



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

ANY PERSON WHO DECIDES TO APPEAL ANY DECISION OF THE VARIANCE REVIEW BOARD WITH RESPECT TO ANY MATTER CONSIDERED AT THIS MEETING WILL NEED A RECORD OF THE PROCEEDINGS, AND FOR SUCH PURPOSE, MAY NEED TO HIRE A COURT REPORTER TO ENSURE THAT A VERBATIM RECORD OF THE PROCEEDINGS IS MADE, WHICH RECORD INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED.

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 SEVEN BUSINESS DAY'S AFTER THE ORAL DECISION IS MADE. YOU WILL NEED TO OBTAIN A COMPLETE COPY OF THE RECORD FOR YOUR APPEAL.

**FINAL MINUTES**  
(as of April 9, 2008)

**MEETING DATE: March 11, 2008**

**MEETING TIME: 6:30 PM**

**I. ROLL CALL**

Randy Baron, Lucinda "Alyson" Utter, Steve LaBour, Randy O'Kelley, Melanie Higgins (*arrived at the start of case VRB08-21*)  
Samantha Fenger (City of Tampa Land Development Coordination Division)  
Julia Cole (City of Tampa Legal Department)

**II. APPROVAL OF MINUTES FOR February 12, 2008**

Mr. O'Kelley moved to approve, seconded by Mr. LaBour. The motion carried 4-0.

Due to only four Variance Review Board (VRB) members present for the March 11, 2008, public hearing, Mr. LaBour asked Julia Cole, City of Tampa Legal, for clarification regarding the public hearing procedure. Julia Cole explained that petitioners have the choice to continue their variance request to the next public hearing date. If petitioners chose to follow through with the evening's public hearing, a unanimous vote was required for a case to be approved.

Nobody requested to continue to the next public hearing date; therefore, the meeting continued as scheduled.

**III. OLD BUSINESS: Cases Continued by the Board/Staff**

**A. ADMINISTRATIVE APPEALS**

**B. TREE & LANDSCAPE / TRANSPORTATION / SIGN VARIANCES**

C. GENERAL VARIANCES

PETITION: VRB08-16  
PETITIONER: Mark Ziegler  
AGENT: N/A  
LOCATION: 206 Como Street  
REQUEST: To reduce the southeast side yard setback from 7' to 5' and the rear yard setback from 20' to 12', with the allowed encroachment of the eaves and gutters  
PURPOSE: To remove a carport and construct a residential addition  
NEIGHBORHOOD: Davis Islands Civic Association

Mark Ziegler reviewed the case and the proposed site plan.

Randy O'Kelley reviewed the comments that David Reilly, City of Tampa Parks and Recreation Department, had made at the last meeting regarding the said potential grand tree located just off site behind the property fence, which would be addressed at the time of permitting.

Mr. Baron moved to approve, seconded by Ms. Utter. The motion carried 4-0.

IV. OLD BUSINESS: Continuances and Missed Notices

A. ADMINISTRATIVE APPEALS

B. TREE & LANDSCAPE / TRANSPORTATION / SIGN VARIANCES

C. GENERAL VARIANCES

PETITION: VRB08-02  
PETITIONER: Albert Copeland, Dan Copeland and Connie Joplin  
AGENT: Thomas W. Garland  
LOCATION: 2913 East Hillsborough Avenue  
REQUEST: To reduce the corner yard setback from 10' to 0', with the allowed encroachment of the eaves and gutters  
PURPOSE: To retain two existing steel shelters  
NEIGHBORHOOD: East Tampa Business and Civic Association

The petitioner had requested (via writing) to be withdrawn from the variance process.

PETITION: VRB08-21  
PETITIONER: Michelle Gonzalez  
AGENT: Carlos Castilla  
LOCATION: 3213 West Pine Street  
REQUEST: To reduce the rear yard setback from 20' to 9', with the allowed encroachment of the eaves and gutters  
PURPOSE: To construct a residential addition  
NEIGHBORHOOD: Northeast MacFarlane

Carlos Castilla explained this variance request had been previously granted but the petitioner did not start construction within the one year timeframe; therefore, the variance

had expired. Mr. Castilla further explained that the property is very small and there are no trees located on site.

