

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

MEETING DATE: January 09, 2007 MEETING TIME: 6:30 PM LOCATION: 315 East Kennedy Boulevard, 3 rd Floor, City Council Chambers
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AGENDA

I. SILENT ROLL CALL

II. APPROVAL OF MINUTES FOR December 12, 2006

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

A. ADMINISTRATIVE APPEALS

B. TREE & LANDSCAPE / TRANSPORTATION / SIGN VARIANCES

IV. OLD BUSINESS: Continuances and Missed Notices

A. ADMINISTRATIVE APPEALS

B. TREE & LANDSCAPE / TRANSPORTATION / SIGN VARIANCES

C. GENERAL VARIANCES

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| 1. PETITION: | VRB07-02 |
| PETITIONER: | Donald E. Ebbert |
| LOCATION: | 1002 S Braeburn Avenue |
| REQUEST: | To reduce the front yard setback requirement from 25' to 3' with the allowed encroachment of the eaves and gutters. |
| PURPOSE: | To build a residential addition. |
| NEIGHBORHOOD | Golfview Civic and Garden |

Petitioner failed to appear. Ana Wallrapp moved to deny the variance request based on the petitioner failure to appear. Tom Cheshire seconded the motion. The motion passed 4-2 with Weis and Labour voting no. The variance was denied.

V. NEW BUSINESS

A. ADMINISTRATIVE APPEALS

B. TREE & LANDSCAPE / TRANSPORTATION / SIGN VARIANCES

C. GENERAL VARIANCES

2. PETITION: VRB07-04
PETITIONER: Kelton A. Stephenson
LOCATION: 4304 N Ola Ave
REQUEST: To reduce the side yard setback from 5' to 0', with the allowed encroachment of the eaves and gutters
PURPOSE: To keep an existing pool enclosure.
NEIGHBORHOOD South Seminole Heights

The petitioner presented the case, showed pictures. LaBour questioned whether the screen enclosure was part of the fence. Amadaeo asked about what the petitioner perceived as his hardship.

LaBour made a motion to deny. Seconded by Catalano. Motion passed 5-1 with Tom Cheshire voting No.

3. PETITION: VRB07-05
PETITIONER: Morton J Hanlon Jr.
LOCATION: 3133 S Waverly Ave
REQUEST: To reduce the side yard setback from 3' to 1', with the allowed encroachment of the eaves and gutters.
PURPOSE: To construct a two-car garage.
NEIGHBORHOOD Bayshore Beautiful

The petitioner failed to appear before the board. The board made a motion to continue the request to March 13, 2007. 6-0 vote.

4. PETITION: VRB07-06
PETITIONER: Land Source Development
LOCATION: 2005 E North Bay St
REQUEST: To reduce the side yard setback from 5' to 3.5', with the allowed encroachment of the eaves and gutters.
PURPOSE: To create a buildable lot.
NEIGHBORHOOD East Tampa Business

The petitioner presented their case. They spoke about creating infill and showed pictures. LaBour questioned information that was listed on the application. The Lovetts spoke in opposition; they were opposed to the 3.5' as opposed to the 5' side yard setback. Roger Kirk, Transportation Dept, spoke about a need for a driveway and that at time of permitting the petitioner would be required to improve it.

Ana Wallrapp made a motion to approve the side yard setback from 5' to 3.5', with the allowed encroachment of the eaves and gutters and as shown on the site plan. Antonio Amedeo seconded the motion. Motion passed 5-1 with LaBour voting No.

5. PETITION: VRB07-07
PETITIONER: Scott Peper
LOCATION: 2717 W Jetton Ave
REQUEST: To reduce the side yard setback from 7' to 5', with the allowed encroachment of the eaves and gutters.
PURPOSE: To build residential addition.
NEIGHBORHOOD New Suburb Beautiful

Scott Peper presented his case, showed pictures, indicated how he feel he meets the hardship criteria. Catalona asked question about the rear yard. Patrick Dawling and Tom Foley spoke in favor of the project. Scott and Paula Meckley who are adjacent neighbors, had objections to the request. LaBour asked the petitioner questions about the financial hardship that the petitioner mentioned in his testimony. Amadeo stated that he feels that the hardship criteria had not been met.

Wallrapp made a motion to deny the request. Seconded by LaBour. Motion passed 6-0.

