



**Town of Surfside
Zoning Code Workshop
MINUTES
April 20, 2021
6 p.m.**

1. Opening

A. Call to Order

Mayor Burkett called the meeting to order at 6:00 p.m.

B. Roll Call of Members

Town Clerk McCready called the roll with the following members present:

Present: Mayor Charles Burkett, Vice Mayor Tina Paul, Commissioner Charles Kesl, Commissioner Eliana Salzhauer and Commissioner Nelly Velasquez.

Also present were Town Manager Andrew Hyatt, Town Attorney Lillian Arango, Town Attorney Tony Recio, Town Planner Walter Keller, and Building Official James McGuinness.

2. Community Digital Sign

Town Manager Hyatt gave an introduction of the item and had Communication Director Dauginikas introduce the item.

Commissioner Velasquez asked regarding the signs and concerns that Commissioner Kesl brought up.

Commissioner Kesl spoke regarding the sign and its specifics.

Vice Mayor Paul spoke regarding the sign, the location and not proceeding with the community center one.

Mayor Burkett shared his screen and spoke regarding the old surf club and how it could work. He spoke regarding the landscaping and hiring someone that has design experience that can give some options.

Commissioner Salzhauer agreed with what Mayor Burkett stated and believes it is important to communicate with the residents. She stated that there are too many

electronics in everyone lives. She believes that the way to get important information out to the public is through email blasts and believes that they do not need the signs.

Commissioner Velasquez did not believe this would become a major project. She stated that it looks beautiful and spoke regarding different signs of different activities.

Commissioner Kesl agrees with all that Commissioner Velasquez stated.

Vice Mayor Paul spoke regarding the design of the signs and the banners.

Further discussion took place regarding the sign and its placement.

Commissioner Salzhauer spoke regarding the design of the sign.

The following individuals from the public spoke:

George Kousoulas

Joshua Epstein

Mayor Burkett stated that he would not be able to currently vote on this item and believes that they need to bring in someone that can bring a design that can be something permanent. He stated that his job is to make correct long-term decisions. He stated that the design needs to improve even if it delays the project. He stated that he wants to see things in Town that are really amazing.

Commissioner Velasquez stated that she does not want to spend money on an architect and spoke regarding going beyond what this project is about.

Mayor Burkett stated that the funds are coming out of the Tourist Fund.

Commissioner Kesl stated that he does agree with the Mayor and does not understand why it has not been bid out. He spoke regarding it going out for bid.

Commissioner Salzhauer spoke regarding making sure that any product received is able to be programed and not be stuck with one source and all signs should be the same.

Mayor Burkett spoke regarding the sign structure and asked if it gets wiped out during a hurricane if we have insurance to cover the damages.

Town Manager Hyatt stated that they do have insurance and the sign will be protected and covered.

Mayor Burkett asked if they want to go to a single source bidder or go out to bid.

Discussion took place regarding the bidding process and having the Town Manager get some pricing.

Commissioner Salzhauer stated that the Town Manager should get some pricing.

Mayor Burkett stated that the Town Manager has instructions and will bring it back to the Commission to make an informed decision.

Mayor Burkett stated that they can talk on each item or speak on each Commissioner's issues.

3. Working List of Open Issues for Discussion

4. Proposals from Individual Commissioners

Mayor Burkett stated what needs to be discussed and the comments made by the different Commissioners.

Discussion took place among the Commission on the process of the items, the zoning in progress and how it is working and what needs to be changed, including regulations for corner lots.

Vice Mayor Paul stated that that Mr. Keller should be responding to the items on those lists.

Town Planner Keller addressed the comments made by the Town Commission as it pertains to corner lots.

The following individuals from the public spoke:

George Kousoulas

Jeff Rose

Joshua Epstein

Horace Henderson

Mayor Burkett spoke regarding residents that purchased corner houses and to come up with a way for them to be able to do the most with their property as others do.

Town Planner Keller spoke regarding the specifics of the curb and the private property and easements.

Commissioner Salzhauer spoke regarding easements and the right-of-way.

