



**Town of Surfside
PLANNING & ZONING BOARD
MINUTES
December 17, 2020 – 6:00 p.m.**

1. Call to Order/Roll Call

Chair Frankel called the meeting to order at 6:01 p.m.

Present: Chair Judith Frankel, Board Member Fred Landsman, Board Alternate Member Horace Henderson, Board Alternate Member Michael Dranoff and Vice Chair Oliver Sanchez.

Absent: Board Member Ruben Bravo and Board James MacKenzie.

Also, Present: Mayor Charles Burkett, Town Planner Walter Keller, Assistant Town Attorney Tony Recio and Town Manager Andrew Hyatt

2. Town Commission Liaison Report – Mayor Charles Burkett

Mayor Burkett introduced himself as the new Commission Liaison for the Planning and Zoning Board. He stated that his intention is to strictly communicate the Board's recommendations to the Commission and the Chair can speak to the Mayor and he would bring those issues or recommendations to the Commission. He will not be attending the Planning and Zoning meetings.

Chair Frankel stated that she was under the impression that the Board is not able to communicate with other board members.

Town Attorney Recio stated that each board member individually can speak with the Mayor.

Chair Frankel stated that she will send the Mayor notes and information and the information with the Town Planner to give to the Mayor.

Mayor Burkett welcomed Town Planner Keller. He spoke regarding having additional meetings to take care of the backlog and he will work with the Commission.

Board Member Landsman welcomed Mayor Burkett and asked what caused the change in Commission Liaison.

Mayor Burkett stated that they want the Board to do their work and be able to function properly.

3. Approval of Minutes – September 24, 2020

A motion was made by Board Member Henderson to approve the September 24, 2020 Planning and Zoning Board Meeting Minutes, seconded by Board Member Landsman. The motion carried with a 5-0 vote.

4. 2021 Planning and Zoning Board Meeting Dates

Deputy Town Clerk Herbello provided the Board with the upcoming 2021 Planning and Zoning Board meeting dates.

Vice Chair Sanchez asked regarding the backlog and noticed the agenda for tonight's meeting is very small. He asked if the Board has access to the backlog?

Chair Frankel stated that she will defer to the Town Planner and he was only appointed November 19 and he did not have time to review the applications.

Town Planner Keller introduced himself and spoke regarding having to review projects with multiple codes and not having meetings. He stated that projects being sent back for more revisions has caused the backlog and in order to get to the board within the time frame, these were the ones that were ready to appear before the Board. He stated that there are approximately 20 projects.

Vice Chair Sanchez asked if within the time of transition that they were without a Town Planner if that caused the backlog.

Town Planner Keller addressed the comments made by Vice Chair Sanchez and stated it is hard for him to take applications to the Board without him being able to review them himself.

Town Attorney Recio stated that they are operating under a unique situation due to the Zoning in Progress and code changes and Town Planner Keller is having to review several codes and this is not a normal situation.

Board Member Henderson asked Town Planner Keller if it would be better to have an additional Board Meeting on January 21, 2021.

Town Planner Keller stated that it would be beneficial to have the meeting on January 21, 2021 due to the projects that have been waiting and an extra meeting would facilitate moving some of these projects along.

Board Member Landsman asked Town Planner Keller if he has enough time for notice period and his review to give him a viable book of agenda items to review.

Town Planner Keller stated yes that would help.

Vice Chair Sanchez asked if they will be adding more meetings in other months.

Chair Frankel stated that they are only approving the additional January 21, 2021 meeting.

A motion was made by Board Member Henderson to accept the 2021 Planning and Zoning Board Meeting dates as amended by adding January 21, 2021 as a Special Planning and Zoning Board Meeting, seconded by Board Member Landsman. The motion carried with a 4-1 vote with Vice Chair Sanchez voting in opposition.

Board Member Henderson introduced himself to the other Board Members.

Board Member Dranoff introduced himself to the other Board Members.

5. Applications:

A. 824 88th Street – Awning

Town Planner Keller introduced the item and provided the staff recommendations as stated below:

- Review of the application package prepared by the former Town Planner and current planning staff review of the codes and Google Street View photo images of the property indicates the Applicant complies with all the 2006, 2008 and the current Municode relative to a garage conversion and should be approved under the current codes and move forward. He stated that a gate is proposed and the gates are consistent with the Code.

