



Variance Review Board
City Council Chambers
City Hall
315 E. Kennedy Blvd., Third Floor
Tampa, Florida 33602

ANY PERSON WHO DECIDES TO APPEAL ANY DECISION OF THE VARIANCE REVIEW BOARD WITH RESPECT TO ANY MATTER CONSIDERED AT THIS MEETING WILL NEED A RECORD OF THE PROCEEDINGS, AND FOR SUCH PURPOSE, MAY NEED TO HIRE A COURT REPORTER TO ENSURE THAT A VERBATIM RECORD OF THE PROCEEDINGS IS MADE, WHICH RECORD INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED.

IN ACCORDANCE WITH THE AMERICANS WITH DISABILITIES ACT AND SECTION 286.26, FLORIDA STATUTES, PERSONS WITH DISABILITIES NEEDING SPECIAL ACCOMMODATION TO PARTICIPATE IN THIS MEETING SHOULD CONTACT THE CITY CLERK'S OFFICE AT LEAST FORTY-EIGHT (48) HOURS PRIOR TO THE DATE OF THE MEETING.

IF YOU DECIDE TO APPEAL A DECISION OF THE VARIANCE REVIEW BOARD, YOU WILL NEED TO APPLY TO THE CITY OF TAMPA CITY CLERK'S OFFICE NO LATER THAN SEVEN BUSINESS DAY'S AFTER THE ORAL DECISION IS MADE. YOU WILL NEED TO OBTAIN A COMPLETE COPY OF THE RECORD FOR YOUR APPEAL.

MINUTES
(as of April 7, 2009)

MEETING DATE: March 10, 2009

MEETING TIME: 6:30 PM

I. ROLL CALL

Members Present: Randy O'Kelley Vice- Chair; Randy Baron, Steve Labour, Lucinda Utter, Nicholas Bradford and Sue Lyon.

Staff Present: Towanda Anthony (LDC), Eric Cotton (LDC), Ernie Mueller (Legal), Mary Danielewicz-Bryson (LDC), Roger Kirk (Transportation)

II. APPROVAL OF MINUTES FOR March 10, 2009

Board moved to approve minutes with change as noted, page 3 of minutes state Randy Baron moved to approve and seconded the motion also.

III. OLD BUSINESS: Cases Continued/ Mis-Notice

PETITION:	VRB09-15
PETITIONER:	Donald McLellan
AGENT:	Cindy Vaughan
LOCATION:	8634 N Nebraska Avenue
REQUEST:	To install electric fence
PURPOSE:	To provide a security fence inside perimeter fence
NEIGHBORHOOD:	Sulphur Springs Action League

The petitioner requested a continuance to the April 14, 2009, public hearing date to allow additional time to address board concerns.

Board moved to continue VRB09-15, VRB09-25, VRB09-31, and VRB09-30 to the April 14 public hearing date.

Legal, Ernie Mueller advised board of the new criteria for demonstrating hardship.

IV. NEW BUSINESS

A. TREE & LANDSCAPE / TRANSPORTATION / SIGN VARIANCES/ SPECIAL TOPICS

PETITION: VRB09- 25
PETITIONER: Palma Ceia Storage Inc.
AGENT: Albert Dacobo
LOCATION: 520 S MacDill Avenue
REQUEST: To increase sign from 100' to 192'
PURPOSE: To retain existing modified sign
NEIGHBORHOOD: Parkland Estates
The petitioner misnoticed for this hearing and is going to renote for the April 14, 2009 public hearing.

PETITION: VRB09- 26
PETITIONER: Bradley A Suddath
AGENT: John B Grandoff, III , Esq.
LOCATION: 3417 W Empedrado Street
REQUEST: Removal of grand tree and to reduce front yard from 25' to 15'
PURPOSE: To remove grand tree to construct residence
NEIGHBORHOOD: Palma Ceia

Steve Labour put on the record that he lives in Palma Ceia neighborhood and did receive emails from Palma Ceia neighborhood but did not open or read email.

John Grandoff, agent presented case showing adjacent homes built with nonconforming front yard setbacks and wants to build according to the precedent setback.

Board asked if agent provided reasonable use. Agent stated PTR and rear yard setback would impede development of site with tree.

Nick Bradford asked about the 10' in the rear and other possibilities to redesign the house to keep tree in the front of the

Dave Reilly, Parks presented case. Suggested petitioner build a one story house with a rear yard setback. Steve Labour asked Parks if they always look at alternative designs.

In addition, it was confirmed that a Laurel Oak is equal to a live Oak.

Adjacent neighbor, Mr. Shey, spoke in opposition of new home being grandfathered based on old homes and conform to current code.

Agent, requested a continuance to the April 14, 2009 public hearing date. Mr. Labour moved to continue case to April 14, 2009 public hearing seconded by Mr. Bradford.