Commissioner Velasquez stated that the Planning and Zoning Board needs clarity and direction as to what they are looking for in reviewing fences and gates.

Further discussion took place regarding the corner lots and proposed language.

Mayor Burkett wants to know if the Commission is supportive of the concept.

Vice Mayor Paul spoke regarding the hedges and styles of the homes and that privacy becomes an issue.

Mayor Burkett stated that it is an important concept and spoke regarding not making it so expensive to live there. He spoke regarding the hedges.

Mayor Burkett asked if anyone objects to having pools on corner lots given the proper allowances as it pertains to setbacks.

Commissioner Kesl stated that he is not in agreement with the corner pool lots.

Commissioner Salzhauer stated that they are allowed to have a pool on corner lots, but that they have to provide sufficient setback to protect for the undergrounding.

Mayor Burkett stated that he understands that she is against it.

Commissioner Salzhauer disconnected from the meeting at 7:31 p.m.

Vice Mayor Paul stated that the Planning and Zoning Board is looking for direction.

Discussion took place regarding mechanical equipment on the rooftop.

Vice Mayor Paul stated that some condominiums have been placing them on the roof. She believes that there should be standards placed that one cannot see it from the road.

The following individuals from the public spoke

George Kousoulas

Jeff Rose

Joshua Epstein

Horace Henderson

Mayor Burkett addressed the comments made by the public speakers and stated that Town Attorney Recio has done a great job. He asked if there are any objection with going with this provision.

Town Planner Keller spoke regarding the mechanical equipment on the roof.

Commissioner Salzhauer reconnected at 7:45 p.m.

Commissioner Kesl stated that there is a time and place to practice patience and the opinions are valid but easier to understand them.

Commissioner Velasquez stated that we need to allow Town Planner Keller to speak.

Town Planner Keller spoke regarding access to the roof and with new homes there should be access to the roof.

Commissioner Salzhauer spoke regarding noise pollution and the mechanical equipment on the roof.

Commissioner Salzhauer disconnected at 7:54 p.m.

Commissioner Kesl spoke regarding the maximum height and how to buffer the noise of air conditioning units if they are allowed on rooftops.

Vice Mayor Paul stated that the noise element exists regardless if they are on the roof or on the ground and how much extra feet you have to add to place the unit on the roof and she would need more information.

The following individuals spoke on the item:

Joshua Epstein.
George Kousoulas
Horace Henderson
Alicia Boymelgrene
Jeff Rose

Mayor Burkett addressed the comments made by the public speakers regarding the style of roof and placing the equipment on the roof.

Commissioner Velasquez spoke regarding the noise portion on the roof equipment.

Commissioner Salzhauer reconnected at 8:11 p.m.

Commissioner Kesl stated that the root of this problem is the issue with all the air conditioning units is visual impact and noise and believes this language should be in a different section and not where it discusses the height limit issue.

Mayor Burkett asked Commissioner Kesl if he is fine as it pertains to the other issues if they could get the language right.

Commissioner Kesl stated yes.

Commissioner Salzhauer stated that she objects to having air conditioners on the roof and believes it would create a noise issue as well as hard to enforce.

Vice Mayor Paul stated that she does not object but something that is important is not having visibility of the equipment.

Mayor Burkett stated that is something important to have as part of the language.

Vice Mayor Paul spoke regarding accessibility and the location of the stairs. She also spoke regarding the noise level of the equipment and the height level, which is something that has to be addressed. She is fine with the concept.

Mayor Burkett stated that is something to have as part of the language.

Mayor Burkett shared a picture on the screen, which is mechanical systems on a pitched roof and how it looks.

Commissioner Salzhauer stated that the equipment requires air flow.

Commissioner Kesl asked why the screening issue is on this section.

Town Attorney Recio responded regarding the screening and other things that break the height.

Commissioner Kesl asked if in the current code, they do not have to screen it.

Town Attorney Recio addressed the comments made by Commissioner Kesl and what is in the current code.