Chair Frankel closed the public comment.

Chair Frankel asked if the gates are part of the application.

Town Planner Keller stated it is part of the application.

Vice Chair Sanchez stated that he does not see the gates noted anywhere.

Town Planner Keller stated that the first packet did not include the gate but the packet received from the Clerk's Office did have the gates and it has a drawing.

Vice Chair Sanchez stated that he has a concern with the gate and asked if they can discuss what they have in front of them which is the carport.

Chair Frankel stated that they take fences and gates seriously and that is a specific consideration and fences can feel and look different and can be a barrier to community. She would like to table the gate to a separate meeting.

Town Planner Keller stated that there was no fence indicated but they have a very large hedge, one goes out to Froude Avenue and the other to 88th Street.

Town Attorney Recio stated that it is in the Survey that was in the packet but the application does not include the gate and it is appropriate to just look at what they have in front of them.

Further discussion took place among the Board Members and Town Planner Keller regarding height requirement and compliance with the Codes and if the earlier code requires a special exception and certain discrepancies.

Board Member Dranoff asked if the new code contemplates canopies.

Town Attorney Recio addressed the comments made and explained the special exception with the new codes.

The following individual from the public spoke on the item:
George Kousoulas spoke regarding the canopies.
Jeff Rose spoke regarding the canopies.

Vice Chair Sanchez spoke regarding certain requirements for the canopies.

Town Planner Keller stated that one of the requirements for the canopies is that they have to be in compliance with the South Florida Building Code.

Further discussion took place among the Board Members and the Town Planner regarding height and setback requirements for this application.

A motion was made by Board Member Landsman to approve the application with constraints of height, no approval or discussion of any gates for access to the driveway, neutral color for the awning, minimum height from the ground of 7 feet and meets the minimum height requirement., seconded by Board Member Henderson. The motion carried with a 4-1 vote with Board Member Dranoff voting in opposition.

B. 9157 Froude Avenue – Garage Conversion

Town Planner Keller introduced the item and provided the staff recommendations as stated below:

- Review of the application package prepared by the former Town Planner and current planning staff review of the codes and Google Street View photo images of the property indicates the Applicant complies with all the 2006, 2008 and the current Municode relative to a garage conversion and should be approved.

Chair Frankel opened to public comment.

Chair Frankel closed public comment.

Board Member Landsman asked if there is a conversion and they are looking for approval for work that was done years ago. He asked if permits were ever pulled.

Town Planner Keller stated that they would like to secure approval for what was done previously and, in any event, they would like to do anything else and does not believe permits were pulled.

Vice Chair Sanchez asked that there is a bathroom in the floor plans and if it is bundled up in the garage conversion. He asked what compelled the current homeowner to get the documentation after the fact when it might have been done by a previous owner. He stated that what stood out to him was a demolition of a sunroom that is not discussed in the application.

Town Planner Keller stated that he does not know anything about the sunroom and the bathroom might have been existing prior to the conversion.

Chair Frankel stated that it is common when an owner would like to do additional work and they are required to have everything up to code and permitted and this application is only for the garage conversion.

Vice Chair Sanchez asked if this is the only thing the owner is asking for and no other application.

Town Planner Keller stated that he does not know if there is anything else on this property.

Further discussion took place among the Board and the Town Planner regarding the demolition of the sunroom and the description of the work that is stated and the reason why they are requesting the permits now in order to solve code violations.

Chair Frankel stated that the plans are confusing with the demolition of the structure in the back.

Board Member Landsman commented that the first two applicants have no representation for the Board to be able to ask questions.

Chair Frankel is hesitant to move forward due to the ambiguities with this application and not having the applicant attending to answer questions.

Vice Chair Sanchez stated that all you can do is speculate what motivates this application and asked if they have been cited or fined.

Town Attorney Recio stated that they are remedying a code violation and they would need design review approval for the demolition of the rear and those two things are reflected in their application and if they do not feel comfortable approving it, they would have to either to deny or defer this item.

A motion was made by Board Member Henderson to defer the item to January 21, 2021 and request the applicant to appear and provide additional plans to make it clear, seconded by Board Member Landsman. The motion carried with a 5-0 vote.

