



**TOWN OF SURFSIDE
PLANNING AND ZONING BOARD
AND
DESIGN REVIEW BOARD MEETING**

Town Hall Commission Chambers
9293 Harding Ave., 2nd Floor
Surfside, Florida 33154

**DECEMBER 3, 2014
7:00 PM**

AGENDA

DESIGN REVIEW BOARD

1. CALL TO ORDER

2. ROLL CALL

3. APPROVAL OF MINUTES: **OCTOBER 30, 2014**

4. DESIGN REVIEW BOARD APPLICATIONS:

A. Request of the Owner of Property located at 8874 Carlyle Avenue
The applicant is requesting to build an aluminum rail fence.

B. Request of the Owner of Property located at 9441 Carlyle Avenue
The applicant is requesting a garage conversion to additional living space.

C. Request of the Owner of Property located at 9024 Harding Avenue
The applicant is requesting installation of a dark green vinyl carport canopy.

D. Request of the Owner of Property located at 9380 Collins Avenue
The applicant is requesting minor façade changes to the west elevation. The changes include increasing height of the windows, replacing the glass entry door with a wood entry door and moving the sign from the green wall to the wood cladded wall.

E. Request of the Owner of Property located at 9525 Harding Avenue
The tenant is requesting to install a new window sign for Citibank.

5. ADJOURNMENT.

PLANNING AND ZONING BOARD

AGENDA

DECEMBER 3, 2014

7:00 PM

1. CALL TO ORDER

2. ROLL CALL

3. APPROVAL OF MINUTES:

4. ORDINANCES:

A. 10% Wall Openings for Each Story-

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA AMENDING CHAPTER 90 "ZONING", AND SPECIFICALLY AMENDING SECTION 90-50 "ARCHITECTURE AND ROOF DECKS" TO MODIFY THE CODE TO REQUIRE A 10% WINDOWS PER FAÇADE OF A SINGLE FAMILY HOME PER STORY; PROVIDING FOR INCLUSION IN THE CODE; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE.

B. Single Family Color Palette-

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA AMENDING CHAPTER 90 "ZONING", AND SPECIFICALLY AMENDING SECTION 90-50 "ARCHITECTURE AND ROOF DECKS" TO LIMIT THE PERMITTED COLORS IN THE H30A AND H30B ZONING DISTRICTS TO THE FOUR LIGHTEST COLORS ON A COLOR SWATCH; PROVIDING FOR INCLUSION IN THE CODE; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE.

5. DISCUSSION ITEMS:

A. Sheds

B. Future Agenda Items

6. PERMITS ISSUED AND REVENUE REPORT FOR OCTOBER AND NOVEMBER 2014

[To be delivered separately]

7. ADJOURNMENT.

THIS MEETING IS OPEN TO THE PUBLIC. IN ACCORDANCE WITH THE AMERICANS WITH DISABILITIES ACT OF 1990, ALL PERSONS ARE DISABLED; WHO NEED SPECIAL ACCOMMODATIONS TO PARTICIPATE IN THIS MEETING BECAUSE OF THAT DISABILITY SHOULD CONTACT THE OFFICE OF THE TOWN CLERK AT 305-893-6511 EXT. 226 NO LATER THAN FOUR DAYS PRIOR TO SUCH PROCEEDING. HEARING IMPAIRED PERSONS MAY CONTACT THE TDD LINE AT 305-893-7936. IN ACCORDANCE WITH THE PROVISIONS OF SECTION 286.0105, FLORIDA STATUTES, ANYONE WISHING TO APPEAL ANY DECISION MADE BY THE TOWN OF SURFSIDE COMMISSION, WITH RESPECT TO ANY MATTER CONSIDERED AT THIS MEETING OR HEARING, WILL NEED A RECORD OF THE PROCEEDINGS AND FOR SUCH PURPOSE, MAY NEED TO ENSURE THAT A VERBATIM RECORD OF THE PROCEEDINGS IS MADE WHICH RECORD SHALL INCLUDE THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED. AGENDA ITEMS MAY BE VIEWED AT THE OFFICE OF THE TOWN CLERK, TOWN OF SURFSIDE TOWN HALL, 9293 HARDING AVENUE. ANYONE WISHING TO OBTAIN A COPY OF ANY AGENDA ITEM SHOULD CONTACT THE TOWN CLERK AT 305-861-4863.

TWO OR MORE MEMBERS OF TOWN COMMISSION OR OTHER TOWN BOARDS MAY ATTEND AND PARTICIPATE AT THIS MEETING. THESE MEETINGS MAY BE CONDUCTED BY MEANS OF OR IN CONJUNCTION WITH COMMUNICATIONS MEDIA TECHNOLOGY, SPECIFICALLY, A TELEPHONE CONFERENCE CALL. THE LOCATION 9293 HARDING AVENUE, SURFSIDE, FL 33154, WHICH IS OPEN TO THE PUBLIC, SHALL SERVE AS AN ACCESS POINT FOR SUCH COMMUNICATION.



