TOWN OF SURFSIDE
PLANNING AND ZONING BOARD
AGENDA
JANUARY 31, 2013
7:00 PM

1. CALL TO ORDER

2. ROLL CALL

3. APPROVAL OF MINUTES: DECEMBER 4, 2012

4. PLANNING AND ZONING APPLICATIONS

   A. Request of the Tenant of Property located at 9560 Harding Avenue
   The applicant is requesting to renovate the front and back of the store for a new Starbucks.

   B. Request of the Owner of Property located at 8951 Emerson Avenue
   The applicant is requesting to enclose their porch at the rear of their single family home.

   C. Request of the Owner of Property located at 9217 Dickens Avenue
   The applicant is requesting to re-roof their single family home with a metal roof.

   D. Request of the Tenant to Property located at 9448 Harding Avenue
   The applicant is requesting to install new illuminated channel lettering.

5. PLANNING AND ZONING DISCUSSION ITEMS:

   A. Solar Panels and Dish Antenna Guidelines [Proposed Report attached]

6. REPORT OF PERMITS ISSUED FOR THE MONTH OF DECEMBER 2012

7. ADJOURMENT

THIS MEETING IS OPEN TO THE PUBLIC. IN ACCORDANCE WITH THE AMERICANS WITH DISABILITIES ACT OF 1990, ALL PERSONS ARE DISABLED; WHO NEED SPECIAL ACCOMMODATIONS TO PARTICIPATE IN THIS MEETING BECAUSE OF THAT DISABILITY SHOULD CONTACT THE OFFICE OF THE TOWN CLERK AT 305-893-6511 EXT. 226 NO LATER THAN FOUR DAYS PRIOR TO SUCH PROCEEDING. HEARING IMPAIRED PERSONS MAY CONTACT THE TDD LINE AT 305-893-7936.

IN ACCORDANCE WITH THE PROVISIONS OF SECTION 286.0105, FLORIDA STATUTES, ANYONE WISHING TO APPEAL ANY DECISION MADE BY THE TOWN OF SURFSIDE COMMISSION, WITH RESPECT TO ANY MATTER CONSIDERED AT THIS MEETING OR HEARING, WILL NEED A RECORD OF THE PROCEEDINGS AND FOR SUCH PURPOSE, MAY NEED TO ENSURE THAT A VERBATIM RECORD OF THE PROCEEDINGS IS MADE WHICH RECORD SHALL INCLUDE THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED.
AGENDA ITEMS MAY BE VIEWED AT THE OFFICE OF THE TOWN CLERK, TOWN OF SURFSIDE TOWN HALL, 9293 HARDING AVENUE. ANYONE WISHING TO OBTAIN A COPY OF ANY AGENDA ITEM SHOULD CONTACT THE TOWN CLERK AT 305-861-4863.

TWO OR MORE MEMBERS OF TOWN COMMISSION OR OTHER TOWN BOARDS MAY ATTEND AND PARTICIPATE AT THIS MEETING. THESE MEETINGS MAY BE CONDUCTED BY MEANS OF OR IN CONJUNCTION WITH COMMUNICATIONS MEDIA TECHNOLOGY, SPECIFICALLY, A TELEPHONE CONFERENCE CALL. THE LOCATION 9293 HARDING AVENUE, SURFSIDE, FL 33154, WHICH IS OPEN TO THE PUBLIC, SHALL SERVE AS AN ACCESS POINT FOR SUCH COMMUNICATION.
1. **CALL TO ORDER**
Chair Lindsay Lecour called the meeting to order at 7:00 p.m.

2. **ROLL CALL**
Recording Clerk Anastacia Deleon called the roll with the following Members present: Chair Lindsay Lecour, Vice-chair Peter Glynn, Board Member Armando Castellanos, Board Member Jorge Gutierrez, Board Member Carli Koshal and Board Member Jennifer Dray. Also in attendance: Town Manager Roger Carlton; Town Planner Sarah Sinatra; Interim Attorney Miriam Maer and Mayor Daniel Dietch.

