



**Town of Surfside
PLANNING & ZONING BOARD
MINUTES
January 28, 2021 – 6:00 p.m.**

1. Call to Order/Roll Call

Chair Frankel called the meeting to order at 6:02 p.m.

Present: Chair Judith Frankel, Board Member Fred Landsman (arrived at 6:05 pm), Board Member James MacKenzie, Board Member Ruben Bravo, Board Alternate Member Horace Henderson and Vice Chair Oliver Sanchez.

Absent: Board Alternate Member Michael Dranoff

Also, Present: Mayor Charles Burkett (arrived at 6:13 pm), Town Planner Walter Keller, Town Attorney Tony Recio and Town Manager Andrew Hyatt and Building Official Ulises Fernandez.

Chair Frankel advised the Board of the two Zoning Workshops on February 4 and February 18, 2021 and encouraged the Board Members to attend and participate in both workshops.

Town Clerk Sandra McCready advised the Board of the dates and times of the workshops stated to the Board that they will have preference in providing their input.

Chair Frankel spoke regarding the recommendations for the applications and to make sure that the Town staff is doing their job and providing their expertise.

Town Attorney Recio spoke regarding the orientation, the design guideline and stated that those guidelines are available online. He stated that these guidelines are the ones that need to be applied when looking at these applications. He stated that tonight they will play another role in recommending approval or denial on a proposed ordinance that already went to the Commission.

2. Town Commission Liaison Report – Mayor Charles Burkett

Mayor Burkett thanked all the members of the Board for their hard work and working on getting all the applications addressed with the extra meetings.

3. Applications:

Town Attorney Recio read the quasi-judicial statement into the record and polled the members of the Board.

All Board Members stated that they had no contact with any of the applicants.

Deputy Town Clerk Herbello confirmed advertisement of the items and swore in the speakers.

A. 924 88th Street – Amending Design Review Approval

Background: This application is a request to modify a previously approved single family site plan which is under construction. The parcel is located in the H30A Zoning District with a lot area of 15,570 square feet. In addition to this Memorandum, four exhibits submitted by the Applicant are attached.

The Planning and Zoning Board approved the two-story single family site plan in January 2017. The approved 2nd floor area included 4 building wall cut-outs, two on each side. A site plan modification is requested to remove the cut-outs and manage the average side setback area by utilizing areas where the second floor is set farther back from the front property line. While the second-floor square footage will increase, the second floor is 70.5 % of the ground floor square footage.

Governing Code: The Zoning in Progress requirements for this request are detailed in the following Zoning Code section:

Current Municode: 90-2 – The Code definition and illustrative example for setback (average) reports the average setback can be provided through a variety of ways and the builder has the option of building continuously along the average setback line without variation.

Staff Recommendation: The Applicant's proposed 2nd floor wall modification is consistent with the Code and should be approved.

Eddy Vazquez, architect for the project presented the application and spoke regarding the specifics of the project.

George Kousoulas, representing the applicant presented the project and went through the exhibits of the project.

Maria Tudi, neighbor spoke and wanted to ask George Kousoulas regarding the generators on the grass which is in front of her house and is there a way to put fences to not have to see the generators.

George Kousoulas addressed the comments made by Maria Tudi and stated that they are covered and they would love to place the equipment on the roof but due to code changes it cannot be done.

Eddy Vazquez, architect, addressed the concerns from Maria Tudi and stated that they have hedges around the air conditioner and generators.

Board Member Mackenzie asked what type of generator it was, how it would be maintained, and does it emit fumes.

Eddy Vasquez stated it would be a natural gas generator and he stated it is an emergency generator in the event of a hurricane or event. The generator would be serviced at least twice a year.

George Kousoulas stated that the Code states the times the generator can be turned on.

Vice Chair Sanchez asked regarding the equipment (generator and air conditioning units) stated that the neighbor that spoke and asked if the emergency equipment is on the west side of the house. He spoke regarding the noise level and asked if the balcony on the south side facing the water was covered.

