



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

July 30, 2020 – 6:00 p.m.

Town Hall Commission Chambers –
9293 Harding Ave, 2nd Floor, Surfside, FL 33154

1. Call to Order/Roll Call

Deputy Town Clerk Herbello called the meeting to order at 6:05 p.m. for the orientation portion of the meeting and the Planning and Zoning Board Meeting was called to order at 7:41 p.m.

Present: Board Member Fred Landsman, Board Member James MacKenzie, Board Member Ruben Bravo, Board Member Deborah Wecselman, Board Member Judith Frankel, Board Member Oliver Sanchez, and Board Member Robert Izaurralde and Commissioner Salzhauer.

Also, Present: Interim Town Manager Jason Greene, Town Planner James Hickey, Assistant Town Attorney Edward Martos, Town Attorney Lillian Arango and Assistant Town Attorney Tony Recio.

2. New Board Member Orientation – Robert Meyers, Esquire, Weiss Serota

Town Attorney Robert Meyers provided the orientation for the Board members during the first portion of the meeting.

Assistant Town Attorney Martos provided an overview of the Planning and Zoning Board members responsibilities.

The Board Orientation concluded at 7:41 p.m. and the Planning and Zoning Board meeting commenced at 7:41 p.m.

Assistant Town Attorney Martos advised the Board Members the role of the Commission Liaison and the first order of business for tonight's meeting is the selection of a Chair and Vice Chair for this Board.

The Board members introduced themselves.

A motion was made by Board Member Landsman to appoint Board Member Judith Frankel as the Chair of the Planning and Zoning Board, seconded by Board Member Bravo. All voted in favor.

A motion was made by Board Member Landsman to appoint Board Member Sanchez as Vice Chair. The motion was withdrawn by Board Member Landsman

A motion was made by Board Member Sanchez to defer the appointment of a Vice Chair to the next meeting, seconded by Board Member Landsman. All voted in favor.

A motion was made by Board Member Landsman to appoint as Alternate Number 1 Board Member Wecselman and as Alternate No. 2 Robert Cesar Izaurralde, seconded by Board Member Bravo. All voted in favor.

Assistant Town Attorney Martos stated to the Board members the process of deferral of items to the next meeting in order not to have to re-advertise. The following items were deferred to the August 27 meeting.

8927 Froude Ave
9177 Dickens Ave
9309 Abbott Avenue
9454 Harding Avenue
924 93 Street
8712 Byron Avenue, Lot A
8712 Byron Avenue, Lot B
8712 Byron Avenue, Lot C

Commissioner Salzhauer asked if the applicants have to meet the zoning in progress criteria.

Assistant Town Attorney Recio addressed Commissioner Salzhauer's question regarding the zoning in progress notice and how those applicants must comply prior to the August 27, 2020 meeting.

Board Member Mackenzie asked regarding the zoning in progress requirements and how those applicants have to comply and resubmit.

Town Planner Hickey addressed the questions from Board Member Mackenzie regarding the resubmittal of applications from those applicants based on the old zoning code.

Assistant Town Attorney Martos gave an explanation to Board Member Mackenzie on the reason and process of resubmittal of applications by property owners/applicants.

Commissioner Salzhauer asked if by allowing those applicants to resubmit would that mean that they are grandfathering them in.

Assistant Town Attorney Martos addressed the question by Commissioner Salzhauer and stated it does not grandfather the applicant since they have not come before the Board for approval.

Further discussion took place among the Board and Assistant Town Attorneys regarding the process of the resubmittal of applications and the zoning in progress.

A motion was made by Board Member Landsman to defer the above addresses to the August 27, 2020 Planning and Zoning Board and determine if they can avoid additional expense in advertising, seconded by Board Member Bravo. All voted in favor.

Chair Frankel went through the process on all applicants being heard even if they do not meet the code.