In the audience, Commissioners Joe Graubart, Marta Olchyk and Vice Mayor Karukin

3. **APPROVAL OF MINUTES: September 27, 2012 Planning and Zoning Minutes**
Board Member Jorge Gutierrez made a motion to approve the Planning and Zoning Minutes for September 27, 2012. The motion received a second from Board Member Carli Koshal and all voted in favor.

4. **QUASI-JUDICIAL HEARINGS:**

   *Please be advised that the following items on the Agenda are Quasi-Judicial in nature. If you wish to object or comment upon an item, please complete a Public Speaker’s Card indicating the agenda item number on which you would like to comment. You must be sworn before addressing the Board and you may be subject to cross-examination. If you refuse to submit to cross-examination, the board will not consider your comments in its final deliberation. Please also disclose any Ex-Parte communications you may have had with any Board member. Board members must also do the same.*

   **Chateau Ocean Residences Site Plan application (Item discussed during the 5:00 pm Design Review Board meeting)**

The Applicant is proposing an application for site approval for a multi-family residential building consisting of up to 85 units, 456,265 square feet of gross floor area and a conditional use for a lobby bar, poolside bar and outdoor dining facilities.

Interim Attorney Miriam Maer recommended that the Chateau Application be deferred for future discussion in the best interest of the Town. She elaborated her concerns specifically. She did not feel that all items had been adequately addressed.
Town Manager Roger M. Carlton stated that the Administration did not agree and asked the Board to consider the item and add language as they deem necessary to allay those concerns as necessary by the Interim Town Attorney.

Chair Lindsay Lecour disclosed Ex-Parte communications with Attorney Niesen Kasdin and Esteban Koffsman.

Chair Lindsay Lecour asked if any Member wished to defer and no Member responded in the affirmative.

Recording Clerk Anastacia Deleon swore in all members of the public.

Town Planner Sarah Sinatra Gould presented the item. Sarah Sinatra explained how the project meets all Town requirements and there were no variances required. She recommended that the Planning and Zoning Board /Design Review Board recommend approval of site plan to the Town Commission.

Attorney Neisen Kasdin spoke on behalf of the applicant. Mr. Kasdin mentioned that the project is consistent with the Comprehensive Plan and Zoning Code. The project does not require any variances. The project will create property tax revenue and will also create temporary construction jobs and permanent jobs to the Town. There is also $1.1 million of voluntary proffers to assist the Town with mitigating the impacts of the project. Mr. Kasdin on behalf of the applicant submitted letters of support (Exhibits A & B) from the Boards of the two contiguous buildings.

Manuel Grosskopf of Chateau Group presented a Power Point presentation of projects locally and all over the world built by the applicant.

Bernardo Fort Brescia of Arquitectonica presented local projects as well as projects all over the world designed by his firm

The Public Hearing was opened.

Several members of the public spoke in favor of project. There were no speakers in opposition.

Town Manager Roger M. Carlton advised the Board to include a new condition that would resolve the hard pack easement public access concern of Ms. Maer. The Town Manager further suggested that two existing conditions could be clarified, as part of the Board’s recommendation to the Town Commission. The language was agreed upon and the condition was added. The two minor modifications were discussed and direction was given to work out these issues prior to Town Commission meeting.

Board Member Jorge Gutierrez moved to approve Site Plan and Conditional Use Application for a multi-family residential Building consisting of no to exceed 85 units and 456,265 square feet of gross floor area and for a member and guest only lobby bar, poolside bar and outdoor dining facilities. The motion received a second from Board Member Carli Koshal and all voted in favor.
5. DESIGN REVIEW BOARD:

** The following items were initially heard at 5:00 p.m. Voting on said items occurred at the 7:00 p.m. meeting. **

A. Request of the Tenant of Property located at 9415 Harding Avenue *(Item discussed during the 5:00 pm Design Review Board meeting)*

The applicant is requesting to install a new reverse channel lettering sign in the front of the store.

