



**Town of Surfside  
PLANNING & ZONING BOARD  
MINUTES**

**August 27, 2020 – 6:00 p.m.**

Town Hall Commission Chambers –  
9293 Harding Ave, 2<sup>nd</sup> Floor, Surfside, FL 33154

**1. Call to Order/Roll Call**

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

**Present:** Chair Judith Frankel, Board Member Fred Landsman, Board Member James MacKenzie (arrived at 6:10 p.m.), Board Member Ruben Bravo, and Board Member Oliver Sanchez.

**Absent:** Board Member Deborah Wecselman and Board Member Robert Izaurralde

**Also, Present:** Commissioner Eliana Salzhauer, Town Planner James Hickey, Assistant Town Attorney Edward Martos and Assistant Town Attorney Tony Recio.

**2. Town Commission Liaison Report – Commissioner Salzhauer**

Commissioner Salzhauer stated that the Commission discussed the Planning and Zoning Board and would invite their input in order to finalize the rewrite of the Code.

**3. Approval of Minutes – July 30, 2020**

A motion was made by Board Member Landsman to approve the July 30, 2020 Planning and Zoning Board Meeting Minutes, seconded by Board Member Sanchez. The motion carried with a 4-0 vote with Committee Member MacKenzie absent.

Chair Frankel would like to adjust the agenda in order to place some of the easier items to be heard first.

Assistant Town Attorney Recio stated that the following applicants did not sign the affidavit and hold harmless as required and will be deferred to September 24, 2020. Those items are items 5E, 5H, 5L and 5M.

A motion was made by Committee Landsman to defer items 5E, 5H, 5L and 5M to the September 24, 2020 agenda, seconded by Committee Member Bravo. The motion carried with a 5-0 vote.

Chair Frankel would like to hear items 5A, 5C, 5F, 5G and 5B in that order first and then continue down the list.

A motion was made by Committee member Sanchez to reorder the agenda as stated by Chair Frankel to hear items 5A, 5C, 5F, 5G and 5B in that order followed by the rest of the agenda items, seconded by Committee member Landsman. The motion carried with a 5-0 vote.

**4. Appointment of a Vice Chair**

Discussion among the Board Members took place regarding the appointment of a Vice Chair.

A motion was made by Committee Member Landsman to appoint Committee Member Sanchez as the Vice Chair for the Planning and Zoning Board, seconded by Committee Member Bravo. The motion carried with a 5 -0 vote.

**5. Applications:**

**A. 9516 Bay Drive – New Single-Family Residence**

Assistant Town Attorney Martos read the quasi-judicial statement into the record and polled the Board Members.

Chair Frankel stated that she was emailed by two of the applicants explaining their application. She confirmed that she can be impartial in these proceedings.

Committee Member MacKenzie stated that he received a call from one of the applicants and who was looking for further clarification. He confirmed that he can be impartial in these proceedings.

Committee Member Bravo stated that he received a text message from a neighbor to comment on this item. He confirmed that he can be impartial in these proceedings.

Vice Chair Sanchez stated that he received an email from the Town from one of the neighbors. He confirmed that he can be impartial in these proceedings.

Town Planner Hickey introduced the item. He stated that the property is located at 9516 Bay Drive, within the H30A zoning district. The applicant is requesting to build a new 10,543 square-foot two-story home. The plans include a new driveway, walkways, pool, deck, 3 car garage, covered patio and roof deck. The applicant plans to keep the existing gate and hedge.

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

- Applicable Zoning Code regulations for the 2006 and the 2020 codes based on the Zoning in Progress in place, along with the results of the review.
- Applicable Design Guideline standards, along with the results of the review from the 2020 Zoning Code only.
- Staff Recommendation

Staff finds the application meets the 2020 Zoning Code, the 2006 Zoning Code and the current Zoning in Progress provided the following conditions are met:

