



Town of Surfside
Planning and Zoning Board Meeting
MINUTES
August 25, 2022
6:00 PM
Town Commission Chambers

1. Call to Order/Roll Call

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

Present: Chair Judith Frankel, Vice Chair Carolyn Baumel, Board Member Ruben Bravo, Board Member David Forbes, Board Member Jonathan Edderai, Alternate Board Member Michael Szafranski and Alternate Board Member Grace Rais.

Also Present: Town Manager Andrew Hyatt, Town Attorney Tony Recio, Town Planner Walter Keller, Building Official James McGuinness and Commission Liaison Commissioner Fred Landsman.

2. Town Commission Liaison Report

Commissioner Landsman stated he did not have any information to provide the Board at this time but is here to listen to the Board's recommendations.

3. Approval of Minutes

3.A June 30, 2022 Planning and Zoning Board Meeting Minutes - Evelyn Herbelo, Deputy Town Clerk

A motion was made by Board Member Bravo to approve the June 30, 2022 Planning and Zoning Board Meeting Minutes, seconded by Vice Chair Baumel. The motion carried with a 5-0 vote.

[June 30, 2022 Planning and Zoning Board Meeting Minutes.pdf](#)

4. Ordinances

4.A 50% Lot Coverage for 1-Story Homes. - Shlomo Danzinger, Mayor

To modify the Town Code to allow for 50% lot coverage for 1-story homes (not to exceed any existing setbacks), and to stipulate in the code; if a homeowner who has built above the 40% lot coverage wishes to build a second floor, the homeowner must remove the excess square footage from the first floor, bringing the total lot coverage to a maximum of 40%, when building a second floor (to be limited to the

standard 80% of the 40%).

New one story homes build over the 40% coverage must adhere to a 22' ft height restriction.

Vice Chair Baumel recused herself for this item.

Deputy Town Clerk Herbello read the title of the ordinance into the record.

Town Attorney Recio provided an overview and explanation of the ordinance language.

Chair Frankel explained that this provides a cap.

Chair Frankel opened public comments.

The following individual from the public spoke:
George Kousoulas spoke in favor of the ordinance.

Chair Frankel closed public comments.

Chair Frankel stated that this was an item that there were questions raised and is happy to have that 22 foot cap and this allows the architects room for flexibility and creativity. This will encourage single family homes and will also allow the maintaining of older homes. She does not have any issues with this. She asked regarding the cover sheet where it states that this is an option to be cheaper and it is not a cheaper option but an additional option.

Alternate Board Member Szafranski asked where does the 30 feet start. He believes this will help to avoid variances and speeds the process and makes it easier.

Town Planner Keller addressed the comment made and the building height is measured from the crown of the road.

Board Member Bravo spoke regarding having a second story and this will allow for single family homes.

A motion was made by Board Member Bravo to recommend to the Town Commission to approve the ordinance as written, seconded by Board Member Forbes. The motion carried with a 5-0 vote with Vice Chair Baumel recused and Alternate Board Member Szafranski voting in her place.

[Ordinance Amending Lot Coverage for Single Story.doc](#)

4.B Ordinance to Increase the Minimum Percentage of Florida Friendly Landscaping Required to 40% - Fred Landsman, Commissioner

Consider direction to the Town Planner and Town Attorney to bring back an ordinance to implement these recommendations.

Deputy Town Clerk Herbello read the title of the ordinance into the record.

Town Attorney Recio provided an overview of the ordinance and the language.

Chair Frankel opened public comments.

The following individuals from the public spoke:

George Kousoulas spoke in support of the ordinance.

Ana Menendez spoke in support of the ordinance and would like more Florida friendly landscaping.

Chair Frankel closed public comments.

Chair Frankel stated this is something that they have spoken about in their meetings and keeping this in the code would help and benefit everyone.

Town Planner Keller spoke regarding the Florida friendly species.

Chair Frankel stated it is part of the language of the ordinance and stated that the homeowner can go see the list and it makes it easier.

A motion was made by Board Member Bravo to recommend to the Town Commission to approve the ordinance as written, seconded by Vice Chair Baumel. The motion carried with a 4-1 vote with Board Member Edderaï voting in opposition.

