



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

September 24, 2020 – 6:00 p.m.

1. Call to Order/Roll Call

Chair Frankel called the meeting to order at 6:07 p.m.

Present: Chair Judith Frankel, Board Member Fred Landsman, Board Member James MacKenzie, Board Member Ruben Bravo, and Board Member Oliver Sanchez.

Absent: 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 spoke regarding the new rezoning rewrite that will be coming up and would like the Planning and Zoning Board to have their input. She stated that Board Member Wecselman resigned and if they have any recommendations please advise them.

3. Approval of Minutes – August 27, 2020

A motion was made by Board Member Landsman to approve the August 27, 2020 Planning and Zoning Board Meeting Minutes, seconded by Vice Chair Sanchez. The motion carried with a 5-0 vote.

Chair Frankel stated that an email was sent to the alternates to advise them of their involvement.

Assistant Town Attorney Tony Recio read the statement of virtual meetings and the zoom information for this meeting into the record.

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

No members of the Board had any communication.

Assistant Town Attorney Recio advised the Board members that Items 4C, 4E, 4H and 4J will be deferred to October 29, 2020 due to the applicants not submitting their hold harmless agreement.

A motion was made by Board Member Bravo to defer items 4C, 4E, 4H and 4J to the October 29, 2020 meeting, seconded by Board Member Landsman. The motion passed with a 5-0 vote.

4. Applications:

A. 9516 Bay Drive – New Single-Family Residence

Town Planner Hickey introduced the item and provided the staff recommendations.

Deputy Town Clerk Herbello swore in the applicant Sharon Hakmon.

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. The applicant has resubmitted revised plans for consideration.

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

August P&Z Required Board Conditions:

- (1) Add articulation to the second floor north and south façade.

DM resubmittal review 9/3/2020:

Applicant has pushed back the terrace on the north and south façade creating adding articulation (pushed back roughly 2'6").

- (2) Removal of the access stairs to the roof.

DM resubmittal review 9/3/2020:

Applicant has removed the access stairs accordingly.

- (3) Removal of the rooftop mechanical equipment.

DM resubmittal review 9/3/2020:

Applicant has removed the rooftop mechanical equipment and relocated such equipment to the ground floor behind the garage.

(4) Bring the seawall up-to-code.

Applicant intends to do so.

(5) Removal of the front access gate.

DM resubmittal review 9/3/2020:
Applicant intends to keep the existing gate

Sharon Hakmon, applicant introduced the item and provided a presentation.

Deputy Town Clerk Herbello swore in the parties that would be speaking on this item.

The following member from the public spoke on the item:
George Kousalous

Chair Frankel closed public comments.

Commissioner Salzhauer asked where the AC was being placed.

Board Member MacKenzie stated it was placed on the floor.

Chair Frankel stated that they are in compliance.

Vice Chair Sanchez thanked the applicant and is happy to move forward.

Board Member Landsman thanked the applicant and for the changes he made and for accommodating the Board for the changes that were made.

Chair Frankel asked Vice Chair Sanchez if he is happy with the changes.

Vice Chair Sanchez stated he is happy with the changes made by the applicant.

Board Member MacKenzie thanked the applicant for the changes he made. He commented to the Town Planner to be more stringent with the applications.

Town Planner Hickey addressed the comments made by Board Member MacKenzie regarding the plans and the requirements.

Board Member Bravo discussed the plans and its requirements and the inconsistencies.

Further discussion took place regarding the application and the changes made to the plans.

A motion was made by Board Member Landsman to approve the application and move forward, Seconded by Board Member Bravo. The motion carried by a 5-0 vote.

B. 9309 Abbott Avenue – Addition

Town Planner Hickey introduced the item. He stated that the rear setback is at 20 feet.

The property is located at 9309 Abbott Avenue, within the H30B zoning district. The applicant is requesting to build new additions to the first floor and second floor totaling roughly 1,000 square feet. The additions include a dining room/living room and playroom/family room.

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 and 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 that the application meets both the 2020 and 2006 Zoning Codes and recommends approval.

Abraham Fried, the applicant was sworn into the record by Deputy Town Clerk Herbello.

Abraham Fried, applicant, thanked the Board for the work they have done.

Chair Frankel opened public comments.

Chair Frankel closed public comments.

Vice Chair Sanchez commented on not seeing a lot in terms of elevation. Asked what the transition from existing to new levels. He also stated that he does not see any new bathrooms and if the applicant is content with what they have.

Abraham Fried, applicant, answered the questions by Vice Chair Sanchez and stated he will be keeping the existing staircase.

Chair Frankel asked Town Planner Hickey if they are required to have interior plans.

Town Planner Hickey stated they are not required to provide interior plans.

Abraham Fried clarified that there will be two open rooms using the existing hallways.

Further discussion took place among the Board and Town Planner Hickey regarding the addition being made and the cut off value and raising the finished floor as well as the review of the plans.

Commissioner Salzhauer stated that at the next commission meeting they will be recommending the new planning firm.

Board Member Landsman asked if the motion to approve is denied would this item go on the next agenda.

A motion was made by Vice Chair Sanchez to approve the application with the following conditions: the applicant submit additional documentation for the interior as requested by Board Member MacKenzie, seconded by Board Landsman adjustment to the motion. The motion carried with a 3-2 vote with Board Member MacKenzie and Board Member Bravo voting in opposition.

