



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

**AGENDA
NOVEMBER 17th 2016
7:00 PM**

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

Any person who received compensation, remuneration or expenses for conducting lobbying activities is required to register as a lobbyist with the Town Clerk prior to engaging in lobbying activities per Town Code Sec. 2-235. "Lobbyist" specifically includes the principal, as defined in this section, as well as any agent, officer or employee of a principal, regardless of whether such lobbying activities fall within the normal scope of employment of such agent, officer or employee. The term "lobbyist" specifically excludes any person who only appears as a representative of a not-for-profit corporation or entity (such as charitable organization, a trade association or trade union), without special compensation or reimbursement for the appearance, whether direct, indirect, or contingent, to express support or opposition to any item.

Per Miami Dade County Fire Marshal, the Commission Chambers has a maximum capacity of 99 people. Once reached this capacity, people will be asked to watch the meeting from the first floor.

DESIGN REVIEW BOARD

1. CALL TO ORDER
2. ROLL CALL
3. APPROVAL OF MINUTES: **October 27th, 2016**
4. DESIGN REVIEW BOARD APPLICATIONS:

A. Request of the Owner of Property located at 8918 Abbott Avenue.

The applicant is proposing an addition to the front and rear of the existing single family residence.

B. 94th Street Promenade-Selection of Sculpture

On July 8, 2014, the Town Commission approved the design for the 94th Street End Project (Resolution 13-Z-04) that was submitted by the Chateau Ocean, LLC which had been a requirement of their conditional use and site plan approvals (Resolution No. 13-Z-04). The 94th Street End Project approval required that prior to the completion of the project “the applicant shall donate to the Town a unique, original sculpture [to be] installed at the east end of 94th Street”. To fulfill that requirement the applicant has selected a sculpture by Pablo Atchugarry who is internationally renowned for his monumental public sculptures. Images of his work as well as the selected sculpture are attached. The Design Review Board is requested to make a recommendation to the Town Commission

5. ADJOURNMENT.

PLANNING AND ZONING BOARD

AGENDA

November 17, 2016

7:00 PM

- 1. CALL TO ORDER**
- 2. ROLL CALL**
- 3. APPROVAL OF MINUTES: **October 27, 2016****
- 4. ORDINANCE:**

A. AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA AMENDING CHAPTER 90 “ZONING”, AND SPECIFICALLY AMENDING SECTION 90-2 “DEFINITIONS” AND 90-33 “ALTERATION OR ENLARGEMENT OF NONCONFORMING STRUCTURES” TO PERMIT ALTERNATIVES FOR THE REDEVELOPMENT OF EXISTING ARCHITECTURALLY SIGNIFICANT BUILDINGS IN THE H120 ZONING DISTRICT; 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:

- 1. Walkability and Pedestrian Safety**
- 2. Demolition of Houses**
- 3. Future Agenda Items**

6. ADJOURNMENT.

THIS MEETING IS OPEN TO THE PUBLIC. IN ACCORDANCE WITH THE AMERICANS WITH DISABILITIES ACT OF 1990, ALL PERSONS WHO ARE DISABLED AND NEED SPECIAL ACCOMMODATIONS TO PARTICIPATE IN THIS MEETING BECAUSE OF THAT DISABILITY SHOULD CONTACT THE OFFICE OF THE TOWN CLERK AT 305-861-4863 EXT. 226 NO LATER THAN FOUR DAYS PRIOR TO SUCH PROCEEDING. 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
DESIGN REVIEW BOARD
AND
PLANNING AND ZONING BOARD**

**MINUTES
OCTOBER 27, 2016
6:00 PM**

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

DESIGN REVIEW BOARD

1. CALL TO ORDER

Chair Lindsay Lecour called the meeting to order at 6:05 p.m.

2. ROLL CALL

Recording Clerk Frantza Duval called the roll with the following members present: Chair Lindsay Lecour, Vice Chair Judith Frankel, Board Member Richard Iacobacci, Board Member Peter Glynn, and Board Member Gregg Covin. Board Member Brian Roller and Board Member Jorge Gutierrez were absent.

Board Member Brian Roller arrived at 6:06 p.m. Commissioner Daniel Gielchinsky attending as liaison arrived at 6:14 p.m.

3. APPROVAL OF MINUTES: **September 29, 2016**

Board Member Iacobacci made a motion to approve. The motion received a second from Board Member Glynn and all voted in favor with Board Member Roller absent for the vote and Board Member Gutierrez absent.

