



**TOWN OF SURFSIDE  
PLANNING AND ZONING BOARD**

**AGENDA  
AUGUST 29, 2013**

**7:00 PM**

- 1. CALL TO ORDER**
- 2. ROLL CALL**
- 3. APPROVAL OF MINUTES: JULY 25, 2013 (ATTACHED)**
- 4. PLANNING AND ZONING APPLICATIONS:**
  - A. Request of the Owner of Property located at 9389 Byron Avenue  
The applicant is requesting to convert his garage.**
  - B. Request of the Owner of Property located at 9217 Dickens Avenue  
The applicant is requesting to build a patio addition.**
  - C. Request of the Owner of Property located at 9476 Harding Avenue  
The applicant is requesting to install a permanent sign.**
  - D. Request of the Owner of Property located at 9472 Harding Avenue  
The applicant is requesting to install a permanent sign.**
- 5. DISCUSSION ITEMS:**
  - A. Wall frontage and side setbacks in H120**
  - B. Veterinary Clinics**
- 6. FUTURE AGENDA ITEMS:**
  - A. Capital Improvement Element update**
  - B. Sign Code**
  - C. Satellite Dishes**
  - D. Solar Panels**
  - E. Dimensions of parking spaces**
  - F. Pyramiding effects of setbacks**
- 7. PERMITS ISSUED AND REVENUE REPORT FOR JULY 2013.**
- 8. ADJOURNMENT.**

THIS MEETING IS OPEN TO THE PUBLIC. IN ACCORDANCE WITH THE AMERICANS WITH DISABILITIES ACT OF 1990, ALL PERSONS ARE DISABLED; WHO NEED SPECIAL ACCOMMODATIONS TO PARTICIPATE IN THIS MEETING BECAUSE OF THAT DISABILITY SHOULD CONTACT THE OFFICE OF THE TOWN CLERK AT 305-893-6511 EXT. 226 NO LATER THAN FOUR DAYS PRIOR TO SUCH PROCEEDING. HEARING IMPAIRED PERSONS MAY CONTACT THE TDD LINE AT 305-893-7936. IN ACCORDANCE WITH THE PROVISIONS OF SECTION 286.0105, FLORIDA STATUTES, ANYONE WISHING TO APPEAL ANY DECISION MADE BY THE TOWN OF SURFSIDE COMMISSION, WITH RESPECT TO ANY MATTER CONSIDERED AT THIS MEETING OR HEARING, WILL

**NEED A RECORD OF THE PROCEEDINGS AND FOR SUCH PURPOSE, MAY NEED TO ENSURE THAT A VERBATIM RECORD OF THE PROCEEDINGS IS MADE WHICH RECORD SHALL INCLUDE THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED. AGENDA ITEMS MAY BE VIEWED AT THE OFFICE OF THE TOWN CLERK, TOWN OF SURFSIDE TOWN HALL, 9293 HARDING AVENUE. ANYONE WISHING TO OBTAIN A COPY OF ANY AGENDA ITEM SHOULD CONTACT THE TOWN CLERK AT 305-861-4863. TWO OR MORE MEMBERS OF TOWN COMMISSION OR OTHER TOWN BOARDS MAY ATTEND AND PARTICIPATE AT THIS MEETING. THESE MEETINGS MAY BE CONDUCTED BY MEANS OF OR IN CONJUNCTION WITH COMMUNICATIONS MEDIA TECHNOLOGY, SPECIFICALLY, A TELEPHONE CONFERENCE CALL. THE LOCATION 9293 HARDING AVENUE, SURFSIDE, FL 33154, WHICH IS OPEN TO THE PUBLIC, SHALL SERVE AS AN ACCESS POINT FOR SUCH COMMUNICATION.**



Town Planner Sarah Sinatra presented the item to the Planning and Zoning Board and recommends approval.

Chair Lecour opened the public hearing.

Olha Sperkalz speaking on behalf of Bohdanna Popel, asked if their property next door, or neighboring properties will lose value. Town Planner Sinatra indicated that there are several second story homes in the neighborhood and the variance requested is consistent with the neighborhood. Neither Town Planner Sinatra nor members of the Commission could comment on appraisal.

Vice Chair Peter Glynn made a motion to grant pending the variance is approved by the Town Commission. The motion received a second by Board Member Castellanos. Motion passed with all voting in favor.

