



**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 29, 2015
7:00 PM**

MINUTES

DESIGN REVIEW BOARD

1. CALL TO ORDER

Chair Lindsay Lecour called the meeting to order at 7:00 pm.

2. ROLL CALL

Recording Clerk Nissa Benjamin called the roll with the following members present: Chair Lindsay Lecour, Vice Chair Jacob Kligman, Board Member Jorge Gutierrez, Board Member James Mackenzie, Board Member Peter Glynn and Board Member Armando Castellanos. Liaison, Commissioner Cohen was absent. Board Member Moisha Rubenstein arrived at 7:02 p.m.

3. APPROVAL OF MINUTES: SEPTEMBER 24, 2015

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

4. DESIGN REVIEW BOARD APPLICATIONS:

A. Request of the Owner of Property located at 9580 Abbott Avenue

The applicant is proposing to install a cinder block and stucco six foot high wall along a portion of the south end of the property, two feet north of the property line where the property abuts the neighbor located at 9572 Abbott Avenue.

Town Planner Sarah Sinatra presented the item.

Stanley Price, representing Young Israel said they have spoken to Mr. Baaker (neighbor) and he is in agreement with the installation of the cinder block wall. Mr. Pierce presented the Board with the design and description of the wall.

Board Member Mackenzie recused himself due to a conflict.

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

B. Request of the Owner of Property located at 9549 Carlyle Avenue

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

Town Planner Sarah Sinatra presented the item and staff is recommending approval. The Board briefly discussed the plans and Planner Sinatra answered their questions. The Board gave some suggestions to the applicant regarding rainwater and removing the trellis. The architect spoke and explained the changes they have made to the plan using the recommendations that the Board made at the last meeting.

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

Remove the second floor trellises on the side elevation

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

C. Request of the Owner of Property located at 9356 Abbott Avenue

The applicant is requesting to replace the garage door and modify the configuration of the front door and windows.

Town Planner Sarah Sinatra presented the item and staff is recommending approval.

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

D. Request of the Owner of Property located at 8917 Froude Avenue

The applicant is requesting modifications to the previously approved plans by the Design Review Board on April 30, 2015. The changes include modifications to the configuration of the front windows and doors, dormer windows added to the roof and metal siding.

Town Planner Sarah Sinatra presented the item and staff is recommending approval. Ed Landers representing the applicant answered some questions from the Board.

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

Board Member Mackenzie would like the Board to consider looking into the modifications of small rooms being added to homes. There was some discussion regarding room sizes and what the code standards are. Board Member Mackenzie would like to see a more upscale version regarding room sizes. Chair Lecour said the item will be added for future discussion.

E. Request of the Owner of Property located at 9048 Emerson Avenue

The applicant is requesting to add a four foot high decorative picket style fence with two rolling gates at the front of the property.

Town Planner Sarah Sinatra presented the item and staff is recommending denial and gave an explanation.

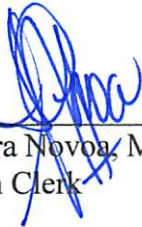
Board Member Rubenstein made a motion for denial. The motion received a second from Board Member Castellanos and all voted in favor.

5. ADJOURNMENT.

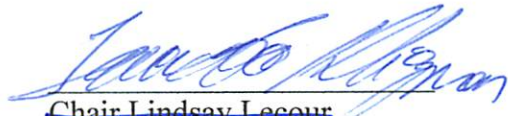
There being no further business to come before the Design Review Board the meeting adjourned at 7:44p.m.

Accepted this 19 day of November, 2015

Attest:



Sandra Novoa, MMC
Town Clerk


~~Chair Lindsay Lecour~~
Vice Chair
Jacob Kligman

PLANNING AND ZONING BOARD
MINUTES
OCTOBER 29, 2015
7:00 PM

1. CALL TO ORDER

Chair Lindsay Lecour called the meeting to order at 7:44 pm.

2. ROLL CALL

Recording Clerk Nissa Benjamin called the roll with the following members present: Chair Lindsay Lecour, Vice Chair Jacob Kligman, Board Member Moisha Rubenstein, Board Member Peter Glynn and Board Member Armando Castellanos. Liaison, Commissioner Cohen was absent.

3. APPROVAL OF MINUTES: SEPTEMBER 24, 2015

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

4. DISCUSSION ITEMS:

A. Residential district (including three attachments)

Town Planner Sinatra gave an overview of the item and the three attachments provided to the Board.