4. DESIGN REVIEW BOARD APPLICATIONS:

A. Request of the Owner of Property located at 9348 Abbott Avenue.

The applicant is proposing to enclose an existing screened in patio.
Town Planner Sarah Sinatra presented the item.

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

B. Request of the Owner of Property located at 9257 Dickens Avenue.

The applicant is proposing the construction of a new two story single-family residence. Town Planner Sarah Sinatra presented the item.

The Board discussed the design and other features of the proposed house. The architect Jose Jimenez gave further details on the design and answered questions from the Board.

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

1. Provide coral stone pavers.
2. A/C units shall not be visible if placed on roof.
3. Applicant shall meet all code requirements.
4. Stone façade shown in rendering is required.

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

C. Request of the Owner of Property located at 9528 Bay Drive.

The applicant is proposing the construction of an additional garage and a gate in the front of their single-family residence. The applicant's plans also show a trellis in the front and rear and a new driveway.

Town Planner Sarah Sinatra presented the item.

There was discussion about prior work done on the house and meeting code. The applicant representative Anaile Cure addressed questions from the Board. The Board requested more information from the architect and to resubmit the application.

Board Member Glynn made a motion to defer. The motion received a second from Board Member Iacobacci and all voted in favor with Board Member Gutierrez absent.

5. DISCUSSION ITEM:

A. Architectural Significant Buildings on H120 Zoned Lots

Graham Penn gave a power point presentation on the item. The Board discussed the item and historic significance. Mr. Penn answered questions from the Board.

Public Speaker George Kousoulas, speaking as an architect, spoke in favor of the ordinance and gave some suggestions. The Board expressed their views on the item and there was further discussion.

Vice Chair Frankel would like to include language to disqualify buildings that are copies of historical styles. She also suggested clarifying some of the language regarding post war era.

Board Member Glynn made a motion to recommend as amended and discussed and to forward to the Town Commission for first reading. The motion received a second from Board Member Iacobacci and all voted in favor with Board Member Gutierrez absent.

6. QUASI-JUDICIAL APPLICATION:

**A. 8955 COLLINS AVENUE and 8926 COLLINS AVENUE
and 8943 HARDING AVENUE**

A RESOLUTION OF THE TOWN OF SURFSIDE, FLORIDA, PLANNING AND ZONING BOARD; RECOMMENDING APPROVAL OF A SITE PLAN APPLICATION, PURSUANT TO SECTION 90-41 ET SEQ. OF THE ZONING CODE TO PERMIT THE DEVELOPMENT OF PROPERTY LOCATED ON THE EAST AND WEST SIDES OF COLLINS AVENUE WITH THE ADDRESSES OF 8955 COLLINS AVENUE AND 8926 COLLINS AVENUE AND 8943 HARDING AVENUE FOR 16 CONDOMINIUM UNITS AND A PARKING STRUCTURE AND RECREATIONAL AMENITIES WITH CONDITIONS OF APPROVAL; PROVIDING FOR A SEVERABILITY CLAUSE AND PROVIDING FOR AN EFFECTIVE DATE.

Recording Clerk Frantza Duval read the title of the resolution.

Chair Lecour read the process and rulings of a quasi-judicial hearing.

Recording Clerk Duval confirmed that compliance with advertising notice requirements have been met. Attorney Miller asked the DRB and Planning and Zoning Board if anyone had ex-parte communications with the Applicant or any objector. All answered no. Recording Clerk Duval swore in the people who wished to speak on the item.

Town Planner Sarah Sinatra gave a visual presentation. The applicant's representative gave a brief overview and addressed questions from the Board. Kobi Karp, architect, walked through the architectural design of the building.

Chair Lecour opened the public hearing.

Public Speakers:

-Craig Blomquist appreciated the applicant doing a community outreach and was in favor of the proposed plan.

Attorney Miller paused the discussion as Board Member Covin said he may have a conflict of interest. There was some discussion by the Town Attorney, the applicant's attorney, Special Land Use expert Nancy Stroud and it was deemed there was no conflict of interest. The meeting proceeded with public hearing.

-Olga Perez Perez questioned if plans have been submitted for a barrier between homes and the construction site as well as an off street parking plan. Planner Sinatra said a permit had been pulled for the barrier. The applicant representative said the parking issue is taken care of and Planner Sinatra read portions of the new resolution dealing with construction workers and parking.

