



Town of Surfside
Special Joint Town Commission and Planning and Zoning Board Meeting
MINUTES
January 28, 2020
6:00 p.m.
Town Hall Commission Chambers - 9293 Harding Ave, 2nd Floor
Surfside, FL 33154

1. Opening

A. Call to Order

Mayor Dietch called the meeting to order at 6:07 p.m.

B. Roll Call of Members

Town Clerk Novoa called the roll for the Town Commission with the following members present: Mayor Dietch, Commissioner Paul, Commissioner Cohen and Vice Mayor Gielchinsky (arrived at 6:17 p.m.)

Absent: Commissioner Karukin.

Deputy Clerk Herbello called the roll for the Planning & Zoning Board with the following members present: Chair Lecour, Vice Chair Frankel, Board Member Roller, Board Member Glynn and Board Member Kramer.

Absent: Board Member Garcia.

Also present were Town Attorney Arango, Planning and Zoning Town Attorney Matos, Town Manager Olmedillo and Town Planner Sinatra.

C. Pledge of Allegiance

Police Chief Yero led the pledge of allegiance.

D. Agenda and Order of Business

2. Effect of 20' side setback ordinance

A. Staff Presentation

1. Aggregated Lots
2. LULAB's graphics on different size properties.
3. Is aggregation the issue?
4. Is it the 50' lots the issue?

B. Public Comments

The following members of the public spoke on the items:

Dave Allen
Peter Hickey
Andrew Bales
Eliana Salzhauer
George Kousoulas
Jeff Rose
Donald Lavin
Ben Jacobson
Clara Diaz Leal
Sasha Plutno

A motion was made by Commissioner Paul to extend Sasha Plutno an additional 30 seconds, seconded by Commissioner Cohen. All voted in favor.

Shlomo Danzinger
Sharon Hakmon

C. Joint Discussion by Planning and Zoning Board and Town Commission

The below discussion entails items 2, 2A, 2A1, 2A2, 2A3, 2A4, and 2B above.

Town Manager Olmedillo introduced the item and a presentation on the aggregated lots and its setbacks.

Commissioner Paul stated that they are looking for more open space and landscaping and the issue is the footprint of some of the homes.

Chair Lecour stated that the concentration has been on the massing and what the neighbors view from the street. She also spoke regarding the survey results and her concern is the conception of mass from the street.

Mayor Dietch stated that perception is very important and as Surfside has evolved, they are trying to strike a balance on the massing.

Town Manager Olmedillo addressed the comments made by the Town Commission and Planning & Zoning Board members regarding the side setbacks and massing. He also commented on the impact massing has on the environment.

Chair Lecour commented on the issue that individuals are having concerns when it comes to the side setbacks.

Vice Mayor Gielchinsky commented on the issues and challenges of the setbacks.

Mayor Dietch spoke regarding the original implementation of the side setbacks by the Town. He stated that many want to maximize square footage by minimizing the cost.

Board Member Glynn stated that they have attempted to make it less stringent in order to not bind the architect's hands. He also mentioned that there is a line that either nobody can design an interesting house or you are telling your architect that they cannot do their job. He feels that he does not believe they could do better than what they have been doing.

Chair Lecour stated that she feels that they should be allowed to go vertical and have a formula that will work. She stated that this is something that should be considered giving them the flexibility.

Vice Mayor Gielchinsky addressed the comment made by Board Member Glynn regarding putting two lots together.

Chair Lecour also commented on the lots that front the water, which are much deeper than those in the interior, and they might need a different scale.

Board Member Roller commented on the impact this would be have if they move too quickly with legislation which would impact the community. He stated that he believes they should not move too quickly in legislating this portion.

Town Manager Olmedillo addressed the comments made by the Town Commission and the Planning and Zoning Board members.

Mayor Dietch suggested that the issues be framed as they go through the presentation.

Commissioner Cohen spoke regarding the development of the Town of Surfside and its original plans. He stated that his biggest problem is if he purchases a property, he would like to be able to maximize that property without anyone telling him he cannot do so.

Board Member Glynn addressed the comments made by Commissioner Cohen. He feels that the people that live here come here to have that small town feel and if you allow them to build whatever they want; you will lose Surfside.

