



**Town of Surfside
PLANNING & ZONING BOARD
MINUTES
APRIL 29, 2021 – 6:00 p.m.**

1. Call to Order/Roll Call

Chair Frankel called the meeting to order at 6:02 p.m.

Present: Chair Judith Frankel, Vice Chair Oliver Sanchez, Board Member Fred Landsman, and Board Member Bravo.

Absent: Board Member James MacKenzie and Alternate Board Member Horace Henderson.

Also, Present: Mayor Charles Burkett, Town Planner Walter Keller, Town Attorney Tony Recio, Town Manager Andrew Hyatt and Building Official Jim McGuinness.

2. Town Commission Liaison Report – Mayor Charles Burkett

Mayor Burkett spoke regarding the zoning code rewrite. He also stated that they have conducted several workshops. He stated that they have been able to memorialize several suggestions as well as changes and the Commission have provided what they consider important. He commented on the changes they have discussed and stated that they should be able to continue discussing the item at the next zoning code workshop.

3. Approval of Minutes – March 25, 2021

A motion was made by Board Member Landsman to approve the March 25, 2021, Planning and Zoning Board Meeting Minutes, seconded by Board Member Bravo. The motion carried with a 4-0 vote with Board Member Mackenzie absent.

Town Attorney Recio spoke regarding the Town of Surfside Emergency Order and that this will be the last virtual Planning and Zoning Board Meeting they will be having via zoom. He read Emergency Order 15 into the record.

Town Attorney Recio read the quasi-judicial statement into the record.

Town Attorney Recio confirmed compliance of advertisement and noticing with Deputy Town Clerk Herbello.

Deputy Town Clerk Herbello confirmed advertisement and noticing requirements.

Town Attorney Recio polled the Board Members.

Board Member Bravo stated that he was contacted by James Galvin and the discussion lasted about 20 minutes.

Town Attorney Recio asked Board Member Bravo if he is ready to provide an unbiased review of this application.

Board Member Bravo stated that he is able to provide an unbiased review.

Chair Frankel stated that she spoke with Kathleen Kaufman, Historic Preservation consultant for the Seaway.

Town Attorney Recio asked Chair Frankel if she is ready to provide an unbiased review of this application.

Chair Frankel stated that she is able to provide an unbiased review.

Vice Chair Sanchez stated that he had a brief conversation with an adjacent neighbor of the project.

Town Attorney Recio asked Board Member Sanchez if he is ready to provide an unbiased review of this matter.

Vice Chair Sanchez stated that he is able to provide an unbiased review.

Deputy Town Clerk Herbello swore in all applicants and individuals speaking on the items being heard tonight.

4. Applications:

A. 9133 and 9149 Collins Avenue – Seaway Project

Town Planner Keller introduced the item and that this is for an updated review on how to treat the historic portion of the property.

Background: This application is a request for a Site Plan Amendment to the approved development plans of the property commonly known as the Seaway Villas and Surf Club Apartments. This project is an aggregation of the two properties totaling 2.16 acres. The Surf Club Apartments 30 units will be demolished and the Seaway Villas with 28 units will be partially protected, renovated and major portions demolished. The Planning and Zoning Board recommended approval of a Site Plan Amendment at the February 11, 2021 meeting which was subsequently approved by the Town Commission on March 13, 2021.

The Site Plan Amendment approval included the 2017 Miami Dade Historic Preservation Board recommended approval of the redevelopment plan due to the restoration of the villas and landscaped courtyard which are an important feature of the site. The partially protected and restored Seaway Villas will include 2 units and 1,100 square feet of restaurant and lounge.

The current request for Site Plan Amendment is to incorporate the 2019 Miami Dade Historic Preservation Board recommended approval of the redevelopment plan which addresses the restoration and preservation method for the Seaway Villas. The site plan characteristics approved in the recent Site Plan Amendment do not change.

The Applicant is proposing special construction techniques to protect the historic portions of the Seaway Villas. The Applicant should present to the Board information on the proposed method.

This review may be supplemented prior to the Planning and Zoning Board meeting.

Staff Recommendation: Approve the proposed Site Plan Amendment to incorporate the 2019 Miami Dade Historic Preservation Board's approval.

Ian DeMello, attorney for the applicant, gave a PowerPoint presentation on the property as well as the request and needs on the additional conditions.

Chair Frankel asked what was the difference between their presentation today and what they presented at the last meeting.

Mr. DeMello addressed the questions by Chair Frankel and provided the explanation based on the PowerPoint presentation.