-Anaile Cure representing the residents of Surf House spoke about potential damages that may occur due to construction and is objecting to the application.

-Ricardo Mualin is concerned about the proposed parking lot as well as hours of operation of the clubhouse and other facilities. The applicant responded to some of the concerns. Planner Sinatra said they have worked with traffic officials and police regarding traffic and valet parking as well as pedestrian crossing.

-George Lopez had concerns about construction practices and the effect it may have on older nearby buildings. Kobi Karp responded to his concerns.

-Juana Alzaga had concerns about structural damage which may occur to her building. She also was concerned about losing the character of Surfside.

-Mildred Pina was never informed about the new structure and had concerns about structural damage.

-Deborah Cimadevilla was in favor of workers being identified by certain apparel and questioned the advertisement stating this development had a private beach as there are no private beaches they are all public.

-Roe Ben-Moshe is in full support of the project but was concerned about a traffic issue and pedestrian crossing.

No one else wishing to speak Chair Lecour closed the public speaking.

The Board gave their views and discussed the project. Chair Lecour and Board Member Glynn spoke favorably of the project.

Board Member Glynn made a motion to recommend the item to the Planning and Zoning Board with the condition that the tennis court hours are closed at 9:00 p.m. The motion received a second from Board Member Iacobbaci and all voted in favor with Board Member Guterrez absent.

7. ADJOURNMENT.

There being no further business to come before the Design Review Board the meeting adjourned at 9.23 p.m.

Accepted this ____ day of _____, 2016

Chair Lindsay Lecour

Attest:

Sandra Novoa, MMC
Town Clerk

PLANNING AND ZONING BOARD

MINUTES
OCTOBER 27, 2016
6:00 PM

1. CALL TO ORDER

Chair Lindsay Lecour called the meeting to order at 9:23 p.m.

2. ROLL CALL

Recording Clerk Frantza Duval called the roll with the following members present: Chair Lindsay Lecour, Vice Chair Judith Frankel, Board Member Richard Iacobacci, Board Member Peter Glynn, and Board Member Brian Roller. Commissioner Daniel Gielchinsky attended as liaison.

3. APPROVAL OF MINUTES: September 29, 2016

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

4. QUASI-JUDICIAL APPLICATION:

**A. 8955 COLLINS AVENUE and 8926 COLLINS AVENUE
and 8943 HARDING AVENUE**

A RESOLUTION OF THE TOWN OF SURFSIDE, FLORIDA, PLANNING AND ZONING BOARD; RECOMMENDING APPROVAL OF A SITE PLAN APPLICATION, PURSUANT TO SECTION 90-41 ET SEQ. OF THE ZONING CODE TO PERMIT THE DEVELOPMENT OF PROPERTY LOCATED ON THE EAST AND WEST SIDES OF COLLINS AVENUE WITH THE ADDRESSES OF 8955 COLLINS AVENUE AND 8926 COLLINS AVENUE AND 8943 HARDING AVENUE FOR 16 CONDOMINIUM UNITS AND A PARKING STRUCTURE AND RECREATIONAL AMENITIES WITH CONDITIONS OF APPROVAL; PROVIDING FOR A SEVERABILITY CLAUSE AND PROVIDING FOR AN EFFECTIVE DATE.

Recording Clerk Frantza Duval read the title of the resolution.

Chair Lecour reminded everyone that the rules and process of a Quasi-Judicial hearing stated in the Design Review Board Meeting apply here also.

Chair Lecour asked if anyone wishing to speak to please stand and be sworn in. There were no public speakers who had not spoken at the previous meeting. No one wishing to speak Chair Lecour closed the public hearing.

Board Member Iacobacci made a motion to recommend the item to the Town Commission with the recommended condition from the DRB that the tennis court hours are closed at 9:00 p.m. The motion received a second from Board Member Glynn and all voted in favor.

5. DISCUSSION ITEMS:

1. Commission Liaison Update – Commissioner Daniel Gielchinsky

Commissioner Gielchinsky gave an update on streetscapes and sea level rise study and undergrounding of utilities.

Public Speaker Deborah Cimadevilla spoke about treescape/streetscape and asked for clarification. She talked about flooding in her area and driveways and sidewalks. She shared some photos to support her position.