**TOWN OF SURFSIDE
PLANNING AND ZONING BOARD
AND
DESIGN REVIEW BOARD MEETING**

Town Hall Commission Chambers
9293 Harding Ave., 2nd Floor
Surfside, Florida 33154

**OCTOBER 30, 2014
7:00 PM**

MINUTES

DESIGN REVIEW BOARD

1. CALL TO ORDER

Chair Lindsay Lecour called the meeting to order at 7:02 pm.

2. ROLL CALL

Recording Clerk Frantza Duval called the roll with the following members present: Board Member Peter Glynn, Chair Lindsay Lecour, Vice Chair Jacob Kligman, Board Member Armando Castellanos, Board Member Jorge Gutierrez, Board Member Jessica Weiss. Board Member Moisha Rubenstein was absent.

Commissioner Cohen attended as liaison and arrived at 7:04 p.m.

Board Member Rubenstein arrived at 7:33 p.m.

3. APPROVAL OF MINUTES: **September 30, 2014**

Vice Chair Kligman made a motion to approve. The motion received a second from Board Member Castellanos and all voted in favor with Board Member Rubenstein absent.

4. DESIGN REVIEW BOARD APPLICATIONS:

A. Request of the Owner of Property located at 9455 Collins Avenue

The applicant is requesting to install a monument sign.

Town Planner Sarah Sinatra presented the item.

Board Member Castellanos made a motion to approve with the following condition:

1. sign shall be setback five feet from the property line.

The motion received a second from Board Member Gutierrez and all voted in favor with Board Member Rubenstein absent.

B. Request of the Owner of Property located at 9458 Harding Avenue

The tenant is requesting to install a wall sign.

Town Planner Sarah Sinatra presented the item. Representing the applicant, the sign installer Carlos Blanco spoke in favor of the project and gave more details. Board Member Glynn questioned the lighting as perhaps being too bright and using a dimmer may help. Applicant Ronnie Lustigman spoke and gave some input on the item. Board Member Gutierrez mentioned that they also clean up the facade.

Board Member Gutierrez made a motion to approve with the recommendation of staff and that the lights are white to blend. The motion received a second from Board Member Castellanos and all voted in favor with Board Member Rubenstein absent.

C. Request of the Owner of Property located at 9033 Emerson Avenue

The applicant is requesting to add a new bathroom and a walk in closet to the master bedroom.

Town Planner Sarah Sinatra presented the item. The architect gave a presentation on the addition.

Board Member Gutierrez made a motion to approve. The motion received a second from Board Member Castellanos and all voted in favor with Board Member Rubenstein absent.

D. Request of the Owner of Property located at 9480 Bay Drive

The applicant is requesting to build a new single-family house.

Town Planner Sarah Sinatra presented the item and staff is recommending approval. Representing the applicant, architect Ed Landers gave a power point presentation showing the proposed project plans.

Chair Lecour mentioned the code requirement of trees in the front. Manager Sinatra said although they were not shown in the slide presentation the applicant is aware of the code and will comply.

Board Member Castellanos made a motion to approve. The motion received a second from Vice Chair Kligman and all voted in favor with Board Member Rubenstein absent.

E. Request of the Owner of Property located at 9432 Bay Drive

The applicant is requesting to build an addition.

Town Planner Sarah Sinatra presented the item and had recommendations. The applicant Karen Pritchard showed pictures of the house they are trying to replicate as well as graphics showing a rendering of the existing home and the modifications they are planning.

Board Member Gutierrez made a motion to approve with the following staff conditions:

1. Reduce the curb cuts to one
2. Provide 10% wall openings on each elevation

The motion received a second from Board Member Castellanos and all voted in favor.

F. Request of Property Owner of Property located at 8934 Froude Avenue

The applicant is requesting a garage conversion.

Town Planner Sarah Sinatra presented the item and staff is recommending approval. Applicant Philippe Azouley spoke and satisfactorily answered questions posed by Board.

Board Member Gutierrez made a motion to approve. The motion received a second from Vice Chair Kligman and all voted in favor.

G. Request of Property Owner of Property located at 8874 Dickens Avenue

The applicant is requesting a first floor and second floor addition.

Town Planner Sarah Sinatra presented the item. Representing the applicant Dr. Socarras, Linda Rinaldi gave a slide presentation of the proposed project.

Board Member Castellanos made a motion to approve. The motion received a second from Board Member Gutierrez and all voted in favor.

H. Request of the Owner of Property located at 801_ 88th Street

The applicant is requesting to build an addition.

Town Planner Sarah Sinatra presented the item and staff is recommending a variance. Representing the applicant, architect Ari Sklar gave a power point presentation. The Board had some suggestions and questions which were addressed.

Board Member Gutierrez made a motion to approve contingent with the following conditions:

1. Approval of the variance application to connect the existing accessory structure to the primary structure.
2. The pool equipment shall not be within the ten foot setback.

The motion received a second from Board Member Castellanos and all voted in favor.

5. ADJOURNMENT.

There being no further business to come before the Design and Review Board the meeting adjourned at 7:57 p.m.

