



**Town of Surfside  
PLANNING & ZONING BOARD  
MINUTES**

**August 29 – 6:00 p.m.**

Town Hall Commission Chambers –  
9293 Harding Ave, 2<sup>nd</sup> Floor, Surfside, FL 33154

**1. Call to Order/Roll Call**

Chair Lindsey Lecour called the meeting to order at 6:00 p.m.

**Present:** Chair Lindsey Lecour, Vice Chair Judith Frankel, Board Member Peter Glynn, Board Member Rochel Kramer  
Jorge Garcia and Board Member Rochel Kramer

Vice Mayor Gielchinsky absent.

**Absent:** \*Board Member Brian Roller, \*Board Member Marina Gershanovich  
and \*Board Member Jorge Garcia.

**2. Town Commission Liaison Report – Vice Mayor Gielchinsky**

**3. Approval of Minutes – July 11, 2019**

A motion was made by Board Member Peter Glynn to approve the July 11, 2019 minutes, motion received a second by Board Member Rochel Kramer. Motion passed with a 3-0 vote with Board Member Brian Roller, Board Member Marina Gershanovich and Board Member Jorge Garcia absent.

Chair Lindsey Lecour read the quasi-judicial statement into the record.

Planning and Zoning Town Attorney read the quasi-judicial instructions into the record and swore anyone in from the public that will be speaking on any of the quasi-judicial items and the applicants and their representatives.

**4. Applications:**

- A. 9008 Byron** - The applicant received approval from the Planning and Zoning Board at the July 11, 2019 meeting to convert their garage to approximately 251 square feet of additional living space. The Board added a condition of approval to require the window in the converted garage to be level with the existing windows. The applicant has evaluated this condition and found that it would create an economic hardship for

this project. Attached is a request to rescind the condition of approval with a copy of the proposed front elevation.

Board Member Marina Gershanovich entered at 6:02 p.m.

Board Member Jorge Garcia entered at 6:03 p.m.

Board Member Brian Roller entered at 6:03 p.m.

Town Planner Sarah Sinatra presented the item and staff recommendations.

The following members of the public spoke on the item:

Jeff Rose

Marco Tagliatti

Vice Chair Judith Frankel commented on the painting and moving of the windows and asked the applicant to bring the stone over and across to match to make it look more uniformed.

A motion was made by Board Member Peter Glynn to approve the item, motion received a second by Board Member Rochel Kramer. Motion passed with a 5-0 vote.

- B. 9433 Bay Drive** - The applicant is requesting to convert approximately 352 square feet of terraced area into interior living space. Furthermore, the applicant is also proposing a new terrace and interior renovations.

Town Planner Sarah Sinatra presented the item and staff recommendations for approval with the following condition: The applicant states 68% previous area, which is incorrect. Staff recommends for the applicant to provide the correct previous calculations pursuant to Code Section 90.49.

The following members of the public spoke on the item:

Felipe Lara, representing the owner.

A motion was made by Vice Chair Judith Frankel to approve the item with staff conditions, motion received a second by Board Member Peter Glynn. Motion passed with a 5-0 vote.

- C. 9540 Harding Avenue** - The applicant is requesting one (1) Permanent Wall Sign; four (4) Permanent Window Signs; three (3) on the store frontage and one (1) on the back door.

Town Planner Sarah Sinatra presented the item and staff recommendations as follows: Conditions of approval: 1) Provide a wall sign that meets the maximum coverage of 25 square feet. Currently, the applicant is proposing a wall sign which is 25.5 square feet. Please adjust accordingly. (Code Section 90.73); and 2) Clean and paint façade.

A motion was made by Board Member Peter Glynn to approve the application with staff conditions, motion received a second by Vice Chair Judith Frankel. Motion passed with a 5-0 vote.

- D. 8926 Froude Ave** - The applicant is requesting after the fact approval for a carport.

Town Planner Sarah Sinatra presented the item and staff recommendations pursuant to the Code.

A motion was made by Vice Chair Judith Frankel to approve the application with staff conditions, motion received a second by Board Member Peter Glynn. Motion passed with a 5-0 vote.