Eddy Vazquez addressed the question from Vice Chair Sanchez regarding the location of the equipment and stated it was on the east side of the property.

George Kousoulas addressed the comments made by Vice Chair Sanchez regarding the covered balcony.

Vice Chair Sanchez asked if this property had any permitting extensions. He also asked if the new emailed version of the plans had changes made to them.

Town Planner Keller stated that he was not aware of any permitting extensions and stated that the documents emailed had additional elaborations.

Further discussion took place among the Board and Eddy Vasquez regarding the plans that were emailed which were additional elaborations and the different changes to the plans.

Board Member Bravo stated that he loves the house and asked what is in between the roof deck and generator.

Eddy Vazquez, architect stated that there is landscaping and on the side of the deck there is a wood louver that can be opened if they need to service the generator.

Board Member Bravo asked regarding the noise level on the roof deck.

Further discussion took place among the Board members and Eddy Vazquez regarding the roof deck, generator, landscaping and noise cancellation.

Board Member Mackenzie commented that the balcony that runs along the north façade in the floor plan shows it in line with the face of the west wall but the rendering shows a cantilever balcony and asked regarding the placement of the equipment.

Eddy Vazquez addressed the comments made by Board Member Mackenzie on the placement of the equipment.

Further discussion took place among the Board Members, Eddy Vazquez and George Kousoulas regarding the application and solution for placement of the equipment.

Mayor Burkett stated that he spoke to the owner and appreciates the comments and concerns of the neighbor of possibly having loud noise on the abutting property. He spoke to the owner and neighbor and stated that he is intending to having the noise equipment up on the roof in order to alleviate the noise level.

Discussion took place among the Board members regarding the elevation, reroofing, retiling and the air conditioning compressor being elevated above the terrace.

Chair Frankel addressed Mayor Burkett's comments and the review of the zoning code and the placement of the air conditioning unit.

Town Attorney Recio stated that right now the zoning in progress prohibits the height restrictions from being violated.

Board Member Landsman spoke regarding the placing of the location of the air conditioning unit and the changes being made.

The following individuals from the public spoke:

Maria Tudi spoke on the item and asked if they could build something that could hide the equipment.

Jeff Rose spoke regarding the setbacks and what George Kousoulas stated.

Loren Baum, general contractor on the project explained the placement of the equipment.

Discussion took place among the Board and Loren Baum regarding the project, it's specifics and setbacks.

Chair Frankel stated that she agrees with Board Member Henderson on articulation on the second floor.

A motion was made by Board Member Landsman to approve the application, the generator be obscured by the louver and landscaping as the builder and architect agreed, if the zoning code changes prior, they are able to change the permit to relocate the equipment to the roof as the zoning code allows, seconded by Vice Chair Sanchez. The motion carried with a 5-0 vote.

Board Member Bravo spoke regarding submitting for permits and the approval process as well as submitting for modifications.

B. 8835 Garland Avenue – Garage Conversion

Background: This application is a request to convert an existing garage to a home office and laundry room. The Applicant is also proposing major revisions to the front setback area with removal of the existing driveway and relocation of parking spaces and walkways utilizing concrete slabs and stones. The parcel is located in the H30B Zoning District on an interior lot fronting on Garland Avenue. An overhead aerial view from the Miami-Dade County Property Appraiser is provided on the following page with a Google Street View on page 3. In addition to this Memorandum, a package of photos, renovation plans, elevations, landscape plan and current survey was submitted by the Applicant.

Governing Codes: The Zoning in Progress requirements for lots in the H30B District are:

Each lot must provide 35% pervious area and 50% of front yards and 40% of rear yards must be landscaped, and 20% of the landscaped area must be Florida Friendly as defined in the current Zoning Code.

2006 Code: 90-145(b)1(d) – allows for a garage conversion provided the garage door is replaced with a solid exterior wall with at least one window and with access internally from the main premises.

Current Municode: 90-50.1(1)(7) – further requires if the garage is at the front or primary corner of the property, landscaping should be along the base of the exterior wall.