Town Planner Sarah Sinatra Gould presented the item.

The Applicant was present.

Board Member Jorge Gutierrez disclosed he was the architect for the façade renovations and is not involved in the design of signage.

Board Member Armando Castellanos made a motion to approve. The motion received a second from Board Member Jorge Gutierrez and all voted in favor.

B. Request of the Owner of Property located at 1036-88th Street *(Item discussed during the 5:00 pm Design Review Board meeting)*

The applicant is requesting to install a white carport canopy.

Town Planner Sarah Sinatra Gould presented the item.

Applicant was not present. Board discussed item.

Board Member Jorge Gutierrez moved to approve request with the modification that the Applicant have the frame work powder coated white or a complementary color and follow Staff height recommendations. The motion received a second from Vice-chair Peter Glynn and all voted in favor.

C. Request of the Owner of Property located at 9000 Bay Drive *(Item discussed during the 5:00 pm Design Review Board meeting)*

The Applicant wishes to add two covered terraces and a pergola.

Town Planner Sarah Sinatra Gould reported that staff recommends item approval with no conditions.

Gordon Loder of 4220 Post Avenue, Miami Beach presented the pergola and covered terraces project on behalf of the Applicant.

Board Member Jorge Gutierrez moved to approve request to add two covered terraces and a pergola. The motion received a second from Vice-chair Peter Glynn and all voted in favor.

D. Starbucks - Discussion Item Only *(Item discussed during the 5:00 pm Design Review Board Meeting)*

The applicant wishes to introduce the project to the Design Review Board to be formally reviewed at a later date.
Town Manager Roger M. Carlton presented the item.

Mr. Brian Plewinski on behalf of Starbucks spoke regarding the project.

The Architect for Starbucks spoke of interior and exterior changes to the façade of the existing space.

As a resident and not as a Town Commissioner Ms. Marta Olchyk asked for clarification regarding the indoor and outdoor seating.

Mr. Plewinski explained the outdoor patio of the store and the interior and exterior changes in the façade.

Town Planner Sarah Sinatra Gould explained that a site plan review had not been done and that the item was brought before the Board for feedback. The applicant would meet with staff to further discuss and refine the project.

Board members agreed that Starbucks will be a great addition to downtown.

*Item 5 D Discussion Item (No action taken).

**ADJOURNMENT at 6:33PM**

6. **PLANNING AND ZONING ORDINANCES:**
   A. Building Frontage Ordinance [Proposed Ordinance attached]

   **AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA AMENDING THE TOWN OF SURFSIDE CODE OF ORDINANCES BY AMENDING CHAPTER 90 ZONING; SECTION 90-51 MAXIMUM FRONTAGE OF BUILDINGS; PROVIDING FOR INCLUSION IN THE CODE; PROVIDING FOR SEVERABILITY; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE.**

   Town Planner Sarah Sinatra Gould explained that Item 6A was discussed and presented by Vice Mayor Karukin at the 5:00p.m. meeting. Vice Mayor Karukin requested that Building Frontage Ordinance language be amended to reflect building length restrictions and the Code amendments would apply to applications filed after the adoption of the ordinance.

   Vice-chair Peter Glynn moved to recommend amending the ordinance. The motion received a second from Board Member Armando Castellanos and all voted in favor. No Board member opposed.

   B. Combining the P&Z/DRB Ordinance [Proposed Ordinance attached]

   **AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA AMENDING CHAPTER 90“ZONING”BY DISOLVING THE DESIGN REVIEW BOARD AND CONSOLIDATING THE DESIGN REVIEW FUNCTION INTO THE EXISTING FUNCTIONS OF THE PLANNING AND ZONING BOARD, CHANGING MEMBERSHIP REQUIREMENTS FOR PLANNING & ZONING BOARD; AND PROVIDING FOR FILLING OF VACANCIES; INCLUDING A TRANSITIONAL PROVISION; PROVIDING FOR SEVERABILITY; PROVIDING**
FOR INCLUSION IN THE CODE; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.