Commissioner Kesl asked regarding noise and visual pollution.

Town Attorney Recio responded to Commissioner Kesl comments regarding the noise and visual pollution.

Further discussion took place among the Commission and Town Attorney Recio regarding the screening of units as well as noise and visual pollution.

Mayor Burkett spoke regarding air conditioning units on the roof instead of the side of the homes.

Commissioner Kesl stated he likes the aesthetics and decibel level because it can be applied not only to equipment but noise issues.

Consensus was reached to allow mechanical equipment on the rooftop.

Commissioner Salzhauer stated that air conditioning units run at different levels depending on the time of year and that is what the decibel level should be considered.

Commissioner Kesi will propose a process solution that will help him and Commissioner Salzhauer. He stated that if the Town staff on the building and planning side as well as with the Town Planner, if they join in releasing the memo up front that way they can have their input prior to the meeting.

Mayor Burkett commented on having consensus with Commissioner Salzhauer in objection. He stated that what they have in this package is proposed language. He stated that right now they are trying to come with a concept. He spoke that conceptually he believes it is better to place the equipment on the roof, out of view and out of hearing.

Mayor Burkett spoke regarding the next item under Commissioner Velasquez items, requiring increased setbacks from bay for waterfront homes on point lake where the setback is 25 feet. He asked Commissioner Velasquez to introduce the item.

Commissioner Velasquez stated that this was a concern a resident had and brought it to her attention. She stated that this would avoid the large ugly homes on 94th Street that have been built. The suggestion was 80 feet because these lots are also much bigger than all the other lots in Town that are waterfront.

Town Attorney Recio stated that not all of the lots are at 200 feet and some go down to 180 and 175 feet.

Commissioner Velasquez stated that this is something that she brought up and does not believe it should be less than 50 feet.

Commissioner Kesi stated that he likes this concept and stated if you see the neighbors in Miami Beach from the water you will see that they are crowded. He spoke regarding the waterways and kayak launch.

Vice Mayor Paul asked as to why the setback would be different for Point Lake and Bay Drive. She suggested doing it like a percentage since some of the lots are not the same size. That will determine the proper green space setback.

Commissioner Salzhauer stated that 50 feet should be the minimum and that was the way it was always intended to be. She believes the airflow between the neighbors would be better. She also suggested having uniform on the water. She would be open but definitely 50 feet.

The following individuals from the public spoke:

George Kousoulas
Jeff Rose
Joshua Epstein
Marcia Thurber
Horace Henderson

Mayor Burkett addressed the comments made by the speakers and that they are there to solve problems and issues. He stated that he likes the Vice Mayor Paul's idea and believes there should be a minimum and a percentage. He asked if the Commission wants a meaningful setback on Bay Drive or have the homes built up to the seawall. He spoke regarding the difference between Bay Drive and Point Lake.

Commissioner Kesl stated that he supports this but it has to be doable and realistic.

Town Planner Keller spoke regarding recommendations and has worked with houses on Bay Drive and some are 200- and 300-foot depth. He stated that he believes if you go with a percentage you will be penalizing those that have a bigger lot. He stated that the setback on Bay Drive is substantial and workable. He stated that the setback on Point Lake is also reasonable and workable given the depths of those lots.

Commissioner Salzhauer stated that she agrees with Town Planner Keller and her understanding was that it was always to be 50 feet. She will support 50 feet on Bay Drive and 25 feet on Point Lake.

Commissioner Velasquez spoke regarding the setbacks and protecting the environment and does not like percentages because they are not clear. She prefers a set number.

Town Attorney Recio explained the handout that was given to the Commissioners.

Mayor Burkett spoke regarding the interpretation and the intention is to arrive to a number that everyone is comfortable with.

Commissioner Kesl asked if there is a list for each Commissioner.

Mayor Burkett stated it is on page 11 in his packet and each Commissioner has their own list.

Vice Mayor Paul wanted to defer to Town Planner Keller and is comfortable with what he stated and agrees with his recommendation.