C. 824 88 Street – Awning

This item was deferred to the October 29, 2020 Planning and Zoning Board Meeting.

D. 1025 90th Street – Garage Conversion

Town Planner Daniel Mantell introduced the item.

The property is located at 1025 90th Street, within the H30B zoning. The applicant is requesting to convert their existing 267 square-foot garage into a fourth bedroom. The owner is also planning to construct a new pool, wood pergola and new pavers for walkway and driveway, all under separate permits.

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 subject to the following conditions of approval:

1. Comply with Sec. 90-50 (7) "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."
2. The FFE of the addition will need to be confirmed with the Building Department at time of Building Permit.

Brian Roller, applicant was sworn in by Deputy Town Clerk Herbello.

Vice Chair Sanchez asked if the applicant is raising the floor.

Brian Roller, applicant stated that he is raising the floor.

Board Member MacKenzie asked if this is approving the pool and pergola.

Brian Roller stated that is different it is the addition.

Board Member Bravo commented on the roof material and if it was white concrete tile for the addition.

Brian Roller stated there is no addition.

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

E. 9157 Froude Avenue – Garage Conversion

This item was deferred to the October 29, 2020 Planning and Zoning Board Meeting.

F. 400 93rd Street – Front Yard Fence

Town Planner Hickey introduced the item.

The property is located at 400 93rd Street, within the H30B zoning district. The applicant is requesting to build white aluminum picket fence along with an entrance gate for the walkway and access gate for the driveway.

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) Lot frontages wider than 50 ft and less than 100 ft have a maximum fence height of 4 ft + ½ ft per 10 feet of lot width exceeding 50 feet, maximum 5 ft. Furthermore, all wall and fence surfaces above two (2) feet measured from grade shall maintain a maximum opacity of fifty (50) percent. (Gates shall be required to meet this requirement)
- 2) Provide an elevation rendering for the proposed fence and gates to ensure a maximum opacity of 50% or less.

Deputy Town Clerk Herbello swore in the applicant into the record.

David Elmaleh, applicant introduced the item.

Commissioner Salzhauer asked regarding the fencing requirements.

Vice Chair Sanchez asked regarding the fencing on the lots, the landscape hedges and the enclosed area on the east side of the property as well as where the gate is located.

Further discussion took place among the applicant and Board members regarding the requirements and changes to the proposed fences.

After a lengthy discussion a motion was made by Board Member MacKenzie to defer this item to the October 29, 2020 Planning and Zoning meeting and provide the applicant with feedback as to what the Board would like to see. The motion received a second from Vice Chair Sanchez. The motion carried with a 5-0 vote.

Board Member Bravo requested that the applicant submit sign and sealed plans for their review.

Some discussion took place and the discussion will continue at the end under item 5A. Future Agenda Items.

G. 9588 Harding Avenue – Sign

The subject property is located at 9588 Harding Avenue and is within the SD-B40 zoning district. The applicant is requesting one (1) Permanent Wall Sign. The sign will be relocated from its previous address to this new location.

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 subject to the following:

Condition of Approval

- 1) All signage, lettering, logos or trademarks shall be limited to white illumination. Please provide additional details showing this requirement is being met. Code section 90-73.

Town Clerk McCready sworn in the applicant.

Board members posted a few questions to the applicant related to the sign.

Applicant addressed all questions and concerns.

Board Member Bravo made a motion to approve the application. The motion received a second from Board Member Landsman. The motion carried with a 5-0 vote.

H. 9454 Harding Avenue – Sign

This item was deferred to the October 29, 2020 Planning and Zoning Board Meeting.

I. 9341 Collins Avenue – Monument Sign

The subject property is located at 9341 Collins Avenue and is within the H120 zoning district (Formally the RD-1 zoning district in the 2006 code). The applicant is requesting to replace one (1) 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 and the current Zoning in Progress based on the applicant's revised set of plans dated September 15, 2020.

Town Clerk McCready swore in the applicant.

Board Member Mackenzie asked if the number of the building could be located somewhere else instead of on the sign.

Applicant addressed the question and stated that he is fine with whatever the Board approves.

Board Member Bravo disagrees with Board Member Mackenzie and believes that the number should be visible on the sign.

Board Member Landsman agrees that the number should remain on the monument sign.

A motion was made by Board Member Bravo to approve the application. The motion received a second from Board Member Landsman. The motion carried with a 5-0 vote.

J. 9472 Harding Avenue – Sign

Item was deferred to the October 29, 2020 Planning and Zoning Board Meeting.

5. Discussion Items:

A. Future Agenda Items

Board members spoke about some items that are important for them to take into consideration with the zoning code rewrite. The following are some of the items.

George Kousoulas spoke regarding the zoning code

Jeff Rose spoke about FEMA requirements related to seawalls.

Anthony Blate spoke regarding the seawalls and the fact that DERM will review your seawall and if its old, you will have to upgrade it.

Visual survey of seawalls within the Town. Fifty percent (50%) of the value should be the trigger to require seawall replacement if needed.

Second story additions will be required to have an appraisal completed and presented to the Board. Department review should include the Building Department.

Related to fencing the majority of the Board would like to revert back to the 2006 code where fences are not allowed in front yards. However, the Board will have more time to think and provide some extra feedback during the next meeting.

6. 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 17 day of December, 2020.


Judith Frankel, Chair

Attest.


Sandra McCready, MMC
Town Clerk