## **5. PLANNING AND ZONING APPLICATIONS:**

### **A. Request of the Owner of Property located at 8810 Garland Avenue**

**The applicant is requesting to build a screen porch.**

Town Planner Sarah Sinatra presented the item to the Board.

Applicant spoke in favor of the item.

Vice Chair Glynn made a motion to approve with staff recommendations there be a 20 foot rear setback to meet code requirements. The motion received a second from Board Member Castellanos and all voted in favor.

### **B. Request of the Owner of Property located at 500 94 Street**

**The applicant is requesting to build a masonry wall.**

Town Planner Sarah Sinatra presented the item to the Board.

Board Member Koshal made a motion to approve with the following conditions:

1. provide landscaping in front of the wall;
2. reduce the length of the wall by two feet;
3. paint wall to match the house.

The motion received a second from Vice Chair Glynn and all voted in favor.

### **C. Request of the Owner of Property located at 8939 Abbott Avenue**

**The applicant is requesting to install a shed in their back yard**

Town Planner Sarah Sinatra presented the item to the Board.

Board Member Castellanos made a motion to approve and received a second from Vice Chair Glynn. All voted in favor.

### **D. Request of the Owner of Property located at 1356 Biscaya Drive**

**The applicant is requesting to renovate an existing garage.**

Town Planner Sarah Sinatra presented the item to the Board.

Board Member Castellanos made a motion to approve and received a second from Vice Chair Glynn. All voted in favor.

**E. Request of the Owner of Property located 8859 Carlyle Avenue.**

**The applicant is requesting to build a second story addition.**

**\*\* Item was discussed after item 4A\*\***

Town Planner Sarah Sinatra presented the design item.

Board Member Koshal made a motion to approve with a condition of adding moderate landscape buffers on either side of the property. The motion received a second from Board Member Castellanos and all voted in favor.

**6. ORDINANCES:**

**A. Trellises**

**AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA AMENDING CHAPTER 90 "ZONING" SPECIFICALLY SECTION 90-19 "SINGLE-FAMILY AND TWO-FAMILY DEVELOPMENT PROCESS" TO ADD "TRELLISES" LOCATED IN THE REAR OR INTERIOR SIDE YARD TO ITEMS NOT SUBJECT TO PLANNING & ZONING BOARD REVIEW; PROVIDING FOR INCLUSION IN THE CODE; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE.**

Town Planner Sarah Sinatra presented the item.

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

**B. Metal Roofs**

**AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA AMENDING CHAPTER 90 "ZONING" SPECIFICALLY SECTION 90-50 "ARCHITECTURE AND ROOF DECKS" TO EXCLUDE METAL ROOFS FROM PLANNING & ZONING BOARD REVIEW; PROVIDING FOR INCLUSION IN THE CODE; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE**

Town Planner Sarah Sinatra presented the item.

Vice Chair Glynn asked if there were guidelines as to color. Town Planner Sinatra said she would review the ordinance and modify the language if necessary. Vice Chair made a motion to approve with condition that metal roof color be consistent with neighborhood. The motion received a second from Board Member Castellanos and all voted in favor.

### **C. Carports**

**AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA AMENDING CHAPTER 90 “ZONING”, AND SPECIFICALLY AMENDING SECTION 90-58 “CARPORT CANOPIES” FOR CONSISTENCY WITH DRIVEWAY REGULATIONS AND CONSTRUCTION STANDARDS; PROVIDING FOR INCLUSION IN THE CODE; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE.**

Town Planner Sarah Sinatra presented the item.

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

### **D. Hardpack Easement**

**AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA AMENDING CHAPTER 90 SECTION 90-60 “CONSTRUCTION ADJACENT TO BULKHEAD LINES” SUBSECTION 90-60.1 OF THE TOWN OF SURFSIDE CODE OF ORDINANCES REQUIRING NO PERMIT SHALL BE ISSUED FOR THE REPAIR, EXTENSION, ALTERATION OR REPLACEMENT OF ANY HABITABLE, FULLY-ENCLOSED STRUCTURE EAST OF THE OCEAN BULKHEAD LINE; NO PERMIT SHALL BE ISSUED FOR THE CONSTRUCTION OF ANY HABITABLE, FULLY ENCLOSED STRUCTURE CLOSER THAN 20 FEET TO THE WEST OF THE OCEAN BULKHEAD LINE; ALL PROPERTIES EAST OF THE OCEAN BULKHEAD LINE WILL BE REQUIRED TO PROVIDE AN ACCESS EASEMENT TO THE TOWN GRANTING THE PERPETUAL USE OF THE HARDPACK TO THE PUBLIC; PROVIDING FOR INCLUSION IN THE CODE; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE.**

Town Planner Sarah Sinatra presented the item.