Mayor Burkett stated he also agrees with Town Planner Keller's recommendations.

Commissioner Velasquez asked what the front setback would be for those lots.

Mayor Burkett asked Town Attorney Recio if it is applicable.

Town Attorney Recio stated what is in the current draft code.

The following members of the public spoke:

Jeff Rose

George Kousoulas

Mayor Burkett spoke regarding comments made by Mr. Kousoulas. He stated that Mr. Kousoulas will be an intricate part in assisting in the zoning code rewrite.

Mayor Burkett asked if there was an objection in leaving the 50-foot setback for homes on Bay Drive and 25-foot setback on Point Lake and trying to get some language that conceptually addresses that.

There were no objections.

Commissioner Salzhauer commented that when the houses were built in the 20s and 40s were much smaller and nobody envisioned the size of homes that are being built right now.

Vice Mayor Paul stated that her concern is if there are any houses that would need a variance.

Town Attorney Recio stated that if it is an existing home they will not need a variance. If they want to add things to it to extend the nonconformance then they will need a variance.

Mayor Burkett asked what good would the option be of seeking a variance be if the intention was to make sure that houses did not get closer than 50 or 25 feet.

Town Attorney Recio stated that it would have to be some type of hardship scenario and gave examples.

Mayor Burkett asked if there is language in the code currently that would address that.

Town Attorney Recio stated that it would be through the variance process currently in the code.

Mayor Burkett spoke regarding the process of having 5 commissioners agreeing, that sets a high bar.

Town Attorney Recio stated yes.

Commissioner Velasquez stated that these lots have a percentage of how big they can build on these lots. She stated that if that number has to stay within 50 feet from the water's edge, then whoever is building a new house they bought the lot knowing the requirements.

Mayor Burkett asked Commissioner Kesi to introduce his item regarding expanding required notice for zoning applications to include a summary of what the application is seeking and a reference to a website with more information.

Commissioner Kesi spoke regarding the item and asked Town Attorney Recio to provide the page number.

Town Attorney Recio stated that it appears on pages 37 and 38 of 199 and appears again on page 55 and 56 of the packet, 41 and 42 of 199.

Commissioner Kesi stated that this is related to requests for variance. There is signage placed on the property letting everyone know that the property is requesting a variance. He spoke regarding the language on the notice placed on the property which gives residents more information of what the neighbors are requesting.

Mayor Burkett stated that it is a good idea.

Consensus was reached to leave that in the zoning code.

Commissioner Kesi thanked Vice Mayor Paul for her comments on variance.

Commissioner Kesi introduced the next item, prohibit or further limit rooftop mechanical which was already addressed. He spoke regarding sustainability and height discussion.

Commissioner Kesi introduced the modifications to landscape code and Florida friendly and said it is a trademark term. He stated it is the right plant in the right place. He stated that Florida friendly pertains to native and non-native species. He spoke regarding different options and does not include the invasive and problematic species. He suggested to not have it in the code and just refer them to the trademark from the University of Florida and nobody at the Town has to keep track.

Vice Mayor Paul stated that she supports this and believes that there should be more Florida friendly landscape. She does believe that the Town needs to keep track and have some kind of handle on it.

Commissioner Velasquez agrees that more green would beautify the Town. She stated that what she would like to see is this list included in the code because she does not think people shouldn't have to go searching for the list.

Commissioner Salzhauer believes it is a great idea and does believe they need to defer to experts like the University of Florida. She agrees with Commissioner Kesi and possibly having a link on the website that would send the individual to the University of Florida.

Town Planner Keller recommends to keep the plants out of the code itself and have a weblink as suggested because the plants do change and frequently.

Commissioner Velasquez asked if someone puts up a certain tree and then the list changes.

Town Planner Keller stated that they do not need to remove the tree, it is something that changes and makes the code out of date. It is better to reference a link somewhere instead of having a large list in the code.

The following individual from the public spoke:
George Kousoulas

Commissioner Kesl replied to the comments made by Vice Mayor Paul and Mr. Kousoulas. He also addressed Commissioner Velasquez' concern regarding the invasive and exotics. He spoke regarding promotion of sustainability by not needing to use the sprinkler systems constantly.