Mr. LaBour moved to approve the variance request to reduce the rear yard setback from 20' to 10', seconded by Ms. Higgins. The motion carried 5-0.

PETITION: VRB08-23  
PETITIONER: Jack D. and Nancy H. Suarez  
AGENT: Becky M. Craig  
LOCATION: 1001 ½ South Sterling Avenue  
REQUEST: To reduce the southern side yard setback from 7' to 3'4" and the rear yard setback from 20' to 7', with the allowed encroachment of the eaves and gutters  
PURPOSE: To build an 8' wall along 155' long west property line abutting medical office; to increase allowable accessory structure square footage from 1125 sq. ft. to 1685 sq. ft.  
NEIGHBORHOOD: Golfview Civic and Garden Association

This case was improperly noticed and will be rescheduled for the April 8, 2008, public hearing.

## **V. NEW BUSINESS**

### **A. ADMINISTRATIVE APPEALS**

PETITION: VRB08-32  
PETITIONER: Engelhardt, Hammer and Associates, Inc.  
AGENT: N/A  
LOCATION: 3001 North Rocky Point Drive East  
REQUEST: Administrative Appeal  
PURPOSE: Administrative Appeal of an administrative determination  
NEIGHBORHOOD: Beach Park

The petitioner requested a continuance (via writing) to the May 15, 2008, public hearing date. Mr. Baron moved to approve the continuance request to May 15, 2008, seconded by Mr. LaBour. The motion carried 4-0.

### **B. TREE & LANDSCAPE / TRANSPORTATION / SIGN VARIANCES**

PETITION: VRB08-24  
PETITIONER: Alireza and Harriet A. Gord-Noghani  
AGENT: N/A  
LOCATION: 6327 West Maclaurin Drive  
REQUEST: To reduce the wetland and rear yard setback from 30' to 5'4-1/8" and the east side yard setback from 10' to 8.5', with the allowed encroachment of the eaves and gutters  
PURPOSE: To construct a residential addition  
NEIGHBORHOOD: Tampa Palms

Alireza Gord-Noghani explained the case and reviewed the proposed site plan and photographs.

Julia Cole, City of Tampa Legal Department, reviewed the petitioner's good neighbor notice for consistency.

Mr. LaBour moved to approve the variance tied to the site plan submitted January 11, 2008, seconded by Mr. Baron. The motion carried 5-0.

PETITION: VRB08-27  
PETITIONER: FD Sligh, LLC  
AGENT: Todd Pressman  
LOCATION: 6825 North 22<sup>nd</sup> Street  
REQUEST: To install a 6' chain link fence along the south property line instead of a 6' masonry wall, retain existing chain link fence and wood fence along the east property line, reduce required 15' landscaping buffer to 5' to allow encroachment of parking, install two pole signs (one per right-of-way frontage), each having 70 square feet of sign area per face  
PURPOSE: To construct a Family Dollar Store  
NEIGHBORHOOD: Old Seminole Heights

Todd Pressman explained the case and reviewed the proposed site plan and photographs. Scott Lincoln, the project engineer, and Jimmy Walker, the project developer, were in attendance.

Mr. Pressman indicated that he had met with City Departments within the past couple of days to address the comments that were included in the staff report. Mr. LaBour requested to view renderings of the pole signs; however, the petitioner did not have any pictures to provide.

Mr. LaBour moved to approve the following four requested variances: to install a 6' chain link fence along the south property line instead of a 6' masonry wall, to reduce the required 15' landscaping buffer to 5' to allow encroachment of parking, to install two pole signs (one per right-of-way frontage) each having 70 square feet of sign area per face and to install wood fence along the east property line (only required where neighbor's wood fence does not exist) instead of 6' masonry wall, seconded by Ms. Higgins. The motion carried 5-0.

C. GENERAL VARIANCES

PETITION: VRB08-25  
PETITIONER: Stephen and Elizabeth Couture  
AGENT: N/A  
LOCATION: 215 West Thomas Street  
REQUEST: To reduce the rear yard setback from 20' to 2.8' and the east side yard setback from 7' to 3.1', with the allowed encroachment of the eaves and gutters  
PURPOSE: To remove an existing garage and construct a new two story garage  
NEIGHBORHOOD: Old Seminole Heights

This case was improperly noticed and will be rescheduled for the April 8, 2008, public hearing.