Town Planner Hickey went through the process of the deadlines for submittal to appear before the Planning and Zoning Board which is three (3) weeks prior to the meeting to give time to review the applications, the site plans, explained the delay due to COVID-19 and the zoning in progress.

3. Town Commission Liaison Report – Commissioner Salzhauer

Commissioner Salzhauer stated that the Zoning Code is of the highest priority and to make changes in order for the developers and residents to move forward with the new set of rules.

4. Approval of Minutes – February 27, 2020

A motion was made by Board Member Landsman to approve the February 27, 2020, seconded by Board Member Sanchez. All voted in favor.

5. Applications:

Assistant Town Attorney Matos confirmed with Deputy Town Clerk Herbello if advertising requirements were met.

Deputy Town Clerk Herbello confirmed advertising requirements were met.

Assistant Town Attorney Matos polled the Board members of the Planning and Zoning Board on the items on the agenda.

None of the Board Members had any communications with any of the applicants or their representatives.

Deputy Town Clerk Herbello swore in all public participants that were going to speak on an item.

A. 9272 Abbott Avenue – New Single-Family Residence

Town Planner Hickey introduced the item. The property is located at 9272 Abbott Avenue, within the H30B zoning district. The applicant is requesting to build a new 3,850 square foot two-story home. The plans include a new driveway, balconies, covered entrance, pool and covered terrace

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

- Applicable Zoning Code regulations for the 2006 and the 2020 codes based on the Zoning in Progress in place, along with the results of the review
- Applicable Design Guideline standards, along with the results of the review from the 2020 Zoning Code only.

Staff finds that the application meets the 2020 code and meets the 2006 code provided the following condition is met: Provide dimensions and overall calculations for required and provided front and rear yard landscaping areas to determine consistency with Sec 90-194 of the 2006 Code.

Commissioner Salzhauer asked regarding the 40%.

Town Planner Hickey explained the 40% and what is covered and not covered within that total.

Jeff Rose, representing the applicant addressed the Board.

Board Member Mackenzie asked Town Planner Hickey regarding the requirement of the meeting and are the applicants required to submit the survey showing the crown of the road and NGVD and NAVD and what the Town requires in submitting a survey with the proper data.

Town Planner Hickey answered Board Member Mackenzie's question regarding what the applicant provides showing the crown of the road and the process based on the FEMA regulations.

The following members from the public spoke on the item:
George Kousoulas

Board Member Landsman asked Town Planner Hickey regarding the aesthetics and recommendations that they would fit the design requirements.

Town Planner Hickey answered Board Member Landsman's question and stated the applicant provided the information.

Chair Frankel explained the process to Board Member Landsman.

Board Member Bravo asked if this is all the information that the applicant submitted and if they submit specifications and gave an example of the flat roof tiles.

Town Planner Hickey addressed the questions made by Board Member Bravo and explained the process.

Jeff Rose, stated that the flat roof tile are cement tiles and it was provided in the design specifications.

Board Member Bravo asked regarding the trees and the two different species and how the 40% pervious was calculated.

Jeff Rose stated yes, that they will have two different species of trees and the pervious area.

Chair Frankel stated that moving forward to ask the applicants to provide the pervious area in their submittals and can make this as a condition of approval.

Further discussion took place among applicant Jeff Rose, Commissioner Salzhauer and the Board regarding the project.

Assistant Town Attorney Recio gave an explanation of the design code criteria and what the Board's role is and that they are looking at the application and design review rules have been met.

Further discussion took place among the Board members on receiving more information in general for all applications and their plans that are being submitted.

Board Member Bravo requested better details on the drawings and what is considered in each area and have it be clear to understand.

Town Planner Hickey addressed the comments and questions by the Board members.

Chair Frankel asked regarding the materials being used and its consistencies.

Jeff Rose addressed the questions and comments made by the Board members and the conditions.