PETITION: VRB09-31
PETITIONER: Francisco Otero
AGENT: Not Applicable
LOCATION: 341 Blanca Avenue
REQUEST: Removal of grand tree
PURPOSE: To construct residence
NEIGHBORHOOD: Davis Islands NPTF and Davis Islands Civic
The petitioner did not provide notice for this hearing and is going to notice for the April 14, 2009 public hearing.

B. GENERAL VARIANCES

PETITION: VRB09- 24
PETITIONER: Atef & Heba Zakhary
AGENT: Not Applicable
LOCATION: 40 Adalia Avenue
REQUEST: To increase fence column height to 6'
PURPOSE: To construct privacy fence
NEIGHBORHOOD: Davis Island Civic

Petitioner presented case.

Mr. Bradford asked about hardship.

Neighbor, Joe Hafner, provided comments of objection.

Mr. Bradford asked about moving the high fence to the rear.

Board moved to close public hearing.

Steve LaBour , stated did not meet at least 4 (3, 4, 5, and 6) of the hardship criteria.

Mr LaBour moved to deny request, seconded by Mr. Bradford. Motion approved 6-0.

PETITION: VRB09-27
PETITIONER: John & Maria Howley
AGENT: Not Applicable
LOCATION: 2510 W Tennessee Avenue
REQUEST: To reduce protective tree radius on westside from 20' to 8'
PURPOSE: To allow driveway access for 3 new single family homes
NEIGHBORHOOD: Bayshore Gardens

Petitioner, Mr. Howey presented case.

Parks and Recreation, Dave Reilly, stated approval of case based on arborist report.

Mr. LaBour asked if tree would survive with the limb cutting.

Board moved to close public hearing.

Ms. Utter commented on the petitioner meeting with staff to come to a compromise, Mr. Baron concurred.

Mr. Baron moved to approve request, seconded by Ms. Utter. Motion approved 5-1 with Mr. Bradford voting nay.

PETITION:	VRB09-28
PETITIONER:	Edward R Ruark
AGENT:	Not Applicable
LOCATION:	2815 Aquillia Street
REQUEST:	To reduce rear yard from 20' to 16' and side yard from 7' to 5.6'
PURPOSE:	To construct residential addition
NEIGHBORHOOD:	Palma Ceia

Petitioner presented case.

Ms. Utter asked to remove herself from the case because good friends with the applicant and can not be impartial.

Mr. Bradford asked about the previous east side yard 6' AV granted in 96-04.

Board moved to close public hearing.

Mr. LaBour stated request not unreasonable and addition could not be done anywhere else, Mr. Baron concurred.

Mr. LaBour moved to approve request, seconded by Ms. Lyon. Motion approved 5-0 with Ms. Utter removed from case.

PETITION:	VRB09-29
PETITIONER:	Mark and Leah Maurer
AGENT:	Not Applicable
LOCATION:	3408 W San Jose Street
REQUEST:	To reduce front yard setback from 25' to 20', front yard from 25' to 20' and east side yard setback from 7' to 2.2'
PURPOSE:	To re-construct carport and front porch
NEIGHBORHOOD:	Palma Ceia

Petitioner presented case.

Mr. Baron asked petitioner to agree to never enclose carport and front porch.

Board motioned to close public hearing.

Mr. Baron moved to approve request along with conditions that carport and front porch never be enclosed, seconded by Mr. Bradford consistent with siteplan. Motion carried 6-0.

PETITION:	VRB09-30
PETITIONER:	James and Margaret Trezevant
AGENT:	Not Applicable
LOCATION:	1609 S Georgia Avenue
REQUEST:	To reduce rear yard 5' to 2' and north side yard from 7' to 5'
PURPOSE:	To construct single family residence with pool
NEIGHBORHOOD:	Palma Ceia
	<i>The petitioner requested a continuance to the April 14, 2009, public hearing date</i>

PETITION:	VRB09-32
PETITIONER:	Claire Wilson
AGENT:	Not Applicable
LOCATION:	4107 W Leona Street
REQUEST:	To reduce west side yard from 7' to 3'
PURPOSE:	To construct residence addition and 2 car garage
NEIGHBORHOOD:	Virginia Park Residential

Petitioner presented case.

Board moved to close case.

Mr. Bradford spoke on the eaves and the adjacent property.

Public hearing reopened. Land Development, Mary Bryson, provided comments on the PTR not being meet.

Board moved to close public hearing again.

Ms. Lyon moved to approve request provided that the deck will not extend beyond rear of house, seconded by Mr. LaBour. Motion carried 5-1 with Mr. Bradford voting nay.

VI. BOARD ORGANIZATIONAL MATTERS

1. Additional Procedural changes

After discussion on the issues between a continuance and a misnotice, it was determined that the board votes only on the continued cases, but does not have jurisdiction over the misnotice regulatory process. The board moved to continue the discussion to the April 14, 2009 public hearing.