

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

MEETING DATE: February 13, 2007
MEETING TIME: 6:30 PM
LOCATION: 315 East Kennedy Boulevard, 3 rd Floor, City Council Chambers

MINUTES OF THE FEBRUARY 13, 2007

I. SILENT ROLL CALL

In attendance: Tom Cheshire, John Catalano, Melanie Higgins, John Weiss, Randy O’Kelly.

II. APPROVAL OF MINUTES FOR January 9, 2006

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

A. ADMINISTRATIVE APPEALS

1. PETITION: VRB06- 133
PETITIONER: Mark and Sarah Straley
LOCATION: 4619 Woodmere Rd
REQUEST: To reduce the side yard setback requirement from 5’ to 0’.
PURPOSE: To build the screen enclosure for an existing in-ground swimming pool.
NEIGHBORHOOD: Beach Park

Donna Wysong did a quick introduction on City Councils motion remanding the variance request back to the VRB, striking certain testimony from the record. Sarah Straley made a 10-minute presentation on the merits of their request. John Weiss spoke to his concerns on if the VRB approves this request that a precedent would be set. Catalano made a motion to deny the side yard setback requirement from 5’ to 0’ based on Criteria #1 not having been met. Seconded by O’Kelly. Motion passed 5-0.

2. PETITION: VRB06- 126
PETITIONER: Carolyn Kaiser Wolfe
LOCATION: 4605 S Gaines Rd
REQUEST: To reduce the side yard setback from 7’ to 3.5’, front yard setback from 25’ to 21’ on the south-west side of the property, front yard setback from 25’ to 17’ on the south-east side of the property, with the allowed encroachment of the eaves and gutters, and to reduce the protected radius of the live oak tree from 20’ to 15’.
PURPOSE: To enlarge the existing attached garage, and to extend the covered porch.
NEIGHBORHOOD: Bayside West

Donna Wysong gave the board a quick overview on City Councils motion remanding the variance request back to the VRB. City Council asked the VRB to take into consideration the two Grand Trees located on the property when considering the variance request. Ms. Wolfe presented her case and spoke about the two grand trees and the location of an Air conditioning Unit located inside of the garage. John Weiss said based on the new evidence that he would reconsider the denial and made a motion to approve the side yard setback from 7’ to 3.5’, front yard setback from 25’ to 21’, with the allowed encroachments of the eaves and gutters, and to reduce the protected radius of the live oak tree from 20’ to 15’. Seconded by Catalano. Motion passed 3-2 with O’Kelly and Cheshire voting nay.

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

3. PETITION: VRB07-02
PETITIONER: Donald E. Ebbert
LOCATION: 1002 S Braeburn Avenue
REQUEST: To reduce the front yard setback from 25' to 3', with the allowed encroachment of the eaves and gutters.
PURPOSE: To construct a two-story garage addition.
NEIGHBORHOOD: Parkland Estates

Mr. Ebbert presented his case and spoke about his property being Unique and singular. That he met with Dave Reily in the field . Dave Reily was concerned about a grand tree and that they can't do a suspended floor because of the particulars of the site and that the pruning of the tree that would need to be done would harm the tree. The petitioner committed to reduce the size of the addition so that the tree limb would not have to be trimmed. Catalano commented that the property is unique and singular because it is surrounded by commercial/multi-family properties. Weiss was concerned that it would create even more impervious surface. O'Kelly made a motion to deny based on criteria #2 not being met. Seconded by Weiss. Motion pass 5-1 with Melanie Higgins voting Nay.

4. PETITION: VRB06-121
PETITIONER: New Millennial Homes
LOCATION: 1404 E Cayuga St
REQUEST: To reduce the side yard setback from 3' to 1.8' with the allowed encroachment of the eaves and gutters.
PURPOSE: To create a buildable lot
NEIGHBORHOOD: Southeast Seminole Heights

Jenny Leon presented her case. Showed pictures and File with the board new survey's showing one more foot being added to lot 20. Jenny said that they would commit to building a ribbon driveway. O'Kelly made a motion to approve a side yard setback from 3' to 1.8' with the allowed encroachments of the eaves and gutters. Seconded by Weiss. Motion passed 5-0.

4. PETITION: VRB06-129
PETITIONER: The Fox
LOCATION: 5401 W Kennedy Blvd
REQUEST: To increase sign height from 15' to 40', to increase the square

footage from 46 to 160, and to allow an electric message center.
PURPOSE: To install the sign
NEIGHBORHOOD: Beach Park

Note: Petitioner missed noticed.

5. 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: Golfview Civic Association

Ted Silence presented his case. Spoke about the platt requiring front yard on the golf coarse with a set back of 60' and zoning code making the side of the lot on Dunwoodie as the front yard, so in essence they have two front yards. Mr. Catalano moved to approve based on the property being unique and singular. Seconded by Weiss. Motion passed 5-0.