Chair Frankel asked what is different between now and what was approved in March.

Bill Thompson, representing the applicant, explained to the Board the difference from what was approved prior, discussed what was historical and required a second approval from Miami Dade County. He explained the different changes and new information received as it pertains to the west building and wings.

The following individual from the public spoke:
George Kousoulas

Chair Frankel closed public comments.

Board Member Bravo asked regarding restoring the existing structure and better exploratory work can be done onsite. He stated it is better from a construction point and for safety to demolish and recreate the same aesthetics. He stated it will be rebuilt on another location.

Mr. Thompson stated that it will take extensive reinforcement of the four walls of the west building, then they build a rail system to move it and then they are able to move it to its final destination. He stated that it will take about 6 months to move the building.

Board Member Landsman commended the applicant as they went through extraordinary efforts to reinforce, move and preserve the building while maintaining the integrity of the building.

Chair Frankel discussed the project and the courtyard portion of the project and stated that nothing visually has changed.

A motion was made by Board member Bravo to approve the application, seconded by Board Member Landsman. The motion carried with a 4-0 vote with Board Member MacKenzie absent.

Vice Chair Sanchez disconnected from the meeting at 6:36 p.m. due to technical difficulties.

B. 9424 Bay Drive – New Two-Story Single-Family Residence (*Deferred from the March 25, 2021 Planning and Zoning Board Meeting*)

Background: This application is a request to construct a new 2-story single family residence. The parcel is located in the H30A Zoning District at 9424 Bay Drive. The average lot depth is 182 feet with a width of 50 feet. The Applicant indicates the lot size is 9,100 square feet (SF). The proposed air-conditioned floor space and garage totals 6,407 SF. An existing one-story single-family residence will be demolished in order to construct the new dwelling. An overhead view of the lot from the Miami Dade County Property Appraiser is provided on the following page.

The setback requirements for the H30A Zoning District are 20-foot front, 5-foot side and 25 feet rear (adjacent to Indian Creek). The Applicant is proposing to comply with first floor setbacks with a setback on the rear lot of 43 feet. The Applicant's proposal on average setbacks is reasonable. Total lot pervious area is proposed to be 40.04% where 35% is required. The front yard setback pervious area is proposed at 52.5% where 50% is required. The rear yard setback area is proposed for 60% where 40% is required. The second floor under ac is proposed at 2,903 SF which is 31.9% where 32% is the maximum. Another measure of the second-floor size is it cannot be larger than 80% of the first floor. Again, the second-floor ac area is 2,903 which is larger than allowed. Lots greater than 112.5 feet are required to have the front and rear yards combined equal 36% or more. The 20-foot front yard and 43-foot rear yard when added together and divided by the 182-foot lot depth is 34.6%. A flat roof is proposed just below the 30 feet height requirement.

A variety of architectural enhancements are proposed. These items include significant breaks in the side walls, provision of balconies, dark metal trimmed windows, glass balcony railings and a large number of windows. The front elevation

includes a wood garage door with wood and metal enhancements around the entry door. While 2 color renderings are included the architectural details are not provided on the drawings.

Additional dimensioning needs to be added to the drawings related to previous details to allow checking of the calculations and percentages.

Applicant Package: A package of 9 drawings and an application was submitted by the Applicant. A recent survey was not submitted.

Staff Recommendation: The staff review for this request is being finalized and will be forwarded to the Board and Applicant prior to the meeting.

Town Planner Keller introduced the item and advised the Board that there are technical issues with this application and the plans they presently have are not the current plans and suggested to defer the item to the next meeting.

Vice Chair Sanchez reconnected to the meeting at 6:37 p.m.

Town Planner Keller stated that the correct plans have not been distributed and the electronic file may not be correct.

Chair Frankel asked that if they have been reviewing the wrong plans.

Town Planner Keller stated that his review was done on the new drawings.

Building Official McGuinness stated that the new plans being submitted are the updated ones.

The following individual from the public spoke:

George Kousoulas commented on the Town Planner Keller's staff report.

Jeff Rose, representing the applicant spoke regarding the project.

Abian Alsalsi, architect for the applicant spoke on the project.

Chair Frankel closed public comments.

Chair Frankel spoke regarding the 80% mass and having someone build a bigger first floor in order to have a second floor. She asked Town Planner Keller as to where they stand with the zoning code and do they have the flexibility.

Town Planner Keller stated that it can be interpreted that way and what has been presented does meet the zoning code.

