motion passed 6-0 unanimously.

Motion was placed by John Dingfelder to hear all 14 cases this evening and was seconded by Susan Long.

### **III. NEW CASES:**

APPLICATION:	<b>VRB18-73</b>	<b>(By Motion, CONTINUED TO 12/11/18)</b>
APPLICANT:	Bermuda Sand, LLC	
AGENT:	Steve Michelini	
LOCATION:	2903 W Ballast Point Boulevard	
REQUEST:	Removal of a Grand Tree (Section 13-45)	
PURPOSE:	To prove reasonable use of the parcel is being denied, to construct a	

single family residence.

NEIGHBORHOOD: Ballast Point, McGraw Hill

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

- Tree issues is a live oak. There are two laurel oaks in the front of the lot in poor condition. Dave Reilly, Natural Resources – has requested denial of the removal of the grand tree, no plans have been submitted, need more time to review the property
- Petitioner argued canopy extends 10ft off the ground and takes 75% of the buildable area

### **BOARD DISCUSSION:**

After Board discussion Richard Peterika moved to deny as per failure to meet burden of proof and the grand tree impact was not met, it was seconded by Bret Feldman. The motion was approved 3-3 tie voting Gary Brown, Susan Long & Joseph Citro.

Per Legal – Kristin Mora stated that due to the tie vote, the case has to be reheard on next public hearing which has been set for December 11, 2018.

After Board discussion Susan Long moved to have the hearing on December 11, 2018 and it was seconded by Richard Peterika.

APPLICATION: **VRB18-74 (CONTINUANCE to 12/11/18)**  
APPLICANT: Javier Moreno & Victoria Skrimshire  
AGENT: Steve Michelini  
LOCATION: 4001 W McKay Avenue  
REQUEST: Removal of a Grand Tree (Section 13-45)  
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 the site plan.

- Dave Reilly has requested a continuance due to no alternate plans, live oak tree graded at B6
- Steve Michelini has requested a continuance until Dec 11,2018

### **BOARD DISCUSSION:**

After Board discussion John Dingfelder moved to continue to the December 11, 2018 public hearing and it was seconded by Susan Long. The motion was approved 6-0 unanimously.

APPLICATION: VRB18-80 (APPROVED)  
APPLICANT: Clayton Etchison  
AGENT: Stephen Michelini  
LOCATION: 208 S Moody Avenue  
REQUEST: To reduce the rear yard setback from 20' to 10' & reduce the side yard setback from 7' to 3', with the allowed encroachment of the eaves and gutters (Section 27-290)  
PURPOSE: To construct 2-unit townhouse without an accessory structure (the accessory structure is being treated as main structure for setbacks).  
NEIGHBORHOOD: Courier City/Oscawana, SOHO Business, Westland Park, Parkland Estates, Historic Hyde Park

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

- Debbie Zomermand – opposing stating that the request is inconsistent with the planning commission information
- Cynthia Duncan – states there is a tree that is not in the way, will be preserved.

#### **BOARD DISCUSSION:**

After Board discussion Gary Brown moved to approve as per the site plan without conditions to and it was seconded by Susan Long. The motion was approved 5-1 voting nay Bret Feldman.

APPLICATION: VRB18-89 (APPROVED)  
APPLICANT: Anthony Larussa  
AGENT: Isaac Shaffer  
LOCATION: 310 W Emma St  
REQUEST: Removal of a Grand Tree (Section 13-45)  
PURPOSE: To construct a new single family house  
NEIGHBORHOOD: South Seminole Heights, Business Guild of Seminole Heights, SE Seminole Heights Civic

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

- Cynthia Duncan – is for the removal of this tree.
- Anthony Larussa – owner of property, is requesting the removal of the tree
- Applicant argued it is a small lot, staying in character with the neighborhood, vacant lot, no reasonable use if the tree is not removable

## **BOARD DISCUSSION:**

After Board discussion Gary Brown moved to be approved as per the site plan and has been met and it was seconded by John Dingfelder. The motion was approved 6-0 voting unanimously.

