

**CITY OF TAMPA, FLORIDA
VARIANCE REVIEW BOARD
MEETING MINUTES**

MEETING DATE: March 14, 2006

MEETING TIME: 6:30 PM

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

I. SILENT ROLL CALL

In attendance were Eric Rahenkamp, Chair; Melanie Higgins, Vice-Chair; John Weiss, Tom Cheshire, Seth Nelson and Randy O'Kelley. James Catalano and Ana Wallrapp were absent.

II. APPROVAL OF MINUTES FOR February 14, 2006

Mr. Nelson moved to approve the corrected minutes and was seconded by Ms. Higgins. The motion passed 6-0.

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

A. ADMINISTRATIVE APPEALS

B. TREE & LANDSCAPE / TRANSPORTATION / SIGN VARIANCES

C. GENERAL VARIANCES

VRB05-151 4-2 Denied	PETITIONER: AGENT: LOCATION: REQUEST: PURPOSE: NEIGHBORHOOD: NOTE:	Michael and Kendall Wichman Steve Michelini 5151 West San Jose To reduce the front yard setback from 25' to 16', with the allowed encroachment of the eaves and gutters To construct a new single family home Sunset Park On Remand from Council with specific instructions to specifically review said petition based on the pattern of development on the cul-de-sac and with surrounding properties and the de-minimus intrusion into the front setback.
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Mr. Michelini read the Council motion into the record and showed pictures of the proposed home and surround properties. The pictures showed the purported distance between the property lines of the neighboring sites in regards to car lengths.

The Board then had discussions regarding substantial and competent evidence.

Mr. Wichman then discussed the height issues and the surrounding properties.

After further Board discussion, Mr. Nelson moved to approve without the northern most encroachment as shown on the plan. Mr. Cheshire seconded the motion, which failed 2-4, with Mr. Rahenkamp, Mr. Weiss, Ms. Higgins and Mr. O'Kelley voting nay.

Mr. Weiss then moved to deny and was seconded by Mr. O'Kelley. The motion passed 4-2, with Mr. Nelson and Mr. Cheshire voting nay.

VRB06-25 Continued 6-0	PETITIONER: AGENT: LOCATION:	Lisa Letizio and Paul Jackson M Hawari 3001 West San Rafael Street
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REQUEST:	To reduce the side yard setback from 7' to 6.3' and the rear yard from 20' to 9.6', with the allowed encroachment of the eaves and gutters
PURPOSE:	To construct a residential addition
NEIGHBORHOOD:	Palma Ceia
NOTE:	Public Hearing is Closed

At the beginning of the hearing, Mr. Nelson moved to continue and was seconded by Ms. Higgins. The motion passed 6-0.

IV. OLD BUSINESS: Continuances and Missed Notices

A. ADMINISTRATIVE APPEALS

B. TREE & LANDSCAPE / TRANSPORTATION / SIGN VARIANCES

C. GENERAL VARIANCES

VRB05-154 Continuance Requested 6-0	PETITIONER:	Tyrus Woods
	AGENT:	Miriam Sumter
	LOCATION:	1206 East Curtis Street
	REQUEST:	To reduce the side yard setback from 7' to 1', with the allowed encroachment of the eaves and gutters
	PURPOSE:	To create a buildable lot
	NEIGHBORHOOD:	Southeast Seminole Heights

Ms. Sumter Richards requested a two-month continuance. The motion for the continuance was made by Mr. Weiss and Seconded by Mr. O'Kelley. The motion passed 6-0.

VRB06-20 Approved 5-1	PETITIONER:	New Millennial Homes
	AGENT:	Anthony Galarza
	LOCATION:	916 East Ida Street
	REQUEST:	To reduce the rear yard setback from 20' to 16.1, with the allowed encroachment of the eaves and gutters
	PURPOSE:	To construct a single family residence
	NEIGHBORHOOD:	Southeast Seminole Heights

Mr. Galarza presented his case.