Board Member Landsman asked regarding the look, façade and rendering of the property. He commented on the two homes and from a design perspective if it is

something that they should look at. He spoke regarding having variations of different looks.

Chair Frankel stated that they have to be mindful of styles.

Town Attorney Recio spoke regarding Section 90.50.1 of the Code and read it into the record.

Chair Frankel spoke regarding the design review guidelines and the styles of the homes.

Discussion took place regarding the survey and what is the staff recommendation.

Board Member Bravo spoke regarding an email received regarding opposition to the project. He stated that it does address the requirements per code and the style is very similar to others but does not think it is identical. He stated that he went around and saw what is near by and he did see it met the elements.

Vice Chair Sanchez asked Town Planner Keller regarding an item expressed in the letter is permeability and pervious area requirement.

Town Planner Keller stated that they did meet the pervious area requirements.

Vice Chair Sanchez stated that they want to be able to keep the character of Surfside.

Mr. Alsalsi addressed the comments and questions made by the Board.

Building Official McGuinness spoke regarding the overview of the design and they do not have an architectural theme district.

The following individuals from the public spoke:

Marzieh Ferber agrees with Town Planner Keller and George Kousoulas. He stated that he is in support of the project.

George Kousoulas spoke regarding the setback.

Town Attorney Recio clarified the design review criteria and guidelines.

A motion was made by Board Member Landsman to approve the application as stated without requiring the 272 feet, seconded by Vice Chair Sanchez. The motion carried with a 4-0 vote with Board Member Mackenzie absent.

C. 9208 Bay Drive – New Single-Family Residence

Background: This application is a request to construct a new 2-story single family residence. The parcel is located in the H30A Zoning District at 9208 Bay Drive. The average lot depth is 300 feet with a width of 50 feet. The Applicant indicates the lot size is 15,029 square feet (SF). The proposed air-conditioned floor space and garage totals 9,634 SF. An existing one-story single-family residence will be

demolished in order to construct the new dwelling. An overhead view of the lot from the Miami Dade County Property Appraiser is provided on the following page.

The setback requirements for the H30A Zoning District are 20-foot front, 5-foot side and 50 feet rear (per Zoning in Progress). The Applicant is proposing to comply with first floor setbacks. The Applicant's proposal on average setbacks is reasonable. Total lot pervious area is proposed to be 37.3% where 35% is required. The front yard setback pervious area is proposed at 52.1% where 50% is required. The rear yard setback pervious area is proposed at 65.5%. The second floor under ac is proposed at 4,600 SF which is 30.6% where 32% is the maximum. Another measure of the second-floor size is it cannot be larger than 80% of the first floor. Again, the second-floor ac area is 4,600 SF which is 78.8%. Lots greater than 112.5 feet are also required to have the front and rear yards combined equal 36% or more. The 20-foot front yard and 62.7-foot rear yard when added together and divided by the 300-foot lot depth is 27.6%. A flat roof is proposed which is equal to the 30 feet height requirement. Table 1 on page 3 provides information on site characteristics and zoning requirements.

A variety of architectural enhancements are proposed. These items include significant breaks in the side walls, provision of balconies, a frosted glass garage door, glass balcony railings and a large number of windows. The north elevation includes a waterfall, wood ceiling planks and other features.

This review may be supplemented prior to the Planning and Zoning Board meeting.

Applicant Package: A package of drawings and an application was submitted by the Applicant. A recent survey was also submitted.

Staff Recommendation: It is recommended the Application be approved subject to the following comments:

- Limit accessory uses to 15% of the total footprint of the first floor (5,839 SF)
- Zoning in Progress does not currently provide for mechanical equipment on the roof
- Relocate the equipment and remove stairs to roof
- Resolve the front and rear setback percentage (36%) for lots greater than 112 feet
- Provide additional information on the gazebo and cabana bath.

Town Planner Keller introduced the item. He stated that he made some changes to his calculations as it pertains to zoning in progress and accessory uses.

Reuven Herssein, applicant, spoke on the project and presented the project. He asked if the Board would approve the application and as it pertains to the zoning code, they will have enough space to place the mechanical equipment on the roof.

Chair Frankel asked regarding the reduction of the size of the gazebo and the stairs.

Danny Sorogon, architect, spoke regarding the project and addressed the comments made by the Board Members as it pertains to the gazebo and mechanical equipment on the roof.

Chair Frankel spoke regarding the mechanical equipment on the roof and she cannot approve stairs that do not lead to a specific place.