Pervious requirements, setbacks, massing, and landscaping were among the discussion items. Two story homes and taking into consideration the neighboring houses were talked about. As a public speaker, James Mackenzie said that Surfside was traditionally a one story home community and feels the Board is going in the right direction by not having a great deal of massing and gave some points of view. As a public speaker, Jorge Gutierrez said he agrees with Mr. Mackenzie and reconfiguring all the setbacks and believes it is a good start. He also suggested various options regarding adding a second floor. The limit of 64% on second floor additions (excluding outside balconies) was considered. Different scenarios were discussed as well as sea level rise.

Other items discussed were a minimum of two street trees in the front of a home; the types of trees and placement; screening of trash cans and shrubbery/hedges. Heights of fences and shrubbery were talked about.

Chair Lecour is in favor of hedges and does not like the idea of fences and is against the idea of vehicular gates. Chair Lecour said part of the beauty of a community is to see the façade of the different homes and would not like to see a street boxed in with no visibility beyond a high fence and would like to see the height of a fence brought down. Height of shrubbery on front and side can be increased. Planner Sinatra will come back with some diagrams/photos for further discussion.

Garage conversion was a topic they discussed but the only item Board Member Rubenstein questioned was the requirement for landscaping in front of the

conversion. Building Official Ross Prieto said the reasoning was there is a façade change when there is a conversion and the garage door removed and windows placed. However, if the garage door remains and windows placed on the side of the house the façade is not changed. He also mentioned that in a flooding condition the room converted may not be covered by FEMA because it was a garage. Elevation of the floor was discussed.

Board Member Glynn said there are grants out there for funding of trees and asked to move this item forward if we can get the funding. Sidewalks and one way streets were also discussed. Board Member Glynn suggested putting the one way street on the March ballot to poll the community to see what it wants. Attorney Miller said it would have to go to Dade County first and the ballot question would have to be submitted by December 22, 2015. First it would have to go to the Commission and the question written out and approved and then submitted to Dade County. Attorney Miller said the item would be put on the agenda at the November Commission Meeting.

Board Member Rubenstein made a motion that a ballot question regarding one way streets be presented to the Commission for approval. The motion received a second from Board Member Glynn and all voted in favor.

Planner Sinatra gave an update regarding balconies.

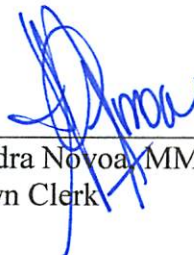
B. Future Agenda Items

6. ADJOURNMENT.

There being no further business to come before the Planning and Zoning Board the meeting adjourned at 9:14p.m.

Accepted this 19 day of November, 2015

Attest:



Sandra Novoa, MMC
Town Clerk



~~Chair Lindsay Lecour~~
Vice Chair
Jacob Kligman

FORM 8B MEMORANDUM OF VOTING CONFLICT FOR COUNTY, MUNICIPAL, AND OTHER LOCAL PUBLIC OFFICERS

| | |
|--|---|
| LAST NAME—FIRST NAME—MIDDLE NAME MACKENZIE, JAMES, RUSSELL | NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE DESIGN REVIEW BOARD |
| MAILING ADDRESS 8842 HAWTHORNE AVENUE | THE BOARD, COUNCIL, COMMISSION, AUTHORITY OR COMMITTEE ON WHICH I SERVE IS A UNIT OF: <input checked="" type="checkbox"/> CITY <input type="checkbox"/> COUNTY <input type="checkbox"/> OTHER LOCAL AGENCY |
| CITY SURFSIDE | COUNTY MIAMI-DADE |
| DATE ON WHICH VOTE OCCURRED | NAME OF POLITICAL SUBDIVISION: TOWN OF SURFSIDE |
| | MY POSITION IS: <input type="checkbox"/> ELECTIVE <input checked="" type="checkbox"/> APPOINTEE |

WHO MUST FILE FORM 8B

This form is for use by any person serving at the county, city, or other local level of government on an appointed or elected board, council, commission, authority, or committee. It applies to members of advisory and non-advisory bodies who are presented with a voting conflict of interest under Section 112.3143, Florida Statutes.

Your responsibilities under the law when faced with voting on a measure in which you have a conflict of interest will vary greatly depending on whether you hold an elective or appointive position. For this reason, please pay close attention to the instructions on this form before completing and filing the form.