- 1) Pursuant to the Zoning in Progress notice published on August 9, 2020, and Section 90-6 of the Town of Surfside Code, the rooftop deck depicted on the plans is not permitted. This approval is subject to removal of this feature from the plans prior to building permit, except in the event that, prior to issuance of a building permit, the Town Commission adopts a zoning ordinance that allows the feature. In such case, the feature, as may be modified to meet the requirements for such feature imposed by the ordinance allowing it, may be approved as part of the building permit, unless, in the sole discretion of the Planning Director, such modifications to accommodate the feature materially impact the design approved by the Planning and Zoning Board or frustrate the intent of the Design Guidelines.
- 2) Pursuant to the Zoning in Progress notice published on August 9, 2020, and Section 90-6 of the Town of Surfside Code, ornamental and screening features projecting more than 6" within a setback depicted on the plans are not permitted. This approval is subject to removal of this feature from the plans prior to building permit, except in the event that, prior to issuance of a building permit, the Town Commission adopts a zoning ordinance that allows the feature. In such case, the feature, as may be modified to meet the requirements for such feature imposed by the ordinance allowing it, may be approved as part of the building permit, unless, in the sole discretion of the Planning Director, such modifications to accommodate the feature materially impact the design approved by the Planning and Zoning Board or frustrate the intent of the Design Guidelines.
- 3) Pursuant to the Zoning in Progress notice published on August 9, 2020, and Section 90-6 of the Town of Surfside Code, the stairway within the north setback depicted on the plans is not permitted. This approval is subject to removal of this feature from the plans prior to building permit, except in the event that, prior to issuance of a building permit, the Town Commission adopts a zoning ordinance that allows the feature. In such case, the feature, as may be modified to meet the requirements for such feature imposed by the ordinance allowing it, may be approved as part of the building permit, unless, in the sole discretion of the Planning Director, such modifications to accommodate the feature materially

impact the design approved by the Planning and Zoning Board or frustrate the intent of the Design Guidelines.

- 4) Pursuant to the Zoning in Progress notice published on August 9, 2020, and Section 90-6 of the Town of Surfside Code, a front and rear yard equaling less than 36% as depicted on the plans is not permitted. This approval is subject to removal of this feature from the plans prior to building permit, except in the event that, prior to issuance of a building permit, the Town Commission adopts a zoning ordinance that allows the feature. In such case, the feature, as may be modified to meet the requirements for such feature imposed by the ordinance allowing it, may be approved as part of the building permit, unless, in the sole discretion of the Planning Director, such modifications to accommodate the feature materially impact the design approved by the Planning and Zoning Board or frustrate the intent of the Design Guidelines.
- 5) Pursuant to the Zoning in Progress notice published on August 9, 2020, and Section 90-6 of the Town of Surfside Code, the rooftop deck depicted on the plans is not permitted. This approval is subject to removal of this feature from the plans prior to building permit, except in the event that, prior to issuance of a building permit, the Town Commission adopts a zoning ordinance that allows the feature. In such case, the feature, as may be modified to meet the requirements for such feature imposed by the ordinance allowing it, may be approved as part of the building permit, unless, in the sole discretion of the Planning Director, such modifications to accommodate the feature materially impact the design approved by the Planning and Zoning Board or frustrate the intent of the Design Guidelines.
- 6) Provide calculations demonstrating 35% pervious area is being met per 2020 Code Sec. 90.49. (42.73% stated on plans)
- 7) Pool is setback 15' from the Indian Creek Bulkhead line. Requires engineer's analysis indicating that the seawall will not be compromised by the pool per Sec 90-60.
- 8) A fence or ornamental wall may be placed within the front yard or primary corner yard if granted design review approval by the planning and zoning board per Sec 90-56.

Town Planner Hickey stated that the resubmittals would answer questions they might have.

Sharon Hakmon, applicant, discussed his project and stated that he made the changes required and complied with both the 2020 and 2006 code and all the requirements and recommendations made by the Board.

Assistant Town Attorney Recio noted for the record the email received on this item.

The following member of the public spoke on the item:

Anthony Blate asked what the setback is on this property. He also stated that according to 90-48.3 it states that the setback is 50 feet instead of the ones on Point Lake and believes the setback on this property is 50 feet. He requested that code to be read to him by the Town Attorney.

Town Planner Hickey stated that the required setback on Bay Drive is 25 feet and 50 feet on the south side of Surfside. The setbacks were verified and he was explained the interpretation of the code regarding the setbacks.

Assistant Town Attorney Martos read that section of the Code to speaker Blate and according to the Town Planner they are complying with the setbacks.

Commissioner Salzhauer stated that the interpretation of that code be up to the Attorney to interpret.

Assistant Town Attorney Martos addressed the comments made by speaker Blate and Commissioner Salzhauer and the interpretation of the Code is to be done by the Town Planner and not the Town Attorney.