Applicant Package: A 14-page application package was submitted by the Applicant. A sealed Pool Plan was also submitted by the pool company which was prepared by a professional engineer. The proposed pool, spa and deck occupy a portion of the front yard setback area and some of the secondary corner. A ten-foot green area surrounds the pool deck. An existing hedge is located on the property line and the pool plan indicates a chain-link fence may be also occupying the property line. A current survey was not included in the package although the pool plan has sufficient information to analyze the characteristics of the proposed pool and deck.

Staff Recommendation: The proposed garage conversion and front yard driveway hardscape modifications can be approved subject to the following conditions:

Provide 50% landscape area in the front yard with 20% of the landscape area Florida Friendly per the Code.

Remove concrete pads and stones from the public right of way except for access to the parking spaces.

Provide calculations and worksheets on the landscape area and locations of Florida Friendly species.

The following individuals spoke on the item:

Adam Schucher the owner and applicant spoke on the item.

Richard Ramirez, representing the owner spoke on the item.

Chair Frankel stated she has no issue with the pack way as long as they are meeting all the requirements on landscaping and the right of way.

Vice Chair Sanchez spoke regarding the three (3) requests on this application and the windows being replaced. He spoke regarding the curb cuts being requested and the parking spaces.

Town Planner Keller stated they did include hurricane windows and new air conditioner. He stated that they are to have two parking spaces and addressed the questions from the Board.

Adam Schucher, applicant addressed the questions from the Board regarding the parking spaces.

Discussion took place among the Board and Mr. Schucher regarding the specifics of the application, greenspace and the other requirements.

A motion was made by Board Member Landsman to approve the application with staff recommendations stated by Town Planner, seconded by Board Member Bravo. The motion carried with a 5-0 vote.

C. 411 88th Street – Swimming Pool

Background: This application is a request for a front yard pool, spa and deck. The parcel is located in the H30B Zoning District on a corner lot fronting on Abbott Avenue with a secondary side corner on 88th Street. An overhead aerial view from the Miami-Dade County Property Appraiser is provided on the following page with two Google Street View photos on page 3. In addition to this Memorandum, a package of photos, pool plan and elevation survey was submitted by the Applicant.

Governing Codes: The Zoning in Progress requirements for a front yard pool are detailed in the following Zoning Code sections:

Current Municode: 90-54.2 – Accessory swimming pools and decks may occupy a primary (front) and secondary (corner) subject to providing a ten-foot setback.

Current Municode: 90-54.8 – All accessory swimming pools and fences located in the front yard setback shall be subject to review by the Planning and Zoning Board.

Current Municode: 90-56.2 & 3 – Allows fence or ornamental walls in the front yard or primary corner yard if granted design review approval by the Planning and Zoning Board. Further limits height for a lot wider than 50 feet a 4-foot height plus 1/2 foot for each 10 feet exceeding 50 feet.

Zoning in Progress: 50% of front yards must be landscaped and 20% of all landscape area must be Florida Friendly as defined by the Current Zoning Code.

Applicant Package: A 14-page application package was submitted by the Applicant. A sealed Pool Plan was also submitted by the pool company which was prepared by a professional engineer. The proposed pool, spa and deck occupy a portion of the front yard setback area and some of the secondary corner. A ten-foot green area surrounds the pool deck. An existing hedge is located on the property line and the pool plan indicates a chain-link fence may be also occupying the property line. A current survey was not included in the package although the pool plan has sufficient information to analyze the characteristics of the proposed pool and deck.

Staff Recommendation: The proposed front yard pool, spa and deck can be approved subject to the following conditions:

Provide calculations and worksheet verifying 50% of the front yard setback area is in landscaping on Abbott Avenue.

Adjust spa location and or reduce the size of the deck in order to comply with the 50 percent landscaping requirement for Abbott Avenue.

Provide calculations and worksheets on the size of the pool, spa and deck.

The chain-link fence is a prohibited fence in the front yard or secondary corner yard. Based on the front yard width (50 feet), a 4-foot-high fence can be approved.

Design approval of the Applicant's proposal and conditions by the Planning and Zoning Board.