Mr. Herssein stated that the stairs go to the roof, which have rooftop drains because it is a flat roof.

Chair Frankel said that her concern is using the roof as a roof deck.

Mr. Herssein stated that there is no plan for a rooftop deck, it is only for maintenance of the house.

Town Planner Keller stated that he also had concerns with the stairs.

Board Member Bravo thanked the applicant for their presentation and commented on the house being a beautiful modern home. He stated that it does present articulation and is a very interesting smart way to resolve the lot and area. He stated that his concerns are with the equipment on the roof as it pertains to the code. He stated that if it is allowed on the roof, it would go over the height allowed.

Town Planner Keller addressed the comments made by Board Member Bravo and spoke regarding the fixed height and there is not enough room in the code to place the mechanicals on the roof.

Further discussion took place among the applicant and the Board Members regarding the application, the roof top stairs and safety concerns.

Chair Frankel appreciates the design of the project and spoke regarding the mechanical equipment placement. She stated that it is a very large home on a large lot and they can find another place to put the mechanical equipment other than the roof.

Town Attorney Recio clarified the mechanical issue and gave a remedy as to getting to the roof other ways.

Chair Frankel will approve the application if they remove the stairs and mechanical equipment on the roof.

Town Planner Keller stated that the stairs could be hidden and they are not permitted under the zoning in progress.

Mr. Herssein asked for staff to approve conditionally if mechanical equipment on the roof is approved and if not, they agree to remove the stairs.

A motion was made by Board Member Bravo to approve the application with the staff recommendations, relocate the stairs, remove the mechanical equipment on the roof and the changes to the gazebo, seconded by Board Member Landsman. The motion carried with a 4-0 vote with Board Member MacKenzie absent.

D. 9416 Carlyle Avenue – New Single-Family Residence

Background: This application is a request to construct a new 2-story single family residence. The parcel is located in the H30B Zoning District at 9416 Carlyle Avenue. The average lot depth is 112.5 feet with a width of 50.12 feet. The Applicant indicates the lot size is 5,638.5 square feet (SF). The proposed airconditioned floor space totals 1,847 SF. An existing one-story single-family residence will be demolished in order to construct the new dwelling. An overhead view of the lot from the Miami Dade County Property Appraiser is provided on the following page.

The setback requirements for the H30B Zoning District are 20-foot front, 5-foot side and 20 feet rear. The Applicant is proposing a 20-foot 2-inch front setback with a setback on the rear lot of 27 feet 11 inches and 5-foot side setbacks. Total lot pervious area is proposed to be 40% where 35% is required. The front yard setback pervious area is proposed at 56% where 50% is required. The rear yard setback pervious area is over 40% where 40% is required. The second floor under ac is proposed at 1,489 SF which is 28% where 32% is the maximum. A flat roof is proposed at the 30 feet height requirement. Table 1 on page 3 provides information on site characteristics and zoning requirements.

A variety of architectural enhancements are proposed. These items include a second-floor balcony flush with the first story, dark metal trimmed windows, and glass balcony railings. The front elevation includes grass diamond driveway pavers and stairway lighting maximum 3,000 Kelvin color. The proposed exterior wall finishes are exterior tiles in gray and white, Sherwin Williams Genesis White over smooth stucco, and brown composite wood.

Detailed drawings were provided by the Applicant and the request for the pool is to be provided at a future date and is not included in this application.

Applicant Package: A package of 8 drawings and an application was submitted by the Applicant with a recent survey dated 1/29/2021.

Staff Recommendation: It is recommended the Application be approved subject to the following comments:

- Clarify the location of the air conditioning equipment
- Resubmit the Zoning Requirement sheet to correct discrepancies

This review may be supplemented prior to the Planning and Zoning Board meeting.

Town Planner Keller introduced the item.

Jeff Rose, representing the applicant spoke on the application and project.

Tzipora Shvarzblat, applicant, introduced the item.

Vice Chair Sanchez spoke regarding the project.

Board Member Landsman spoke regarding the uniqueness of the project and asked regarding the driveway.

Building Official McGuinness spoke regarding the pervious.

Board Member Bravo asked regarding the air conditioning equipment.

Mr. Rose addressed the comments made by Board Member Bravo regarding the equipment and keeping it on the ground. He stated that it could be moved to the top if the zoning code changes allowing it.

Discussion took place among the Board Members and Mr. Rose regarding the terrace and articulation on both sides.