- E. 500 93<sup>rd</sup> Street** - The applicant is requesting to build a new 5,538 square foot two-story home.

Town Planner Sarah Sinatra presented the item and staff recommendations:

1) Correct the second-floor square footage to include the open space above the playroom. The correct square footage for the second floor is 1,780 square feet.

2) Provide a consistent lowest floor elevation. The zoning summary table states 8' NGVD and does not indicate the additional 2 feet for finished floor. Provide language in the zoning table reflecting this change. **code section 42.92**

3) Provide opacity details for all proposed fences and walls showing that they meet the maximum 50% opacity. All wall and fence surfaces above 2 feet measured from grade shall maintain a maximum opacity of 50 percent per **code section 90-56**

- 4) Revise the pool deck to be consistent with **code section 90-48.6** for the portion of the pool deck that's within the side setback which require no greater than five feet in height above grade.
- 5) The applicant is proposing a four-foot wall on the pool deck. The pool deck is five feet above grade. This results in a nine-foot wall total. Walls cannot exceed six feet in the setback. **code section 90.56**
- 6) Provide 36" shrubs on the exterior of the fence in the secondary frontage. Currently, 30" shrubs are proposed. **code section 90.56**
- 7) Provide additional details showing that the carport is open on all four sides. **code section 90-58.**
- 8) Provide additional details as it relates to the proposed stone cladded CMU wall located at the north east corner of the property.
- 9) Adjust the typo in the zoning data table related to the allowable lot coverage. The maximum required is 40%. **code section 90-49**
- 10) Provide a consistent five-foot setback for the pool/deck to the side property line. A portion of the deck appears to encroach.

The following members of the public spoke on the item:

Markus Frankel, architect, representing the applicant and gave a presentation of the item.

Ilfhat Fishman, architect, representing the applicant.

Shana Benhayoun

Janet Spector

Town Planner Sara Sinatra responded to Ms. Spector's concerns.

Board Member Jorge Garcia asked if the air conditioning units are enclosed.

Mr. Frankel answered Board Member Jorge Garcia question stating they are enclosed by free standing walls.

Vice Chair Judith Frankel commented regarding the front entrance and the ramp in the front door and wanted a clearer explanation of the entry way.

Ms. Fishman answered Vice Chair Judith Frankel's questions regarding the entry way.

Chair Lindsey Lecour explained that they would like more greenery in front of the fence.

Town Planner Sinatra wanted clarification from the Board regarding condition number four (4) above having to do with revising the pool deck to be consistent with code section 90-48.6 for the portion of the pool deck that's within the side setback which require no greater than five feet in height above grade.

Mr. Frankel and Ms. Fishman, representing the applicant, stated they will be able to meet the code with condition number four (4).

A motion was made by Board Member Peter Glynn to approve the application with staff conditions, motion received a second by Board Member Gershanovich. Motion passed with a 5-0 vote.

## **5. Local Planning Agency Items**

### **A. Parking Waiver Program**

**AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, AMENDING SECTION 90-77, "OFF-STREET PARKING" OF CHAPTER 90, "ZONING" OF THE TOWN'S CODE OF ORDINANCES TO EXTEND THE PARKING EXEMPTION PROGRAM TO ADDRESS VACANCIES AND ECONOMIC REVITALIZATION IN THE SD-B40 ZONING DISTRICT; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.**

Town Planner Sarah Sinatra introduced the item.

A motion was made by Board Member Peter Glynn to refer to the Town Commission, motion received a second by Board Member Jorge Garcia. Motion passed with a 5-0 vote.

- B. Young Israel Variance** - The property owner, Young Israel of Bal Harbour, Inc. (Young Israel), is requesting a variance from the Town of Surfside Zoning Code for the property located at 9580 Abbott Avenue ("Property"). The applicant is proposing to construct a ramp consisting of approximately 205 square feet in the side or north setback of the Property to provide handicapped accessibility to Young Israel.

Town Planner Sarah Sinatra introduced the item and staff recommendations and conditions for the ramp entryway to meet ADA compliance in all aspects.

Jerry Proctor, Esquire, representing the applicant, along Stanley Price, Jaime Schapiro, and Jaime Calabrese presented the item.