Sylvio Martini, applicant spoke on the item and presented his project.

Chair Frankel explained the requirements of the recommendations on the parking, pool and fencing.

Town Planner Keller explained the recommendations regarding the parking garage and the front yard setback as well as the landscaping requirements.

Board Member Landsman asked regarding the pool being in the front yard and the setback.

Further discussion took place among the Board Members, the applicant and Building Official Fernandez regarding the front setback, fence, pool and debris going into the storm drains.

Chair Frankel asked Building Official Fernandez to put together the information from the City of Miami Beach.

Board Member Mackenzie asked Town Planner Keller regarding the pool and the setbacks.

Further discussion took place among the Board and the applicant regarding the pool and the requirements set.

Board Member Landsman stated that his posture during these meetings is to make things happen.

A motion was made by Board Member Mackenzie to approve the application with the staff recommendations; modify the water feature to accommodate the 50%, seconded by Board Member Landsman. The motion carried with a 5-0 vote.

D. 1221 Biscaya Drive – New Fence

Background: This application is a request for a front yard fence, 16-foot driveway gate and pedestrian gate on Biscaya Drive. The parcel is located in the H30A Zoning District adjacent to the Biscaya Drive bridge. An overhead aerial view from the Miami-Dade County Property Appraiser is provided on the following page with two Google Street View captures on page 3. In addition to this Memorandum, an Agenda Packet was submitted by the Applicant.

Governing Codes: The Zoning in Progress requirements for a front yard fence are detailed in the following Zoning Code sections:

2006 Code: Sec 90-163 – An ornamental fence, wall or hedge, not more than 5 feet in height may project into any side or rear yard. No fence, wall or ornamental fence shall be constructed in a front yard.

Current Municode: 90-56.2 & 3 – Allows fence or ornamental walls in the front yard or primary corner yard if granted design review approval by the Planning and Zoning Board. Further limits height for a lot wider than 50 feet a 4-foot height plus 1/2 foot for each 10 feet exceeding 50 feet.

Zoning in Progress: 50% of front yards must be landscaped and 20% of all landscape area must be Florida Friendly as defined in the Current Zoning Code.

Applicant Package: A seven-page presentation package was prepared by Swedroe Architects and a separate current survey was also provided. The Applicant is requesting a 5-foot-high aluminum and or wood fence complying with the 50% opacity requirement. The most recent discussions with the architect indicate a 4 ½ foot high black aluminum fence with 16-foot motorized gate with a 3-foot-wide pedestrian gate is desired. The architect's plan provides 605 square feet of landscape area in the front yard setback area.

Staff Recommendation: Recommend a 4 ½ foot black aluminum metal fence placed on the south property line of Biscayne Drive with a 16-foot-wide motorized driveway gate and a 3-foot-wide pedestrian gate be approved complying with the 50% opacity requirement.

The Applicant to provide 605 square feet of landscape area in the front yard setback area as depicted in the Applicant's package.

The Planning and Zoning Board gives design approval of the Applicant's proposal and conditions.

Board Member Mackenzie asked if they meet the 50% greenspace in the front yard.

Town Planner Keller addressed the comments made by Board Member Mackenzie and stated that they do meet the requirement of the set back.

Sebastian Guejman, applicant and owner of the house presented his project.

Laurie Swedroe, architect for the applicant introduced the project.

Board Member Bravo commented on the project and recommendations.

Board Member Mackenzie asked if he has to withdraw from this application would Mr. Henderson fill his spot because he worked with Laurie Swedroe's father.

Town Attorney Recio stated that the only way he could step away is if he has an actual conflict of interest.

Board Member Henderson asked if the documents received today were disseminated to the public.

Town Planner Keller spoke regarding stated that what was submitted today is a cleaner look as to what they are requesting today and he believes they are just clearer to see.

Vice Chair Sanchez spoke regarding safety in the waterfront property and caution with the public street.

Board Member Mackenzie asked if this is just a flat gate that runs along the edge of the property.

Laurie Swedroe stated that the gate will be fixed on the east side.