Chair Frankel addressed the comments made by speaker Blate and Commissioner Salzhauer and what the determination of the interpretation of the Code is.

Chair Frankel closed public comments.

Board Member MacKenzie commented on Town Planner Hickey's recommendations and asked for clarification on portions of the recommendations and the setbacks of the property.

Town Planner Hickey addressed the comments and questions made by Board Member MacKenzie.

Vice Chair Sanchez addressed the comments made by speaker Blate and the urgency of the applicant complying with the Zoning in Progress and spoke regarding the email received from the neighbor from the south. He spoke regarding aspects of the plans including the roof deck, access and compliance with fire code. He spoke regarding the upgrading of the seawall and its inspection.

Town Planner Hickey addressed the comments made by Vice Chair Sanchez regarding the doors and recess steps and compliance with the fire code. He also stated that the seawall would get looked at by an engineer and they have to submit a report when they request a permit for the pool.

Chair Frankel asked regarding the upgrading of the seawall and asked if all water drains.

Building Official Prieto stated that all rain and stormwater has to be retained on the property and percolates into the green area on each lot.

Further discussion took place among the Board Members and Town Staff regarding the recommendations by Town Planner Hickey.

Board Member Landsman thanked the applicant for removing the roof deck. He commented on other board members' comments and details. He asked for the group to stay focused on what needs to be accomplished and what they are able to consider. He commented on the delay of all applications and the Town Planner will look at the code and the plans.

Board Member Bravo stated they have the same comments and agrees with Board Member Landsman and they have been discussing for the last hour the same items as before and everyone has their own interpretation. He does not think it is appropriate for this neighborhood and there are areas that he cannot comment on because he does not have enough information.

Chair Frankel stated they are trying to catch up with the plans and style and type of roof.

Chair Frankel agrees that it is difficult when things come in late. She commented on the stairwell being removed, the condition of the seawall and have it brought up to code. She commented on the massing of the home and stated that it is a very large home and even if it meets code, it does not comply with the intent of the design guidelines, and requested for the applicant to remove the gate.

Assistant Town Attorney Martos stated that some of the board members made direct requests and to give an opportunity to the applicant if he is able to make concessions to see where they stand on various ideas.

Sharon Hakmon addressed the comments and recommendations suggested by the Board members.

A motion was made by Vice Chair Sanchez to defer the item.

Assistant Town Attorney Recio clarified and stated that the board is entitled to approve, approve with conditions pursuant to guidelines but a deferral is up to the applicant and encourages the board to decide unless the applicant agrees to defer the item for a third time.

Commissioner Salzhauer commented on the air conditioning unit being on the roof top.

Chair Frankel asked the applicant if he is willing to come for A third time in order to defer the item. She commented on the design guidelines and the house is not in keeping with the guidelines of the neighborhood. They are requesting to reduce the massing of the 2<sup>nd</sup> floor and deferring the item for a third meeting in order to correct this.

Sharon Hakmon, applicant, addressed the comments made by the Board regarding the changes to his plans and the massing.

Chair Frankel addressed the comments made by the applicant regarding the changes needed to be made.

Assistant Town Attorney Martos explained the rules of deferring the items and how many meetings an applicant can be deferred to and asked if the applicant agrees to a deferral to a third meeting.

Beatriz Carta, attorney representing Sharon Hakmon, applicant, would like to understand and have a clear explanation of each one of the conditions her client is being asked to meet.

Chair Frankel stated that the Zoning in Progress was put into place by the Commission and not this Board and it was not discussed at the last meeting. What was discussed in the last meeting was the massing and the Board could give her more specifics which is the design guidelines.

Board Member MacKenzie spoke regarding the massing of the property and believes it needs to be articulated. The walls do not meet the guidelines and the massing on the front façade and the rear façade. He suggested to go back to his architect to set the walls back.

Applicant Hakmon is willing to move the stairs, move the AC and create some type of terrace inside and would like to keep the gate.

Attorney Carta asked for the criteria the Board is requesting.

Chair Frankel stated to bring the walls north and south back, at least one-half has to go back and the terrace uncovered, reducing the overall scale of the gate would improve the look from the street. She stated the conditions are the articulation of the north and south side, removal of the stairway, removal of the mechanical on the roof as required, seawall be up to code and 33% reduction.