Mr. O'Kelley moved to approve and was seconded by Mr. Wiess. The motion passed 5-1, with Mr. Cheshire voting nay.

V. NEW BUSINESS

A. ADMINISTRATIVE APPEALS

B. TREE & LANDSCAPE / TRANSPORTATION / SIGN VARIANCES

VRB06-30 Withdrawn	PETITIONER:	Verizon Wireless
	AGENT:	Todd Pressman
	LOCATION:	4306 South Dale Mabry Highway
	REQUEST:	To allow a sign on a building with no road frontage
	PURPOSE:	To place a sign
	NEIGHBORHOOD:	Fairoaks/Manhattan Manor

VRB06-36 Approved 5-1	PETITIONER:	Sunshine Real Estate, Incorporated
	AGENT:	Dixie Signs, Incorporated
	LOCATION:	2602 North 50 th Street

REQUEST:	To increase the height of a sign to 80'
PURPOSE:	To increase the height of a sign
NEIGHBORHOOD:	East Tampa

Roger Snyder from Dixie Signs explained the requested variance and the need for the additional height because of the construction of I-4.

Mr. Weiss moved to approve and was seconded by Mr. Nelson, the motion passed 5-1, with Mr. Rahenkamp voting nay.

C. GENERAL VARIANCES

VRB06-26 Missed Notice	PETITIONER:	Michael Goetz and Jeffrey Zwirn
	AGENT:	None
	LOCATION:	708 Broad Street
	REQUEST:	To reduce the side yard setback from 7' to 3.6', with the allowed encroachment of the eaves and gutters
	PURPOSE:	To create a buildable lot
	NEIGHBORHOOD:	Old Seminole Heights
VRB06-27 Missed Notice	PETITIONER:	Philip and Ann Anderson
	AGENT:	None
	LOCATION:	5203 Green Forest Court
	REQUEST:	To reduce the rear yard setback from 15' to 5', with the allowed encroachment of the eaves and gutters
	PURPOSE:	To construct a residential addition
	NEIGHBORHOOD:	New Tampa Community Council
VRB06-28 Denied 5-1	PETITIONER:	Keith and Leslie Fredericks
	AGENT:	John Grandoff
	LOCATION:	3110 West Chapin Avenue
	REQUEST:	To reduce the rear yard setback 20' to 3', with the allowed encroachment of the eaves and gutters
	PURPOSE:	To construct a residential addition
	NEIGHBORHOOD:	Bayshore Beautiful

Mr. Grandoff presented the case, showed pictures and reviewed the hardship criteria.

Frank Frazee and Keith Fredericks spoke in favor of the request.

Mr. Weiss moved to approve the request; the motion died for lack of a second. Mr. Cheshire moved to deny and was seconded by Ms. Higgins. The motion passed 5-1, with Mr. Wiess voting nay.

VRB06-29 Denied 6-0	PETITIONER:	James Sutphin and Susan Kay Hefley
	AGENT:	None
	LOCATION:	206 West Henry Avenue
	REQUEST:	To reduce the rear yard setback from 10' to 3' for the entrance to a garage, with the allowed encroachment of the eaves and gutters
	PURPOSE:	To keep an existing accessory structure (garage)
	NEIGHBORHOOD:	Old Seminole Heights

Ms. Hefley explained the lack of permits and the need for the garage to be located at that site.

Roger Kirk, Transportation, explained the section of the Code that needed to be addressed.

Doreen Dibona, Susan Long, Beverly Morrow and Randy Baron all spoke against the request.

Mr. Nelson moved to deny the request and was seconded by Mr. Weiss. The motion passed 6-0.