The Board discussed the item of walkability and the Town Manager talked about safety. The Town Manager was asked to come back at the next meeting with options to improve sidewalks and walkability (pedestrian safety) as well as aesthetics.

2. Notice for demolition of houses

The item was deferred to the next meeting.

3. Future Agenda items

6. ADJOURNMENT.

There being no further business to come before the Planning and Zoning Board the meeting adjourned at 10.21 p.m.

Accepted this ____ day of _____, 2016

Chair Lindsay Lecour

Attest:

Sandra Novoa, MMC
Town Clerk



MEMORANDUM

To: Design Review Board
Thru: Guillermo Olmedillo, Town Manager
From: Sarah Sinatra Gould, AICP, Town Planner
CC: Linda Miller, Town Attorney
Date: November 17, 2016
Re: 8918 Abbott Avenue, Front and Rear Addition & Renovation

The property is located at 8918 Abbott Avenue, within the H30B zoning district. The applicant is proposing an addition to the front and rear of the existing single family residence.



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. 90-45. Setbacks

Setbacks	Required	Proposed
Primary Frontage	Minimum 20 feet	21 feet
Interior side	Minimum 5 feet	5.0 feet / 5.1 feet
Rear	Minimum 20 feet	21.85 feet

Sec. 90.49 Lot standards

Lot Standards H30B	Required	Proposed
Minimum Lot width	50 feet	50 feet
Minimum lot area	5,600 feet	5,600 square feet
Maximum lot coverage	40%	40%
Pervious area	35% (minimum)	42.4%

Sec. 90.50 Architecture and roof decks

	Required	Proposed
Unique Elevation	A unique elevation from the main buildings of the adjacent two (2) homes shall be created through the modulation of at least three (3) of the following architectural features: (a) Length, width and massing of the structure; (b) Number of stories; (c) Façade materials; (d) Porches and other similar articulation of the front façade; (e) Number and location of doors and windows; and (f) Roof style and pitch.	The massing, location of windows and doors and the roof style and pitch of the proposed front elevation is different than the neighboring houses.
Wall openings	10% for all elevations	The proposed elevations include new windows and doors.
Roof Material	(a) Clay Tile; (b) White concrete tile; (c) Solid color cement tile which color is impregnated with the same color intensity throughout, provided said color is granted approval by the Design Review Board; (d) Architecturally embellished metal if granted approval by the Design Review Board; or (e) Other Florida Building Code	A flat roof is proposed for both additions. The existing structure has a partially angled roof that will remain.

	approved roof material(s) if granted approval by the Design Review Board.	
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Town of Surfside Adopted Residential Design Guidelines

Building Massing

Required	Proposed
Building forms should be varied enough to avoid monotony and to avoid pyramidal massing and should be compatible with surrounding houses.	Consistent

Decorative Features

Required	Proposed
Decorative features should be stylistically consistent throughout the entire building.	Consistent.

Overall Architectural Style

Required	Proposed
The overall style of each house should be consistent on all sides of the building, as well as among all portions of the roof.	Consistent.

Wall Materials and Finishes

Required	Proposed
The same material should be used on all building elevations unless multiple materials are a legitimate expression of the particular style.	The building will be stucco.

Roof Materials, Types, and Slopes

Required	Proposed
Roof types and slopes should be generally the same over all parts of a single building.	Consistent
Restricted materials for roofs are pre-determined in the Town's Building Code, which restricts roofing materials to: <ol style="list-style-type: none"> 1. Clay tile; 2. White concrete tile; 3. Solid color cement tile which color is impregnated with the same color intensity throughout, provided said color is first approved by the planning and zoning board; and 4. Metal. 	Flat roof is proposed for new addition areas.

Windows and Trims

Required	Proposed
Window styles should always be consistent among all elevations of a building.	Consistent.

Frame materials should never vary on a single building.	No variation.
Window, door and eave trim should be consistent on all elevations of the house	Consistent.

RECOMMENDATION

Staff recommends approval with the following condition:

1. While not part of this review, the site plan shows a proposed pool in the rear yard. At time of pool permit it will be required to prove that the property will maintain a minimum of 35% pervious.