Sharon Hakmon agrees to the deferral but does not agree with 50% of the setback of the second floor.

After a lengthy discussion on the item and changes requested by the Board, and the design review guidelines requirements, the following motion was made.

A motion was made by Board Member MacKenzie to defer the item to the September 24, 2020 meeting, seconded by Board Member Bravo. The motion carried with a 5-0 vote.

**B. 9556 Carlyle Avenue - New Single-Family Residence**

Town Planner Hickey introduced the item. He stated that the property is located at 9556 Carlyle Avenue, within the H30B zoning district. The applicant is requesting to build a new 4,506 square foot two-story home. The plans include a new driveway, walkway, pool, deck, covered terrace and jacuzzi.

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

- Applicable Zoning Code regulations for the 2006 and the 2020 codes based on the Zoning in Progress in place, along with the results of the review
- Applicable Design Guideline standards, along with the results of the review from the 2020 Zoning Code only.
- Staff Recommendation

Staff finds the application meets both the 2020 and 2006 Zoning Codes

[New single-family homes require notification the surrounding neighbors – 10 days prior to the review meeting]

- 1) Pursuant to the Zoning in Progress notice published on August 9, 2020, and Section 90-6 of the Town of Surfside Code, more than 15% for accessory structures is not permitted. This approval is subject to removal of this feature from the plans prior to building permit, except in the event that, prior to issuance of a building permit, the Town Commission adopts a zoning ordinance that allows the feature. In such case, the feature, as may be modified to meet the requirements for such feature imposed by the ordinance allowing it, may be approved as part of the building permit, unless, in the sole discretion of the Planning Director, such modifications to accommodate the feature materially impact the design approved by the Planning and Zoning Board or frustrate the intent of the Design Guidelines.
- 2) Pursuant to the Zoning in Progress notice published on August 9, 2020, and Section 90-6 of the Town of Surfside Code, eaves projecting more than 8" into the setback are not permitted. This approval is subject to removal of this feature from the plans prior to building permit, except in the event that, prior to issuance of a building permit, the Town Commission adopts a zoning ordinance that allows the feature. In such case, the feature, as may be modified to meet the requirements for such feature imposed by the ordinance allowing it, may be approved as part of the building permit,



unless, in the sole discretion of the Planning Director, such modifications to accommodate the feature materially impact the design approved by the Planning and Zoning Board or frustrate the intent of the Design Guidelines.

- 3) Pursuant to the Zoning in Progress notice published on August 9, 2020, and Section 90-6 of the Town of Surfside Code, the access steps in the north and south setback as depicted on the plans are not permitted. This approval is subject to removal of this feature from the plans prior to building permit, except in the event that the land development regulations in place at the time of building permit allow the feature. In such case, the feature, as may be modified to meet the requirements for the feature set forth in the applicable land development regulations, may be approved as part of the building permit, unless, at the sole discretion of the Planning Director, such modifications to accommodate the feature materially impact the design approved by the Planning and Zoning Board or frustrate the intent of the Design Guidelines.
- 4) Pursuant to the Zoning in Progress notice published on August 9, 2020, and Section 90-6 of the Town of Surfside Code, 20% of all landscaping must be Florida Friendly. Please provide details showing this ZIP condition is being met.

Jeff Rose, representing the applicant explained the project and the pavers as well as the pool deck concerns.

Town Planner Hickey stated if they would change the pool deck to an actual pool and jacuzzi they would be in compliance with the Zoning in Progress.

Pearl Dwek, the applicant, agrees to enlarge the pool if that is what will be needed for approval.

The following individual from the public spoke:  
George Kousoulas

Chair Frankel stated that they should look at decorative features as well in the future.

Chair Frankel closed the public comments.

Vice Chair Sanchez stated he is concerned about the side stair entry. He asked regarding the trash containers and are our solid waste employees having to go inside the property to service the house.

Chair Frankel stated they removed the stairs and no door on the side due to the Zoning in Progress.

Jeff Rose stated that the client will be taking out the trash containers and will pull them forward.

Board Member MacKenzie spoke regarding the calculation on the second and first floor, articulation of second floor, and would like a condition of the roof and transparency of light coming through.

Chair Frankel suggested doing something with the color of the roof and likes the overhangs. She would like to discuss this further and amending it from the Zoning in Progress.