A motion was made by Board Member Landmsan to approve the application with the air conditioning units as shown on A101 with the equipment on the back, seconded Board Member Bravo. The motion carried with a 4-0 vote with Board Member Mackenzie absent.

E. 8712 Byron Avenue Lot A – New Single-Family Residence

Background: This application is a request to construct a new 2-story single family residence with pool and pool deck. The parcel is located in the H30A Zoning District at the northwest corner of 88th Street and Byron Avenue. The lot depth is approximately 112.5 feet with a width of approximately 75 feet. The Applicant indicates the lot size is approximately 8,389 square feet (SF). The proposed floor space and garage totals 2,577 SF. An overhead view of the lot from the Miami Dade County Property Appraiser is provided on the following page.

The setback requirements for the H30A Zoning District are 20-foot front, 10-foot secondary front, 7.5-foot side and 20 feet rear (per Zoning in Progress). The Applicant is proposing 20'-6" front, 13'-6" secondary front, 7'-11" side and 21'-9" rear. The Applicant's proposed setbacks meet minimum requirements. The mechanical equipment in the side yard requires a 5-foot setback from the property line and 15 feet from the adjacent home. Total lot pervious area is proposed to be 43.56% where 35% is required. The front yard setback pervious area is proposed at 56.07% where 50% is required. The rear yard setback pervious area is proposed at 67.99% where 40% is required. The second floor is proposed at approximately 1,633 SF which is 19.5% where 32% is the maximum. Another measure of the second-floor size is it cannot be larger than 80% of the first floor. Again, the second-floor area is 1,633 SF

which is 68.76%. A flat roof is proposed just below the 30 feet height requirement. Table 1 on page 3 provides information on site characteristics and zoning requirements

The proposed driveway consists of pavers at 20'-10" and is aggregated with the walkway made of the same material at 11'-10", totaling 32'-8" in width and 860.5 square feet total.

A variety of architectural enhancements are proposed. These items include breaks in the side walls, provision of balconies, dark metal trimmed windows, glass balcony railings and a large number of windows. The front elevation includes a wood garage door with wood and metal enhancements around the entry door. The site plan includes color renderings and architectural details.

Two (2) street trees, five (5) lot trees and 25 shrubs are proposed, landscape specifications are not provided. The Code requires one street tree every 20 linear feet, requiring a total of eight (8) street trees, where only two (2) are provided. Five (5) different tree species are also required per Code. Again, the proposal does not specify landscaping, nor does it meet the requirements at this time.

No fences or walls are proposed for this site plan, architectural renderings show hedges along the perimeter of property, details not provided.

This review may be supplemented prior to the Planning and Zoning Board meeting.

Applicant Package: A package of plans and an application was submitted by the Applicant.

Staff Recommendation: It is recommended the Application be approved subject to the following comments:

- Provide the 15-foot required setback from adjacent house and properly screened mechanical equipment
- Provide landscape details for trees, shrubs and Florida Friendly requirements
- Reduce the driveway width from 20 feet 10 inches to 18 feet
- Reduce the walkway width from 11 feet 10 inches to 5 feet
- Provide a landscape strip between the driveway and walkway
- Town approval subject to MDC plat waiver approval

Town Planner Keller introduced the item.

Gabriel Ammar, applicant, spoke on the project.

Javi Vazquez, attorney representing the applicant, stated that that he is prepared to proceed with both applications as one presentation.

Vice Chair Sanchez spoke regarding the side setback and the placement of the air conditioning units.

Town Planner Keller stated what was moved on the corner house was the pool equipment.

Board Member Landsman spoke regarding the improvements on the lots and stated that the architecture is clean.

Board Member Bravo asked regarding the use of the space on sheet A3.2 (both sets are showing the same thing).

Mr. Andreu addressed the question by Board Member Bravo, the articulation and stated that they have several electric poles.

Further discussion took place among the Board Members and staff regarding the project.

Chair Frankel commented that both houses are identical to each other.

Mr. Ammar commented on another two homes on the water that are identical as well.

Further discussion took place regarding the different issues on differentiating the two homes.

The following individual from the public spoke:
George Kousoulas

Board Member Landsman spoke regarding the similarity of the projects and not opposed to the fact that they are similar since they are in the same family.

Board Member Bravo asked Town Attorney Recio to read Code Section 90.51 as it pertains to the similar properties.

Town Attorney Recio read Code Section 90.51 into the record.

Chair Frankel spoke regarding the material colors.