Accepted this _____ day of _____, 2014

Attest:

Chair Lindsay Lecour

Sandra Novoa, CMC
Town Clerk

PLANNING AND ZONING BOARD
MINUTES
OCTOBER 30, 2014
7:00 PM

1. CALL TO ORDER

- Chair Lindsay Lecour called the meeting to order at 7:58 pm.

2. ROLL CALL

Recording Clerk Frantza Duval called the roll with the following members present: Board Member Peter Glynn, Chair Lindsay Lecour, Vice Chair Jacob Kligman, Board Member Armando Castellanos, and Board Member Moisha Rubenstein. Commissioner Cohen attended as liaison.

3. APPROVAL OF MINUTES: September 30, 2014

Vice Chair Kligman made a motion to approve. The motion received a second from Board Member Rubenstein and all voted in favor.

4. QUASI-JUDICIAL APPLICATION:

A. 801- 88th Street Variance-

A RESOLUTION OF THE TOWN OF SURFSIDE, FLORIDA PLANNING & ZONING BOARD CONSIDERING THE APPLICATION OF 801_88TH STREET TO PERMIT A VARIANCE FROM THE REQUIREMENTS OF SECTION 90-54.5 OF THE TOWN OF SURFSIDE CODE OF ORDINANCES; TO CONNECT A DETACHED GARAGE TO THE HOME TO ALLOW THE EXISTING SINGLE FAMILY HOME TO CONVERT THE GARAGE TO ADDITIONAL LIVING SPACE; PROVIDING FOR RECOMMENDATION OF APPROVAL; PROVIDING FOR AN EFFECTIVE DATE.

Chair Lecor spoke about the process and confirmed that compliance with advertising notice requirements have been met.

Town Attorney Miller asked if anyone had ex-parte communications with the Applicant or any objector. All members of the Board said they had no ex-parte communications with the applicant.

Recording Clerk Frantza Duval swore in everyone wishing to speak in favor or against the item.

Recording Clerk Frantza Duval read the title of the Ordinance.

Town Planner Sarah Sinatra presented the item and said staff is recommending approval to the Town Commission. The Board did not have any questions and were in agreement as presented. There being no public speakers to voice any input Chair Lecour closed the public hearings.

Board Member Rubenstein made a motion to recommend approval to the Town Commission. The motion received a second from Board Member Castellanos and all voted in favor.

5. ORDINANCES:

A. Sight Triangle Ordinance –

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA AMENDING CHAPTER 90 “ZONING” AMENDING CODE SECTION 90-52 “REQUIRED CLEARANCES” AND STRIKING CODE SECTION 90-92 “SIGHT TRIANGLES AND CLEARANCES”; PROVIDING FOR INCLUSION IN THE CODE; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HERewith; AND PROVIDING FOR AN EFFECTIVE DATE.

Recording Clerk Frantza Duval read the title of the Ordinance. Code Compliance Director Joseph Damien presented the item.

The Board discussed the problems of hedges and Commissioner Glynn said although he is against the cutting down of hedges which in some cases are very beautiful, he fears that the town can be sued if there was an incident because there was an obstruction of visibility due to tall hedges. Vice Chair Kligman was in agreement with Commissioner Glynn. Director Damien said he was comfortable with the ordinance and gave more details on the issue. Town Attorney Miller said they worked very closely on the language of the ordinance and the Town Commission has approved the first reading. There was much discussion regarding the placement of some stop signs and where the stop line bar should be. Attorney Miller was able to address questions from the Board.

Board Member Rubenstein made a motion to recommend to the Town Commission. The motion received a second from Board Member Castellanos and all voted in favor.

6. DISCUSSION ITEMS:

A. Lot Coverage - Town Planner Sarah Sinatra presented the item and explained this was discussed at the last meeting and at the Commission Meeting. Planner Sinatra had a power point presentation to give further details on the subject. Vice Chair Kligman would rather not change the code but have an applicant apply for a variance. Board Member Rubenstein thinks

the size of a family should not have anything to do with increasing the size of an existing home as that is an individual decision. Board Member Glynn said he felt spreading out the first level was better. Adding a second floor addition would result in a neighbor having less light and air.

Planner Sinatra will prepare additional language to limitation of the size of homes on smaller lots and present it to the Town Commission in a first reading ordinance format. It will then be brought back to Planning and Zoning

Commissioner Cohen left the meeting at 8:55 p.m.

B. Future Agenda Items -

Chair Lecour would like to review in more detail the building or expansion of homes as to what is aesthetically right for the town.

Board Member suggests we ask architects to raise their buildings one foot and the town would give them an additional foot in height. Planner Sinatra will do some research on this item.

Chair Lecour would like to see more specifics regarding retail illumination.

The next meeting of the Planning and Zoning Board will be Wednesday, December 3, 2014.

7. PERMITS ISSUED AND REVENUE REPORT FOR SEPTEMBER 2014.
[To be delivered separately]

8. ADJOURNMENT.

There being no further business to come before the Planning and Zoning Board the meeting adjourned at 9.14 p.m.