[Ordinance Amending FL Friendly Landscape.doc](#)

4.C Amending the Town Code Relating to the Location and Requirements for Ground-Level and Rooftop Mechanical Equipment. - Fred Landsman, Commissioner

For the Planning and Zoning Board to recommend to the Town Commission to adopt this ordinance on second reading.

Deputy Town Clerk Herbello read the title of the ordinance into the record.

Town Attorney Recio provided an overview and explanation of the ordinance language which includes the equipment to be acoustically screened. He stated the language comes from the zoning in progress and it is intended not to be seen and be visually and acoustically screened.

Chair Frankel opened public comment.

The following individual from the public spoke:

George Kousoulas spoke in favor of the ordinance.

Chair Frankel closed public comment.

Chair Frankel asked if it is a new home or project it would come before this Board and asked if they are replacing the unit does it have to come before this Board or will the Town be reviewing it. She stated that as long as they meet the code would it require them to come if they are replacing the unit.

Town Attorney Recio addressed the comment made and stated it might end up with this Board if it is being moved but if it is being placed in the same spot it will not come to this Board.

Board Member Forbes asked if they are replacing the one on the ground today it has to be done as per code.

Town Planner Keller stated this is only for new construction and if it is an existing house that will be moving it to the roof it would come before them.

Chair Frankel asked if he believes it needs to come to the Board.

Vice Chair Baumel stated that she does not believe it should have to come to this Board and it should be up to the Building Official to make sure they are meeting the code.

Town Planner Keller addressed the comments made.

Chair Frankel stated that she is seeing this being used for new builds.

Town Attorney Recio stated that it could be part of their recommendations to the Commission as to if they want to see them or not.

Alternate Board Member Szafranski stated that if there are houses being done and they conform with the code he sees no reason for them to come to the Board and saves time.

Chair Frankel stated that they are the design review board and they are to review the design. She stated there are two portions of the code, the zoning code and the design review guidelines.

Vice Chair Baumel stated that if there is a problem to bring it back to the Board.

Board Member Bravo asked regarding restrictions and noise cancellation requirements.

Building Official McGuinness addressed the questions asked regarding the noise restrictions and acoustic screening.

Board Member Bravo asked if the decibel will be measured.

Building Official McGuinness stated that Code Enforcement has a decibel reader and the Town should have a piece of equipment to address the noise complaints.

Vice Chair Baumel asked if the equipment comes with that type of measurement within the equipment.

Town Planner Keller stated they do come with a spec sheet and you know what the sound impact will be.

Further discussion took place among the Board Members, Town Planner Keller and Building Official McGuinness regarding the noise requirement, decibel measurements and the time for the change out.

A motion was made by Vice Chair Baumel to recommend to the Town Commission to approve the ordinance as written and to come back in six months with a report from the Town Planner to see what type of screening has been used and replacement of equipment within the same location will not require to come back to the Board, seconded by Board Member Bravo. The motion carried with a 5-0 vote.

[Ordinance Re Ground and Rooftop Mechanical Equipment-H30A and H30B.doc](#)

5. Applications

A motion was made by Board Member Bravo to move item 5F (9530 Harding Avenue) to be heard before item 5B (9232 Byron Avenue), seconded by Vice Chair Baumel. The motion carried with a 5-0 vote.

Town Attorney Recio read the quasi-judicial statement into the record.

Town Attorney Recio asked Deputy Town Clerk Herbello to confirm notice requirements.

Deputy Town Clerk Herbello confirmed proper notice requirements were met by all applicants with the exception of the applicant for item 5A (9017 Garland Avenue). That applicant did not meet proper notice requirement and will need to be deferred to the October 27, 2022 Planning and Zoning Board meeting.

Town Attorney Recio polled the Board members.

Board Member Bravo spoke with Mr. Kingston and Philip Gutman from 93 Ocean.

Vice Chair Baumel spoke to the same individuals.

Board Member Forbes spoke with the same individuals.

Alternate Board Member Szafranski spoke with the same individuals.

No other Board member had any communication with any of the applicants.

