

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

MEETING DATE: August 14, 2007 MEETING TIME: 6:30 PM LOCATION: 315 East Kennedy Boulevard, 3 rd Floor, City Council Chambers

Minutes

I. SILENT ROLL CALL

Melanie Higgins, James Catalano, Antonio Amadeo, Randy O’Kelley, Steve LaBour, and Randy Baron

II. APPROVAL OF MINUTES FOR July 24, 2007

O’Kelly moved to approve the July 24, 2007 minutes. Seconded by LaBour. Passed 6-0.

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

- A. ADMINISTRATIVE APPEALS
- B. TREE & LANDSCAPE / TRANSPORTATION / SIGN VARIANCES
- C. GENERAL VARIANCES

IV. OLD BUSINESS: Continuances and Missed Notices

- A. ADMINISTRATIVE APPEALS
- B. TREE & LANDSCAPE / TRANSPORTATION / SIGN VARIANCES
- C. GENERAL VARIANCES

- 1. PETITION: VRB07-58
PETITIONER: Bricklemeyer Smolker and Bolves, PA
LOCATION: 1905 West Cass Street
REQUEST: To reduce the number of required parking spaces from 9 spaces to 0.
PURPOSE: To be able retain an existing commercial building
NEIGHBORHOOD: North Hyde Park Civic Association

LaBour made a motion to continue the public hearing to October 9, 2007. Seconded by O’Kelly. Motion passed 6-0.

- 2. PETITION: VRB07-63
PETITIONER: Eathom and Delories Flowers
LOCATION: 1701 W St. Conrad Street
REQUEST: To reduce the front yard setback from 34’ to 10’, with the allowed encroachment of the eaves and gutters.
PURPOSE: To retain a one-car carport.
NEIGHBORHOOD: Old West Tampa Neighborhood Association

Clayton Rose spoke about the need for the variance request. The front yard setback, due to front yard averaging is 34' the request is for 10'. Showed pictures of the carport. That the Flower's could not access the alley. James Catalano asked a question of Mr. Rose about what is adjacent to the property. Mr. Rose said that the property adjacent is City Property. Karen Sonders, a neighbor of Flowers, came to speak about the carport and that she was in favor of the variance request. LaBour made a motion to approve the front yard setback from 34' to 10' and that the carport cannot be enclosed. Catalano seconded. Motion passed 5-1, with Amadeo voting nay.

V. NEW BUSINESS

A. ADMINISTRATIVE APPEALS

3. PETITION: VRB07-75
 PETITIONER: Perry Darby
 LOCATION: 403 Fern Street
 REQUEST: To reduce a front yard setback from 18'6" to 17', with the allowed encroachment of the eaves and gutters.
 PURPOSE: To enclose and existing carport for a garage.
 NEIGHBORHOOD: Seminole Heights Overlay District

Perry Darby agent for the owner spoke about the need for the variance. Randy Baron had to disclose that he is part of the Seminole Height Neighborhood Association and that he has previous knowledge of this case. The Agent showed pictures showing that the attic access is from his carport. He also showed pictures of 6708 Wellington and a garage that was allowed to extend beyond the home. Move to receive and file pictures of other homes in the neighborhood. Antonio Amadeo spoke about what extends beyond the roof. LaBour spoke about the other homes and when they were built. Susan Law, treasurer of Old Seminole Heights Neighborhood Association, spoke against the enclosure of the carport. Catalano asked whom did she represent. Catalano spoke about the need not to go against the Neighborhood Association and uphold the intent of the Seminole Heights Overlay. Catalano made a motion to uphold the zoning administrator's decision to not allow the projection of garages beyond the principal structure. Seconded by Baron. Motion passed 6-0. The alternative design request was denied.

4. PETITION: VRB07-84
 PETITIONER: City of Tampa CSC/Jeb Kirby
 LOCATION: 4013 W Tacon Street
 REQUEST: To reduce a front yard setback from 25' to 20', with the allowed encroachment of the eaves and gutters.
 PURPOSE: To construct a single family residence.
 NEIGHBORHOOD: Virginia Park

Dave Jennings from CSC spoke about the request and the need for the variance-that the City. Disapproved the original plans, that the petition corrected the rear yard setback and resubmitted, the plans were approved. The structure was slid forward to the front in order to meet front yard setback. They approved the plans that showed the violation of the front yard setback. An administrative variance could not be remedy the variance. The house has been built. Catalano ask the questions about the lot being a 50' by 100', but an RS-60 Zoning District. LaBour indicated that the Builder did not miss measure, but was City's Staff mistake. John Talley spoke about his objections to the variance request. That it does impact his property. At this point Donna Wysong spoke about the need to continue this case to the next hearing date. The Board made a motion to Continue to September 11, 2007. Seconded by LaBour. Motion passed 6-0.

B. TREE & LANDSCAPE / TRANSPORTATION / SIGN VARIANCES

5. PETITION: VRB07-67
PETITIONER: Charles C. Barbour
LOCATION: 1306 W Sitka Street
REQUEST: To remove a protected tree
PURPOSE: To protect the foundation of home.
NEIGHBORHOOD Lowry Park Central Civic

Charles Barbour spoke about the need to remove the oak tree and how it is damaging the driveway and the potential of the roots to damage the house. Showed pictures of the tree and the need for removal. Showed pictures of the damage to the driveway and possible damage to the house. Move to receive and file pictures and letter in support. Dave Riley spoke about the need to prune the roots of the tree. Dave Reily indicated that the tree is a candidate for removal because of what has been done to the tree. There was overpruning to the tree. LaBour spoke about the grand tree ordinance and the need to protect, protected trees. Catalano moved to deny the variance request to remove a protected tree. Seconded by Labour. 6-0, motion was denied.