Town of Surfside Design Review Board Communication

Agenda Date: November 17, 2016
Subject: 94th Street Promenade – Selection of Sculpture
From: Sarah Sinatra Gould, AICP, Town Planner

Background:

On July 8, 2014, the Town Commission approved the design for the 94th Street End Project (Resolution 13-Z-04) that was submitted by the Chateau Ocean, LLC which had been a requirement of their conditional use and site plan approvals (Resolution No. 13-Z-04). The 94th Street End Project approval required that prior to the completion of the project “the applicant shall donate to the Town a unique, original sculpture [to be] installed at the east end of 94th Street”. To fulfill that requirement the applicant has selected a sculpture by Pablo Atchugarry who is internationally renowned for his monumental public sculptures. Images of his work as well as the selected sculpture are attached. The Design Review Board is requested to make a recommendation to the Town Commission

Sarah Sinatra Gould, AICP, Town Planner

Guillermo Olmedillo, Town Manager



TOWN OF SURFSIDE PLANNING AND ZONING COMMUNICATION

Agenda #:

Agenda Date: November 17, 2016

Subject: Voluntary “Architecturally Significant” Building Program
on H120 Zoned Lots

From: Commissioner Daniel Gielchinsky

At the September 13, 2016 meeting, the Town Commission discussed amending the Zoning Code to provide for regulations for architecturally significant buildings on H120 Zoned Lots and voted to recommend that the Design Review Board review, discuss and make further recommendations as needed. Following the comments from the Town Commission and comments from the Design Review Board meeting held on September 29, 2016 and October 27, 2016, the Town Commission approved the attached ordinance on first reading with the following amendments:

1. Redevelopment of architecturally significant buildings will be required to be developed in accordance with Leadership in Energy & Environmental Design (LEED) or Florida Green Building Coalition (FGBC) building design and construction standards.
2. The second “Whereas” clause of the draft ordinance has been removed which stated “Whereas, the current regulations discourage the renovation and expansion of existing buildings on H120 lots, which may lead to the deterioration of structures;”
3. The following language has been stricken from the draft ordinance:
“Redevelopment projects seeking to utilize the setback exception of this subsection shall be limited as follows:

Lots 100’ or greater in width may increase the number of stories on the site by a ratio of 4 total floors for every existing floor, up to a maximum of 120’.

Lots less than 100’ in width may increase the number of stories on the site by a ratio of 3 total floors for every existing floor, up to a maximum of 120’.”

In its place, the following language has been added:

“Redevelopment projects seeking to utilize the setback exception of this subsection shall be limited to a total height of no more than twice the number of existing floors in a building, up to a maximum of 120 feet.”

4. A table has been added to the ordinance to make the limits clear.

<u>Existing Building Floors</u>	<u>Maximum Number of Floors of Redevelopment/Expansion using Exception</u>
<u>1</u>	<u>2</u>
<u>2</u>	<u>4</u>
<u>3</u>	<u>6</u>
<u>4</u>	<u>8</u>
<u>5</u>	<u>10</u>
<u>6 and above</u>	<u>12</u>

- 5. Reduced the number of architectural characteristics necessary for a building to be deemed a representative example of its style from three to two.
- 6. Clarified language related to the documentation and payment of fees and costs into escrow by property owners seeking determinations of architectural significance.

The Town Commission approved the attached ordinance on first reading.

ORDINANCE NO. 16-_____

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA AMENDING CHAPTER 90 "ZONING", AND SPECIFICALLY AMENDING SECTION 90-2 "DEFINITIONS" AND 90-33 "ALTERATION OR ENLARGEMENT OF NONCONFORMING STRUCTURES" TO PERMIT ALTERNATIVES FOR THE REDEVELOPMENT OF EXISTING ARCHITECTURALLY SIGNIFICANT BUILDINGS IN THE H120 ZONING DISTRICT; 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 expansions to existing nonconforming architecturally significant structures in the H120 zoning district; and

WHEREAS, the Town desires to incentivize the preservation, renovation and enhancement of architecturally significant buildings on H120 zoned lots by amending the provisions governing nonconforming structures; and

WHEREAS, the Town proposes to provide an alternative development option for owners of buildings deemed architecturally significant; and

WHEREAS, the Town Commission held its first public hearing on November 9, 2016 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 amendment on November 17, 2016 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 December 13, 2016; and

WHEREAS, the Town Commission hereby finds and declares that adoption of this Ordinance is in the best interest of the Town.

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. 90-2. - Definitions.