Discussion took place among the Board Members on the color of the home and the different materials on each house.

Mr. Vazquez asked the Board Members to not deny the application and would like to get an approval of both items.

Chair Frankel stated that Town Planner Keller gave options and stated that the applicant can come back.

A motion was made by Board Member Bravo to defer the item to the May 27, 2021 meeting, seconded by Board Member Landsman. The motion carried with a 4-0 vote with Board Member MacKenzie absent.

F. 8712 Byron Avenue Lot B – New Single-Family Residence

Town Planner Keller introduced the item.

Gabriel Ammar, applicant, spoke on the project.

Javi Vazquez, attorney representing the applicant, stated that that he is prepared to proceed with both applications as one presentation.

Vice Chair Sanchez spoke regarding the side setback and the placement of the air conditioning units.

Town Planner Keller stated what was moved on the corner house was the pool equipment.

Board Member Landsman spoke regarding the improvements on the lots and stated that the architecture is clean.

Board Member Bravo asked regarding the use of the space on sheet A3.2 (both sets are showing the same thing).

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Town Attorney Recio read Code Section 90.51 into the record.

Chair Frankel spoke regarding the material colors.

Discussion took place among the Board Members on the color of the home and the different materials on each house.

Mr. Vazquez asked the Board Members to not deny the application and would like to get an approval of both items.

Chair Frankel stated that Town Planner Keller gave options and stated that the applicant can come back.

A motion was made by Board Member Landsman to approve the application with staff recommendations, seconded by Board Member Bravo. The motion carried with a 4-0 vote with Board Member MacKenzie absent.

A motion was made by Board Member Landsman to extend the meeting till 10:30 p.m., seconded by Board Member Bravo. The motion carried with a 4-0 vote with Board Member MacKenzie absent.

G. 940 88th Street – Single Family Addition

Background: This application is a request to modify an existing single-family residence. The parcel is located in the H30A Zoning District at 940 88th Street. The average lot depth is 200.25 feet with a width of 75 feet. The Applicant indicates the lot size is 15,015 square feet (SF). The existing floor area is 2,256 SF and is proposed at 4,503 SF with the covered car port. An overhead view of the lot from the Miami Dade County Property Appraiser is provided on the following page.

The setback requirements for the H30A Zoning District are 20-foot front, 7.5-foot side and 50 feet rear (per Zoning in Progress). The proposed setbacks are as follows and is in compliance with the code: 26 feet front, 69'-7" rear, and side setbacks will remain as existing at 7'-11" east and 5 feet west.

Total lot pervious area is proposed to be 41.7% where 35% is required. The front yard pervious area is proposed at 84.8% where 50% is required. The rear yard pervious area is proposed at 79.6% where 40% is required. Lots greater than 112.5 feet are also required to have the front and rear yards combined equal 36% or more. The 26-foot front yard and 69'-7" rear yard when added together and divided by the 200.25- foot lot depth is 47.7%. Table 1 on page 3 provides information on site characteristics and zoning requirements

The proposal includes the demolition and removal of the outside open terrace in the rear, front side entry roof, front and rear windows, front wall, front door, garage door and circular asphalt driveway. The proposed modifications and additions include enclosing the existing garage, addition of a car port, enclosing the front and rear terraces to living areas finish floor elevation to match existing, the addition of an

open terrace in the rear and driveway with pavers. A variety of architectural enhancements are also proposed. These items include breaks in the side walls, white metal trimmed windows to match existing, several new windows and French doors, entry feature and roof to match the existing pitched roof. The front elevation includes a glass entry door with columns and brow around the entry, new windows, a brick wall and wood slates. While color renderings are included, the architectural details are not provided on the drawings.

There are no proposed changes to the existing pool, fence, seawall or sea deck. No landscape details were provided. The proposed improvements may require the removal of several trees and bushes. Details and dimensions of the proposed driveway were not provided.

This review may be supplemented prior to the Planning and Zoning Board meeting.

Applicant Package: A package of drawings and an application was submitted by the Applicant. A recent survey was not submitted.

Staff Recommendation: It is recommended the Application be approved subject to the following comments:

- Provide information verifying building floor area, building features, pervious area and hardscape including existing and proposed
- Provide dimensions for the driveway
- Verify driveway width meets 18-foot maximum requirement and is setback 5 feet from the side yard
- Apply for tree removal permit for all trees to be removed from the site
- Provide details and location of mechanical equipment which must be at minimum 15 feet from adjacent home and cannot be visible from the street or waterway
- Provide details of architectural features
- Carport (canopy) is limited to 20 feet by 20 feet or 400 SF total
- Photometrics, lighting plan, must meet code and submitted to Building Department for approval

Town Planner Keller introduced the item and staff recommendations.