The following members of the public spoke on the item:

Jerry Proctor  
Jaime Schapiro

Discussion continued among the Board members and the representatives for the applicant regarding staff recommendations and conditions.

The following member of the public spoke on the item:

Jaime Calabrese, applicant's landscape architect, spoke regarding the landscaping of the property.

Chair Lindsey Lecour asked regarding the relocation of the trees.

Mr. Calabrese responded to Chair Lindsey Lecour question regarding the relocation of the trees and where they would be placed.

Town Planner Sinatra also spoke regarding the landscaping and the pervious area and read the requirements into the record.

The following member of the public spoke on the item:

Rabbi Moshe Gavenstein  
Stanley Price

Planning & Zoning Board Attorney reminded the Board of the ADA regulations and its affects on the law and stated that in this circumstance they have to conduct their review with this in mind.

Vice Chair Judith Frankel asked the Planning & Zoning Attorney clarification on the ADA compliance and regulations.

Planning & Zoning Board Attorney answered Vice Chair Judith Frankel question and gave her clarification on the ADA regulations.

Town Planner Sinatra asked if the ramp being ADA compatible would be an appropriate condition.

Planning & Zoning Board Attorney stated that yes that would be an appropriate condition.

Further discussion among the Board, Town Planner Sinatra and Planning & Zoning Board Attorney continued regarding ADA compliance and regulations and making this an accessible facility.

Attorney Proctor, representing the applicant accepted the conditions requested by the Board including the ramp and accessibility.

Chair Lindsey Lecour stated for the record that as part of the condition of approval the ramp and entry way must be affirmatively in compliance with ADA regulations and the applicant accepted all conditions.

A motion was made by Board Member Peter Glynn to approve the item with staff conditions and move forward to the Town Commission, motion received a second by Board Member Brian Roller. Motion passed with a 5-0 vote.

## **6. Discussion Items:**

### **A. Single Family Setbacks on Aggregated Lots**

George Kousoulas gave a presentation on the item.

The following members of the public spoke on the item:

Jeff Rose

Bella Krieger

Danny Sorrogon

David Krieger

Diana Vazquez

Town Planner Sinatra spoke regarding the side setbacks.

Chair Lindsey Lecour explained to the members of the public regarding the item.

Town Planner Sinatra spoke regarding justification of the variance and the process.

Discussion among the Board and Town Planner Sinatra took place regarding the item and which properties they would apply to along with their setbacks.

Chair Lindsey Lecour stated that there is a big concern about this issue and are sensitive to the perception of mass.

Town Manager Olmedillo commented on the Board's remarks on subdividing lots.

Chair Lindsey Lecour requested to have placed on the next Commission Agenda for drafting of an ordinance for single family setbacks and aggregated lots.

Town Planner Sinatra gave the time frame for first and second reading of both issues.

**B. Future Agenda Items**

The following future agenda items are requested to be placed on the next upcoming Planning & Zoning Board meeting agendas.

Aggregated Lot on the September 26, 2019 meeting agenda.  
Second Story Massing  
Setback Aggregation

**C. Planning & Zoning Board Meeting Schedule [Verbal]**

1. October 31<sup>st</sup> – Proposing October 24<sup>th</sup>
2. November 28<sup>th</sup> (Thanksgiving) – Proposing November 21<sup>st</sup>
3. December 26<sup>th</sup> – Proposing December 19<sup>th</sup>
4. Option – Combine November and December to December 12<sup>th</sup>.

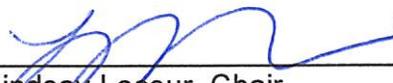
The Board agreed by consensus to have the October meeting held on October 24, 2019 and to combine the November and December meetings and have one (1) meeting on December 12, 2019.

**7. Adjournment**

A motion was made by Board Member Peter Glynn to adjourn the meeting without objection at 8:03 p.m.

Respectfully submitted,

Accepted this \_\_\_\_\_ day of \_\_\_\_\_, 2019.

  
\_\_\_\_\_  
Lindsay Lecour, Chair

Attest:

\_\_\_\_\_  
Sandra Novoa, MMC  
Town Clerk