

**CITY OF TAMPA, FLORIDA
VARIANCE REVIEW BOARD
PUBLIC HEARING**

MEETING DATE: February 8, 2005

MEETING TIME: 6:30 PM

LOCATION: 315 East Kennedy Boulevard, 3rd Floor, City Council Chambers

I. SILENT ROLL CALL

Present: Eric Rahenkamp, Chair; John Weiss, Vice-Chair; Steve LaBour; Ana Wallrapp; Tom Cheshire;
Seth Nelson; Randy O'Kelley

Absent: Melanie Higgins and James Catalano

Staff present: Rolando Santiago, Assistant City Attorney; Eric Cotton, Planner II

II. APPROVAL OF MINUTES FOR December 14, 2004 and January 11, 2005

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

A. ADMINISTRATIVE APPEALS

B. TREE & LANDSCAPE / TRANSPORTATION / SIGN VARIANCES

C. GENERAL VARIANCES

VRB05-10	PETITIONER:	Martin McGuinness
Approved	AGENT:	None
4-3	LOCATION:	2907 West Pearl Avenue
	REQUEST:	To reduce the side yard setback from 7' to 0'
	PURPOSE:	To keep an existing carport
	NEIGHBORHOOD:	Ballast Point Neighborhood Association
	CONDITION:	That the portion of the carport (approximately 13") that is encroaching on the neighbor's property be removed

Martin and Sandra McGuinness explained that they were going to remove the portion of the carport that encroaches onto the neighbors yard.

After some Board discussion, Mr. O'Kelley moved to approve the request with the condition that the encroachment be removed. Mr. Nelson seconded the motion, which passed 4-3. Ms. Wallrapp, Mr. Cheshire and Mr. LaBour voted nay.

VRB05-20	PETITIONER:	Total Land Development
Approved	AGENT:	Larry Franks
7-0	LOCATION:	3510 North 11 th Street
	REQUEST:	To reduce the side yard setback from 7' to 3.9', with the allowed encroachment of the eaves and gutters
	PURPOSE:	To create a buildable lot
	NEIGHBORHOOD:	None (Notice to V M Ybor)

Larry Franks showed where there was adequate parking on the site, which was questioned at the last hearing.

Ms. Wallrapp moved to approve and was seconded by Mr. LaBour. The motion passed 7-0.

VRB05-24	PETITIONER:	Randy and Nancy Metzger
Denied	AGENT:	None
4-3	LOCATION:	6436 Renwick Circle

REQUEST:	To reduce the rear yard setback from 20' to 15', with the allowed encroachments of the eaves and gutters and the side yard setback from 5' to 4.5'
PURPOSE:	To construct a residential addition and pool cage
NEIGHBORHOOD:	The Kensington at Tampa Palms Homeowners Association

Nancy Metzger explained the need for the variance and recapped the hardship criteria.

Ms. Wallrapp stated that she did not see any hardship on the property.

Mr. Weiss moved to deny and was seconded by Ms. Wallrapp. The motion passed 4-3, with Mr. Cheshire, Mr. LaBour and Mr. Nelson voting against.

VRB05-19 Continued for Renotice	PETITIONER:	Andrew L Sirna
	AGENT:	None
	LOCATION:	5701 River Terrace
	REQUEST:	To reduce the rear yard setback from 20' to 0' and the side yard setback from 7' to 0'
	PURPOSE:	To keep an existing wood deck
	NEIGHBORHOOD:	Old Seminole Heights

IV. OLD BUSINESS: Continuances and Missed Notices

A. ADMINISTRATIVE APPEALS

B. TREE & LANDSCAPE / TRANSPORTATION / SIGN VARIANCES

VRB05-23 Denied 7-0	PETITIONER:	Creative Planning Solutions
	AGENT:	Barry LeClaire
	LOCATION:	6530 South Bayshore Boulevard
	REQUEST:	To reduce the wetland setback from 25' to 15', the front yard setback from 25' to 10' and the side yard setbacks from 7' to 5' and to increase the building height from 35' to 42'
	PURPOSE:	To construct a new single-family residence
	NEIGHBORHOOD:	Ballast Point

Barry LeClaire summarized his request, explaining the need for the variances in order to create an adequate sized house.