Commissioner Velasquez asked what happens with the trees that already exist, will they get grandfathered in.

Commissioner Kesl stated that is an issue already because the Town has removed invasive species from the dunes.

Commissioner Salzhauer stated that everything is grandfathered in. The changes to the code are moving forward.

There was no objection to this item.

Commissioner Kesl introduced the next item, which speaks about expanding or redirecting potential uses of existing parking trust fund to address traffic congestion, gridlock, and mobility with the current uses of the money set forth in 90-231. He stated that the language currently there shows the parking funds being directed towards parking garages and immediate solutions instead of long-term sustainability solutions.

The following members of the public spoke:
George Kousoulas

Mayor Burkett stated this is a significant issue. He stated that they had developers in Town that did not build spaces and does not agree with allowing that to continue to occur.

Town Attorney Recio clarified that the draft code eliminates the ability to pay into the parking fund, but there are certain monies that are already sitting in the fund and some that are still owing to be paid to the fund over a period of time. He stated that this

provision on page 152 and 153, this is taken from the current code to direct to do with the money. He stated that the question being raised here is repurposing of the money to address more options related to parking.

Commissioner Velasquez agrees that this cannot happen. She commented on not allowing the developers building without providing parking and not parking structures that will make the Town look bad.

Commissioner Salzhauer agrees with Mayor Burkett and they need to undo this parking fund. She spoke regarding not having their hand's tied and not building parking garages.

Mayor Burkett stated that he agrees and should make it part of the charter so other commissioners cannot change it.

Commissioner Salzhauer stated that they can make the changes without making part of the charter.

Mayor Burkett addressed the comments made by Commissioner Salzhauer. He stated that the fundamental underlying condition is if you build a project you need to supply proper parking. He spoke regarding the issues that were created by previous commission and that cannot occur again.

Commissioner Velasquez agrees and believes it is very important to fix it now and set in stone in order for it not to happen again.

Vice Mayor Paul stated that when she served on the previous commission, they never voted on this subject and at one point she did state to give the money back. She agrees that they should not allow development if they cannot provide parking. She also stated that she understood that this had to do with businesses providing adequate parking and that was why they were paying into this trust. She stated that they do have to figure out what to do with the funding when you have projects that still have to pay into that fund.

Mayor Burkett applauded Vice Mayor Paul and that nobody should get away with it when they did not provide parking and now they have to pay.

Vice Mayor Paul stated that what they need to figure out is what to do with the funds because she does not believe they should do away with the fund, but they can stop it from growing further.

Further discussion took place among the Commission regarding what to do with the funds in that parking fund.

Commissioner Kesl spoke regarding language for this item and to open up the idea to use the funds with matching funds from FDOT to relieve congestion in the Town, including mobility and short-distance transit.

Mayor Burkett summarized the item and all agree that there should be no projects in Town that are allowed to forgo parking by paying a fee. He also stated that the fees that have been paid and will be paid in the future should be redirected to potentially more productive uses related to parking. He stated that the first one could be mostly addressed of tonight but the second one needs to be fleshed out a bit more to determine what they can do.

Commissioner Salzhauer asked if monies collected under the parking fund can only be used for future parking construction and would like to loosen those restrictions. She stated that they would be able to use it for other things and not only for parking. She stated that if that is the case she would prefer to give the money back.

Commissioner Velasquez asked if the money could only be used for a parking garage or can they as a Commission use it for something else.

Town Attorney Recio stated that there are other uses for that money currently allowed. He stated that they could flesh out those uses. He stated that the uses in the code already speak of transportation planning and operations including right of way improvements and transportation improvements.

Mayor Burkett asked if modifying this would require an ordinance for the use of the funds for the parking fund.

Town Attorney Recio stated that it is an ordinance to modify the zoning code and this is part of the zoning code.