5.A 9017 Garland Avenue - New Two-Story Single Family Residence - Walter Keller, PE, AICP, Town Consultant Planner

Staff Recommendation: It is recommended the application be approved conditionally subject to the following comments:

- Per Sec. 90-45, minimum setbacks for H30B Zoning District requires a 20-foot

- rear setback, the proposed first floor addition does not meet this requirement.
- Per Sec. 90-54.6, an attached garage shall not be remodeled ... unless all required off-street parking spaces are provided.
- Per Sec. 90-55, Non-habitable structures, including but not limited to cabanas, pergolas, gazebos, and trellises shall have a maximum height of 12 feet. Provide the height of the outdoor BBQ porch.
- Per Sec. 90-61, not less than 30 percent of the front yard shall be landscaped and 20 percent of the rear yard shall be landscaped, proposed artificial turf is not allowed by code and must be replaced with landscaping. Provide landscape calculations for the front and rear yards.
- Per Sec 90-89, street trees shall be required at one shade/palm tree per 20 linear feet of street frontage along all public or private right-of-ways. Street trees should be native and mature to a height of at least 20 feet and planted along the swale or right-of-way. Trees planted within the right-of-way will require a permit from public works. Street trees shall meet the requirements of this section.
- Per Sec. 90-97, tree removed or relocated will require a tree removal permit. The proposed plan shows the removal of four trees, no mitigation is proposed. Trees removed must be permitted and mitigated.

A motion was made by Board Member Forbes to defer this item to the October 27, 2022 Planning and Zoning Board Meeting due to not meeting the notice requirement, seconded by Board Member Bravo The motion carried with a 5-0 vote.

[9017 Garland Ave-Table 1.docx](#)

[9017 Garland Avenue Agenda Packet.pdf](#)

5.B 9232 Byron Avenue - Garage Conversion and Renovation - Walter Keller, PE, AICP, Town Consultant Planner

Staff Recommendation: It is recommended the Application be approved conditionally subject to the following comments:

- Provide updated site data table on the site plan.
- The minimum pervious area in the H30B Zoning district is 35%, per Sec. 90-49. Provide pervious calculations.
- Provide 2 off-street parking spaces, per Sec. 90-54.6.
- Landscaping shall be provided along the base of the new exterior wall, per Sec. 90-50.
- Uncovered porch, patio, or terraces are required to have a minimum rear and interior side setback of five feet, per Sec. 90-54.3. Please provide setbacks for the proposed landing in the rear yard.
- Per Sec. 90-61, 30% of the front yard shall be landscaped, provide landscape calculations.
- Street trees shall be required at one shade/palm tree per 20 linear feet of street frontage thereof along all rights-of-way's, plant native trees meeting the requirements of Sec. 90-89.

Town Planner Keller introduced the application along with his recommendations.

Chair Frankel opened public comment.

There were no public speakers.

Chair Frankel closed public comment.

Alternate Board Member Rais asked regarding the gray solid material under the window and what that material made out of.

Board Member Bravo stated that if she goes to the next sheet it shows the actual material which is concrete.

Jonas Etzel, applicant stated it will be concrete stucco and then landscaping under the window.

Chair Frankel reiterated to the applicant that the approval is with the condition they meet the staff recommendations.

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

[9232 Byron Ave - Table 1.docx](#)

[9232 Byron Avenue Agenda Packet.pdf](#)

5.C 9309-9317 Collins Avenue - 93 Ocean - Site Plan Approval - Walter Keller, PE, AICP, Town Consultant Planner

Staff Recommendation: Development review requirements for this type of project follow Sec 90-20(2)(a) of the Zoning Code which requires.

- The development, as proposed, conforms to the Comprehensive Plan and the Zoning Code
- The development, as proposed, will have a favorable or unfavorable impact on the environment and natural resources, including a consideration of the means and estimated cost necessary to minimize the adverse impacts, if any
- The development, as proposed, will have a favorable or unfavorable impact on the economy of the Town of Surfside
- The development, as proposed, will efficiently use or unduly burden water, sewer, solid waste disposal, education, recreation or other necessary public facilities which have been constructed or planned and budgeted for construction in the area
- The development, as proposed, will efficiently use or unduly burden or affect public transportation facilities, including mass transit, public streets, and roads, which have been planned and budgeted for construction in the area, and if the development is or will be accessible by private or public roads or streets
- The development, as proposed, is consistent with the community character of the immediate neighborhood. In addition to consistency there must be congruity between the subject development and neighboring improvements and surroundings including but not limited to form, spacing, heights, setbacks,

materials, color, rhythm and pattern of architectural or aesthetic interest or value as well as with any overlays and other development schemes or legislation; and,

- In the event of redevelopment, the Applicant shall also submit a detailed plan for demolition.