Ray Ford, speaking against, showed a drawing indicating the buildable foot print without any variances.

Coleen Bevis spoke against the variance.

After Board discussion, Mr. Weiss moved to deny the application and was seconded by Mr. Nelson. The motion passed 7-0.

C. GENERAL VARIANCES

VRB05-11 Approved 7-0	PETITIONER:	New Millennial LLC
	AGENT:	Tonya Russell
	LOCATION:	1717 West Nassau Street
	REQUEST:	To reduce the side yard setbacks from 5' to 3.2', with the allowed encroachment of the eaves and gutters
	PURPOSE:	To construct a single family residence
	NEIGHBORHOOD:	North Hyde Park

Tonya Russell explained the need and the mistake done previously regarding the notice.

Mr. Weiss moved to approve and was seconded by Mr. LaBour. The motion passed 7-0.

V. NEW BUSINESS

A. ADMINISTRATIVE APPEALS

B. TREE & LANDSCAPE / TRANSPORTATION / SIGN VARIANCES

VRB05-32	PETITIONER:	Robert Frisch
Approved	AGENT:	J D Alsabbagh
6-0	LOCATION:	2513 West Hillsborough Avenue
	REQUEST:	To remove one grand tree (40" laurel)
	PURPOSE:	To construct a commercial development
	NEIGHBORHOOD:	None (Notice to Wellswood)
	NOTE:	Tom Cheshire did not vote on this case

J D Alsabbagh presented the case, explaining the numerous designs that needed to be done to make the site work. He showed pictures of the tree to be removed and the tree to that would be saved.

James Weaver, a certified arborist, reviewed the tree that would be removed. The tree was declining and had hollow cavities.

David Reilly, Parks Department, indicated that ideally, both trees should be saved, but that the other grand tree was a live oak and better tree.

Gayl Porter spoke in favor of the request.

Mr. Weiss moved to approve and was seconded by Ms. Wallrapp. The motion passed 6-0.

VRB05-33	PETITIONER:	Tom Catuzzi
Approved	AGENT:	Jack Hinton
6-1	LOCATION:	4219 Maritime Boulevard
	REQUEST:	To allow for a sign at a higher elevation and increase square footage
	PURPOSE:	To allow for additional signage
	NEIGHBORHOOD:	None (Notice to Davis Islands)
	CONDITION:	Sign not to exceed 1755 square feet; height not to be higher than 162'; and, that the sign be located on the northwest portion of silos 1 and 2

Jack Hinton explained the request and the reasoning for it.

Ms. Wallrapp moved to approve and was seconded by Mr. Nelson. The motion passed 6-1, with Mr. Cheshire voting against.

C. GENERAL VARIANCES

VRB05-26	PETITIONER:	Joseph and Janice Finney
Approved	AGENT:	None
7-0	LOCATION:	6702 North Dixon Avenue
	REQUEST:	To reduce the rear yard setback from 3' to 2.6', with the allowed encroachment of the eaves and gutters
	PURPOSE:	To repair and construct a residential addition
	NEIGHBORHOOD:	Seminole Heights

Joseph Finney explained his request, stating that the shed was a hazard and they rebuilt it and expanded it.

Mr. LaBour moved to approve and was seconded by Ms. Wallrapp. The motion passed 7-0.

VRB05-27	PETITIONER:	Jerry Lane
Denied	AGENT:	Richard Nagy
6-1	LOCATION:	7413 South Westshore Boulevard
	REQUEST:	To reduce the rear yard setback from 20' to 13.8', with the allowed encroachment of the eaves and gutters
	PURPOSE:	To construct a residential addition
	NEIGHBORHOOD:	Port Tampa

Theresa and Kelly Lane explained their want of a Florida Room on the back of their house.