* * *

Architecturally Significant Building: A building constructed prior to 1970 that has been determined by the Town, at the request of a property owner, to possess characteristics of a specific architectural style constructed in the Town pursuant to Section 90-33(3) of the Town Code. The exterior of the structure must be recognizable as an example of its style and/or period, and its architectural design integrity must not have been modified in a manner that cannot be reversed without unreasonable expense. The three recognized significant architectural styles in the Town are Mediterranean Revival, Streamline Modern, and Miami Modern.

* * *

Section 3. Code Amendment. The code of the Town of Surfside, Florida is hereby amended as follows:

Sec. 90-33. - Alterations or enlargement of nonconforming structures.

Except as provided in this section a nonconforming structure shall not be enlarged in any manner or undergo any structural alteration unless to make it a conforming structure. Such alteration or enlargement may be permitted provide that:

- (1) Enlargement or alteration itself conforms to the requirement of these regulations;
- (2) Building non-conformity only as to height area or floor area requirements may be altered or extended; enlarged so long as it does not increase the degree of non-conformity for the applicable district.
- (3) Alterations or additions to architecturally significant buildings on H120 zoned lots that are nonconforming as to setbacks may follow existing building lines as long as the alteration or addition maintains the architectural integrity of the existing building. The lesser of the current code-required setback or the existing building line shall be deemed to be the required setback line.

Any redevelopment project undertaken under this subsection must comply with the Town's minimum finished floor elevation requirements for all portions of the building and further must be designed and developed in accordance with Leadership in Energy &

Environmental Design (LEED) or Florida Green Building Coalition (FGBC) building design and construction standards.

Redevelopment projects seeking to utilize the setback exception of this subsection shall be limited to a total height of no more than twice the number of existing floors in a building, up to a maximum of 120 feet.

<u>Existing Building Floors</u>	<u>Maximum Number of Floors of Redevelopment/Expansion using Exception</u>
<u>1</u>	<u>2</u>
<u>2</u>	<u>4</u>
<u>3</u>	<u>6</u>
<u>4</u>	<u>8</u>
<u>5</u>	<u>10</u>
<u>6 and above</u>	<u>12</u>

(a) Determinations of Architectural Significance. Determinations of architectural significance will be made as follows:

(1) All requests for a determination of architectural significance must be made by a property owner in writing on the forms promulgated by the Town. As part of the determination application, a property owner will submit an analysis of the architectural qualities of the existing structure prepared by a licensed architect, at the property owner’s expense, demonstrating why the building is consistent with the Code’s definition of an architecturally significant building. This analysis shall be accompanied with other materials deemed necessary by the Town Manager or designee to accommodate the review, including, but not limited to, all available data and documentation regarding the building, site, features, or other considerations by the Town Manager or designee.

(2) The Town Manager or designee will review the analysis prepared by the property owner and issue a recommendation as to whether the building meets the Town's standards of architectural significance. The property owner shall be responsible for the Town's costs associated with this review, including the fees charged by any necessary consultants, such amounts shall be determined by the Town Manager or designee and held in escrow by the Town.

(3) Determinations of architectural significance will be made by the Design Review Board, after public hearing, based on the following requirements.

(a) The building must be deemed to be a representative example of its architectural style. In order to qualify as a representative example, a building must incorporate at least two of the typical characteristics of its architectural style to be deemed to be architecturally significant or, alternatively, must have been designed by an architect well-known for the style in South Florida. Elements of the relevant styles are as follows:

i. Miami Modern.

(A) Use of concrete block or exposed concrete.

(B) Use of asymmetry, acute angles, boomerang shapes, cutouts, pylons, arches, geometric shapes, repetitive motifs or hyperparaboloids.

(C) Use of plate-glass, ribbon, clerestory and canted windows.

(D) The mixture of two or more textured surfaces.

(E) Use of brise-soleils and architectural screen block.

(F) Overhanging roof plates and projecting floor slabs.

(G) Exemplifies a regional style of architecture constructed in the post-war period.

ii. Streamline Modern.

- (A) Building forms that evoke automobiles, trains, ocean liners, and airplanes.
- (B) Massing that reflects abstract, simplified forms with rounded corners devoid of much applied decoration.
- (C) Horizontal compositions, bands of windows, racing stripes, and flat roofs.
- (D) Use of vitrolite, glass block, chrome, stainless steel, and terrazzo.
- (E) "Eyebrow" ledges over the windows, front porches.
- (F) Use of nautical motifs like porthole windows, and bas-relief panels depicting tropical scenes.

iii. Mediterranean Revival.