The following individuals from the public spoke:

Horace Henderson
George Kousoulas
Jeff Rose
Joshua Epstein

Mayor Burkett stated that he does not believe there are any objections with placing these two items in the proposed code.

Commissioner Kesl introduced the next item which is to reconsider tying the hands of our commission and future commissions from considering the residential district from historic preservation status.

Commissioner Velasquez asked that what Commissioner Kesl is saying is not to make it historic preservation.

Commissioner Kesl stated that is the contrary and asked Town Attorney Recio to give a summary.

Town Attorney Recio gave a summary and stated that the direction from the last workshop was to only apply this to the buildings on Collins Avenue and commercial buildings on Harding Avenue.

Commissioner Kesl spoke regarding a meeting he and Mayor Burkett attended with residents and he spoke regarding consideration of eliminating the option for the residential neighborhood from being considered for historic protection and preservation by restricting it only for the commercial district.

Commissioner Velasquez stated that what Commissioner Kesl wants to expand it to the rest of the Town. She stated that she does not agree with that and it boils down to the design review board and determining what style home you want. She does not agree with prohibiting people from expanding their home because their home was built before a certain year. She can understand some architectural features some buildings might have, like the Seaway and the Surf Club.

Vice Mayor Paul stated that she did not know this had to do with the architectural significance. She stated to explain the architectural significance it was written for the H120 district and suggested expanding it to other districts. She stated it is not supposed to be applied to the other districts as it is currently written. She spoke regarding the Historic Preservation Board doing a study of the historic homes of the Town at no cost and she presented it to the previous commission but it never passed.

Mayor Burkett clarified what the item is regarding.

Vice Mayor Paul stated that she would incentivize the people that have those homes but does not agree with the item as it is presented.

The following individuals from the public spoke:

Jeff Rose

Town Attorney Recio stated that what is being proposed is to add it to the architecturally significant buildings provision. This would state that certain buildings would have to meet the criteria to be eligible to be designated.

Further discussion took place among the Commission and Town Attorney regarding the historic designation of certain homes and the criteria.

The following individuals from the public spoke:

Joshua Epstein
George Kousoulas
Horace Henderson

Commissioner Kesl wrapped up his item and provided a summary.

Commissioner Velasquez stated that character in the Town should be given a specific design. She is not in agreement in restricting someone from improving their home or making their home bigger based on a historic argument.

Vice Mayor Paul stated that she did not see this proposal as being one that restricts a person from doing something at their house but keeping certain elements of the home. She also proposed an education on historic preservation.

Mayor Burkett spoke regarding possibly providing an incentive to the residents to preserve a portion of the home. He believes it needs to be tweaked a bit and work with the Town Attorney to come up with language in providing some type of incentive.

Commissioner Velasquez stated that it is the resident's choice to determine if they want it designated historic or not.

The following individuals from the public spoke:

Jeff Rose

Mayor Burkett read the provision of the trust fund as to what is allowed and what is not allowed which relates to the parking fund. He stated that they already addressed this issue.

Mayor Burkett read his item which is requiring increased setbacks from bay for homes on Bay Drive. He stated that they already addressed this issue.

Mayor Burkett read his item which is prohibiting lot splitting from currently established sizes. He is trying to prohibit parcel splitting and gave an explanation.

Commissioner Velasquez asked what the difference is between lot splitting and parcel splitting.

Mayor Burkett explained the difference to Commissioner Velasquez.

Discussion took place among the Commission regarding the difference between parcel splitting and lot splitting as it pertains to larger houses and larger parcels.

Town Attorney Recio stated that the minimum lot size on Bay Drive is 8,000 square feet and stated that there are several over the 8,000 square feet.

Commissioner Velasquez spoke regarding the minimum lot size on Bay Drive and how many families would be affected with this decision.

Mayor Burkett explained that the parcel splitting could involve more than one lot. He gave an example of a parcel consisting of three lots.

Vice Mayor Paul stated that the issue is not the splitting of the parcels, but the issue is the corner parcels. She does not see the difference when it comes to an interior lot.