Staff finds the proposal complies with the Town's Comprehensive Plan in that the developable portion of the parcel is west of the bulkhead line with a density lower than the maximum allowed and the portion of the parcel which is east of the bulkhead line is private recreation. Staff also finds that the proposal generally complies with the Zoning Code and with the intent of Ordinance 21-1716 although there are concerns which are noted on page 5 and in the comments section.

The project has minimal impacts on the environment and natural resources. The lower unit density and the combination of the new side setback/average setback option has significantly reduced the volume of the building thereby, minimizing construction impacts and providing greater air flow and light. Impacts to public facilities and transportation impacts will be reduced with improved access to Collins Avenue and more efficient passenger access to the building with on-site service deliveries.

The project is located on the north side of the Town's Community Center which is a very active and important community facility land use in the Town. The design of the open under building floor areas and the open air ground level lounge area will help to mitigate any visual impacts with the Center and to the Marbella Condominium on the north.

Redevelopment of the parcel will have a favorable impact on the economy of the Town and the design of the building will be consistent with the community character of the beach side neighborhood. With the demolition of the existing structure and the construction of this site, the developer will implement a vibration monitoring program.

While Sec 90-81.9 of Municode allows for extensions of the underground parking to be extended into the side and rear yards to the property lines provided the top surface of such extensions is not more than five feet above grade, little to no side setback is provided on this Site Plan for the ground floor (Level 1). A 3 foot setback is noted on the north property line and for a majority of the south property line there is no setback.

The balconies setbacks and average setback adjustments provided in Ordinance 21-1716 limit the primary front extension to not more than 8 feet and the rear of the building to 12 feet west of the bulkhead line. For the interior side setbacks, no more than 50% balcony length at 10 feet or less with the remaining balcony length at no more than 5 feet.

It is recommended the Applicant's Site Plan package be recommended to the Town Commission for approval subject to the resolution of the following comments.

- Revise the balcony widths to not extend beyond the maximum allowed extension

- Provide additional dimensional information to verify and substantiate average setback adjustments and balcony encroachments
- Provide dimensional information for the access drives, driveways and parking ramp
- FDOT Access Connection Approval
- Address landscape comments noted on page 3, paragraph 5; and,
- Verify whether the landscape areas over the underground garage are included in the pervious area calculations

Town Planner Keller introduced the application along with his recommendations.

Building Official McGuinness provided his recommendations and the exemptions this project will meet as it pertains to FEMA flood plain. He also stated that the design is consistent with all the rules. He spoke regarding the demolition and construction of new buildings and this project is holding tightly to that ordinance and they will make sure they are following the requirements.

Graham Penn, representing the applicant introduced the team for this project and provided a presentation and explanation of the project. He stated that they hired a structural engineer to provide 4 separate inspections of the Marabella during the development process during the important periods at the cost of the applicant.

Representatives for the applicant provided a summary of the design of the building along with the PowerPoint presentation.

Chair Frankel opened public comment.

The following individuals from the public spoke:

Julie Privman asked regarding protection of the neighboring building and would like to extend the 7 day response time if they want the monitoring to 30 business days.

Dorith Ness is impressed with the design and spoke in support of this item.

Moshe Schneider is president of the Marabella building. He stated it is a beautiful building. He stated that their building retained Allyn Kilsheimer and he developed a detailed plan. He stated that they are not taking a position for or against the project nor waiving the right to object to the project before the Town Commission.

Chair Frankel stated that their main purview is sitting as a design review board and some of their concerns can be brought by them to the Town Commission and asked if they had any comments regarding the design of the project.