Vice Chair Sanchez wants to make sure that the garbage bins and recycling bins will be brought to the front.

Jeff Rose stated they would look for something lighter for the roof color and use cement tiles.

Board Member Landsman asked Pearl Dwek, applicant, if she agrees with the change of roof tile color as long as it is in the gray tones.

The applicant stated that she is fine with the change in the roof tile color.

A motion was made by Board Member Bravo to approve lightening the roof tile color, moving the trash cans forward, and the changes to the pool deck, seconded by Board Member Landsman. The motion carried with a 5-0 vote.

Discussion among the Board Members and Commissioner Salzhauer regarding the Zoning in Progress and its changes.

Board Member MacKenzie commented on the first-floor setback requirements.

Town Planner Hickey addressed the questions asked by Board Member MacKenzie.

### **C. 8955 Collins Avenue – Monument Sign**

Town Planner Daniel Mantell introduced the item. He stated that the subject property is located at 8955 Collins Avenue and is within the H120 zoning district (RD-1 zoning district in the 2006 code). The applicant is requesting one Ground Mounted Monument Sign.

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 for the 2006 and the 2020 codes based on the Zoning in Progress in place along with the results of the review
- Applicable Design Guideline standards, along with the results of the review from the 2020 Zoning Code only.

- **Staff Recommendation**

Staff finds the application meets both the 2020 and 2006 Zoning Codes subject to the following:

- 1) Ensure the 5' minimum required setback is being met. Per 2020 code section 90-73.
- 2) Provide landscaping at the base of the monument sign. Per 2020 code section 90-73.

Yanelis Martinez, attorney for the applicant, presented the item.

Board Member Bravo asked if this is a permanent or temporary sign. He stated he could not find information on the illumination.

Town Planner Mantell stated it is a permanent sign.

Attorney Yanelis Martinez stated they use LED lights and addressed the questions by the Board Members regarding the sign and lettering as well.

Board Member Sanchez stated his recommendation was to remove the vinyl letters and keep the sign once the vinyl lettering is no longer needed.

Chair Frankel asked if there could be a condition that the applicant come back in a year to readdress the signage.

Assistant Town Attorney Recio stated that the applicant could come back in a year and whatever is no longer applicable could be removed.

Discussion took place among the Staff and Board members regarding the type of illumination of the sign.

A motion was made by Board Member MacKenzie for the applicant to come back in 12 months to review and remove the vinyl from the price down and continue keeping as a monument sign the name of the property, seconded by Board Member Bravo. The motion carried with a 5-0 vote.

**D. 9177 Dickens Avenue – Addition**

Town Planner Hickey introduced the item. He stated that the property is located at 9177 Dickens Avenue, within the H30B zoning. The applicant is requesting to build new additions to the first floor totaling roughly 922 square feet. The addition includes 2 bedrooms, 2 bathrooms and a new family room. The applicant also plans to convert the existing garage into livable 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 for the 2006 and the 2020 codes based on the Zoning in Progress in place, along with the results of the review
- Applicable Design Guideline standards, along with the results of the review from the 2020 Zoning Code only.
- Staff Recommendation

Staff finds the application meets both the 2020 and 2006 Zoning Codes and current Zoning in Progress subject to the following:

- (1) Architecturally embellished metal roof requires approval by the Design Review Board
- (2) The FFE of the addition will need to be confirmed with the Building Department at time of Building Permit.
- (3) Provide landscaping or a planter in front of the converted garage. Per code section 90-50.1, the installation of planter is only permitted when the landscaping will result in insufficient off-street parking. There is sufficient space in the front yard for a landscaped strip which will not impede off-street parking.

*Section 90-50.1: If the garage entrance is located at the front or primary corner of the property, landscaping shall be provided along the base of the new exterior wall. When the installation of landscaping results in insufficient off-street parking, a landscaped planter shall be permitted in lieu of the required landscaping.*

- (4) Pursuant to the Zoning in Progress notice published on August 9, 2020, and Section 90-6 of the Town of Surfside Code 20% of all landscaping must be Florida Friendly. Please provide details showing this ZIP condition is being met.

Edgar Gonzalez, the applicant, presented his project.

Chair Frankel closed public comments.

Vice Chair Sanchez asked regarding the ceiling heights, the windows and the footprint of the house as well as the raising of the structure.