6. PETITION: VRB07-71
PETITIONER: William and Julie Mehr
LOCATION: 4106 W Horatio Street
REQUEST: To encroach within the protective radius of a protective tree.
PURPOSE: To remodel a single family residence.
NEIGHBORHOOD Swann Estates

Mr. Mehr spoke about the two trees on the property and the need to remodel the house. Mr. Reily has been out to the house about three times and the need to barricade around the trees to protect them during construction. Questions to Dave Reily from Randy Baron about the growth of the trees and that they would build pier and lintel construction. Positive site plan for the growth of the trees. Catalano made a motion to approve the variance. Seconded by Amadeo. Motion passed 6-0.

7. PETITION: VRB07-73
PETITIONER: James Walker
LOCATION: 6825 N 22nd Street
REQUEST: To encroach within the protective radius of a grand tree.
PURPOSE: To construct a commercial building.
NEIGHBORHOOD Old Seminole Heights Neighborhood Association

Petitioner requested a continuance to September 11, 2007.

C. GENERAL VARIANCES

8. PETITION: VRB07-68
PETITIONER: Scott and Susan Geresy
LOCATION: 4013 W San Nicholas Street
REQUEST: To reduce the side yard setback from 7' to 4'.
PURPOSE: To construct a two-car garage addition.
NEIGHBORHOOD Palma Ceia West

Scott Geresy spoke to the need for the variance and the large trees on the lots. Moved to receive and file the letter in support of the variance from the neighborhood association. Showed

the existing site plan. Catalano spoke in favor of the variance request. No other place for him to put the garage. Labour spoke in favor of the variance. Baron made a motion to approve the variance request . Amadeo seconded the motion. Motion passed 6-0.

9. PETITION: VRB07-69
PETITIONER: John Scioscia
LOCATION: 561 Lucerne Avenue
REQUEST: To reduce the front yard setback from 25' to 17.7', with the allowed encroachment of the eaves and gutters.
PURPOSE: To construct a carport.
NEIGHBORHOOD: Davis Islands Civic Association

Mr. Sciasco showed the carport to be built and that it would create a bungalow affect. Showed the site plan and the irregularly shaped lot. Showed picture of the property . Amadeo is in support of the addition and felt that it met the hardship criteria. Amadeo made a motion to approve the front yard setback from 25' to 17.7' and that the carport cannot be enclosed. Seconded by Catalano. Motion passed 6-0.

10. PETITION: VRB07-70
PETITIONER: Robert M Stoler
LOCATION: 563 Madeira Avenue
REQUEST: To increase the side yard setback from 7' to 5.9', and front yard setback from 25' to 19', with the allowed encroachments of the eaves and gutters.
PURPOSE: To construct a garage addition
NEIGHBORHOOD: Davis Island Civic Association

The Board made a motion to continue the public hearing to September 11, 2007. The motion was seconded. Motion passed 6-0.

11. PETITION: VRB07-72
PETITIONER: Enethenia Lango Salmon
LOCATION: 8208 N 9th Street
REQUEST: To reduce the rear yard setback from 20' to 12', with the allowed encroachment of the eaves and gutters.
PURPOSE: To retain a residential addition.

Mrs. Salmon spoke about the need for the variance and the reason that the addition was built. Trying to make right the addition that was done without permits and has code enforcement action against her. Made a motion to receive and file letters in support of the addition. Amadeo spoke to the impact of the addition and that he did not feel that it negatively impacted the neighborhood. Higgins spoke in favor of the request. Amadeo made a motion to approve the rear yard setback. Seconded by Catalano. Motion passed 6-0.

12. PETITION: VRB07-74
PETITIONER: Frank and Constance Liuzzo
LOCATION: 6702 N Elizabeth
REQUEST: Reduction of side yard setback from 7' to 4'7", with the allowed encroachment of the eaves and gutters.
PURPOSE: To re-construct a single family addition to code.
NEIGHBORHOOD: Old Seminole Height Neighborhood Association

Connie spoke about the need for the variance. Showed the site plan and talked about the need for the variance. Spoke to the neighbors and they have no objections. Showed pictures. Catalano spoke in favor of the variance and following the setbacks of the existing home. Amadeo made a motion to approve the side yard setback from 7' to 4'7". Seconded by Catalano. Motion passed 6-0.

13. PETITION: VRB07-76
PETITIONER: Rafael Modal
LOCATION: 1809 S Club Court
REQUEST: Reduction of side yard setback from 7' to 0', with the allowed encroachment of the eaves and gutters.
PURPOSE: To retain an enclosed porch.
NEIGHBORHOOD: University Square Civic Association

Mr. Limos, agent for the petitioner, spoke about the need for the approval of the site plan. Mr. Limos said they enclosed the existing porch without permits. Moved to close public hearing. Catalano made a comment that the lot was very irregular lot and that the house was built on an angle. Baron spoke in favor of the variance. LaBour made a motion to approve. Seconded by O'Kelly. Motion passed 6-0.

The Board made a motion to adjourn the hearing.