After some discussion whether this should be voluntary, mandatory or retroactive, Board Member Koshal made a motion to approve subject to the outcome of a legal research regarding the legality of requesting property owners to provide an access easement before permit is granted. The Ordinance and report from legal is to be discussed at the August Regular Town Commission meeting. The motion received a second from Vice Chair Glynn and all voted in favor.

## **7. DISCUSSION ITEMS:**

### **A. Veterinary clinics**

Town Planner Sarah Sinatra presented the item and indicated that the Code does not permit this service. The discussion is to introduce the idea of this type of business and possibly changing the code. She stated that she received four (4) emails from businesses in opposition.

Public Speaker David Carmona, DVM gave a Power Point presentation with facts and statistics supporting the need for veterinary services for the community.

Public Speaker Joe Corderi spoke in favor of the item and would like to see this service in the town.

The Board discussed the item and is receptive to such a service but have concerns regarding where this type of service can be placed with a defined space (yard) for walking the dogs, access to and exiting the business as well as noise and odors.

Public Speaker Juan C. Valdes spoke in favor and alternate locations for businesses.

Town Manager Michael P. Crotty asked if the Board could make a recommendation and present it to the Commission for discussion at the next Commission meeting August 13, 2013.

The consensus from the Board was to recommend this item to the Town Commission for approval.

### **B. Schedule Continuous Wall Frontage workshop**

Town Planner Sarah Sinatra said they are ready to put this on the next agenda and some of the items on the future agenda which tie into this may be addressed at a joint meeting with the Commission.

## **8. FUTURE AGENDA ITEMS:**

**A. Capital Improvement Element update**

**B. Sign Code**

**C. Satellite Dishes**

**D. Solar Panels**

**D. Dimensions of parking spaces**

**E. Pyramiding effects of setbacks**

**F. Side setbacks as a percentage of lot frontage**

Town Manager Michael P. Crotty indicated that the public would have a chance to give input on zoning code changes by participating in a survey on the town website. A joint workshop meeting will be set up in September which will allow time for surveys to be analyzed.

Commissioner Joe Graubart spoke about the amount of paperwork being generated and indicated that a couple of years ago there were joint committee meetings and by doing so it could move things along more quickly. Commissioner Graubart also spoke on Sign Code.

Chair Lindsay Lecour would like items a; c; and d. brought back soon and items e. and f. discussed at the joint meeting.

**9. PERMITS ISSUED AND REVENUE REPORT FOR JUNE 2013.**

**10. ADJOURNMENT.**

There being no further business to come before the Planning and Zoning Board, the meeting adjourned at 8:40p.m.

Accepted this \_\_\_\_ day of \_\_\_\_\_, 2013

Attest:

\_\_\_\_\_  
Chair Lindsay Lecour

\_\_\_\_\_  
Sandra Novoa  
Town Clerk



## MEMORANDUM

To: Planning and Zoning Board  
Thru: Michael Crotty, Town Manager  
From: Sarah Sinatra Gould, AICP, Town Planner  
CC: Linda Miller, Town Attorney  
Date: August 29, 2013  
Re: 9389 Byron Avenue – Garage Conversion

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The property is located at 9389 Byron Avenue, within the H30B zoning district. The applicant is requesting to convert the garage to additional living space for their single family home. The homeowner is also replacing the windows and completing interior renovations.

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, along with the results of the review
- Applicable Design Guidelines, along with the results of the review
- Staff Recommendation





**Standards/Results**

**Town of Surfside Zoning Code, Applicable Requirements**

***Sec. 90.50 (6) Converting Single Family Attached Garages***

<b>Required</b>	<b>Proposed</b>
When an attached garage is converted for any other use, the garage door or doors may be replaced by a solid exterior wall and access to the former garage area must be provided from the main premises, in addition to any other permitted access.	Solid wall is proposed. Access is provided to the main premises.
At least one (1) window shall be provided.	Two windows are provided.
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	Landscaping is provided.