Sebastian Guejman stated the opening and closure of the gate.

Board Member Mackenzie asked if the owner would be able to compromise on the gates and stated that the fabric of the town is not to have all these fences.

Chair Frankel stated that there are ways to gate the property without closing out the street in that manner.

Town Planner Keller addressed the comments made by Chair Frankel regarding the gates and setbacks.

Building Official Fernandez stated that this is the front and not the side and does not believe we have a flexibility because the code speaks for itself.

Chair Frankel spoke regarding the 2006 code and spoke regarding using leeway with side yards.

Discussion took place among the Board and the applicant regarding the greenspace, gate and recommendations by the Town Planner.

Town Attorney Recio stated that the 2006 code states that you cannot have a fence in the front yard but will be permitted beyond the front setback.

A motion was made by Board Member Landsman to approve the application with staff recommendations, seconded by Vice Chair Sanchez. The motion failed with a 2-3 vote with Chair Frankel, Board Member Mackenzie and Board Member Bravo voting in opposition.

Chair Frankel advised the applicant to get with Town Planner Keller to review the recommendations and changes to be made in order for the applicant to come back for review and approval.

E. 9388 Abbott Avenue – Approval of Two Small Gates

Background: This application is a request for a Planning and Zoning Board Design Approval of a front yard and corner side yard gates Abbott Avenue (front yard) and on adjacent to 94th Street (primary corner side). Both of the gates were installed without permits and the property has been issued violations from the Town's Code Enforcement Division. A hearing date is scheduled for March 2021. The gates are not connected to a fence but are located on walks where the yard has a hedge on the border of the area and the house corner. The parcel is located in the H30B Zoning District. An overhead aerial view from the Miami-Dade County Property Appraiser is

provided on the following page with a Property Appraiser West View on page 3. In addition to this Memorandum, an Agenda Packet was submitted by the Applicant.

Governing Codes: The Zoning in Progress requirements for a front yard fence (or gate) are detailed in the following Zoning Code sections:

2006 Code: Sec 90-163 – An ornamental fence, wall or hedge, not more than 5 feet in height may project into any side or rear yard. No fence, wall or ornamental fence shall be constructed in a front yard.

Current Municode: 90-56.2 & 3 – Allows fence or ornamental walls in the front yard or primary corner yard if granted design review approval by the Planning and Zoning Board. Further limits height for a lot wider than 50 feet a 4-foot height plus 1/2 foot for each 10 feet exceeding 50 feet.

Zoning in Progress: 50% of front yards must be landscaped and 20% of all landscape area must be Florida Friendly as defined in the Current Zoning Code.

Applicant Package: A permit application was applied for on October 22, 2020. The application and three pages have been submitted for Planning and Zoning Board consideration. Originally, the Applicant submitted 2 partial copies of an outdated survey with locations of the gates. After review by planning staff, one of the survey copies was deleted since the gate locations did not align with the attached photos.

Staff Recommendation: The intersection configuration of the Abbott Avenue and 94th Street intersection has been modified to eliminate northbound and southbound traffic on Abbott Avenue south of 94th Street. A landscaped area closes Abbott Avenue at the front yard of this Applicant. While the submitted partial survey is outdated, it is still relevant for the front yard area and gate locations based on a review of the submitted photos and review of other aerial photos.

Recommend the application for Planning and Zoning Board design approval be granted based on the following conditions: Applicant to modify the existing gates to a height of 4 feet and locate the Abbott Avenue gate on the property line using a licensed contractor. Submit a sealed survey verifying the Abbott Avenue and 94th Street gate locations.

Rachel Stelatt, applicant spoke on her application/project and stated that this request is after the fact.

The following individual from the public spoke on the item:
Jeff Rose spoke in support of the applicant.

Vice Chair Sanchez reiterated the last speaker's comments and stated this is a unique situation.

Board Member Henderson asked if there are three gates because he only sees two (2) gates.

Rachel Sielatt stated that they received a violation for two (2) gates and the third gate was there when they purchased the house and it was broken and had it repaired.