Vice-chair Peter Glynn moved to defer Item 6B to another Agenda. The motion received a second from Board Member Armando Castellanos and all voted in favor. No Board member opposed.

7. DISCUSSION REGARDING LEGISLATIVE ITEMS FOR P & Z CONSIDERATION EITHER AT ITS OWN OR AS A JOINT MEETING WITH THE TOWN COMMISSION

The item was not discussed.

8. JOINT REPORT OF PERMITS ISSUED FOR THE MONTHS OF SEPTEMBER AND OCTOBER 2012

Building Official, Paul Gioia not present.

9. ADJOURNMENT

Meeting Adjourned at 9:07PM

Board Member Jorge Gutierrez moved to adjourn. The motion received a second from Vice-chair Peter Glynn and all voted in favor.
MEMORANDUM

To: Design Review Board
Thru: Roger M. Carlton, Town Manager
From: Sarah Sinatra Gould, AICP, Town Planner
CC: Linda Miller, Interim Town Attorney
Date: January 31, 2013
Re: 9560 Harding Avenue

The property is located at 9560 Harding Avenue, within the SD-B40 zoning district. The applicant is requesting to renovate the front and back of the store for a new Starbucks Coffee Company. The proposed plan will cut back the front of the building to provide additional outdoor seating area and provide a new façade to the building.

The front sign shall have green illuminated letters and the sign at the rear of the building shall be a green illuminated logo.

Staff has reviewed the current application for consideration by the Design Review Board. In this report Staff presents the following:

- Applicable Zoning Code regulations, along with the results of the review
- Staff Recommendation
## STANDARDS / RESULTS

**Town of Surfside Zoning Code, Applicable Requirements**

**Sec. 90.41(c)**

<table>
<thead>
<tr>
<th>Regulated Uses</th>
<th>Permitted</th>
<th>Proposed</th>
</tr>
</thead>
</table>
| SD-B40         | 1) Restaurants  
Provided that no sales shall be made through an open window to any street, alley, driveway or sidewalk)  
2) Outdoor dining facilities | 1) Permitted. No sales through a window proposed.  
2) The tables and chairs located in the public right of way shall be reviewed through the outdoor café procedures. |

**Sec. 90-49.2**

<table>
<thead>
<tr>
<th>Regulated Uses</th>
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<th>Proposed</th>
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</table>
| Awning and canopies | Location/placement.  
1. Awnings and canopies shall have consistent height and depth subject to the size of the wall opening which, the awning or canopy is affixed.  
2. Awnings and canopies shall remain consistent with architectural details and proportions harmonious with the overall building design and historic context.  
3. Awnings and canopies shall be consistent on multiple storefronts within a larger building.  
4. After 25 feet in length, an awning or canopy shall have either a break of a minimum of six inches or articulation of the awning or canopy.  
5. Awnings shall be attached to the building facades and shall not be supported by vertical elements within the right-of-way.  
6. Awnings shall have a pedestrian scale and be placed so as to provide | 1. Consistent  
2. Consistent  
3. Consistent  
4. Consistent  
5. Attached to building with no supports  
6. Consistent |
weather protection.
7. Awnings shall be an enhancement to the building facade and shall be proportional with and complimentary to nearby buildings and awnings.
8. Awnings shall be mounted in locations that respect the design of the building and do not obscure ornamental features over storefronts (i.e. rooflines, arches, materials, banding).
9. Awnings shall project a minimum of three feet and a maximum six feet over the sidewalk, not to exceed the width of the sidewalk.