Accepted this ____ day of _____, 2014

Attest:

Chair Lindsay Lecour

Sandra Novoa, CMC
Town Clerk



MEMORANDUM

To: Design Review Board
Thru: John DiCenso, Interim Town Manager
From: Sarah Sinatra Gould, AICP, Town Planner
CC: Linda Miller, Town Attorney
Date: December 3, 2014
Re: 8874 Carlyle Avenue - New Fence

The property is located at 8874 Carlyle Avenue, within the H30B zoning district. The homeowner is requesting to build an aluminum rail fence along the corner side of the lot, which faces 89th Street and the front, which faces Carlyle Avenue. The homeowner is also proposing a wood fence at the rear of the property.



Staff has reviewed the current application for consideration by the Planning and Zoning Board. In this report Staff presents the following:

- Applicable Zoning Code regulations, along with the results of the review
- Applicable Design Guidelines standards, along with the results of the review
- Staff Recommendation

STANDARDS / RESULTS

Town of Surfside Zoning Code, Applicable Requirements

Sec. 90.56 Fences, walls and hedges

	Required	Proposed
Wall with gate	Wall in the front are only permitted with the Planning and Zoning Board's approval.	Four foot fence along the front and side of the property.

Sec. 90-56.4 Front yard and corner yard fences and ornamental walls—Table.

Frontage	Maximum Height (Feet)	Maximum Opacity (Percent)
Less than or equal to 50 ft in width	4 ft	All wall and fence surfaces above two (2) feet measured from grade shall maintain a maximum opacity of fifty (50) percent
Wider than 50 ft and less than 100 ft	4 ft + ½ ft per 10 feet of lot width exceeding 50 feet, maximum 6 ft	
Secondary frontage (Corner only)	Shall adhere to the height and opacity limitations for corresponding lot frontage – Does not meet Code regulations.	

The applicant is proposing a four foot high aluminum rail fence, which meets height and opacity requirements.

RECOMMENDATION

Staff recommends approval with the condition that the Town confirm the sight triangle area is sufficient.



MEMORANDUM

To: Design Review Board
Thru: John DiCenso, Interim Town Manager
From: Sarah Sinatra Gould, AICP, Town Planner
CC: Linda Miller, Town Attorney
Date: December 3, 2014
Re: 9441 Carlyle Avenue – Garage Conversion

The property is located at 9441 Carlyle Avenue, within the H30B zoning. The applicant is proposing to convert the garage to additional living space.

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

- Applicable Zoning Code regulations, along with the results of the review
- Applicable Design Guidelines standards, along with the results of the review
- Staff Recommendation
-



STANDARDS / RESULTS

Town of Surfside Zoning Code, Applicable Requirements

Sec. 90-50.1 (5) Garage Facades

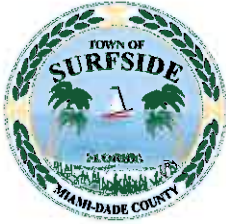
Required	Proposed
1 window	1 window
Landscaping required along the base	Landscaping required along the base as a condition of approval.

Sec. 90-77 Off-street Parking Requirements

Required	Minimum Space Requirements	Proposed
Single-family	2 spaces	2 spaces provided

RECOMMENDATION

Staff is recommending approval with the condition that the applicant provide a landscape planter in front of the converted garage.



MEMORANDUM

To: Design Review Board
Thru: John DiCenso, Interim Town Manager
From: Sarah Sinatra Gould, AICP, Town Planner
CC: Linda Miller, Town Attorney
Date: December 3, 2014
Re: 9024 Harding Avenue - New Carport Canopy

The property is located at 9024 Harding Avenue within the H30B zoning district. The applicant is requesting installation of a dark green vinyl carport canopy.

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

- Applicable Zoning Code regulations, along with the results of the review
- Staff Recommendation





Town of Surfside Zoning Code, Applicable Requirements

Sec. 90-58. - Carport canopies.

Requirement	Proposed
(1) Such canopy shall not exceed 20 feet in length, nor 20 feet in width.	Canopy is 18 feet long and 12' 8" feet wide.
(2) The height of such canopy shall not exceed ten feet.	Height is 8 feet 5 inches.
(3) The height of the side openings shall be at least six feet, three inches.	Height of side openings is 7 feet.
(4) Such canopy shall be subject to the following minimum setbacks: a. <i>Rear</i> : Five feet. b. <i>Interior side</i> : Five feet. c. <i>Primary (front) and secondary (corner)</i> : Two feet. d. <i>Rear of street curb</i> : Seven feet.	a. Not applicable. Canopy is in front of the residence. b. Interior side setback is 5 feet. c. Front setback is 2 feet. d. Seven Feet.
(5) A canopy shall at all times remain open on all four sides, if free standing, and open on three sides if attached to the main building.	Canopy is open on all sides.
(6) The area under a canopy must be entirely paved by an approved paving material.	Area under canopy is entirely paved.
(2) The framework height shall be a maximum of ten feet and a minimum of seven feet above grade. No uprights shall be installed closer than two feet from the front lot line.	Framework height is 9 feet 5 inches. The canopy is approximately 2 feet from the front lot line.