Board Member Bravo stated that they only have to discuss the gate on Abbott Avenue.

Town Planner Keller stated that he only saw two (2) gates but you can see the third gate on the southeast corner.

Chair Frankel stated that she cannot say yes to the one on Abbott Avenue.

Further discussion took place among the Board regarding the gate and its location.

A motion was made by Board Member Landsman to extend the meeting to 10:30 pm, seconded by Board Member Bravo. The motion carried with a 5-0 vote.

Rachel Sielatt, applicant stated that she fears if they eliminate the gate on Abbott Avenue it would not look aesthetically pleasing.

Further discussion took place among the Board and the applicant regarding the gates, its style and other methods of setting the gate back.

Board Member Mackenzie suggested for the applicant to compromise as to oppose to a straight denial.

Board Member Bravo commented on the gate and understands what the applicant is talking about.

A motion was made by Board Member Bravo to approve the application and for the applicant to comply with the height and opacity, seconded by Board Member Landsman. The motion carried with a 3-2 vote with Board Member Mackenzie and Chair Frankel voting in opposition.

F. 9466 Harding Avenue – Sign

Background: This application is a request to place a permanent wall sign. The parcel is located in the SDB40 Zoning District. In addition to this Memorandum, an Agenda Packet submitted by the Applicant is attached.

Governing Codes: The Zoning in Progress requirements for a permanent wall sign are detailed in the following Zoning Code sections:

2006 Code: 90-209(c)1 – Provides a wall sign of 1 square foot (SF) for each 1 foot of frontage. In the Business District for stores with less than 25 feet of frontage, a 25 SF sign is allowed. This store front has 25 feet of frontage.

2008 Code: 90.71.1 – Also allows a wall sign of 1 square foot (SF) for each 1 foot of frontage. In the Business District for stores with less than 25 feet of frontage, a 25 SF sign is allowed. This store front has 25 feet of frontage.

Current Municode: 90-73.a(3b)(2) – The Code has further restrictions including requiring a ¼ inch to 2 inch offset from the wall to allow rain water to drain and limits illumination to white LEDs.

Staff Recommendation: The Applicant's proposed sign is 20 SF with white illumination. It is recommended the permanent wall sign be approved.

Mai (unintelligible) applicant appeared for any questions.

Board Member Bravo asked how bright is the sign and he asked Town Planner Keller to please place the brightness of the signs in his staff reports.

Board Member Mackenzie also requested to place the number of kelvins as well on the Town Planner's staff reports.

Mai (unintelligible) applicant stated the kelvins are 143.

Isela Sosa, representing the applicant addressed the illumination questions.

A motion was made by Vice Chair Sanchez to approve the application with staff recommendation, seconded by Board Member Landsman. The motion carried with a 5-0 vote.

G. 9507 Harding Avenue - Sign

Background: This application is a requesting approval for window signs, door sign and the removal of the prior occupant's wall sign. The parcel is located in the SD-B40 Zoning District. In addition to this Memorandum, an Agenda Packet submitted by the Applicant is attached.

Governing Codes: The Zoning in Progress requirements for window and door signs and removal of a wall sign are detailed in the following Zoning Code sections:

2006 Code: 90-209(c)6(e) – Provides a window sign of 1.5 square foot (SF) for each window or door. In addition, the lettering is limited to 8 inches in height and the total area of the sign cannot exceed 20% of the window and or door area.

Current Municode: 90-73.a(3)c – The Code only limits the sign to not exceed 20% of the window or door area. Lettering is limited to 8 inches in height. Allowable material includes painted gold leaf, silver leaf, silk-screened, cut or polished metal, cut or frosted vinyl and etched glass.

Current Municode: 90-72.a – The Code requires signs associated with the previous owner or lessee shall be removed within 30 days of transfer of ownership or cessation

of the prior business activity. Any visible holes shall be painted and filled. Sign structure can remain in place provided no identifying features of the prior business are visible.