Lori Eduartez, applicant was sworn in.

Eddy Vazquez, representing the applicant introduced the project.

Vice Chair Sanchez asked regarding the carport on the drawings.

Further discussion took place among the Board Members and applicant regarding the application and requirements.

A motion was made by Board Member Landsman to approve the application, seconded by Board Member Bravo. The motion carried with a 4-0 vote with Board Member MacKenzie absent.

H. 9125 Emerson Avenue – Interior and Exterior Remodeling

Background: This application is proposing a remodel of the interior and exterior of a single-family home. In addition to the demolition of the existing asphalt/concrete driveway and replacement of the driveway with concrete pavers. The Applicant is also installing a patio in the rear with an outdoor paved area. Pavers will also be installed on the north side yard. The interior lot is zoned H30B totaling 5,600 square feet (SF) per MDCPA.

An aerial is provided on the following page and a Google Street View is located on page 3. In addition to this Memorandum, a package of a site plan, floor plan, elevations, photos, demolition plan, electrical plan, mechanical plan and plumbing plan was submitted by the Applicant.

The setback requirements for the H30B Zoning District are 20-foot front, 5-foot side and 20 feet rear (per Zoning in Progress). The Applicant is proposing 28'-3" in the rear, the front and side setbacks are existing and meet requirements.

Calculation for total pervious area is not provided, but estimated to be at 51% where 35% is required. The front yard pervious area is proposed at 64.6% where 50% is required. The rear yard pervious area is proposed at 74.8% where 40% is required. Table 1 on page 3 provides information on site characteristics and zoning requirements.

No changes to the existing fence or roof are proposed at this time.

The Applicant proposes the following exterior modifications as part of this application:

- **Front (East) Elevation:**
 - o Demolish brick ornament and replace with painted stucco
 - o Replace garage door with impact resistant garage door
 - o Install 2 decorative wall sconces near garage door
 - o Replace windows with impact resistant windows
 - o Replace front door with impact resistant door
 - o Demolish concrete planters and replace with garden area
- **Rear (West) Elevation:**
 - o Replace windows with impact resistant windows
 - o Replace 1 existing window with impact resistant exterior french doors
 - o Addition of an exterior patio with stairs
 - o Install 2 decorative wall sconces near exterior door
 - o Remove mechanical equipment and relocate
 - o Install open paved area in the rear (Patio and Paved Area = 360 SF)
- **Left Side (South) Elevation:**
 - o Demolish brick ornament and replace with painted stucco
 - o Replace windows with impact resistant windows

- o Remove existing door and block up
- o Demolish existing steps
- o Install mechanical equipment
- Right Side (North) Elevation:
 - o Replace three (3) windows with impact resistant windows
 - o Replace existing door with impact resistant glass door
 - o Remove two (2) windows and block up

This review may be supplemented prior to the Planning and Zoning Board meeting.

Applicant Package: A package of the site plan, elevations and construction documents were submitted by the Applicant.

Staff Recommendation: The proposed improvements appear to be generally consistent with the Town's Land Development Regulations. Recommend approval subject to the following conditions:

- Provide calculations, worksheet and information to determine pervious area requirements for the total lot
- Provide details of architectural colors and materials as part of this application
- Clarify if any trees are to be removed as part of this application; if so, a tree removal permit will be required for all trees removed
- Provide landscape details per code requirements, missing street trees and landscape details

Town Planner Keller introduced the item and recommended approval of the project.

Monique Castellon, representing the applicant, spoke regarding the project, the remodeling of the home and stated that they have the demolition permit.

Julio Emilio, representing the applicant, was sworn in and was available for any comments or questions.

Vice Chair Sanchez stated that this was the home of Vice Mayor Paul's parents. He stated that he is eager for the work to get done and would like it to happen in a timely manner. He thanked the applicant for keeping the integrity of the old house.

A motion was made by Board Member Bravo to extend the meeting for 10 minutes (until 10:40 p.m.), seconded by Board Member Landsman. The motion carried with a 4-0 vote with Board Member MacKenzie absent.

Building Official McGuinness requested certain amendments from the applicant regarding the floor plans for permitting purposes.