APPLICATION: **VRB 18-90** (By motion, CONTINUANCE to 12/11/18)  
APPLICANT: Frank & Hillarie Mastandrea  
AGENT: Francis Vivero  
LOCATION: 4919 W Melrose Ave  
REQUEST: To reduce the corner yard setback from 20' to 9', with the allowed Encroachment for eaves and gutters (Section 27-156)  
PURPOSE: To construct a new single family house  
NEIGHBORHOOD: Culbreath Isles, Stoney Point Civic

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

- Vrb-14-58 was approved for reduction of rear yard setbacks but the variance expired
- Greg Young – opposing
- Chris Malnor – opposing
- Sherry Sharp – opposing
- There has been other Vrb's and DE1 cases in 2007 that were approved

## **BOARD DISCUSSION:**

After Board discussion John Dingfelder moved to continue case so agent can speak to his client. it was seconded by Susan Long. The motion was approved 6-0 voting unanimously.

APPLICATION: **VRB 18-93** (APPROVED)  
APPLICANT: Scott & Kristen Decelles  
AGENT: Elliott Wheeler  
LOCATION: 3203 W Tambay Avenue  
REQUEST: To reduce side yard setback from 7' to 3'4", with the allowed encroachment of the eaves and gutters (Section 27-156)  
PURPOSE: To construct a garage with patio for a single family house  
NEIGHBORHOOD: Bayshore Beautiful HOA, Keep Bayshore Beautiful Inc. , 345 Bayshore Condo Assn., Parkland Estates 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 be approved as per the site plan and maintain the existing roof condition it was seconded by John Dingfelder. The motion was approved 6-0 voting unanimously.

APPLICATION: **VRB 18-94 (APPROVED)**  
APPLICANT: Caroline Breen  
AGENT: Ralph Schuler  
LOCATION: 2815 W San Isidro Street  
REQUEST: To reduce rear yard setback from 20ft to 15ft for bedroom additions (Section 27-156)  
PURPOSE: To permit a bedroom addition  
NEIGHBORHOOD: Palma Ceia Neighborhood, Parkland Estates

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 per the site plan without conditions and it was seconded by John Dingfelder . The motion was approved 6-0 voting unanimously.

APPLICATION: **VRB 18-95 (APPROVED)**  
APPLICANT: Johnson Brothers Liquor Company of Florida  
AGENT: David Tolar & Anthony Schroeder  
LOCATION: 4520 S Church Avenue  
REQUEST: To reduce the corner yard setback from 10' to 4.5', (Section 27-156)  
PURPOSE: To install an emergency generator  
NEIGHBORHOOD: Fair Oaks, Manhattan Manor

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

- Relocate the TECO transformer near the old transformer

**BOARD DISCUSSION:**

After Board discussion Richard Peterika moved to be approved as per the site plan and it was seconded by Susan Long. The motion was approved 6-0 voting unanimously.

APPLICATION:           **VRB 18-96**            **(APPROVED)**  
APPLICANT:            Dennis Johnson  
AGENT:                 Gina Grimes  
LOCATION:                2904 W Fair Oaks Avenue  
REQUEST:               To remove 2 grand trees (Section 13-45)  
PURPOSE:               To prove reasonable use of the property is being denied  
NEIGHBORHOOD:       Fair Oaks/Manhattan Manor

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

- John Higgins – is opposing this removal
- Fred Garcia – is opposing this removal
- Joe Figueroa – is opposing this removal
- Cynthia Duncan – is requesting a continuance due to no site plan and see designs
- Barbara Mayham – is child of previous owner
- Laurie Baler – Arborist Certified

#### **BOARD DISCUSSION:**

After Board discussion Susan Long moved to be approved as per the site plan and the removal of 2 grand trees and it was seconded by Gary Brown. The motion was approved 5-1 voting nay John Dingfelder.