PETITION: VRB08-26  
PETITIONER: James H. Shimberg, Jr.  
AGENT: John LaRocca  
LOCATION: 1912 Ardsley Street  
REQUEST: To reduce the south side yard setback from 7' to 4',  
with the allowed encroachment of the eaves and  
gutters  
PURPOSE: To construct a residential addition  
NEIGHBORHOOD: Golfview Civic and Garden Association

John LaRocca explained the case and reviewed the proposed site plan and photographs.

Mr. LaBour moved to approve the variance, seconded by Mr. Baron. The motion carried 5-0.

PETITION: VRB08-28  
PETITIONER: Migdalia Santiago  
AGENT: N/A  
LOCATION: 915 East North Bay Street  
REQUEST: To reduce the rear yard setback from 20' to 4.62',  
with the allowed encroachment of the eaves and  
gutters  
PURPOSE: To retain a residential addition  
NEIGHBORHOOD: Southeast Seminole Heights

Migdalia Santiago explained the case.

The Board members discussed the 4' east side yard setback not included in the variance request and the possibility in the petitioner having to apply for an additional variance in the future when seeking permits to retain the residential addition.

Mr. Baron moved to approve the variance request, seconded by Mr. LaBour. The motion carried 5-0.

PETITION: VRB08-29  
PETITIONER: David and Donna Broker  
AGENT: N/A  
LOCATION: 3207 West Obispo  
REQUEST: To reduce the east side yard setback from 7' to 3',  
with the allowed encroachment of the eaves and  
gutters  
PURPOSE: To construct a single family home  
NEIGHBORHOOD: Palma Ceia

David Broker explained the case and reviewed the proposed site plan and photographs.

Louis Mitchell, 3205 Obispo, spoke against the variance request.

Sharon Kennedy, 3211 Obispo, spoke against the variance request.

Ms. Higgins moved to deny the variance request, seconded by Mr. Baron. The motion carried 5-0.

PETITION: VRB08-30  
PETITIONER: Mitchell and Stephanie Mercer  
AGENT: Kirk Blackburn  
LOCATION: 2830 West Bay Haven Drive  
REQUEST: To reduce the rear yard setback from 20' to 5', with the allowed encroachment of the eaves and gutters  
PURPOSE: To construct a garage  
NEIGHBORHOOD: Ballast Point

Kirk Blackburn explained the case and provided a photograph for review.

Mr. LaBour emphasized that having too many vehicles is not a hardship.

Mr. LaBour moved to deny the variance request, seconded by Mr. Baron. The motion carried 5-0.

PETITION: VRB08-31  
PETITIONER: Courtney Congelio  
AGENT: Jodi Laumer-Giddens  
LOCATION: 4302 West Granada Street  
REQUEST: To reduce the rear yard setback from 12' to 1-3 3/4", with the allowed encroachment of the eaves and gutters  
PURPOSE: To construct a carport  
NEIGHBORHOOD: Virginia Park

This case was improperly noticed and will be rescheduled for the April 8, 2008, public hearing.

PETITION: VRB08-33  
PETITIONER: Shelly and Daniel Bamm  
AGENT: N/A  
LOCATION: 4801 1/2 West Sunset Boulevard  
REQUEST: To reduce the front yard setback from 60' to 11'8", with the allowed encroachment of the eaves and gutters  
PURPOSE: To construct a garage  
NEIGHBORHOOD: Sunset Park Area Homeowners Association, Inc.

Shelly Bamm explained the case and reviewed the proposed site plan and photographs. Ms. Bamm stated David Reilly from the City of Tampa Parks and Recreation Department reviewed the on-site trees. Ms. Bamm discussed her good neighbor notice and explained that her local Homeowners Association (HOA) had been properly notified. In response to the HOA objection, Ms. Bamm said that she contacted the HOA President and invited him over to walk the property; however, he did not show. Ms. Bamm also stated that the City of Tampa Land Development Coordination staff confirmed that nobody from the HOA requested additional information regarding the variance petition.

Mr. Baron moved to approve the variance request, seconded by Ms. Utter. The motion carried 5-0.