A motion was made by Board Member Landsman to approve the application, seconded by Board Member Bravo. The motion carried with a 4-0 vote with Board Member MacKenzie absent.

I. 924 88th Street – New Single-Family Modifications

Background: This application is a request to modify a previously approved single family site plan which is under construction. The parcel is located in the H30A Zoning District with a lot area of 15.570 square feet. In addition to this Memorandum, exhibits submitted by the Applicant are attached.

The Planning and Zoning Board approved a Site Plan Amendment at the January 28, 2021 Planning and Zoning Board meeting relative to the average setbacks on the second floor.

The Town's Zoning in Progress briefly expired in March. The Town's Municode became the governing development review and Zoning document when the Zoning in Progress expired. The Applicant submitted the request for the Site Plan Amendment during the expired period. The Applicant is requesting approval for a rooftop deck and for placement of the mechanical equipment on the roof.

Governing Code: Requirements for this request are detailed in the following Zoning Code section:

Current Municode: 90-50.2 (2) – For in H30A, roof decks can have exterior and interior stairs; stairs are limited to a 30-foot height; and, roof decks shall provide 10-foot setbacks on the rear and sides of the building.

Current Municode: 90-44.1 & 2 – Mechanical equipment is limited to 3 feet above the 30-foot maximum height.

This review may be supplemented prior to the Planning and Zoning Board meeting.

Staff Recommendation: The Applicant's proposed roof deck is consistent with the Code. The proposed location of the mechanical equipment is centered in the middle of the roof but exceeds the height allowance for H30A.

Town Attorney Recio gave a background of the application and stated that it was approved in January 2021. He stated at that time there were questions regarding the air conditioning unit. He stated that there was a lapse with the zoning in progress. He stated that you are working under the current zoning code and you can approve mechanical on the rooftop.

Town Planner Keller stated what was approved previously in January 2021.

Town Attorney Recio addressed the comments made and stated that this application was turned in during the zoning in progress.

Chair Frankel asked about the rooftop deck.

Town Planner Keller addressed the comments made regarding the rooftop deck.

Linden Nelson, applicant, was sworn in to answer any questions.

George Kousoulas, representing the applicant, spoke on the project and the lapse with the zoning in progress as well as the rooftop deck requirements.

Chair Frankel spoke regarding the height of the screening and the rooftop deck.

Board Member Bravo asked regarding the access of the area.

Discussion took place regarding the requirements for the rooftop deck.

Mr. Vazquez addressed the questions raised regarding the rooftop decks.

A motion was made by Vice Chair Sanchez to extend the meeting for 10 minutes (unto 10:56 p.m.), seconded by Chair Frankel. The motion carried with a 4-0 vote with Board Member MacKenzie absent.

Town Attorney Recio stated that mechanical equipment and screening is not mentioned in the code but mechanical rooms are mentioned with restrictions.

Vice Chair Sanchez asked how far along were they with the construction.

Mr. Linden answered Vice Chair Sanchez' question.

A motion was made by Board Member Landsman to approve the mechanical equipment on the top of the roof with the requested fencing and the same height shown, it will be covered, green and delightful as requested, seconded by Vice Chair Sanchez. The motion carried with a 4-0 vote with Board Member MacKenzie absent.

Board Member Bravo asked to make sure that all future applications will have proper renderings showing how they will look with the houses next door.

J. 824 88th Street – Front Yard Gates

Deferred to May 27, 2021 Meeting.

K. 9538 Harding Avenue – Sign

Deferred to May 27, 2021 Meeting.

5. Draft Proposed Zoning Code

Item was not discussed.

Deferred to May 27, 2021 Meeting

6. Next Meeting Date: May 27, 2021

Item was not discussed.

7. Discussion Items:

A. Future Agenda Items

Item was not discussed.

8. Adjournment

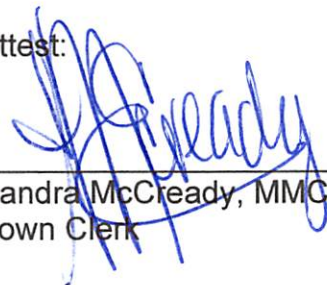
A motion was made by Board Member Landman to adjourn the meeting without objection at 11:00 p.m. The motion received a second from Board Member Bravo. The motion carried with a 4-0 vote with Board Member MacKenzie absent.

Respectfully submitted,

Accepted this 27 day of May, 2021.



Judith Frankel, Chair

Attest:


Sandra McCready, MMC
Town Clerk