APPLICATION:           **VRB 18-98**            **( DENIED)**  
APPLICANT:            Jared & Jessica McDaniel  
AGENT:                 Roger Gritton  
LOCATION:                3516 W Palmira Ave  
REQUEST:               To increase the height of an accessory structure from 15’ to 19.5’,  
                              with allowed encroachment for eaves & gutters (Sec. 27- 290)  
PURPOSE:               To construct a new detached 2-story structure  
NEIGHBORHOOD:       Parkland Estates, Palma Ceia

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

- Patricia Neuraberand – Opposing due to her property will be closed in without no sunlight
- Ruth Pascarella – Opposing due to her being directly behind the applicant
- Beth Br               - Neighbor is stating that the accessory structure should be on the other side
- Lee Andrew         - Opposing due to her Patricia lot being blocked by sunlight

- Kristin Park - has no objection with the accessory structure being on her side of the yard

**BOARD DISCUSSION:**

After Board discussion, Bret Feldman moved to be denied due to no hardship as depicted by the site plan submitted and motion was seconded by Richard Peterika. The motion passed 4-2 voting nay Susan Long and Gary Brown.

APPLICATION: **VRB 18-99 (APPROVED)**  
 APPLICANT: First Allied Development Partners  
 AGENT: Gina Grimes  
 LOCATION: 3302 W Martin Luther King Blvd.  
 REQUEST: To allow wall signs on roof not visible to the public, to increase the permitted sign square footage; from 90.25SF to 15,921SF(North Side), increase the allowable SF from 92 SF' to 2,558.50SF (East elevation); and increase the allowable SF from 0 SF to 13,518 SF (West elevation), (Section 27-156)  
 PURPOSE: To place wall signs on a structure not eligible for building sign square footage  
 NEIGHBORHOOD: Stadium Area

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

- Training Facility – 98,000 sq ft
- Brian Ford - CEO
- Dan Malaski -

**BOARD DISCUSSION:**

After Board discussion Bret Feldman moved to be granted as depicted by the site plan to be submitted and motion was seconded by John Dingfelder. The motion passed 6-0 voting unanimously.

APPLICATION: **VRB 18-103 (APPROVED)**  
 APPLICANT: William & Teale Smith  
 AGENT: John Keaner  
 LOCATION: 2612 E Jetton Avenue  
 REQUEST: To reduce the side yard setback from 7' to 3', with allowed encroachment for eaves & gutters. (Section 27-156)  
 PURPOSE: To construct an addition

NEIGHBORHOOD: New Suburb Beautiful, SOHO Business, Parkland Estates

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 be granted as depicted by the site plan to be submitted and motion was seconded John Dingfelder. The motion passed 6-0 voting unanimously.

APPLICATION: **VRB 18-104 (APPROVED)**  
APPLICANT: David & Alexis Ochotorena  
LOCATION: 2304 S San Jose Circle  
REQUEST: To reduce the front yard setback from 25' to 12', with allowed encroachment for eaves & gutters.(Section 27-290 )  
PURPOSE: To construct a new 2-car garage structure  
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, Gary Brown moved to be granted as depicted by the site plan to be submitted and motion was seconded John Dingfelder. The motion passed 6-0 voting unanimously.

APPLICATION: **VRB 18-107 (APPROVED)**  
APPLICANT: Donald Ebbert  
AGENT: Stephen Michelini, Kendle Anz  
LOCATION: 1002 S Braeburn Avenue  
REQUEST: To reduce the front yard setback from 25' to 3', east side yard from 7' to 5', and reduce the side yard from 3' to 0.5' for pool & mechanical equipment (Section 27-156 & 290)  
PURPOSE: To reconstruct a single family house  
NEIGHBORHOOD: Golfview Civic, Parkland Estates

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

**BOARD DISCUSSION:**

After Board discussion, Richard Peterika moved to be granted as depicted by the site plan to be submitted and motion was seconded John Dingfelder. The motion passed 6-0 voting unanimously.

IV. **OLD BUSINESS:**

None

V. Meeting adjourned \* \* **1:30 AM** \*\*\*

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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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