RECOMMENDATION

Staff recommends approval.



MEMORANDUM

To: Design Review Board
Thru: John DiCenso, Interim Town Manager
From: Sarah Sinatra Gould, AICP, Town Planner
CC: Linda Miller, Town Attorney
Date: December 3, 2014
Re: 9380 Collins Avenue, Façade Change

The property is Chateau Ocean Residence Sales Center. It is located at 9380 Collins Avenue is within the H40 zoning district. The applicant is requesting minor façade changes to the west elevation, which was approved at the February 2014 Planning and Zoning Board meeting. The changes include increasing the height of the windows, replacing the glass entry door with a wood entry door and moving the sign from the green wall to the wood cladded wall.

All zoning and design requirements were reviewed and approved at the February 2014 meeting. This request is a modification only.

RECOMMENDATION

Staff recommends approval.



MEMORANDUM

To: Design Review Board
 Thru: John DiCenso, Interim Town Manager
 From: Sarah Sinatra Gould, AICP, Town Planner
 CC: Linda Miller, Town Attorney
 Date: December 3, 2014
 Re: 9525 Harding Avenue – New Sign

The property is located at 9525 Harding Avenue, within the SD-B40 zoning district. The applicant is requesting to install a new window sign for Citibank. The applicant is proposing an acrylic panel plaque applied to the window glass. The plaque color is Shimmer Gold Metallic and the lettering color is White Atrium.

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

- Applicable Zoning Code regulations, along with the results of the review
- Staff Recommendation

STANDARDS / RESULTS

Town of Surfside Zoning Code, Applicable Requirements

Sec. 90-71.1

Window signage	Permitted	Proposed
Area	Sign area inclusive of logos or trademarks shall not exceed 20 percent of the area of the glass window or door in which the sign is displayed (5.31 square feet)	1.7 square feet.
Height	Lettering shall not exceed eight inches in height	8 inches
Materials	Acceptable materials include painted gold leaf or silver leaf, silk-screened, cut or polished metal, cut or frosted vinyl, and etched glass.	Shimmer Gold Metallic

RECOMMENDATION

Staff recommends approval.



Town of Surfside Planning and Zoning Board Communication

Agenda Date: December 3, 2014

Subject: 10% windows for each story

From: Sarah Sinatra Gould, AICP, Town Planner

Background: The Town's zoning code provides a requirement for 10% windows per façade of a single family home. This requirement is per elevation, not per story. The Planning and Zoning Board requested a modification to implement this modification per story rather than per elevation only.

Analysis:

Sec. 90-50. Architecture and roof decks.

9-50.1 Architecture.

(1) The architectural design of proposed main buildings shall create a unique elevation compared to the main buildings of the adjacent two homes on each side of the subject property on the same side of street. If the adjacent lot is vacant then the next adjacent lot shall be utilized. A unique elevation shall be created through the modulation of at least three of the following architectural features:

- a. Length, width and massing of the structure;*
- b. Number of stories;*
- c. Facade materials;*
- d. Porches and other similar articulation of the front facade;*
- e. Number and location of doors and windows; and*
- f. Roof style and pitch.*

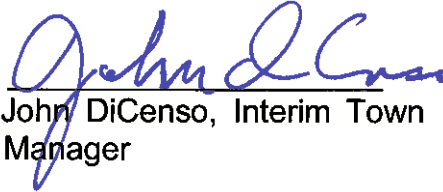
(2) All elevations for new structures and multi-story additions (additions greater than 15 feet in height) shall provide for a minimum of ten-percent wall

openings including windows, doors or transitional spaces defined by porches, porticoes or colonnades—per story.

Staff Recommendation: The Town Commission approved this item on first reading. Staff recommends the Planning and Zoning Board recommend approval to the Town Commission.



Sarah Sinatra Gould, AICP, Town Planner



John DiCenso, Interim Town Manager

ORDINANCE NO.

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA AMENDING CHAPTER 90 "ZONING", AND SPECIFICALLY AMENDING SECTION 90-50 "ARCHITECTURE AND ROOF DECKS" TO MODIFY THE CODE TO REQUIRE A 10% WINDOWS PER FAÇADE OF A SINGLE FAMILY HOME PER STORY; PROVIDING FOR INCLUSION IN THE CODE; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Town of Surfside ("Town") proposes to amend its Code of Ordinances to address the requirement for 10% windows per façade of a single family home; and

WHEREAS, the code currently provides a requirement for 10% windows per façade of a single family home per elevation; and

WHEREAS, the Planning and Zoning Board, as the local planning agency for the Town, has requested a modification to the code to require a 10% windows per façade of a single family home per story; and

WHEREAS, the Town Commission has a desire to amend its Code of Ordinances to address the 10% windows per façade of a single family home and requested a modification to the code to require a 10% windows per façade of a single family home per story; and

WHEREAS, the Town Commission held its first public hearing on November 18, 2014 having complied with the notice requirements required by Florida Statutes; and

WHEREAS, the Planning and Zoning Board, as the local planning agency for the Town, held its hearing on the proposed amendments on December 3, 2014 with due public notice and input; and

WHEREAS, the Town Commission conducted a second duly noticed public hearing on these regulations as required by law on January 13, 2015.