There was Board discussion regarding the hardship on the property.

Mr. Nelson moved to approve and was seconded by Ms. Wallrapp. The motion passed 6-1, with Mr. LaBour voting nay.

VRB05-28	PETITIONER:	Edilia Tamargo
Denied	AGENT:	None
7-0	LOCATION:	3033 West Dewey Street
	REQUEST:	To reduce the side yard setback from 7' to 3.8', with the allowed encroachment of the eaves and gutters
	PURPOSE:	To construct a residential addition
	NEIGHBORHOOD:	Northeast MacFarlene

Edalia Tamargo explained the need for the extra space because of another individual coming to live with her.

After Board discussion regarding the lack of hardship, Mw. Wallrapp moved to deny and was seconded by Mr. Weiss. The motion passed 7-0.

VRB05-29	PETITIONER:	Phillip Leckey
Approved	AGENT:	None
5-2	LOCATION:	3328 North San Miguel Street
	REQUEST:	To reduce the front yard setback from 25' to 24', the rear yard setback from 20' to 6'9" and the building separation from 5' to 4', with the allowed encroachment of the eaves and gutters
	PURPOSE:	To construct a residential addition
	NEIGHBORHOOD:	Palma Ceia
	DENIED:	Front yard setback request

Phillip Leckie explained the need for the variance and the age of the building.

Ms. Wallrapp opined that the addition could be done elsewhere.

Mr. LaBour moved to approve. His motion died for lack of second.

Mr. O'Kelley moved to deny and was seconded by Ms. Wallrapp. That motion failed 3-4, with Mr. Rahenkamp, Mr. LaBour, Mr. Nelson and Mr. Weiss voting against.

Mr. Nelson moved to approve the rear yard setback reduction and the building separation and to deny the front yard reduction. That motion was seconded by Mr. LaBour. The motion passed 5-2, with Mr. Cheshire and Ms. Wallrapp voting nay.

VRB05-30	PETITIONER:	Warren Cohen
Approved	AGENT:	None
6-1	LOCATION:	109 Martinique Avenue
	REQUEST:	To reduce the front yard setback from 25' to 15', with the allowed encroachment of the eaves and gutters
	PURPOSE:	To construct a residential addition
	NEIGHBORHOOD:	Davis Islands
	CONDITION:	That the porches remain open

Warren Cohen explained the need for the two-level porch.

Mattie Battista expressed support for the request.

Mr. LaBour moved to approve and was seconded by Mr. Weiss. The motion passed 6-1, with Mr. Cheshire voting nay.

VRB05-31	PETITIONER:	Jeffrey and Jeanne Kronsoble
Approved	AGENT:	None
7-0	LOCATION:	2937 West Wallcraft Avenue
	REQUEST:	To reduce the rear yard setback from 15' to 5'1" and the side yard setbacks from 7' to 3', with the allowed encroachment of the eaves and gutters
	PURPOSE:	To construct a residential addition

NEIGHBORHOOD: Bayshore Beautiful

Jeffrey Kronsoble explained the variance and the surrounding properties.

Harry Flowers expressed support for the request.

Ms. Wallrapp moved to approve and was seconded by Mr. Weiss. The motion passed 7-0.

VRB05-34	PETITIONER:	Yedeyka and Ceasar Estevez
Approved	AGENT:	Rachael Russo
7-0	LOCATION:	4840 East 99 th Avenue
	REQUEST:	To reduce the rear yard setback from 5' to 3'
	PURPOSE:	To keep an unpermitted pool enclosure
	NEIGHBORHOOD:	Terrace Park

Rachael Russo McCloud explained the confusion over the approval from the City and how the screen cage was built into the setbacks.

Mr. Weiss moved to approve and was seconded by Mr. LaBour. The motion passed 7-0.

VI. ELECTIONS

John Weiss elected chair and James Catalano elected vice-chair.

VII. ADJOURNMENT