- (A) Use of bell towers, awnings, porches, balconies, carved stonework.
- (B) Style reflects the architectural influences of the Mediterranean coast: Italian, Byzantine, French, and Moorish themes from southern Spain.
- (C) Application of Spanish baroque decoration to openings, balconies, and cornices.
- (D) Use of arches, parapets, twisted columns, pediments, and other classical details.
- (E) Use of stucco walls, red tile roofs, wrought iron grilles and railings, wood brackets and balconies.
- (F) Use of casement windows.

(b) The building must have not been altered in a manner in that substantially impacts the original building design or obscures the

significant architectural elements in a manner that cannot be reversed without unreasonable expense.

(c) Significant exterior architectural characteristics, features, or details of the building remain intact.

(b) Alterations to Architecturally Significant Buildings. Any alteration proposed for a building on H120 zoned lots determined by the Design Review Board to be architecturally significant will be reviewed by the Town Manager or his designee and the Design Review Board to determine whether:

- i. The proposed alteration or addition does not require demolition or alteration in a manner that would render the building no longer architecturally significant; and
- ii. The proposed alteration or addition is designed in a manner that is compatible with the existing building.

(c) Site Plan review for Architecturally Significant Buildings. Any addition requiring a site plan that is proposed for a building determined by the Design Review Board to be architecturally significant will be reviewed by the Town Manager or designee, the Design Review Board, the Planning and Zoning Board, and the Town Commission to determine whether:

- i. The proposed alteration or addition does not require demolition or alteration in a manner that would render the building no longer architecturally significant; and
- ii. The proposed alteration or addition is designed in a manner that is compatible with the existing building.

Section 4. Severability. If any section, sentence, clause or phrase of this ordinance is held to be invalid or unconstitutional by any court of competent jurisdiction, then said holding shall in no way affect the validity of the remaining portions of this ordinance.

Section 5. Inclusion in the Code. 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. Conflicts. Any and all Ordinances and Resolutions or parts of Ordinances or Resolutions in conflict herewith are hereby repealed.

Section 7. Effective Date. This ordinance shall become effective upon adoption.

PASSED AND ADOPTED on first reading this __ day of _____, 2016.

PASSED AND ADOPTED on second reading this __ day of _____, 2016.

On Final Reading Moved by: _____

On Final Reading Second by: _____

FINAL VOTE ON ADOPTION:

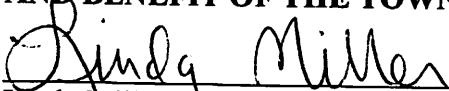
Commissioner Daniel Gielchinsky	_____
Commissioner Michael Karukin	_____
Commissioner Tina Paul	_____
Vice Mayor Barry Cohen	_____
Mayor Daniel Dietch	_____

Daniel Dietch, Mayor

ATTEST:

Sandra Novoa, MMC, Town Clerk

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



Linda Miller, Town Attorney



Town of Surfside Planning and Zoning Board Communication

Agenda Date: October 27, 2016

Subject: Require noticing of demolition of houses

From: Sarah Sinatra Gould, AICP, Town Planner

Background: The Planning and Zoning Board requested staff to research a code amendment requiring the noticing of neighboring properties when a property is proposed to be demolished. Staff researched numerous codes but we have not found an example of this type of noticing. If the Planning and Zoning Board wanted to require mailed notices, staff needs direction on the following:

1. Would the notices be to the adjacent property owners (front sides and rear) or to a certain radius (300 feet surrounding the property)?
2. Would the notices be required to be sent prior to Design Review Board or prior to a demolition permit? If it is prior to Design Review Board, is the intent for the public to speak on the proposed design?
3. Would this be for full demolitions only or are partial demolitions also included?

Sarah Sinatra Gould, AICP, Town Planner

Guillermo Olmedillo, Town Manager

ITEM	OUTCOME	NEXT STEPS	IN CONTRACT OR WORK AUTHORIZATION	TENTATIVE SCHEDULE	COMPLETE
FUTURE PZ DISCUSSION ITEMS					
Setback for parapet above 30 feet on single family homes	Prepare ordinance to require additional setback	Draft code amendment		Future PZ	
Requiring noticing for demolition of houses	Research option and place on agenda for discussion			November PZ	
Roof Pitch of Single Family	Modify ordinance to include roof pitch above top of the truss as an architectural feature	Draft code amendment		Future PZ	
Requiring larger sidewalks on east side of Collins	Discussion item for PZ from the Town Commission to require setback of walls and fences on Collins to provide larger sidewalks			Future PZ	
Air Flow on Corridor				Future PZ	
Impact fee discussion				Future PZ	
Give a foot, get a foot relating Sea Level Rise	Place on agenda for discussion on referendum			Future PZ	
- Flat Roof vs. Pitch roof					
Ways to increase pervious area of lots	Place on PZ agenda for discussion. Provide PZ with current standards			Future PZ	
Tree Canopy Initiative/ Single family district	\$8,000 budgeted in the FY 2014-2015 budget for the tree canopy	Town Manager analyzing. Would need			