C. 9454 Harding Avenue – Sign

Town Planner Keller introduced the item and provided the staff recommendations as stated below:

- The Applicant's proposed sign in 35 SF with green LED illumination. It is recommended the permanent wall sign be approved subject to the following conditions:
 1. The size of the proposed sign shall be limited to a maximum of 25 SF per the Code; and
 2. The sign shall be illuminated with white LEDs per the Code.

Chair Frankel opened public comments.

Chair Frankel closed public comments.

Discussion took place among the Board Members and the Town Planner regarding the recommendations, the LED illumination and if the owners are accepting the proposed changes.

Chair Frankel stated that the white LED is behind the green.

Vice Chair Sanchez asked if the entire sign is illuminated or is it the entire round part of the signage.

Town Planner Keller responded to the comments made by Vice Chair Sanchez.

Chair Frankel stated that the sign is required to be lit.

Board Member Dranoff spoke regarding the size of the sign.

A motion was made by Board Member Landsman to approve the application to ensure they are meeting code, seconded by Vice Chair Sanchez. The motion carried with a 5-0 vote.

D. 9472 Harding Avenue – Sign

Town Planner Keller introduced the item and provided the staff recommendations as stated below:

- The Applicant's proposed sign is not dimensioned in the application. Based on the more restrictive Code, it is recommended the sign be approved subject to the following conditions:
 1. The size of the proposed sign shall be limited to a maximum of 1.5 SF per the Code; and
 2. The sign lettering be 8 inches or less and sign material comply with 90-73. a (3) c.

Chair Frankel opened the floor to public comment.

Chair Frankel closed the floor to public comment.

Discussion among the Board Members took place regarding the sign and their new location.

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

6. Next Meeting Date: January 28, 2021

Deputy Town Clerk Herbello advised the Board members of the next meeting date being January 21, 2021 at 6:00 p.m. and January 28, 2021 at 6:00 p.m.

7. Discussion Items:

A. Future Agenda Items

Chair Frankel stated that she would like to go over what they are looking for in the packets that will make it easier for the Board.

The following individuals from the public spoke:

Vinicius Souza spoke regarding the backlog of applications and the fact that her application was not on this agenda.

George Kousoulas spoke regarding canopies and clarifying the language in the new code. He also spoke regarding the awkwardness of dealing with

the old code, new code and addendums and the difficulty for the Planning and Zoning Board as well as the Town Planner.
Jeff Rose spoke regarding canopies

Chair Frankel explained to speaker Souza why there is a backlog and the new dates of the upcoming meetings.

Vice Chair Sanchez asked speaker Souza when he submitted his application.

Vinicius Souza stated he submitted it on September 17, 2020 and was late for the September meeting.

Chair Frankel addressed the comments made by George Kousalous. She asked Town Manager Hyatt if he had a timeline with the Zoning in Progress.

Town Manager Hyatt stated that they are trying to get as much done in a short period of time and they will be addressing the issue.

Discussion took place among the Board regarding the Zoning in Progress.

Town Attorney Recio stated that the draft of the 2006 code with some additions is consistent with the current zoning in progress and is a good idea to consolidate and that is what this draft entails.

Chair Frankel asked Town Attorney Recio what the process for approval is for the zoning in progress.

Assistant Town Attorney Recio answered Chair Frankel's question and explained the process for approval of the zoning in progress which requires at least 3 public hearings.

Chair Frankel stated that in bigger developments it is important to have all the details correct for their review. When they are collecting information or packets it's important to get the details correct especially in the next few meetings. If the Town Planner is not getting the information needed then they will move to the back of the list. She gave examples of surveys, landscapes, any kinds of fencing, gates, canopies they want to see ahead of time for review.

Board Member Henderson asked for Town Planner Keller to ask the applicants to attend the meeting for any questions.

Future agenda items:
Canopies and carports

8. Adjournment.

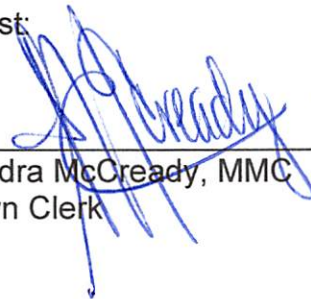
A motion was made by Board Member Henderson to adjourn the meeting without objection at 7:51 p.m. The motion received a second from Board Member Landsman. The motion carried with a 5-0 vote.

Respectfully submitted,

Accepted this 21 day of January, 2021.


Judith Frankel, Chair

Attest:


Sandra McCready, MMC
Town Clerk