7. Consistent
8. Consistent

Sec. 90-49.3

<table>
<thead>
<tr>
<th>Regulated Uses</th>
<th>Permitted</th>
<th>Proposed</th>
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</thead>
</table>
| **Materials and finishes** | 1) The surface shall be stucco, stone, metal, glass block and accent wood. Materials vernacular or characteristic to other regions including but not limited to flagstone and adobe shall be prohibited.  
2) Materials shall be true and genuine, rather than simulated. Multiple storefronts within a larger building shall have consistent material qualities and articulation. | 1) Front: The façade will be renovated with a new stucco finish.  
Rear: The rear will be renovated with a new stucco finish.  
3) Materials are true and genuine. Materials are consistent with neighboring stores. |
Sec. 90-71.1

<table>
<thead>
<tr>
<th>Signs</th>
<th>Permitted</th>
<th>Proposed</th>
</tr>
</thead>
<tbody>
<tr>
<td>Area</td>
<td>Front: 29 square feet</td>
<td>Front: 29 square feet</td>
</tr>
<tr>
<td>Approved word content</td>
<td>Signs may include the following: 1) Trade name of establishment</td>
<td>Name of establishment “Starbucks Coffee”</td>
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<tr>
<td></td>
<td>2) Nature of business, services rendered or products sold on premises.</td>
<td></td>
</tr>
<tr>
<td>Location</td>
<td>(1) With the exception of theater marquees and V-box signs, no sign shall be erected so that any portion thereof shall project over a dedicated street or sidewalk or so that any portion thereof shall project more than five feet from any main building wall.</td>
<td>(1) Front and Rear: Sign does not project over the sidewalk or street.</td>
</tr>
<tr>
<td></td>
<td>(2) Signs may be installed on the rear walls of commercial buildings in Blocks number 3, 4, 5, and 6 of Altos Del Mar Subdivision Number 6, in the Town. Such signs shall be limited to a maximum size of 25 square feet and may be illuminated by a bulb with an angle reflector type shield.</td>
<td>(2) Rear: Proposed sign is 25 square feet.</td>
</tr>
</tbody>
</table>

RECOMENDATION

Staff recommends approval of the application with the following conditions:

1) The correct scale shall be provided on the building permit plans.

2) The projection of canopies shall be provided on building permit plans.

3) In lieu of providing two (2) off-site parking spaces, the applicant shall be required to pay the Town of Surfside $22,500 per space; a total of $45,000 (hereinafter, the “Payment”). The Payment shall be annualized over a ten (10) year period with the payment of $4,500 (hereinafter, the “Initial Payment”) due thirty (30) calendar days after the issuance of a Temporary Certificate of Occupancy (TCO) or Certificate of Occupancy (CO), whichever comes first. All subsequent annual payments shall be due one (1) year from the date of the Initial Payment. In the event the applicant terminates the lease,
subleases the property or if the lease is terminated by the landlord for any reason prior to making the last annual payment, the total remaining Payment shall be due to the Town of Surfside within thirty (30) days of notice of termination or sublet.

4) The tables and chairs located in the public right of way shall be reviewed through the outdoor café procedures.
The property is located at 8951 Emerson Avenue within the H30B zoning district. The applicant is requesting to enclose their porch at the rear of their single family home.

Staff has reviewed the current application for consideration by the Design Review Board. In this report Staff presents the following:

- Applicable Zoning Code regulations, along with the results of the review
- Staff Recommendation
Town of Surfside Zoning Code, Applicable Requirements

90-54.2 Accessory swimming pools and decks

<table>
<thead>
<tr>
<th>Requirement</th>
<th>Proposed</th>
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</thead>
<tbody>
<tr>
<td><strong>90-50.1 Architecture</strong></td>
<td>No loss of openings.</td>
</tr>
<tr>
<td>(3) All elevations for single story additions to existing structures shall result in a zero percent net loss of wall openings including windows, doors or transitional spaces defined by porches, porticoes or colonnades.</td>
<td></td>
</tr>
<tr>
<td><strong>90-54.2 Accessory swimming pools and decks</strong></td>
<td></td>
</tr>
<tr>
<td>Required Setbacks</td>
<td></td>
</tr>
<tr>
<td>(a) Rear: Five feet.</td>
<td>(a) Rear setback: 37.86 ft</td>
</tr>
<tr>
<td>(b) Interior side: Five feet.</td>
<td>(b) Interior setback: 5 ft</td>
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<tr>
<td>(c) Primary (front) and secondary (Corner): Ten feet.</td>
<td>c) Not applicable</td>
</tr>
</tbody>
</table>