Streetscape master plan			inclusion in the budget for additional projects.			
Fences & Hedges in the front of single family residences	Modify ordinance		Discussion on hedge height in the front		Future PZ	
Average side setback /Massing	Modify ordinance for additional side setbacks on upper floors for single family homes		Preparing graphics on reductions in 2 nd floor			On hold until full discussion of height and sea level rise.
Measuring height from crown of the road	Place on agenda for discussion relating to sea level rise. Staff confirmed height was measured from the crown to the top of the structure in the 2004 Code as well. This would require a referendum.		Include in future budget			
Satellite dishes	Further review by staff		Research and prepare report for discussion and possible code amendment	In contract	Future PZ	
Residential or commercial wind turbine regulations	Prepare ordinance regulating wind turbines including hurricane precautions, noise regulations, insurance considerations		Draft code amendment	In contract	Future 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 amendment	In contract	Future PZ	
Final	Zoning	Town Manager will analyze				

Inspections						
Request to Commission for a referendum on one-way streets in residential to support a streetscape plan	In budget to perform analysis for update of undergrounding	PZ discussion on pedestrian safety and walkability	Separate work authorization required	November PZ		
H40, H30 & SDB40 Architecturally Significant ordinance	Review with PZ options for architecturally significant ordinance for other zoning districts.	PZ discussion	Separate work authorization required	Future PZ		
West Side of Collins	Discussion on amenities permitted	Discuss with PZ		Future PZ		
ON UPCOMING COMMISSION AGENDA						
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		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		Waiting Placement on Commission Agenda	
Painting of commercial structures	Town Staff to prepare ordinance	Prepare ordinance for commission	Building to prepare ordinance		Upcoming Commission agenda.	
COMPLETED						
Sign-Definitions	Modify sign definitions for monument and sign-area	Drafted code amendment				
Carpets	Require improved surface on frame	Addressed in Code		September PZ	Yes	
Provide summary on construction hours and noise ordinance	Place update on PZ agenda.			September PZ	Yes	

Workforce housing update	Reviewing entire section relating to DRB	Draft code amendment		September-PZ	Yes
Add requirement for licensed architect for DRB submittals	Study corridor between Collins & Harding	Prepare code amendments	Work authorized to be approved in NOVEMBER	January Commission	May Commission Agenda Complete
Gorridor Analysis	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	Will add to Joint Meeting with PZ/Commission.	Complete
Single Family Paint Colors	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 1 st reading, July PZ August Commission for 2 nd reading	Complete
Parking Trust Fund	Town Staff to prepare review	No ordinance necessary. Turtle lighting already required in code.	COMPLETE	Turtle Lighting	Town Staff to prepare review
Turtle Lighting	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
Downtown Color Palette	Open Bay Drive off 96 th Street	Staff will research	Police and Building to research	No change. Police Chief cited safety concerns	COMPLETE
Bay Drive & 96 th Street	Discussed at Joint Meeting	Staff beginning to work on draft	Work Authorization approved	July Commission August Commission	COMPLETE
Sign/awning code					

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 setbacks in the H120 district	No action necessary since Planning and Zoning Board currently reviewing setbacks as part of wall frontage modifications			N/A	
Garage door clarification	Modify code to remove requirement for two separate garage doors	Draft code amendment	In contract	November PZ	COMPLETE
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
Landscaping in front of converted garage	Determine if landscaping planter is sufficient versus requiring landscaping.	Reviewed code and determined that planter is only permitted in cases where the driveway would be too short.	In contract	No further modification necessary	Yes
Sheds	Modify ordinance to increase square footage, but reduce height	Draft code amendment	In contract	Discussed at March meeting.	Commission 1st reading in

	and-add-landscape-requirements:				May-PZ-in May
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