WHEREAS, the Town Commission hereby finds and declares that adoption of this Ordinance is necessary, appropriate, and advances the public interest.

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

Section 1. Recitals. The foregoing "WHEREAS" clauses are ratified and confirmed as being true and correct and are made a specific part of this Ordinance.

Section 2. Code Amendment. The code of the Town of Surfside, Florida is hereby amended as follows:

Sec. 90-50. Architecture and roof decks.

* * *

9-50.1 Architecture.

(1) The architectural design of proposed main buildings shall create a unique elevation compared to the main buildings of the adjacent two homes on each side of the subject property on the same side of street. If the adjacent lot is vacant then the next adjacent lot shall be utilized. A unique elevation shall be created through the modulation of at least three of the following architectural features:

- a. Length, width and massing of the structure;
- b. Number of stories;
- c. Facade materials;
- d. Porches and other similar articulation of the front facade;
- e. Number and location of doors and windows; and
- f. Roof style and pitch.

(2) All elevations for new structures and multi-story additions (additions greater than 15 feet in height) shall provide for a minimum of ten-percent wall openings including windows, doors or transitional spaces defined by porches, porticoes or colonnades—per story.

* * *

Section 3. Severability. If any section, subsection, clause or provision of this Ordinance is declared invalid or unconstitutional by a court of competent jurisdiction, the remainder shall not be affected by such invalidity.

Section 4. Conflict. All sections or parts of sections of the Town of Surfside Code of Ordinances in conflict herewith are intended to be repealed to the extent of such conflict.

Section 5. Inclusion in the Code of Ordinances. It is the intention of the Town Commission, and it is hereby ordained that the provisions of this Ordinance shall become and made a part of the Town of Surfside Code of Ordinances, that the sections of this Ordinance may be renumbered or re-lettered to accomplish such intentions; and the word “Ordinance” may be changed to “Section” or other appropriate word.

Section 6. Effective Date. This Ordinance shall be effective ten (10) days after adoption on second reading.

PASSED and ADOPTED on first reading this ____ day of _____, 2014.
PASSED and ADOPTED on second reading this ____ day of _____, 2015.

Daniel Dietch, Mayor

ATTEST:

Sandra Novoa, Town Clerk

**APPROVED AS TO FORM AND LEGALITY FOR THE USE
AND BENEFIT OF THE TOWN OF SURFSIDE ONLY:**

Linda Miller

Linda Miller, Town Attorney

On Final Reading Moved by: _____

On Final Reading Seconded by: _____

VOTE ON ADOPTION:

Commissioner Barry R. Cohen	yes _____	no _____
Commissioner Michael Karukin	yes _____	no _____
Commissioner Marta Olchyk	yes _____	no _____
Vice Mayor Eli Tourgeman	yes _____	no _____
Mayor Daniel Dietch	yes _____	no _____



Town of Surfside Planning and Zoning Board Communication

Agenda Date: December 3, 2014

Subject: Single Family District Paint Colors

From: Sarah Sinatra Gould, AICP, Town Planner

Background: At the November 21, 2013 Planning and Zoning Board meeting, there was a discussion regarding modification to the code relating to paint color requirements in the single family district. The Board further discussed this topic at the April 28, 2014 meeting.

Analysis: There are currently no requirements relating to paint color restrictions in the code. The board directed staff to limit the permitted colors for a single family residence to the four lightest colors on a color swatch. If approved, the Building Department will maintain a color swatch in Town Hall. Applicants may present colors, of whatever manufacturer of their choosing, and match them to the color swatch in the Building Department. The Building Department staff will match up the proposed color with the color swatch and keep a copy of the color swatch on file. If there is a case of uncertainty, the Town Manager or his designee will determine if the color is permitted.

The following language is suggested:

Sec. 90-50. Architecture and roof decks.

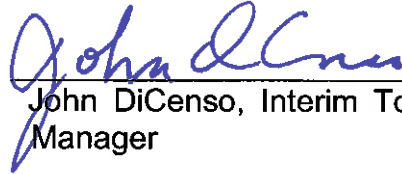
9-50.1 Architecture.

(8) Paint colors. Structures in the H30A and H30B zoning districts shall be permitted to be painted the four lightest colors for the structure's primary color on the color swatch on file in the Building Department. All other colors may be accent colors. A paint permit shall be submitted to the Building Department and the approved paint swatch shall be kept on file with the permit. The Design Review Board shall make a determination in cases of uncertainty.

Staff Recommendation: The Town Commission approved this item on first reading with a modification to allow the Design Review Board to rule in cases of uncertainty. Staff recommends the Planning and Zoning Board recommend approval to the Town Commission.