A motion was made by Board Member Landsman to approve the design and review for this applicant with the following conditions: Town Planner Hickey needs to request a proper survey to be submitted with a benchmark with NGVD showing the elevation of the crown of the road in the front of property; lights in the front of the house specifications for Town Planner Hickey to review for compliance with the zoning ordinance; roof needs to be clearly specified as to whether it is cement tile and what specific color, if it is semi-glossed and if the owner could provide to pick or select a tile that would be environmentally safe; the curve of the road and steps of the house be treated in a way that it will have the water runoff and it would not end up in the streets, seconded by Board Member Mackenzie. All voted in favor.

B. 9516 Bay Drive – New Single-Family Residence

Town Planner Hickey introduced the item. The property is located at 9516 Bay Drive, within the H30A zoning district. The applicant is requesting to build a new 6,278 square foot two-story home. The plans include a new driveway, walkways, pool, deck, 3 car garage, covered patio and roof deck.

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

- Applicable Zoning Code regulations for the 2006 and the 2020 codes based on the Zoning in Progress in place, along with the results of the review
Applicable Design Guideline standards, along with the results of the review from the 2020 Zoning Code only.

Staff finds the application meets both the 2020 and 2006 Zoning Codes provided the following conditions are met:

- 1) Pool is setback 15' from the Indian Creek Bulkhead line. Requires engineer's analysis indicating that the seawall will not be compromised by the pool per Sec 90-60.

- 2) Provide the projection distance for the eyebrows on the north and south elevation. Such architectural elements cannot project into the setback more than 24" per Sec 90-47.
- 3) Provide dimensions and overall calculations for required and provided front and rear yard landscaping areas to determine consistency with Sec 90-194 of the 2006 Code.

A fence or ornamental wall may be placed within the front yard or primary corner yard if granted design review approval by the planning and zoning board per Sec 90-56.

A motion was made Board Member Landsman to extend the meeting until 10:45 p.m., seconded by Chair Frankel. The motion carried with a 3-2 vote with Board Member Bravo and Board Member Sanchez voting in opposition.

Sharon Hakmon, applicant, introduced his project.

Board Member Bravo commented on the elevation portion of the project and if it is NAGBD.

Town Planner Hickey answered Board Member Bravo's questions regarding the elevation of the project.

Sharon Hakmon, applicant, addressed the questions posed by the Board.

James Hickey addressed the comments made by the Board regarding the pervious of the property.

Further discussion took place among the Board, the applicant and Town Planner Hickey regarding the specifics of the project and requirements regarding setbacks and the size of the home.

Chair Frankel commented on the scale of the home, the roof top and the fence.

A motion was made by Board Member MacKenzie to extend the meeting for 15 minutes until 11:00 p.m. and defer items 5C and 5D to August 27, 2020 Planning and Zoning Meeting, seconded by Board Member Bravo. All voted in favor.

Further discussion took place among the Board and applicant regarding the project and the size of the home being built.

A motion was made by Board Member Landsman to continue the item to August 27, 2020 meeting, seconded by Board Member Bravo. The motion carried with a 4-0 vote with board Member Mackenzie absent.

C. 9556 Carlyle Avenue – New Single-Family Residence

Item was deferred to the August 27, 2020 Planning and Zoning Board Meeting.

D. 8955 Collins Avenue – Monument Sign

Item was deferred to the August 27, 2020 Planning and Zoning Board Meeting.

6. Discussion Items:

A. Future Agenda Items

7. Adjournment:

A motion was made by Board Member Landsman to adjourn the meeting without objection at 11:01 p.m. The motion received a second from Board Member Bravo. All voted in favor.

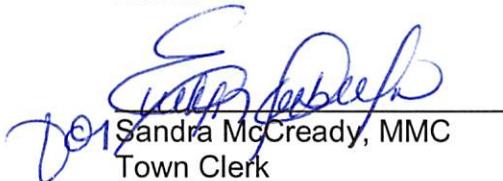
Respectfully submitted,

Accepted this 27 day of August, 2020.



Judith Frankel, Chair

Attest:



Sandra McCreedy, MMC
Town Clerk