Gail Stone stated the building is beautiful and would like to see a rendition from the north side. She is concerned with the shape of the construction and if the project of the construction of the hotel on 92nd is being done simultaneously.

Chair Frankel stated she does not know that answer at this time.

Sybil Hart likes the design and they have a quality of life concern and the amount of sunlight coming through. She spoke regarding the impact of sunlight to the other buildings and pools.

Cristina Manzalli stated it is a beautiful project and wanted to know what will happen

to the sidewalk going to the beach.

Shraig Zisman spoke regarding the design of the building and his concern is with the setback in the back.

Michael Messing asked what the process of approval is for this project. He spoke against the project.

Vanessa Shain spoke against the project.

Eliana Salzhauer spoke against the project.

George Kousoulas spoke in favor of the project and addressed the comment made regarding the text amendment and the way the building is being designed.

Chair Frankel explained to Mr. Messing the process of approval of applications.

Chair Frankel closed public comment.

Chair Frankel asked regarding who will be choosing the inspectors and the Town should be involved in that process and asked the Building Official to address the different comments that were raised. She spoke regarding the 4 different inspections that will be taking place and how will that inspector be chosen.

Building Official McGuinness addressed the comments made by Chair Frankel and stated that there are protocols put in place and explained the process.

Chair Frankel confirmed that the information will be available as public records to everyone including the Town.

Chair Frankel confirmed that there will be continued access to the beach, 16 foot fence or screening on the north side as well as the south side which is next to the community center.

Marcelo Kingston representing the applicant addressed the comments made regarding the screening and the multi plan development. He stated that safety is top on their priority list and they will make all the assurances.

Chair Frankel wanted to reassure the public that everything is being done the correct way.

Mr. Kingston stated that they had conversations with Parks and Recreation Director Millian and the neighboring buildings. He stated that the public will still have the easement to access the beach.

Chair Frankel thanked Mr. Kingston and she understands the reason why the residents are so concerned with safety. She would like to focus on the design because that is their purview. She asked Town Attorney Recio regarding the new ordinance of the 7 business day turn around time to make a response and the first speaker asked to extend it.

Town Attorney Recio stated that this will not happen until this is approved and it will not go to Commission until October which will be more then 30 days and they will have time to have the discussion.

Chair Frankel asked regarding the beach path easement and could they take care of the language in the future that the beach path is protected in perpetuity.

Town Attorney Recio explained what an easement is and they already made the proffer and it will be part of the condition. He stated that they could work with the language and it will run with the land.

Building Official McGuinness addressed the comment made regarding the shelter of the public way.

Chair Frankel reassured everyone that the Town has safety as their number one top priority.

Town Attorney Recio stated that they are a design review board but also have purview for the site plan.

Chair Frankel asked if they satisfied the garage.

Town Planner Keller stated that they made changes to the plan and the landscape plan. He stated that any of the landscape areas around the garage will not be counted towards the pervious area but they will work with the applicant.

Chair Frankel stated that the bond question does not fall under their jurisdiction and the project has agreed to cover the insurance and anything outside of that is not under their jurisdiction. She likes the design of the building. She spoke regarding the lush landscaping of the project. She also likes how unique the design is as well. She spoke regarding the garage location and it is the best use of that which will not be on the Community Center side.

Board Member Forbes agrees with the comments made by Chair Frankel. He stated that the view from Collins will be amazing. He stated that the conversations that the applicant has had with the neighbors has not gotten through to them and believes they should over communicate with the neighbors to put their minds at ease. He stated he is excited with the project.

Board Member Bravo spoke regarding the concern the neighbors have regarding safety and what they have gone through. He appreciates the neighbors coming and providing their input. He encouraged the residents to come to the Commission meeting and provide their suggestions. He stated the architectonica is an amazing design firm and have great history in Miami. He stated that they put interest and thought into their designs. He stated that most of the concerns is the general contractor and who will be building this and knows the developer will use a very reputable one.

Vice Chair Baumel spoke regarding the significance of the design and architecture. She stated that it is inevitable to have new projects coming on board. She stated that they are giving them what they are allowed to give them even if they do not like it. She stated that it is her experience that this group will give them something very beautiful.