6. PETITION: VRB07-08
PETITIONER: John and Kimberly Radatz
LOCATION: 1423 E Powhatan Ave
REQUEST: To reduce the side yard setback from 7' to 3.4', with the allowed encroachment of the eaves and gutters.
PURPOSE: To create a buildable lot.
NEIGHBORHOOD Old Seminole Heights

Anne Pollack, the petitioner's agent, spoke about the variance request, showed the board a plat, showed pictures and elevations of the proposed house to be built on the new lot. Received and filed home plans, exhibits, etc. George Diez, a neighbor, spoke out against the petitioner's request.

Wallrapp made a motion to approve the side yard setback from 7' to 3.4', with the allowed encroachment of the eaves and gutter based on the site plan submitted. Amadeo seconded the motion. Motion passed 5-1 with LaBour voting no.

7. PETITION: VRB07-09
PETITIONER: Ted Silence
LOCATION: 3107 W Donwoodie St
REQUEST: To reduce the front yard setback from 60' to 5'1".
PURPOSE: To build and accessory structure.
NEIGHBORHOOD Parkland Estates

The petitioner missed noticed and requested a new date for February 13, 2006. A Motion was made to continue this case until February 13, 2006. Motion passed 6-0.

8. PETITION: VRB07-10
PETITIONER: Inez Clemente
LOCATION: 1902 E Crenshaw St
REQUEST: To reduce the rear yard setback from 20' to 1.3', with the allowed encroachment of the eaves and gutters.
PURPOSE: To build a carport.
NEIGHBORHOOD Seminole Crest Estates

Inez Clemente, the petitioner, presented her case. She stated that the request was to allow encroachments caused by an existing carport and an addition added to the carport. Weis asked a question about the existing carport and if it was already nonconforming.

Wallrapp made a motion to approve the rear yard setback from 20' to 1.3", with the encroachment of the eaves and gutters and as shown on the site plan. Seconded by Catalano. Motion passed 5-1 with Tom Cheshire voting no.

9. PETITION: VRB07-11
PETITIONER: Real Ability LLP
LOCATION: 4010 E. Hillsborough Avenue

REQUEST: To allow razor wire on a fence.
PURPOSE: To allow razor wire on top of a fence to deter crime.
NEIGHBORHOOD Northeast Community Civic Assoc.

Steve Michelini, agent to the petitioner, presented the case. He spoke about the code that allows the VRB to approve the use of razor wire when it is proven that there is a high crime in the neighborhood. The business retrofits vans for handicap people. Steve asked to present letters to the board in favor of the project. Letters were filed and received. LaBour asked questions about the fence and about crime the area.

LaBour made a motion to approve the allowance of razor wire on top of a fence in order to deter crime. Seconded by Catalano. Motion passed 6-0.

10. PETITION: VRB07-12
PETITIONER: Raquel Casanova
LOCATION: 1006 E. Caracas Street
REQUEST: To reduce the rear yard from 3' to 1.8', with the allowed encroachment of the eaves and gutters.
PURPOSE: To rebuild and accessory structure.
NEIGHBORHOOD Seminole Heights

Jeanette Harlstone spoke on behalf of Racquel Casanova, the petitioner. She showed pictures and presented the case. LaBour asked question of the Petitioner. Beverly Morrow spoke against the rear yard setback.

LaBour made a motion to deny the request. Seconded by Catalano. The motion failed 2-4 with Wallrapp, Weiss, Cheshire, Amadeo voting no.

Wallrapp made a motion to approve the rear yard setback from 3' to 1.8", with the allowed encroachment of the eaves and gutters and as shown on the site plan. Amadeo seconded the motion. The motion passed 4-2 with LaBour and Catalano voting no.

11. PETITION: VRB07-13
PETITIONER: Jeff and Julie Smith
LOCATION: 3912 W San Pedro Street
REQUEST: To reduce the rear yard setback from 20' to 13', with the allowed encroachment of the eaves and gutters.
PURPOSE: To build an addition.
NEIGHBORHOOD Virginia Park

Jeff Smith, the petitioner, presented his case, showed pictures and spoke on how the request met the hardship criteria.

Ana Wallrapp moved to approve the rear yard setback from 20' to 13', with the allowed encroachment of the eaves and gutters and as shown on the site plan as submitted. Seconded by Amadeo. Motion passed 6-0.

The Meeting was adjourned.