INSTRUCTIONS FOR COMPLIANCE WITH SECTION 112.3143, FLORIDA STATUTES

A person holding elective or appointive county, municipal, or other local public office **MUST ABSTAIN** from voting on a measure which would inure to his or her special private gain or loss. Each elected or appointed local officer also **MUST ABSTAIN** from knowingly voting on a measure which would inure to the special gain or loss of a principal (other than a government agency) by whom he or she is retained (including the parent, subsidiary, or sibling organization of a principal by which he or she is retained); to the special private gain or loss of a relative; or to the special private gain or loss of a business associate. Commissioners of community redevelopment agencies (CRAs) under Sec. 163.356 or 163.357, F.S., and officers of independent special tax districts elected on a one-acre, one-vote basis are not prohibited from voting in that capacity.

For purposes of this law, a "relative" includes only the officer's father, mother, son, daughter, husband, wife, brother, sister, father-in-law, mother-in-law, son-in-law, and daughter-in-law. A "business associate" means any person or entity engaged in or carrying on a business enterprise with the officer as a partner, joint venturer, coowner of property, or corporate shareholder (where the shares of the corporation are not listed on any national or regional stock exchange).

* * * * *

ELECTED OFFICERS:

In addition to abstaining from voting in the situations described above, you must disclose the conflict.

PRIOR TO THE VOTE BEING TAKEN by publicly stating to the assembly the nature of your interest in the measure on which you are abstaining from voting; *and*

WITHIN 15 DAYS AFTER THE VOTE OCCURS by completing and filing this form with the person responsible for recording the minutes of the meeting, who should incorporate the form in the minutes.

* * * * *

APPOINTED OFFICERS:

Although you must abstain from voting in the situations described above, you are not prohibited by Section 112.3143 from otherwise participating in these matters. However, you must disclose the nature of the conflict before making any attempt to influence the decision, whether orally or in writing and whether made by you or at your direction.

IF YOU INTEND TO MAKE ANY ATTEMPT TO INFLUENCE THE DECISION PRIOR TO THE MEETING AT WHICH THE VOTE WILL BE TAKEN:

- You must complete and file this form (before making any attempt to influence the decision) with the person responsible for recording the minutes of the meeting, who will incorporate the form in the minutes. (Continued on page 2)

APPOINTED OFFICERS (continued)

- A copy of the form must be provided immediately to the other members of the agency.
- The form must be read publicly at the next meeting after the form is filed

IF YOU MAKE NO ATTEMPT TO INFLUENCE THE DECISION EXCEPT BY DISCUSSION AT THE MEETING:

- You must disclose orally the nature of your conflict in the measure before participating.
- You must complete the form and file it within 15 days after the vote occurs with the person responsible for recording the minutes of the meeting, who must incorporate the form in the minutes. A copy of the form must be provided immediately to the other members of the agency, and the form must be read publicly at the next meeting after the form is filed.

DISCLOSURE OF LOCAL OFFICER'S INTEREST

I, JAMES R. MACKENZIE, hereby disclose that on OCTOBER 29, 20 15:

(a) A measure came or will come before my agency which (check one or more)

- inured to my special private gain or loss,
- inured to the special gain or loss of my business associate, _____;
- inured to the special gain or loss of my relative, _____;
- inured to the special gain or loss of _____, by whom I am retained, or
- inured to the special gain or loss of _____, which is the parent subsidiary, or sibling organization or subsidiary of a principal which has retained me.

(b) The measure before my agency and the nature of my conflicting interest in the measure is as follows:

*I receded myself from item 4A (9580 ABBOT AVE).
I was vice-president - Design Director at Schapiro and Associates
from 1993 to 1994 years are inclusive.*

If disclosure of specific information would violate confidentiality or privilege pursuant to law or rules governing attorneys, a public officer, who is also an attorney, may comply with the disclosure requirements of this section by disclosing the nature of the interest in such a way as to provide the public with notice of the conflict.

Nov. 3/15
Date Filed

James R. Mackenzie
Signature

NOTICE: UNDER PROVISIONS OF FLORIDA STATUTES §112.317, A FAILURE TO MAKE ANY REQUIRED DISCLOSURE CONSTITUTES GROUNDS FOR AND MAY BE PUNISHED BY ONE OR MORE OF THE FOLLOWING: IMPEACHMENT, REMOVAL OR SUSPENSION FROM OFFICE OR EMPLOYMENT, DEMOTION, REDUCTION IN SALARY, REPRIMAND, OR A CIVIL PENALTY NOT TO EXCEED \$10,000.