Edgar Gonzalez, applicant, answered the questions by the Board and stated the entire roof will be done new and impact windows will be added.

Town Planner Hickey stated he will verify if conditions have been met.

Board Member MacKenzie asked if they are exceeding 50%.

Edgar Gonzalez, applicant, stated they are not exceeding the 50% and they are raising the floor of the house as per the owner of the house.

Further discussion took place among the Board members and the applicant regarding the raising of the floor

Board Member Bravo commented on the color of the roof.

Chair Frankel asked if the frames are all white.

Edgar Gonzalez, applicant, stated they are all white frames.

Board Member Landsman commended the applicant in not adding a second floor to the project.

A motion was made by Board Member Bravo to approve the application with a lighter colored roof, seconded by Board Member MacKenzie. The motion carried with a 5-0 vote.

**E. 8927 Froude Avenue – Addition**

Item was deferred to September 24, 2020 meeting.

**F. 9491 Harding Avenue – Awning**

Town Planner Mantell introduced the item. He stated that the property is located at 9491 Harding Avenue, within the SD-B40 zoning district. The current businesses include David and Saul Shoes, Sea View Cleaners, Specchio's, 26 & Tapas as well as other storefronts. The applicant is proposing to install with one single canvas black awning for the Harding Avenue and 95 Street facades. There are currently various awnings in different sizes and colors along the storefronts.

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

- Existing and proposed awning
- Applicable Zoning Code regulations, along with the results of the review
- Staff Recommendation

Staff recommends approval by the Board provided the applicant complies with 2020 Sec. 90-49.2.4, "After 25 feet in length, an awning or canopy shall have either a break of a minimum of six inches or articulation of the awning or canopy."

The following individual from the public spoke on the item:  
George Kousoulas

Chair Frankel closed the public comment.

Vice Chair Sanchez stated it looks elegant and asked why doesn't it extend to Barry Cohen's office past the store front.

Board Member Landsman also commented on the color and if it is a good choice for the heat and likes the approach.

Board Member Bravo also discussed the color and encouraged that the new code address this as well.

Board Member MacKenzie commented on the color and there not being drawings to see how it projects off the building into the sidewalk. He also asked about the 6-inch break.

Chair Frankel stated they as a Board cannot override the code and that she would prefer a lighter color.

Vice Chair Sanchez suggested getting the recommendation from DVAC moving forward.

Town Planners Hickey and Mantell commented on the 6-inch break and will work with the applicant with that.

Board Member Landsman gave his suggestions and comments.

A motion was made by Board Member Landsman to approve the application, seconded by Board Member MacKenzie. The motion carried with a 5-0 vote.

**G. 9467 Harding Avenue – Façade Change and Outdoor Seating (*May be deferred*)**

Town Planner Hickey introduced the item. He stated the property is located at 9467-9473 Harding Avenue, within the SD-B40 zoning district. The current businesses include a Kosher Land, a realty office, and medical spa. The applicant is proposing façade improvements with new windows, fenestration, a metal awning, as well as outdoor seating to expand the existing market into the three storefronts and rename it the Grove Kosher Market.

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

- Applicable 2020 and 2006 Zoning Codes and the current Zoning in Progress along with the results of the review
- Staff Recommendation

Staff recommends approval as the proposed development meets the requirements of the 2006 and 2020 Zoning Codes and the current Zoning in Progress. Applicant will need to revise plans or provide the following information:

- 1) When sidewalk café permit is submitted it must meet the standards and criteria in 2020 Sec. 18-92.
- 2) Any signage for the proposed development will require review and approval by the Planning and Zoning Board.

Jordy Sopourn, representing the applicant, stated that Town Planner Hickey explained the project and he stated that his client is taking over all three tenant spaces to make a boutique grocery store.

Chair Frankel closed public comment.

Board Member Landsman commented on the removal of the awning and is in favor of awnings to provide protection from the elements and will they be bringing back an awning or covering.

Jordy Sopourn addressed the comments made by Board Member Landsman that there is a fair amount of covering.

Chair Frankel stated it is a nice and clean design and agrees that the old awning is beat up.

Board Member MacKenzie stated it is a good example of articulation of massing and likes the project.

Vice Chair Sanchez likes the project but wants to make sure they do not bump out too much.