Commissioner Kesl wanted to know what Town Planner Keller thinks about this.

Town Planner Keller stated that he does not have an exact tally but does not believe this is a big factor and understands what the Mayor is saying.

Commissioner Velasquez spoke regarding 9048 Bay Drive and stated they have lots 6 and 7 of block 21 and wanted to know what the Mayor is exactly saying. She stated that these lots are already split.

Mayor Burkett showed a picture of a house that depicts a parcel with two lots. He spoke regarding splitting the parcels as well as making sure they preserve the character of the Town.

Further discussion took place regarding what splitting parcels and lots entails.

Commissioner Salzhauer stated that she would like to preserve the character of the Town but is not comfortable with restricting the rights of homeowners and spoke regarding the issue encountered with the current zoning code, which allows these types of homes to be built.

Mayor Burkett stated that he is not saying that 50 foot lots are bad, he is stating that if it is the desire of this Commission to end up with only 50-foot houses on 50-foot lots.

Commissioner Salzhauer stated that it is not up to them and stated that the owners might want to build a home next door for their grandchildren.

Commissioner Velasquez stated that is what the setback is for and the house on the picture has no setbacks.

Mayor Burkett stated that the subject is strictly parcel size.

Commissioner Kesl appreciates where the Mayor Burkett is going with that and believes this is a method to consider to protect the Town character. He spoke regarding possibly having an incentive program to maintain the integrity of the property and not maximize the cubic footage of the property.

The following individuals from the public spoke:

Joshua Epstein

Jeff Rose

Horace Henderson

George Kousoulas

Mayor Burkett addressed the comments by the public and stated this is a preservation issue and understands people have certain rights with their property but they are put in charge of caring for the neighborhood as a whole.

Mayor Burkett addressed the comment made by Mr. Henderson and asked if there was a number of people that you can put in the Town until you break it. He asked whether they need more houses or better and higher quality houses.

Vice Mayor Paul spoke regarding the number of people and the number of houses. She spoke regarding the Eden project. She stated she is not in favor of parcel splitting. She is in favor of potential splits for interior homes but not for corner homes.

Commissioner Salzhauer stated she would like to protect and preserve Surfside and is not in agreement of overdevelopment but believes that the people that live in the 50 foot lots are quality people. She stated that she would rather have three nice normal family then some wealthy billionaire that would build a huge mansion.

Commissioner Velasquez spoke regarding her review of the property appraisal's website of Bay Drive by Irving Avenue. She spoke regarding double lots all the way to 96th Street Park, which are 6 lots. She stated that the only one that has 3 lots is on Biscaya. She cannot understand doing this for only 6 homes.

Mayor Burkett stated that where they do have large parcels it would be nice to keep the diversity.

Commissioner Velasquez stated that the issue here is the design.

Commissioner Kesl stated for the sake of time to move forward and possibly incentivize people to not split parcels instead of putting it in the code.

Mayor Burkett stated that he sees there is not an excitement to address this. He also stated that he does see it is only a handful of homes.

Commissioner Velasquez stated that it should be a choice to the residents and agrees giving an incentive to the people.

Mayor Burkett introduced the next item for oceanfront lots on Collins (H120), introduce average setback concept to provide for narrower buildings with more variable

architecture. He said this is an effort to bring buildings to Surfside that conform to our height and density limitation and incentivize for creative designs. He would like to propose bringing back some language to have the architect to stay within the footprint they are supposed to stay within but come back with buildings that are exciting and interesting instead of buildings that look like boxes and wedding cakes.

Commissioner Velasquez stated that she agrees with that but also incentivize them to bring more greenery and trees.

Mayor Burkett stated that they have a chance now with the few remaining parcels they have to do something really cool.

Vice Mayor Paul stated that she does not believe they need to incentivize them to come build, because it is already happening. She does agree with Commissioner Velasquez to incentivize them to make more greenspace. She spoke regarding getting something in return when you give them an incentive.

Mayor Burkett stated that no one recommended incentivizing developers to come to Surfside to build. He restated the principle which is demanding the developers that come to build here to create magnificent buildings.