Alternate Board Member Szafranski stated this is the type of architecture that they need in the Town of Surfside and it blends very well. He addressed the comments made regarding the impact of the neighbors next door and one does not own their view and would like to avoid a building from being built because they lose their view. He stated that they are allowed to build within the requirements of the zoning code.

Board Member Edderai stated it is a beautiful building and design.

A motion was made by Vice Chair Baumel to approve the application with staff recommendations and an easement for the beach walk path to be required as a condition of site plan approval, seconded by Board Member Forbes. The motion carried with a 5-0 vote.

[9309-9317 Collins Avenue-Table 1.docx](#)

[9309-9317 Collins Avenue-Letter of Intent and Backup.pdf](#)

[9309-9317 Collins Avenue-Site Plan.pdf](#)

5.D 9250 Bay Drive - New Two-Story Single Family Residence. - Walter Keller, PE, AICP, Town Consultant Planner

Staff Recommendation: It is recommended the Application be approved conditionally subject to the following comments:

- Per Sec. 90-47.3 air conditioning equipment, pool pump or other mechanical equipment shall maintain at least a five-foot (5) setback from the rear and side yards and cannot be visible from any street or waterway. Shrubs shall be incorporated in a manner on the site so as to be a visual screen for mechanical equipment or other accessories to the residence, Sec. 90-95(3). Provide setbacks for the proposed mechanical equipment.
- Per Sec. 90-47.5, Stairs or paved terraces, not covered by a roof or canopy, and which do not extend above the level of the grade or entrance floor of the building, may extend or project into the required front or side yard no more than six feet and the encroachments shall not provide less than a 24-inch setback to the property line. Please provide the dimensions for the proposed outside stair located on the (south) side yard
- The future pool and deck should be defined to ensure rear setback requirements are met in addition to landscape/pervious area, per Sec. 90-54.2.
- Per Sec 90-64, No curb cut shall be located within five feet of a side lot line. The maximum curb cut may be no more than 18 feet in width. Please provide the dimensions for the driveway.
- Per Sec. 90-55, Non-habitable structures, including but not limited to cabanas, pergolas, gazebos, and trellises shall have a maximum height of 12 feet. The bathroom and storage area in the Summer Kitchen/Bar creates setback issues. Please provide the height of the outside kitchen and storage building.
- Per Sec. 90-97, any trees removed or relocated will require a tree removal permit. Trees removed will need to be mitigated.
- Per Sec. 90-95, which includes ten trees and 75 shrubs for this site. Proposed trees should be a diversity of trees and include a minimum of 30% canopy trees, small to medium trees at a maximum of 30% of trees, and no more than

40% palm trees. Provide breakdown of tree categories to ensure this requirement is met.

A motion was made by Board Member Forbes to have a 5 minute recess at 8:42 p.m., seconded by Board Member Edderai. The motion carried with a 5-0 vote.

The meeting resumed at 8:45 p.m.

Town Planner Keller introduced the application along with his recommendations.

Building Official McGuinness provided his recommendations and spoke regarding the ground floor plan. He stated that the garage needs to be ventilated.

Graham Penn representing the applicant introduced the item and agrees to all the staff recommendations.

Chair Frankel opened public comment.

The following individual from the public spoke:

George Kousoulas spoke in support of the project and spoke regarding the setbacks.

Chair Frankel closed public comment.

Vice Chair Baumel asked regarding the fire pit and is it allowable.

Building Official McGuinness stated it is allowable and he has no objection to the fire pit. He also stated it will be a gas fire pit.

Chair Frankel asked if there will be drainage.

Taylor Schmade, Kobe Karp, stated they will provide drainage for the fire pit.

Vice Chair Baumel stated that she respects how they used the land. She likes the entrance and design.

Town Planner Keller stated that he did not review the wall and does not know if there was enough detail and they might have to come back for that separately.

Vice Chair Baumel stated it appears to be at grade and conceptionally it is attractive.

Chair Frankel stated the wall is at the property line.

Mr. Schmade stated it is at the property line.

Vice Chair Baumel spoke regarding the balcony and not having coverage.

Mr. Schmade stated it is made to be a smaller balcony and more for lounging.

Vice Chair Baumel spoke regarding the elevation of the side.