Sarah Sinatra Gould, AICP, Town Planner



John DiCenso, Interim Town
Manager

ORDINANCE NO. ___ - _____

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA AMENDING CHAPTER 90 "ZONING", AND SPECIFICALLY AMENDING SECTION 90-50 "ARCHITECTURE AND ROOF DECKS" TO LIMIT THE PERMITTED COLORS IN THE H30A AND H30B ZONING DISTRICTS TO THE FOUR LIGHTEST COLORS ON A COLOR SWATCH; PROVIDING FOR INCLUSION IN THE CODE; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HERewith; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Town of Surfside ("Town") proposes to amend its Code of Ordinances to address Single Family District Paint Colors Regulation; and

WHEREAS, there are currently no requirements relating to paint color restrictions in the code for structures in the H30A and H30B zoning districts; and

WHEREAS, the new changes to the code will require single family residences to be permitted to be painted the four (4) lightest colors for the structure's primary color on the color swatch; and

WHEREAS, the Planning and Zoning Board, as the local planning agency for the Town, held a public hearing on November 21, 2013 and April 28, 2014 to discuss modification to the code relating to paint color requirements in the single family district; and

WHEREAS, the Town Commission has a desire to amend its Code of Ordinances to address Single Family District Paint Colors Regulation and require single family residences to be permitted to be painted the four (4) lightest colors for the structure's primary color on the color swatch; and

WHEREAS, the Town Commission held its first public hearing on November 18, 2014 having complied with the notice requirements required by Florida Statutes; and

WHEREAS, the Planning and Zoning Board, as the local planning agency for the Town, held its hearing on the proposed amendments on December 3, 2014 with due public notice and input; and

WHEREAS, the Town Commission conducted a second duly noticed public hearing on these regulations as required by law on January 13, 2015; and

WHEREAS, the Town Commission hereby finds and declares that adoption of this Ordinance is necessary, appropriate, and advances the public interest.

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

Section 1. Recitals. The foregoing "WHEREAS" clauses are ratified and confirmed as being true and correct and are made a specific part of this Ordinance.

Section 2. Code Amendment. The code of the Town of Surfside, Florida is hereby amended as follows:

Sec. 90-50. Architecture and roof decks.

9-50.1 Architecture.

(8) Paint colors. Structures in the H30A and H30B zoning districts shall be permitted to be painted the four lightest colors for the structure's primary color on the color swatch on file in the Building Department. All other colors may be accent colors. A paint permit shall be submitted to the Building Department and the approved paint swatch shall be kept on file with the permit. The Design Review Board shall make a determination in cases of uncertainty.

* * *

Section 3. Severability. If any section, subsection, clause or provision of this Ordinance is declared invalid or unconstitutional by a court of competent jurisdiction, the remainder shall not be affected by such invalidity.

Section 4. Conflict. All sections or parts of sections of the Town of Surfside Code of Ordinances in conflict herewith are intended to be repealed to the extent of such conflict.

Section 5. Inclusion in the Code of Ordinances. It is the intention of the Town Commission, and it is hereby ordained that the provisions of this Ordinance shall become and made a part of the Town of Surfside Code of Ordinances, that the sections of this Ordinance may be renumbered or re-lettered to accomplish such intentions; and the word "Ordinance" may be changed to "Section" or other appropriate word.

Section 6. Effective Date. This Ordinance shall be effective ten (10) days after adoption on second reading.

PASSED and **ADOPTED** on first reading this ____ day of _____, 2014.

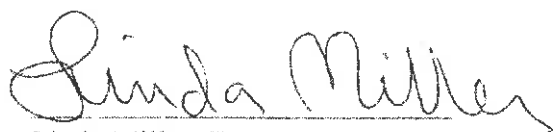
PASSED and **ADOPTED** on second reading this ____ day of _____, 2015.

Daniel Dietch, Mayor

ATTEST:

Sandra Novoa, Town Clerk

**APPROVED AS TO FORM AND LEGALITY FOR THE USE
AND BENEFIT OF THE TOWN OF SURFSIDE ONLY:**



Linda Miller, Town Attorney

On Final Reading Moved by: _____

On Final Reading Seconded by: _____

VOTE ON ADOPTION:

Commissioner Barry R. Cohen	yes _____	no _____
Commissioner Michael Karukin	yes _____	no _____
Commissioner Marta Olchyk	yes _____	no _____
Vice Mayor Eli Tourgeman	yes _____	no _____
Mayor Daniel Dietch	yes _____	no _____



Town of Surfside Planning and Zoning Board Communication

Agenda Date: December 3, 2014

Subject: Residential Sheds

From: Sarah Sinatra Gould, AICP, Town Planner

Background: The zoning code limits sheds to 70 square feet and requires Planning and Zoning Board approval. Staff was approached in June of 2013 by a resident wanting a shed larger than the code limited square footage. Staff prepared a memo and potential code change to increase the size of a shed to 100 square feet and allow sheds to be approved administratively, if they were not located on a street side of the lot.

The Planning and Zoning Board discussed this proposal and agreed that the Board was not interested in sheds larger than 70 square feet, and even discussed requiring shorter sheds, while accommodating the same cubic area as the 70 square foot permitted sheds. Staff attempted to research these types of sheds, but they were not the standard shed and the code modification was not pursued.