VRB06-31 Missed Notice	PETITIONER:	Jonathan and Marian Sbar
	AGENT:	Karim Tahiri or Tamlyn Sbar
	LOCATION:	2626 West Sunset Drive
	REQUEST:	To increase the height of an accessory structure from 15' to 21.5'
	PURPOSE:	To construct an accessory structure
	NEIGHBORHOOD:	New Suburb Beautiful
VRB06-32 Denied 6-0	PETITIONER:	Robert Harwood
	AGENT:	None
	LOCATION:	715 South Rookmere Road
	REQUEST:	To reduce the side yard setback from 7' to 3', with the allowed encroachment of the eaves and gutters
	PURPOSE:	To construct a residential addition
	NEIGHBORHOOD:	Beach Park

Mr. Harwood explained his request and showed pictures of the lot and area. Additionally, Mr. Harwood submitted letters of support.

Suzanne Mace, Margaret Vissi, Leanne Winebrane and Maria O'Sullivan also spoke against the request.

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

VRB06-33 Approved 6-0	PETITIONER:	Jimmie and Lavinia Stembridge
	AGENT:	None
	LOCATION:	5910 Interbay
	REQUEST:	To reduce the side yard setback from 7' to 3.9', with the allowed encroachment of the eaves and gutters
	PURPOSE:	To construct a residential addition
	NEIGHBORHOOD:	Ballast Point

Mr. Stembridge explained the variance request and the building height. Mr. Nelson moved to approve with the requirement that the roof pitch not effect the tree canopy. Ms. Higgins seconded the motion, which passed 6-0.

VRB06-34 Denied 4-2	PETITIONER:	Sharon Hunnewell-Johnson
	AGENT:	None
	LOCATION:	204 East Martin Luther King Boulevard
	REQUEST:	To allow for the placement of barbed wire fencing
	PURPOSE:	To keep existing barbed wire fences
	NEIGHBORHOOD:	Old Seminole Heights.

Todd Pressman, representing the petitioner, argued that the barbed wire was a necessity for the security of the business.

Beverly Marrow, Randy Baron, Christine Hess and Susan Long all spoke against the request. They expressed concern over the use and the storage of the fireworks.

Mr. Nelson moved to deny because of the lack of evidence for the security issue. Ms. Higgins seconded the motion. The motion passed 4-2, with Mr. Cheshire and Mr. O'Kelley voting nay.

VRB06-35 Approved 4-2	PETITIONER:	R Duncan McMillan
	AGENT:	None
	LOCATION:	3901 West Barcelona Street
	REQUEST:	To reduce the side yard setback from 7' to 3'9", with the allowed encroachment of the eaves and gutters

PURPOSE: To construct a residential addition
NEIGHBORHOOD: Virginia Park

Jennifer McMillan explained the request.

Frank Leu spoke against the variance.

Mr. Weiss moved to approve and was seconded by Ms. Higgins. The motion passed 4-2, with Mr. Cheshire and Mr. Nelson voting nay.

VRB06-36a PETITIONER: Thomas E Dudley and Rosa L Johnson
Denied AGENT: None
5-1 LOCATION: 3311 East Sevilla Circle
REQUEST: To reduce the rear and side yard setbacks from 3' to 0' and the building separation from 10' to 2', with the allowed encroachment of the eaves and gutters
PURPOSE: To place an accessory structure
NEIGHBORHOOD: None (Notice to Virginia Park)

Thomas Dudley explained the request and the reason for the variance.

George Perez indicated that he had no objection to the variance.

Mr. Nelson moved to deny, stating that the shed was too large. The motion was seconded by Mr. O'Kelley and passed 5-1, with Mr. Cheshire voting nay.

VRB06-37 PETITIONER: Peter Diniaco
Approved AGENT: R J Marks
5-1 LOCATION: 812 South West Shore Boulevard
REQUEST: To reduce the rear yard setback from 20' to 4.5', with the allowed encroachment of the eaves and gutters
PURPOSE: To construct a residential addition
NEIGHBORHOOD: Beach Park

Mr. Marks and Mr. Diniaco explained the variance request.

Mr. Nelson moved to approve and was seconded by Mr. O'Kelley. The motion passed 5-1, with Mr. Cheshire voting nay.