Staff Recommendation: The Applicant's proposed window and door signs are not dimensioned in the application. Based on the more restrictive Code, it is recommended the signs be approved subject to the following conditions:

1. The size of the proposed sign shall be limited to a maximum of 1.5 SF per the Code; and,
2. The sign lettering be 8 inches or less and sign material comply with 90-73.a(3)c. The existing wall sign can be removed provided it is done per the Current Municode **Sec 90-72.a.**

Tim Fraleigh, applicant spoke on the item.

A motion was made by Board Member Bravo to extend the meeting for 15 minutes, seconded by Vice Chair Sanchez. The motion carried with a 5-0 vote.

Board Member Mackenzie requested as a condition of approval that when they remove the sign to clean up the wall.

Town Planner Keller stated that is required by the code.

Vice Chair Sanchez stated that if you put the sign up it should be the responsibility of the person that put the sign up to take it down.

A motion was made by Board Member Landsman to approve the application, seconded by Vice Chair Sanchez. The motion carried with a 5-0 vote.

4. Next Meeting Date: February 25, 2021

Deputy Town Clerk Herbello advised the Board members that the next meeting is the special meeting scheduled for February 11, 2021 at 6:00 p.m. and then the meeting following that one would take place on February 25, 2021 at 6:00 p.m.

5. Local Planning Agency Item

A. Ordinance to Allow Pet Grooming as Accessory Use to Pet Supplies

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA AMENDING THE TOWN OF SURFSIDE CODE OF ORDINANCES BY AMENDING SECTION 90-41, "REGULATED USES", TO CHANGE THE LIST OF PERMITTED ACCESSORY USES TO ALLOW PET GROOMING AS ACCESSORY TO RETAIL PET SUPPLIES IN THE SD-B40 ZONING DISTRICT AND PROVIDING FOR RELATED REGULATIONS; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE

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

Town Attorney Recio read the title into the record, introduced the item and gave an explanation of the ordinance.

Board Member Henderson commented that Commissioner Velasquez had stated that there was a change to the ordinance from 800 feet to 1,200 feet.

Town Attorney Recio confirmed that it is a separation of 1,200 feet.

Board Member Henderson stated that he thought the condition would have to be conjoined with the veterinarian.

Town Attorney Recio stated that it has to be joined with a pet supply store.

Board Member Landsman asked regarding opening a business for baking supplies for pets.

Town Attorney Recio confirmed that there will be a business that sells baking supplies for pets.

Vice Chair Sanchez asked if with the 1,200-foot separation will there be an extra spot for another similar business.

Town Attorney Recio addressed the comments made by Vice Chair Sanchez.

A motion was made by Board Member Bravo to recommend the Town Commission to approve the Ordinance, seconded by Board Member Landsman. The motion carried with a 5-0 vote.

6. Discussion Items:

A. Future Agenda Items – Extra Meeting in February

Chair Frankel advised the Board regarding the two zoning workshops and for them to review the zoning codes prior to the workshop. She advised of the special February meeting.

Board Member Henderson wanted to thank the Mayor and Town Attorney for adding the Board's comments/suggestions into the code rewrite. He also asked Town Planner Keller how many applications are outstanding for permitting.

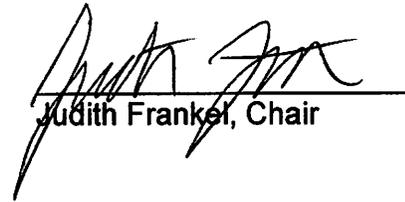
Town Planner Keller stated he does not have an exact amount and there are applications constantly coming in and there are some coming in for site plan amendments. He stated he probably has approximately 15-25 projects in the backlog.

7. Adjournment:

A motion was made by Board Member Landsman to adjourn the meeting without objection at 10:44 p.m. The motion received a second from Board Member Bravo. The motion carried with a 5-0 vote.

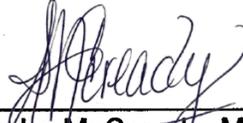
Respectfully submitted,

Accepted this 25th day of February, 2021.



Judith Frankel, Chair

Attest:



Sandra McCready, MMC
Town Clerk