Staff has been approached by a different resident requesting a shed larger than 70 square feet and has asked for this topic to be placed on the agenda for the Board's discussion.

Below is the previous language that Staff prepared when this topic was originally discussed in 2013:

90-19.7 The following shall be exempt from design review board review; however, the design guidelines shall be followed:

(7) Sheds, except on the street side of a corner lot

90-54.7 A tool shed, the area of which does not exceed ~~70~~ 100 square feet, shall be permitted in a rear yard, subject to the following minimum setbacks:

(a) Rear: Five feet.

(b) Side and secondary frontage (corner): Per zoning designation.

ITEM	OUTCOME	NEXT STEPS	IN CONTRACT OR WORK AUTHORIZATION	TENTATIVE SCHEDULE	COMPLETE
FUTURE PZ DISCUSSION ITEMS					
Average side setback	Modify ordinance for additional side setbacks on upper floors for single family homes	Draft code amendment	In contract	January PZ	
Measuring height from crown of the road	Place on agenda for discussion relating to sea level rise	Direction from Planning and Zoning		February PZ	
Parking space standards	Modify multi-family rates based on number of bedrooms and provide for guest parking, look at other cities (Coral Gables), require parking for hotel employees, no change to size of spaces, pumps in underground garages	Draft code amendment	In contract	February PZ	
Cargo container regulations	Prohibit cargo containers in the business district	Draft code amendment	In contract	February PZ	
Satellite dishes	Further review by staff	Research and prepare report for discussion and possible code amendment	In contract	January PZ	
Residential or commercial wind turbine regulations	Prepare ordinance regulating wind turbines including hurricane precautions, noise regulations, insurance considerations	Draft code amendment	In contract	March PZ	
Green walls	Require green walls adjacent to alleys and other buildings that abut public right of ways	Research and prepare report for discussion and possible code	In contract	March PZ	

		amendment				
Final Inspections	Zoning	Town Manager will analyze				
Corridor Analysis		Study corridor between Collins & Harding	Prepare code amendments	Work authorization to be approved in NOVEMBER	JANUARY PZ	
ON UPCOMING COMMISSION AGENDA						
Single Family Paint Colors		Discussion with the Planning & Zoning Board to determine if a color palette is appropriate for single family homes and what colors/criteria should be included	Place on future Planning and Zoning agenda for discussion	In contract	March PZ	November Commission for first reading
10% window opening requirement per story		Discussion with the Planning & Zoning Board	Prepare ordinance for commission	In contract	June PZ	November Commission for first reading
ON FUTURE COMMISSION AGENDA						
Commercial waste and recycling container screening		Screening for containers, green screen, vegetation, include pictures from Commissioner Kligman	Draft code amendment	In contract	March PZ	Waiting placement on Commission Agenda
Driveway material regulations		Modify code to allow stamped concrete and concrete slabs with decorative rock or grass in between	Draft code amendment	In contract	November PZ	Waiting Placement on Commission Agenda
Painting of commercial structures		Town Staff to prepare ordinance	Prepare ordinance for commission	Building to prepare ordinance	March PZ	Upcoming Commission agenda.
COMPLETED						
Parking Trust Fund		Discussion with the Planning & Zoning Board to provide a cap for payment into the fund	Ordinance on July PZ agenda	In contract	July Commission for 1st reading, July PZ August	Complete

						Commission for 2 nd reading	
Turtle Lighting	Town Staff to prepare review	No ordinance necessary. Turtle lighting already required in code.	COMPLETE			Turtle Lighting	Town Staff to prepare review
Downtown Color Palette	Discussion with the Planning & Zoning Board to determine if a color palette is appropriate and what colors/criteria should be included	Place on future Planning and Zoning agenda for discussion	In contract			Replaced with repainting of structures.	Complete
Bay Drive & 96 th Street	Open Bay Drive off 96 th Street	Staff will research	Police and Building to research			No change. Police Chief cited safety concerns	COMPLETE
Sign/awning code	Discussed at Joint Meeting	Staff beginning to work on draft	Work Authorization approved			July Commission August Commission	COMPLETE
As-built reviews for residential projects	Discuss increasing canopy in town, street trees, what can be planted in ROW	Research and prepare report for discussion and possible code amendment	In contract			March PZ	COMPLETE Added a program modification to FY2015 budget
Interpretation of base flood elevation for the H120 district	No change	No further action needed				N/A	COMPLETE
Solar panel regulations	Prepare ordinance regulating solar panels	Draft code amendment	In contract			March PZ	COMPLETE
Car charging station regulations	Prepare ordinance regulating car charging stations requiring them in new multi-family, research what other communities are doing	Draft code amendment	In contract			December PZ	COMPLETE
Pyramiding effects of stepbacks in the H120	No action necessary since Planning and Zoning Board currently					N/A	

district	reviewing setbacks as part of wall frontage modifications				
Garage door clarification	Modify code to remove requirement for two separate garage doors	Draft code amendment	In contract	November PZ	COMPLETE