Town Planner Keller addressed the comment made and the house does look nice and it is because of the scale due to the fact that it is too small.

Board Member Bravo stated it could be that it is not the final drawings. He stated that in the rendering it shows there being a sidewalk.

Mr. Schmade stated that they will be working with the conditions and with the existing right of way.

Board Member Bravo would appreciate a more final drawing set. He asked regarding the equipment and location.

Vice Chair Baumel asked if the air conditioning unit will be centered.

Chair Frankel asked regarding the location of the stairways.

Mr. Schmade addressed the comments made regarding the stairways and its location.

Board Member Bravo asked regarding the size of the garage and laundry room.

Further discussion took place among staff and Board Members regarding the staff recommendations and providing a retention wall.

Mr. Penn asked if the front retention wall would have to come before the Board.

Town Attorney Recio stated yes it would have to come before the Board.

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

[9250 Bay Drive-Table 1.docx](#)

[9250 Bay Drive Agenda Packet.pdf](#)

5.E 9440 Byron Avenue - New Single Family Addition - Walter Keller, PE, AICP,
Town Consultant Planner

Staff Recommendation: It is recommended the application be approved conditionally subject to the following comments:

- Provide a recent survey and signed and sealed plans.
- Per Sec. 90-89, one native street tree/palm tree is required for every 20 linear feet of street frontage. It is recommended two street trees be planted along the property line or within the swale area at least 4 feet off the interior pavement edge, trees must meet the requirement of this section.
- Per Sec. 90-97, any trees relocated/removed require a tree removal permit.

Town Planner Keller introduced the application along with his recommendations and stated that they did not provide a sealed and signed survey.

Chair Frankel opened public comment.

There were no public speakers.

Chair Frankel closed public comment.

Board Member Bravo stated it is straight forward but would like a survey.

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

[9440 Byron Avenue - Table 1.docx](#)

[9440 Byron Avenue Agenda Packet.pdf](#)

5.F 9530 Harding Avenue - Sign and Façade - Walter Keller, PE, AICP, Town Consultant Planner

Staff Recommendation: It is recommended the site plan be Approved subject to the following conditions:

- Signs shall be off-set from the wall a minimum of one quarter inch to a maximum of two inches to permit rain water to flow down the wall face. This is not applicable to push-through or raceway mounted lettering, see Sec. 90-73.
- Illumination to be provided by white LEDs.

Town Planner Keller introduced the application along with his recommendations.

Chair Frankel opened public comment.

There were no public speakers.

Chair Frankel closed public comment.

Chair Frankel agrees with staff recommendations.

Board Member Bravo asked regarding the separation of the wall and the sign.

Town Planner Keller stated that since they are on the raceway they are not required.

Alternate Board Member Rais spoke regarding the centering of the sign on the building and if it is better to be centered on the façade.

Board Member Forbes stated that the holes will be visible.

Town Planner Keller stated the way it is currently located will get more attention.

Vice Chair Baumel stated that they are putting it in the same place the existing sign was on.

Chair Frankel stated that this is what they asked for and they can make a suggestion

but they cannot require it. It is being placed on the current location.

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

9530 Harding Ave-Table 1.docx

9530 Harding Avenue Agenda Packet.pdf

6. Next Meeting Date

6.A September 29, 2022 at 6:00 p.m. - Evelyn Herbello, Deputy Town Clerk

Consensus was reached to hold the next meeting on September 29, 2022 at 6:00 p.m.

7. Discussion Items

7.A Future Agenda Items - Evelyn Herbello, Deputy Town Clerk

Vice Chair Baumel suggested making a two tier option for those that have driveways to add 2 or 4 feet in width in order for them to have two cars fit in a space in the driveway. She would prefer it to be 22 feet.

Town Planner Keller stated that the 18 feet he suggested will allow two cars.

8. Adjournment

A motion was made by Board Member Forbes to adjourn the meeting without objection at 9:18 p.m. The motion received a second from Board Member Edderai. The motion carried with a 5-0 vote.

Respectfully submitted,

Accepted this 29 day of September, 2022.


for Carolyn Baumel, Chair

Attest:


Sandra N. McCreedy, MMC
Town Clerk