Town Manager Olmedillo continued with the presentation of the item and went through the PowerPoint slides.

Shawna Meyers, University of Miami LuLab, expanded on the presentation regarding the zoning restrictions as illustrated on a pitched roof on a single story. She also expanded on the two-story sloped roof structure and showed on the actual model how the scale figures would change.

Vice Mayor Gielchinsky asked what the side setbacks would be on the model.

Town Planner Sinatra explained the model and setbacks and there is additional articulation required because they are tiered.

Shawna Meyers, University of Miami LuLab, continued with the presentation and answered questions presented by the Town Commission on the models and homes with the different options available.

Town Manager Olmedillo and Shawna Meyers, University of Miami LuLab, continued the presentation of the item and answered questions addressed by the Planning and Zoning Board and the Town Commission.

Commissioner Paul responded to the comments made by the public speakers. She stated that the issue is retaining the character of the neighborhood which is what they are trying to maintain.

Mayor Dietch responded to the comments made by the public and stated that the outcome is not what was intended.

Chair Lecour believes that the 10% is a proportional way of looking at the setbacks and the issues that have been brought before the Planning and Zoning Board.

Mayor Dietch commented on the maximum setback and is the 10% enough separation.

Vice Chair Frankel commented on the setbacks and the types of items that are coming before the Planning and Zoning Board. She mentioned that where it feels large is when you get to the two-story homes.

Mayor Dietch asked Town Manager Olmedillo what would be most helpful to him with the ordinance and the side setback.

Town Manager Olmedillo stated that the ordinance should be written so that anyone can read it and understand it. The simpler the better. He stated that the issue is with the smaller lots for the smaller homes, not the larger lots that will hold larger homes and suggested that they should be treated differently. He suggested treating the waterfront properties on the south and west side differently than the internal lots. He stated that the percentage or any formula would be a simple ordinance as to how to measure your setbacks.

Mayor Dietch asked if there is general consensus to evaluate advantages to treat waterfront properties differently than internal properties and determine the impact.

Chair Lecour stated they already have that in the code.

Further discussion took place among the Town Commission and the Planning and Zoning Board members regarding treating waterfront properties differently.

3. Side Setbacks

A. Staff Presentation

1. Is side setback to provide additional open space? Air or green?
2. Is side setback to provide buffer (distance) between structures?
3. Is it both?
4. Is it to control size or massing?

B. Public Comments

The following members of the public spoke on the items:

Sasha Plutno
Eliana Salzhauer
George Kousoulas
Jeff Rose

C. Joint Discussion by Planning and Zoning Board and Town Commission

The below discussion entails items 3, 3A, 3A1, 3A2, 3A3, 3A4, and 3B above.

Town Manager Olmedillo advised the Town Commission and Planning and Zoning Board members that item 3 has been discussed under item 2.

Mayor Dietch asked Town Manager Olmedillo to give a further explanation of the item and for clarification if the repeal would take place.

Town Planner Sinatra clarified what would happen if the repeal ordinance is approved, which means it would go back to a sliding scale of 10%.

Commissioner Cohen asked if generators, water heaters, and AC units can go in the setback area or are there exceptions needed to allow those types of items in the setback areas.

Town Planner Sinatra answered Commissioner Cohen's question regarding what is allowed in the setback areas.

Mayor Dietch asked what would be allowed in the setback as per the requirements in the code.

Town Planner Sinatra answered the Town Commission's questions regarding the setback requirements and what equipment is allowed in the setback.

Further discussion took place among the Planning and Zoning Board members, the Town Commission and staff on the setbacks, the measuring of the lots and repealing the ordinance in order to bring it back to the 10% rule.

4. Massing

A. Staff Presentation

1. Ground floor
2. Upper floors

B. Public Comments

The following members of the public spoke on the items:
Eliana Salzhauer
George Kousoulas

A motion was made by Vice Mayor Gielchinsky to extend George Kousoulas an additional minute. The motion received a second from Commissioner Paul. All voted in favor.

Jeff Rose
Sasha Plutno
Victor May

C. Joint Discussion by Planning and Zoning Board and Town Commission

The below discussion entails items 4, 4A, 4A1, 4A2, and 4B above.