RECOMMENDATION

Staff recommends approval.
MEMORANDUM

To: Design Review Board
Thru: Roger M. Carlton, Town Manager
From: Sarah Sinatra Gould, AICP, Town Planner
CC: Linda Miller, Interim Town Attorney
Date: January 31, 2013
Re: 9217 Dickens Avenue
Re-roof to metal roof system

The property is located at 9217 Dickens Avenue within the H30B zoning district. The applicant is requesting to re-roof their single family home with a metal roof system. The photo below represents the current barrel tiled roof.

Staff has reviewed the current application for consideration by the Design Review Board. In this report Staff presents the following:

- Applicable Zoning Code regulations, along with the results of the review
- Staff Recommendation
Town of Surfside Zoning Code, Applicable Requirements

Sec. 90-50. - Architecture and roof decks.

<table>
<thead>
<tr>
<th>Requirement</th>
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<tbody>
<tr>
<td>(4) Roof materials are limited as follows:</td>
<td>Metal roof. Approval by Design Review Board required.</td>
</tr>
<tr>
<td>a. Clay tile; or</td>
<td></td>
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<tr>
<td>b. White concrete tile; or</td>
<td></td>
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<tr>
<td>c. Solid color cement tile which color is impregnated with the same color intensity throughout, provided said color if granted approval by the design review board;</td>
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<tr>
<td>d. Architecturally embellished metal if granted approval by the design review board; or</td>
<td></td>
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<tr>
<td>e. Other Florida Building Code approved roof material(s) if granted approval by the design review board.</td>
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## Design Guidelines

<table>
<thead>
<tr>
<th>Requirement</th>
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<th>Proposed</th>
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<tbody>
<tr>
<td><strong>Overall Architectural Style</strong></td>
<td>The overall style of each house should be consistent on all sides of the building, as well as among all portions of the roof. Particular care should be taken that building elevations and roof elements visible from streets and other public or adjacent spaces are stylistically consistent. Consistency should be determined by evaluating each of the building's elevations' components.</td>
<td>Consistent</td>
</tr>
<tr>
<td><strong>Roof Lines</strong></td>
<td>Designs should attempt to provide roof lines and roof designs that, when viewed from the street, are harmonious with abutting properties. All roof slopes on a single building should have the same angle unless different slopes are inherent in the design's style.</td>
<td>Consistent</td>
</tr>
</tbody>
</table>
| **Roof Materials, Types and Slopes**             | 1) Roof materials should be appropriate to the style of the house.  
2) Roof types and slopes should be generally the same over all parts of a single building.  
3) Restricted materials for roofs are predetermined in the town's building code, which restricts roofing materials to:  
   1. Clay tile;  
   2. White concrete tile;  
   3. Solid color cement tile which color is impregnated with the same color intensity throughout, provided said color is first approved by the planning and zoning board; and  
   4. Metal. | 1) Consistent  
2) Consistent  
3) Metal Roof |
RECOMMENDATION

Staff recommends approval with the following condition of approval:

1. Add upgraded landscaping to the island between the driveway.
2. Provide a roof color that is compatible with the driveway.
MEMORANDUM

To: Design Review Board
Thru: Roger M. Carlton, Town Manager
From: Sarah Sinatra Gould, AICP, Town Planner
CC: Linda Miller, Interim Town Attorney
Date: January 31, 2013
Re: 9448 Harding Avenue

The property is located at 9448 Harding Avenue, within the SD-B40 zoning district. The applicant is requesting to install new illuminated channel lettering.
Staff has reviewed the current application for consideration by the Design Review Board. In this report Staff presents the following:

- Applicable Zoning Code regulations, along with the results of the review
- Staff Recommendation

STANDARDS / RESULTS

Town of Surfside Zoning Code, Applicable Requirements

Sec. 90.41(c)

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<tbody>
<tr>
<td>SD-B40</td>
<td>Beauty/personal services</td>
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Sec. 90-71.1

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<tr>
<td>Area</td>
<td>26 square feet</td>
<td>25 square feet</td>
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Approved word content

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<td>Signs may include the following: 1) Trade name of establishment 2) Nature of business, services rendered or products sold on premises.</td>
<td>Name of establishment “Tucci’s Nail Spa”</td>
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Location

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<td>With the exception of theater marquees and V-box signs, no sign shall be erected so that any portion thereof shall project over a dedicated street or sidewalk or so that any portion thereof shall project more than five feet from any main building wall.</td>
<td>Sign does not project over the sidewalk or street.</td>
<td></td>
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RECOMENDATION

Staff recommends approval of the application with the following condition of approval:

1. The applicant shall follow all permit procedure as outlined in the Florida Building Code Section 105.1. A violation of this procedure shall result in a stop work order and potential code violations.
MEMORANDUM

To: Roger M. Carlton, Town Manager
From: Sarah Sinatra Gould, AICP, Town Planner
Date: January 31, 2013
Re: Solar Panels and Dish Antenna Guidelines

The following discussion reviews state and federal regulations regarding the ability of local governments to regulate solar panels and dish antennas. Also, specific zoning regulations examples from various Florida cities are provided.

Solar Panels
Section 163.04 of the Florida Statutes limits regulation of solar panels. Municipalities may not prohibit installation of solar panels, but may “determine the specific location where solar collectors may be installed on the roof within an orientation to the south or within 45° east or west of due south if such determination does not impair the effective operation of the solar collectors.”

Broward County along with Coconut Creek, Dania Beach, and Deerfield Beach adopted ordinances related to solar panel installation as part of the County’s “GO SOLAR” Broward Rooftop Solar Challenge. The ordinances state the following:

- Rooftop photovoltaic solar systems shall be deemed permitted accessory equipment.
- Height of the photovoltaic solar system shall not be higher than the roof line.
- Solar access maybe a factor when determining whether trees may be removed or relocated.

The City of Port St. Lucie has the following requirements for solar energy systems:

- Solar panels installed on roofs are exempt from the building height requirements.
- Solar panels installed on roofs shall be located two (2) feet from the roof edge.
- Ground or pole mounted systems shall be limited to a height of ten (10) feet above the finished floor elevation of the principle structure.
• Solar energy systems shall not be located in front or side corner yards of any parcel unless 1) the conditions of the side and back yards prohibit the installation of a system, and 2) adequate buffering along the adjacent roadway is provided and 3) the location is approved by the Director of Planning and Zoning.
• Solar ground and pole mounted systems may be located no closer than six (6) feet to any side lot line and ten (10) feet to any rear lot line.
• Solar collectors may be co-located on communication towers, and parking lot and street light poles, in which case the height and setback requirements for said tower/pole shall apply.
• All new exterior electrical lines and utility wires connecting a ground or pole mounted solar system to the building it serves shall be buried underground.
• The Director of Planning and Zoning may grant a waiver upon determining that a strict application of the Code would result in prohibiting the installation of a solar energy system.
• Any approval of a solar energy system does not create any actual or inferred solar energy system easement against adjacent property and/or structures.
• The approval of any solar energy system granted by the City of Port St. Lucie shall not create any future liability or infer any vested rights to the owner and/or property owner of the solar energy system on the part of the City for any future claims.

