

Variance Minutes from June 20, 2019 – not approved, draft

IV. Presentation: Variance VAR2019-05:

Case:	Variance Application – VAR2019-05 – 5911 Delaware Avenue
Property Location:	0.17 acres located on the northeast corner of Delaware Avenue and Jefferson Street
Applicant:	Mario and Leila Barbara, 5911 Delaware Ave, New Port Richey, FL 34652.
Request:	A 4-foot variance to reduce the side (west) setback from 25 feet to 21 feet.
Staff Contact:	Chris Bowman, City Planner, 727-853-1044, Bowmanc@cityofnewportriches.org

Mr. Romagnoli said that the property is located on the corner of Jefferson Street and Delaware Street and is a corner lot. Mr. Romagnoli displayed a presentation of the property location and the proposed garage layout. For the proposed 24' x 30' garage, the sides and rear setbacks are in compliance but the setback on the Jefferson Street side would require a four foot variance to go from 25 feet to 21 feet. Mr. Romagnoli displayed photographs showing the proposed location of the garage on the property with dimensions, and the owners provided photos of the vehicle that is planned to be parked in the garage. He also displayed the ordinance rules for R-3, Residential District set back requirements for detached accessory structures. This Ordinance states that the setback or rear building line of detached structures for accessory uses such as private garages may be located no closer to the rear or side property lines than five feet except where the rear or side of a building lot abuts an avenue or street in which case a detached garage or similar structure can be no closer to the rear or side property line than 25 feet. Detached storage buildings and greenhouses shall be permitted only in side and rear yards and shall not encroach into any required building setback from an abutting road or property line. Both Staff and the Development Review Committee (DRC) reviewed the request and the variance criteria. The DRC and Staff did not find a hardship with this variance request and does not recommend approval. If the garage was to be changed to face a different direction it would still require adjustments to the setbacks. The appearance of the structure is not a consideration that should be used for this particular request because it would not affect it if it was a hardship.

Mr. Grey said if the garage were turned the other way to face the alley instead of the way it is being proposed it would be a better option. He believes that this is not an unreasonable sized garage and that the hardship is having such a small sized lot. Mr. Grey welcomed any citizen to speak in favor or against the variance. Mr. Grey said that appearance matters to the Board because they are working to try to continue to make the city look aesthetically pleasing. Mr. Grey concurred with Mr. Starkey and feels very strongly that it would be better suited to face the alley.

Mario Barbara, 5911 Delaware Avenue, said he has thought about turning the garage the other way but it would require a bigger variance. The reason for the variance is that Mr. Barbara has an extended cab pick-up truck that is 20.5 feet long, so if the garage is 20 feet long then the truck would never fit in the garage. The intentions of the Barbara's is to have the proposed garage match the house in appearance and use wood as opposed to a metal structure.

Mr. Smallwood said his concern is that the garage will not match the appearance of the primary structure. The only item that the board is approving is the variance for the setbacks and not the appearance.

Mr. Maysilles said that he remembers in the past that the Board has granted these type of variances with an understanding/agreement with the owners and the City to complete the project as they are presenting it. If plans were to change then the Board would reverse their decision. In the case the applicant would agree to make the appearance of the new structure match the existing primary structure then Mr. Maysilles would be in favor of granting the variance request.

Leila Barbara, 5911 Delaware Avenue, said that she wants to have the garage match the house and it is important to her and Mr. Barbara that they follow all the proper channels to get this project accomplished. Mr. Barbara

has a disease that makes him feel like he has ants all over his body and whenever he has a flare up it helps him to get outside and work on something. To have the garage for Mr. Barbara to work and be able to manage his condition means more to Ms. Barbara than just having a place to park his truck.

Frank Starkey, 5939 Grand Boulevard, said in his opinion that the 25 foot setback on a 50 foot lot is a serious problem within the city and he hopes that staff is working to address this issue. The garage would be better to be facing the alley and be accessed off the alley rather than facing the street and entering off the street. The idea of the setback is to improve the street but in this case it makes it worse. Mr. Starkey said that the hardship is having a 50 foot lot with the 25 foot setback.

Mr. Maysilles made a motion to recommend approval of the variance against Staff's recommendation. Dr. Cadle seconded the motion. Roll call vote: Mr. Grey, Yes; Dr. Cadle, Yes; Mr. Maysilles, Yes; Mr. Smallwood, Yes. The motion passed (4-0).