Town Manager Olmedillo gave an update on massing and presented the item.

Mayor Dietch responded to comments made by the public.

Shawna Meyers, University of Miami LuLab, presented the item along with the models showing the difference in massing on smaller sites and the elevation.

Further discussion continued among the Town Commission, Planning and Zoning Board members and the Shawna Meyers, University of Miami LuLab, regarding the massing, clarification on the setbacks, lot coverage and pitched roofs.

A lengthy discussion continued among Shawna Meyers, University of Miami LuLab, the Planning and Zoning Board members and the Town Commission on the item and if this is something that could be worked on in order to obtain some type of configuration.

5. FAR

A. Staff Presentation

1. The FAR is indirectly limited by the footprint of the ground floor and the footprint of the upper stories.
2. Historically the Town has not used FAR as a ratio for calculating building area for single family units.
3. How to physically distribute the FAR within a residential lot.

B. Public Comments

The following members of the public spoke on the items:
Sharon Hakmon
Eliana Salzhauer
George Kousoulas
Sasha Plutno

C. Joint Discussion by Planning and Zoning Board and Town Commission

The below discussion entails items 5, 5A, 5A1, 5A2, 5A3 and 5B above.

Town Manager Olmedillo introduced and presented the item to the Planning and Zoning Board members and the Town Commission.

6. Second Reading Ordinance – *Planning and Zoning Board/Local Planning Agency*

A. Repeal of Ordinance No. 2018-1694 – Guillermo Olmedillo, Town Manager

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, REPEALING ORDINANCE NO. 2018-1694, WHICH AMENDED SECTION 90-45 "SETBACKS" OF CHAPTER 90 "ZONING" OF THE TOWN'S CODE OF ORDINANCES BY PROVIDING SETBACKS AND MAXIMUM SECOND STORY FLOOR AREAS FOR CERTAIN LOTS IN THE H30A AND H30B ZONING DISTRICTS; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.

Deputy Town Clerk Herbello read the title into the record.

The following member of the public spoke on the item:

George Kousoulas
Eliana Salzhauer

Chair Lecour requested to bring this back before the Planning and Zoning Board at their February 27, 2020 meeting as a discussion item.

A motion was made by Planning and Zoning Board Member Glynn to approve the ordinance. The motion received a second from Planning and Zoning Board Vice Chair Frankel. All voted in favor with Board member Garcia absent.

7. Second Reading Ordinance – *Town Commission*

A. Repeal of Ordinance No. 2018-1694 – Guillermo Olmedillo, Town Manager

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, REPEALING ORDINANCE NO. 2018-1694, WHICH AMENDED SECTION 90-45 "SETBACKS" OF CHAPTER 90 "ZONING" OF THE TOWN'S CODE OF ORDINANCES BY PROVIDING SETBACKS AND MAXIMUM SECOND STORY FLOOR AREAS FOR CERTAIN LOTS IN THE H30A AND H30B ZONING DISTRICTS; PROVIDING FOR CODIFICATION;

PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.

Town Clerk Novoa read the title into the record.

There were no individuals from the public that spoke on the item.

A motion was made by Commissioner Paul to approve the ordinance on second reading. The motion received a second from Vice Mayor Gielchinsky. All voted in favor with Commissioner Cohen absent.

8. Adjournment

There being no further business to discuss before the Planning & Zoning Board and the Town Commission, Commissioner Paul made a motion, seconded by Vice Mayor Gielchinsky, to adjourn the meeting without objection at 9:35 p.m.

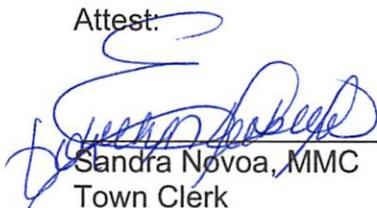
A motion was made by Planning and Zoning Board Vice Chair Frankel, seconded by Planning and Zoning Board Member Roller, to adjourn the meeting without objection at 9:35 p.m.

Respectfully submitted,

Accepted this 11 day of February, 2020.



Daniel Dietch, Mayor

Attest:


Sandra Novoa, MMC
Town Clerk