**Dish Antennas**
The FCC prohibits restrictions that impair the installation, maintenance or use of antennas used to receive video programming. The rule applies to video antennas including direct-to-home satellite dishes that are less than one meter (39.37”) in diameter TV antennas, and wireless cable antennas. The rule prohibits most restrictions that: (1) unreasonably delay or prevent installation, maintenance or use, (2) unreasonably increase the cost of installation, maintenance or use; or (3) preclude reception of an acceptable quality signal. The FCC also determined that these rules apply to rental properties where the renter or condominium owner has an exclusive use area, such as a balcony or patio. The rule does not prohibit restrictions on antennas installed beyond
the balcony or patio of a condominium or apartment unit if such installation is in, on, or over a common area.

The City of Sunny Isles Beach has the following requirements in multifamily residential zones:

- No satellite dish shall be installed on the exterior walls of a building.
- Satellite dishes shall be located within the exclusive area of a condominium unit or an apartment.
- No satellite dish or antenna shall be extended out beyond the exclusive area.
- All satellite dishes must be installed in complete accordance with the Florida Building Code.

The Village of Bal Harbour has the following restrictions:

- Satellite dishes are permitted without prior approval or permitting requirements for all zoning districts.
- Must conform to the minimum setback requirements.
- Two satellite dishes are permitted per dwelling unit subject to the following conditions:
  - No installation shall exceed fifteen (15) feet in height (ground-mounted).
  - Roof-mounted or wall-mounted small satellite dishes are preferred to be mounted to the rear or side of the non-street side of the principal building.
  - No installation shall exceed five (5) feet in height as measured from the roof or wall surface to the highest point of the dish in its most extended position.
  - No ground-mounted small satellite dishes are permitted in multifamily or commercial districts.
The City of Boca Raton has the following restrictions:

- Material used in the installation of an antenna, mast, tower or satellite dish shall be corrosion-resistant and shall be an approved type.
- An antenna, mast, tower or satellite dish installed on a roof shall be supported on its own platform and securely anchored.

The City of Hallandale Beach has the following requirements:

- Satellite dish antennas, no greater than twelve (12) feet in diameter, shall be permitted in all zoning districts.
- Only one (1) satellite dish antenna shall be allowed per property in single or two family districts.
- No satellite dish antenna shall be ground-mounted in any required front or side yard in any zoning district.
- No ground-mounted satellite dish antennas shall be closer than ten (10) feet from any side property line and fifteen (15) feet from any rear property line.
- No ground-mounted satellite dish antennas shall exceed eighteen (18) feet above grade.
- Satellite dish antennas twenty-four (24) inches or less in diameter are exempt from the provisions of this chapter, provided that they are installed and maintained in a manner as not to be visible from any street right-of-way and do not encroach into any setback area.

**Conclusion**
The Planning and Zoning Board should determine if it would like to implement code requirements for solar panels and satellite dishes.
<table>
<thead>
<tr>
<th>Application Number</th>
<th>Permit Issue Date</th>
<th>Permit Expiration Date</th>
<th>Permit Type</th>
<th>Description</th>
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<td>01/10/11</td>
<td>12/08/11</td>
<td>Permit No. 3</td>
<td>Installation of Mechanical Piping System</td>
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<td>Permit No. 4</td>
<td>Installation of Electrical Piping System</td>
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<td>14232550000002</td>
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<td>Permit No. 5</td>
<td>Installation of Plumbing System</td>
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<td>Permit No. 7</td>
<td>Installation of Fire Protection System</td>
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**Notes:**
- All permits require the installation of appropriate fire extinguishing equipment.
- Electrical permits include installation of fire alarm systems.
- Mechanical permits require the installation of smoke detection systems.
- HVAC permits require the installation of heat recovery units.
- Plumbing permits require the installation of backflow preventers.
COMMISSIONER

[Partial text]

TOWN OF UNION

[Partial text]

COMMUNITY CENTER FOR CHANDLER

STREET DEPARTMENT - BUILDING DEPARTMENT

Permits Issued Report

[Signature]

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<table>
<thead>
<tr>
<th>Property Owner</th>
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