V. NEW BUSINESS

A. ADMINISTRATIVE APPEALS

B. TREE & LANDSCAPE / TRANSPORTATION / SIGN VARIANCES

6. PETITION: VRB07-14
PETITIONER: Sweetbay
LOCATION: 2100 Swann Ave
REQUEST: Sign Variance.
PURPOSE: To have addition signs

Mr. Davis presented his case about the unique issues concerning the property and the previous Kash-n-Karry building. That the sign variance should be granted because the signs were directional in nature. O'Kelly made a motion for the petition to reduce the signage to an overall length of 30.5', therefore not needing a variance for additional square footage while granting the variance for the additional wall sign. Seconded by Catalano. Motion passed 5-0.

7. PETITION: VRB07-22
PETITIONER: MVG, Jason James
LOCATION: 4495 W Gandy Blvd.
REQUEST: Sign Variance
PURPOSE: To increase and adjust location of building signage
NEIGHBORHOOD: Bayside West Neighborhood Association

The petitioner presented his case and spoke about the uniqueness of the building that they are constructing with and the need for two signs on either side of the structure. No sign are going to be on the building fronting Gandy. Catalano moved to approve the sign variance. Seconded by Cheshire. Motion passed 5-0.

C. GENERAL VARIANCES

8. PETITION: VRB07-15
PETITIONER: Property Enterprise
LOCATION: 8104 North Blvd
REQUEST: Side yard setback from 7' to 3.5'.
PURPOSE: To create a buildable lot.
NEIGHBORHOOD Lowry Park Central Civic Assoc.

Sara Pyrfoam presented her case. She indicated that the two lots were sold off separately. Weiss asked questions of the petitioner about lot 22. Wanda Gaines of 8106 N Blvd spoke in opposition to the request. Weiss made a motion to approve a side yard setback from 7' to 3.5', with the allowed encroachments of eaves and gutters as shown on the site plan submitted. Seconded by Cheshire. Motion approved 5-0.

9. PETITION: VRB07-23
PETITIONER: John and Maria Guzman
LOCATION: 1007 26th Avenue E
REQUEST: To reduce the front yard setback from 21.5' to 10' due to a grand oak located in the front yard.
PURPOSE: To build a new single family home.
NEIGHBORHOOD VM Ybor Neighborhood Association and Crimewatch

Sara Pyrfoam spoke about the need for a variance in order to save a 48" grand oak in the back yard. Neighborhood spokes person Andrea spoke about their concerns with the type of building being built and they wanted to submit a petition asking for no more stucco homes in their neighborhood. Catalano moved to approve the front yard setback from 21.5' to 10', with the allowed encroachments of eaves and gutters, in order to save a grand tree. Seconded by Randy O'Kelly. Motion passed 4-1. With Cheshire voting nay.

10. PETITION: VRB07-17
PETITIONER: Luis E. Mario
LOCATION: 5101 N Lincoln Avenue
REQUEST: To reduce the rear yard setback from 20' to 8', with the allowed encroachment of the eaves and gutters.
PURPOSE: To construct a rear porch.
NEIGHBORHOOD Plaza Terrace Neighborhood

The petitioner spoke through an interpreter about their request and what they wanted to do. They explained that they wanted to build a back porch to create a play area for their children. Weiss spoke about the property and said that he did not think that there was anything unique and singular about the property. Weis moved to deny the request. Catalano seconded. Motion passed 5-0.

11. PETITION: VRB07-18
PETITIONER: Isabel Valladarez Izquierdo
LOCATION: 3601 Cherry Street
REQUEST: To reduce the rear yard setback from 20' to 11.6', with the allowed encroachment of the eaves and gutters.
PURPOSE: To construct an addition.
NEIGHBORHOOD Northeast Macfarlane Civic Assoc.
Note: The petitioner missed noticed and would like to be heard at the April 12th 2007 meeting.

12. PETITION: VRB07-19
PETITIONER: Andy and Lorraine Lutton
LOCATION: 6508 North River Bend
REQUEST: To reduce the side yard setback from 7' to 2.9', with the allowed encroachment of the eaves and gutters.
PURPOSE: To build residential addition.
NEIGHBORHOOD Old Seminole Heights Association

The petitioner presented his case and spoke about the unique and singular nature of his lot being located on the Hillsborough River, but being fronted by right of way on two sides. The house was built in the 1920's. John Weiss moved to approve the side yard setback from 7' to 2.9', with the allowed encroachments of the eaves and gutters. Seconded by Melanie Higgins. Motion passed 5-1. With Cheshire voting nay.

13. PETITION: VRB07-20
PETITIONER: Jay Deckard
LOCATION: 569 Suwannee Circle
REQUEST: An Administrative appeal from the denial of Parks Department to prune a tree.
PURPOSE: To trim a tree
NEIGHBORHOOD Davis Islands Civic Association

Note: Petition sent letter requesting to withdraw the request for a variance.

14. PETITION: VRB07-21
PETITIONER: Vina Shah
LOCATION: 4910 N Armenia Avenue
REQUEST: To reduce the rear yard setback from 10' to 5'.
PURPOSE: To build a commercial addition.
NEIGHBORHOOD Wellswood Civic Association

Note: The petitioner missed noticed and would like to be heard at the April 12th meeting.

C. ANNUAL ELECTION OF THE CHAIR TO THE VRB.

Postponed to the March 13, 2007 meeting.

ADJOURNMENT

Meeting adjourned at 9:30 p.m.