A motion was made by Board Member MacKenzie to approve the application, seconded by Board Member Bravo. The motion carried with a 5-0 vote.

**H. 9309 Abbott Avenue – Addition (*May be deferred*)**

Item deferred to September 24, 2020 meeting.

**I. 8712 Byron Avenue, Lot A - New Single-Family Residence (*May be deferred*)**

Item deferred to September 24, 2020 meeting.

Yoann Andreu, applicant, spoke regarding hearing all three applications together and agrees with the deferral.

A motion was made by Board Member Bravo to defer the item to the September 24, 2020 meeting, seconded by Board Member Landsman. The motion carried with a 5-0 vote.

**J. 8712 Byron Avenue, Lot B - New Single-Family Residence (*May be deferred*)**

Item deferred to September 24, 2020 meeting.

Yoann Andreu, applicant, spoke regarding hearing all three applications together and agrees with the deferral.

A motion was made by Board Member Bravo to defer the item to the September 24, 2020 meeting, seconded by Board Member Landsman. The motion carried with a 5-0 vote.

**K. 8712 Byron Avenue, Lot C - New Single-Family Residence (*May be deferred*)**

Item deferred to September 24, 2020 meeting.

Yoann Andreu, applicant, spoke regarding hearing all three applications together and agrees with the deferral.

A motion was made by Board Member Bravo to defer the item to the September 24, 2020 meeting, seconded by Board Member Landsman. The motion carried with a 5-0 vote.

**L. 924 93 Street - New Single-Family Residence (*May be deferred*)**

Item deferred to September 24, 2020 meeting.

**M. 824 88 Street – Awning (*May be deferred*)**

Item deferred to September 24, 2020 meeting.

**6. Discussion Items:**

**A. Future Agenda Items**

Chair Frankel discussed Indian Creek and 25 vs 50; existing fences along the right away and if needed change with new development, update the seawall with new construction, awnings with lighter color, the 6-inch break, the accessory requirement and roof top overhangs. She also commented on sustainable green building, second floor requirements on second patios, side stairs, the placing of the garbage cans, as well as the location of the pool equipment.



Commissioner Salzhauer asked if DERM approval could be made part of any waterfront home that is being built. She asked Town Planner Hickey to forward to the entire Board the list of these discussion items from tonight's meeting.

Chair Frankel commented on Commissioner Salzhauer's comments regarding DERM.

Town Planner Hickey stated that they will need to meet the intent.

Board Member MacKenzie requested a landscape architect to submit a landscape plan with each new project.

Chair Frankel stated that is already part of the requirement and if they need to make any zoning changes, it has to be with a landscape architect.

Chair Frankel asked if Commissioner Salzhauer is working with the business district in obtaining their opinion on the awnings and it would have to be Commissioner Kesl who is the Liaison.

Commissioner Salzhauer commented on the two alternates being present and use of their expertise.

A motion was made to extend the meeting for 15 minutes to 10:20 p.m. by Board Member Landsman, seconded by Board Member Bravo. The motion carried with a 5-0 vote.

The following members of the public spoke:

George Kousoulas spoke regarding the building code and the Zoning in Progress.

Jeff Rose spoke regarding solar panels being a requirement on new construction, give a foot-get a foot, and measure potential versus actual.

Chair Frankel addressed the comments made by the public speakers.

Discussion took place among the Board and Town Planner Hickey regarding an additional meeting between the 09/24/2020 meeting and the regular October meeting.

Chair Frankel stated that if they are just changing landscaping they do not have to resubmit unless they are major changes.

## **7. Adjournment**

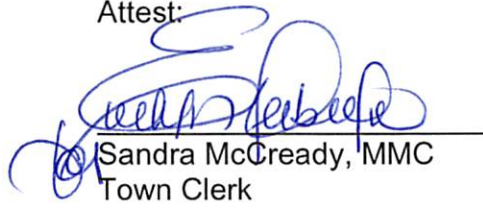
A motion was made by Board Member Landsman to adjourn the meeting without objection at 10:28 p.m. The motion received a second from Board Member Bravo. All voted in favor.

Respectfully submitted,

Accepted this 24 day of September, 2020.

  
\_\_\_\_\_  
Judith Frankel, Chair

Attest:

  
\_\_\_\_\_  
Sandra McCready, MMC  
Town Clerk