Commissioner Kesl spoke regarding that what is being proposed is to incentivize good and interesting design.

Commissioner Salzhauer agrees with Commissioner Kesl and everyone has different taste. She stated that they have the ability to reject and not approve projects that they do not want in the Town.

Commissioner Velasquez stated that the problem here is that they are scared of going out there and making a character for their Town.

The following individuals from the public spoke:

Jeff Rose
George Kousoulas
Joshua Epstein
Horace Henderson

Mayor Burkett addressed the comments made by the public and spoke regarding height limitations.

Vice Mayor Paul spoke regarding the limited space of the parcels left and the wedding cake design. She stated that her concern is that you do not want to displace people. She stated that the architectural significance was placed in there to address the issue of the style of development to not have the wedding cake but believes it should be refined because there are some issues that are not clear.

Commissioner Kesl stated he likes the idea of incentivizing things that can be measured including greenspaces. He spoke regarding sustainability issues as well.

Commissioner Salzhauer stated that there should be diversity in the buildings. She would hate to see this Town as the playground of the wealthy. She stated that you do not want overdevelopment but at the same time you do not want a building with 20 units that are million-dollar units.

Mayor Burkett commented on the wedding cake design like the Arte and it would not have been allowed to be built with the 2006 code. The original sin was to allow a building that large to be built in such a small lot. He summarized the item and do they want to design the code so they can get more interesting building design.

Commissioner Velasquez agrees that there should be diversity. She spoke regarding the design and having design guidelines.

Commissioner Kesl stated they need to look at how it can be done. He stated that the problem of the wedding cake for him is the size and overbearing footprint and setback.

Mayor Burkett stated they are addressing the setback and the group in charge before allowed the buildings to be built without parking on their site. He stated that this is about reforming this and building a building that accommodates their lot size and provides parking.

The following individuals from the public spoke:

Jeff Rose
George Kousoulas

Vice Mayor Paul addressed comments made by the public speakers and the lot size of the Arte and the issues that building has as well. She also stated that many do not like the wedding cake and the architectural significance was put in place due to that project. She also spoke regarding not displacing people.

Commissioner Kesl wanted to know what pages are referenced in his proposal.

Mayor Burkett stated that there is no language yet, this just a proposal.

Town Attorney Recio provided the sections that are being discussed.

Commissioner Kesl asked why would the setbacks encourage more diverse construction and design.

Town Attorney Recio spoke regarding the section he sent Commissioner Kesl to look at and explained the section.

Further discussion took place among Commissioner Kesl and Town Attorney Recio regarding the section of the code and the concept being discussed.

Commissioner Kesl stated it is a worthy goal as long as it addresses the diversity goal and getting rid of the daylight plane.

Mayor Burkett stated this is just a concept in order to help get some diversity of the architecture of the buildings on the ocean. He stated that there is no language yet, but if the Commission would like to see something like that, he will bring some language at the next meeting for their review.

Commissioner Salzhauer stated that she does not understand how bringing in the footprint automatically leads to architectural variation because it will only lead to rectangles and squares. She would like Mayor Burkett to come back with some language.

Town Attorney Recio gave the page numbers being discussed for this item.

Commissioner Salzhauer stated that it would be helpful to have corresponding page numbers to the proposals.

Mayor Burkett stated that there are corresponding pages when there is a proposal. He stated this is not a proposal that goes to removing the wedding cake.

Mayor Burkett asked if anyone objects to moving forward with the concept of bringing back some design guidelines to diversify the buildings and eliminate the wedding cake.

There were no objections.

There was consensus to adjourn the meeting.

Town Clerk McCready stated that this meeting will continue on April 27, 2021 wherever they left off tonight.

5. Public Comment

6. Question & Answer (based on public comment)

7. Adjournment

The workshop adjourned at 11:15 p.m.

Accepted this 14th day of September, 2021.



Charles W. Burkett, Mayor

Attest:



Sandra N. McCready, MMC
Town Clerk