

RESOLUTION NO. 14 - 2268

**A RESOLUTION OF THE TOWN OF SURFSIDE, FLORIDA STRONGLY REQUESTING THE MIAMI-DADE COUNTY HISTORIC PRESERVATION BOARD (“BOARD”) TO CEASE THE DESIGNATION OF 9340 COLLINS AVENUE AND ANY PROPERTIES BETWEEN 93<sup>RD</sup> AND 94<sup>TH</sup> STREET BETWEEN COLLINS AND HARDING AVENUES SURFSIDE, FLORIDA AS HISTORIC PROPERTIES; TO PROVIDE THE TOWN WITH THE OPTION TO WORK IN PARTNERSHIP WITH THE PROPERTY OWNERS ON A PUBLIC PRIVATE PARTNERSHIP; TO ALLOW THE TOWN TIME TO ANALYZE PREPARATION OF ZONING CRITERIA; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, since 1981, the Town has undergone extensive preparation, review and revisions of its Comprehensive Plan and its land development regulations, and the Town’s vision and goals for future development has significantly changed; and

**WHEREAS**, designation of properties as historic is an ongoing process and new designation of properties as historic without the owner's consent has the potential to adversely affect, among other things, the goals and objectives of the Town’s comprehensive planning efforts and its fiscal operations; and

**WHEREAS**, the Miami-Dade County Historic Preservation Board (“Board”) has currently identified 9340 Collins Avenue as eligible for historic preservation; and

**WHEREAS**, the Board notified the property owner of 9340 Collins Avenue that their property is subject to a moratorium on all building permits; and

**WHEREAS**, the property owner of 9340 Collins Avenue contacted the Town to ask for assistance in this matter after the property owner received a letter from the Board; and

**WHEREAS**, the Board failed to notify Miami-Dade County Commissioner for District 4 of its intention about historic preservation efforts to designate certain properties in the Town of Surfside (See Attachment “A” Memorandum Board of County Commissioners, Commissioner Sally A. Heyman dated September 11, 2014); and

**WHEREAS**, the Town has engaged in a decade long discussion of parking needs and undertook a parking analysis for a public-private partnership to provide the Town with much needed parking opportunities; and

**WHEREAS**, due to the high interest for redevelopment of any properties between 93<sup>rd</sup> and 94<sup>th</sup> Street and between Collins and Harding Avenues, the Town desires to provide flexibility for this area as the Town decides what is the future of redevelopment; and

**WHEREAS**, it is in the best interest of the Town to strongly request the Miami-Dade County Historic Preservation Board to cease the designation of 9340 Collins Avenue and any properties between 93<sup>rd</sup> and 94<sup>th</sup> Street between Collins and Harding Avenues, Surfside, Florida as historic properties in the Town of Surfside.

**NOW THEREFORE, BE IT RESOLVED BY THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, AS FOLLOWS:**

**Section 1. Recitals Adopted.** That each of the above stated recitals are hereby adopted, confirmed, and incorporated herein.

**Section 2. Request by Town of Surfside Commission.** The Town strongly requests the Miami-Dade County Historic Preservation Board to cease the historical designation process for 9340 Collins Avenue and any properties between 93<sup>rd</sup> and 94<sup>th</sup> Street between Collins and Harding Avenues, Surfside, Florida as historic properties in the Town of Surfside.

**Section 3. Implementation.** The Town Manager is hereby authorized to take any and all action necessary to implement this Resolution.

**Section 4. Direction to Town Clerk.** The Town Clerk is hereby directed to transmit a copy of this Resolution to: the Board of County Commissioners of Miami-Dade County, the Miami-Dade County Historic Preservation Board, the Miami-Dade County League of Cities, Inc. and municipalities in Miami-Dade County.

**Section 5. Effective Date.** This Resolution shall become effective immediately upon its adoption.

PASSED AND ADOPTED this 14<sup>th</sup> day of October, 2014.

Motion by Vice Mayor Torgeman,

Second by Commissioner Obdyk.

**FINAL VOTE ON ADOPTION:**

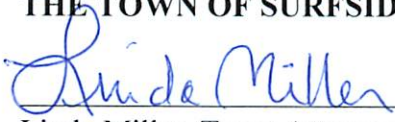
Commissioner Barry Cohen  
Commissioner Michael Karukin  
Commissioner Marta Olchyk  
Vice Mayor Eli Tourgeman  
Mayor Daniel Dietch

yes  
yes  
yes  
yes  
NO

  
\_\_\_\_\_  
Daniel Dietch, Mayor

**ATTEST:**  
  
\_\_\_\_\_  
Sandra Novoa, CMC, Town Clerk

**APPROVED AS TO FORM AND  
LEGAL SUFFICIENCY FOR  
THE TOWN OF SURFSIDE ONLY:**

  
\_\_\_\_\_  
Linda Miller, Town Attorney



MEMORANDUM  
 BOARD OF COUNTY COMMISSIONERS  
 COMMISSIONER SALLY A. HEYMAN  
 DISTRICT 4

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TO:	The Honorable Carlos Gimenez Mayor	Date:	September 11, 2014
FROM:	Sally A. Heyman Commissioner District 4	SUBJECT:	Historic Preservation Issues

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As a follow-up to earlier conversations, I write to express concerns about the way in which the Office of Historic Preservation has handled certain matters affecting my District. Recently, there has been much concern and confusion among residents and municipal elected and administrative leaders in my District about historic preservation efforts, particularly in Surfside and Bay Harbor Islands. Despite the importance of this issue to my District and the confusion and concerns of the people I represent, the Office of Historic Preservation failed to notify me of its initiation of activities related to historic properties in my District. Additionally, communications that have been received were incomplete and were selective in information provided.

To ensure that the lack of communication does not arise in the future, I am asking that I be notified any time the Office of Historic Preservation is initiating a review of an area in my District. To that end, I've asked the County Attorney's Office to prepare a resolution directing the Mayor or designee to inform the relevant County Commissioner of the fact that property within his or her District is being considered for any historic designation process, or of the fact that an area in the District is being planned for any historic preservation purposes.

In addition, I am asking that the Mayor's Office direct the Office of Historic Preservation to request that the County's Historic Preservation Board defer any items currently on the Board's agenda involving property in my District for a period of 90 days to allow for complete and inclusive participation among residents and public officials. I am also asking that the Office of Historic Preservation be directed to defer any items it is considering placing on the Historic Preservation Board's agenda involving property in my District for six (6) months to allow for the same public participation and inclusion.

Finally, because I think it is important for municipalities to have a greater opportunity and authority to exercise control over matters of historic preservation within their respective jurisdictions, I have directed the County Attorney's Office to revise the County's Historic Preservation Ordinance to permit municipalities the option to opt out of the County's historic preservation regime beyond the one-year period given in 1982, as provided for in Chapter 16A-3.1 of the County Code.

I appreciate your prompt attention to this matter, and look forward to your responsive action.

C: Jack Osterholt, Deputy Mayor  
 Robert Yaffe, Mayor, Town of Bay Harbor Islands  
 Ron Wasson, Manager, Town of Bay Harbor Islands  
 Daniel Dietch, Mayor, Town of Surfside  
 Michael Crotty, Manager, Town of Surfside