***Sec. 90.77 Off Street Parking***

<b>Required</b>	<b>Proposed</b>
2 spaces	2 spaces

**RECOMMENDATION**

Staff recommends approval with the condition that driveway be resurfaced or replaced.



## MEMORANDUM

To: Planning and Zoning Board  
Thru: Michael Crotty, Town Manager  
From: Sarah Sinatra Gould, AICP, Town Planner  
CC: Linda Miller, Town Attorney  
Date: August 29, 2013  
Re: 9217 Dickens Avenue – Rear Patio Addition

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The property is located at 9217 Dickens Avenue, within the H30B zoning district. The applicant, Omarto Fumero, is requesting a patio addition for his single family home.

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, along with the results of the review
- Staff Recommendation



**Standards/Results**

**Town of Surfside Zoning Code, Applicable Requirements**

<b>H30A and H30B</b>	<b>Percentage</b>	<b>Proposed</b>
<b>SINGLE STORY STRUCTURES</b>	<b>MINIMUM SETBACK</b>	
Interior side (lots equal to or less than 50 feet in width)	5 Feet	5 Feet
Rear	20 Feet	22 Feet

**RECOMMENDATION**

Staff recommends approval.



## MEMORANDUM

To: Planning and Zoning Board  
Thru: Michael Crotty, Town Manager  
From: Sarah Sinatra Gould, AICP, Town Planner  
CC: Linda Miller, Town Attorney  
Date: August 29, 2013  
Re: 9476 Harding Avenue

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The property is located at 9476 Harding Avenue, within the SD-B40 zoning district. The applicant is requesting to install a new sign. The business is Ike's Diner. The applicant is proposing red channel letter signage with LED illumination.

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, along with the results of the review
- Staff Recommendation



### Building Sign



### Window Sign





## STANDARDS / RESULTS

### Town of Surfside Zoning Code, Applicable Requirements

#### Sec. 90.41(c)

Regulated Uses	Permitted	Proposed
SD-B40	Restaurants - Provided that no sales shall be made through an open window to any street, alley, driveway or sidewalk	Restaurant with no window service.

#### Sec. 90-71.1

Signs	Permitted	Proposed
Area	25 sf	20 sf sign "Ike's Diner"
Approved word content	Signs may include the following: 1) Trade name of establishment 2) Nature of business, services rendered or products sold on premises.	"Ike's Diner" (Trade Name)
Prohibited Word Content	Signs may not include the following: 1) Any reference to price, except as provided in regards to "window sign."	"Ike's Diner" (No reference to price.)
Location	With the exception of theater marquees and V-box signs, no sign shall be erected so that any portion thereof shall project over a dedicated street or sidewalk or so that any portion thereof shall project more than five feet from any main building wall.	Sign does not project over the sidewalk or street.
Window Signs	Window sign lettering shall not exceed 8 inches in height or 20% of the window	The lettering is 7 ¼ inches in height and does not exceed 20% of the window

## RECOMMENDATION

Staff recommends approval of the application with the following condition:

1. Apply for a Certificate of Use and a Local Business Tax Receipt. The sign permit shall not be released until the applicant applies for a Certificate of Use and a Local Business Tax Receipt.



## MEMORANDUM

To: Planning and Zoning Board  
Thru: Michael Crotty, Town Manager  
From: Sarah Sinatra Gould, AICP, Town Planner  
CC: Linda Miller, Town Attorney  
Date: August 29, 2013  
Re: 9472 Harding Avenue

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The property is located at 9472 Harding Avenue, within the SD-B40 zoning district. The applicant is requesting to install a new sign. The restaurant is Tiberio. The applicant is proposing LED illuminated reverse channel letters. The lettering is satin gold color. The applicant is also requesting two additional signs located on the columns which provide a red backing and gold lettering. The sign construction is the same as the primary 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, along with the results of the review
- Staff Recommendation



## STANDARDS / RESULTS

### Town of Surfside Zoning Code, Applicable Requirements

#### *Sec. 90.41(c)*

Regulated Uses	Permitted	Proposed
SD-B40	Restaurants - Provided that no sales shall be made through an open window to any street, alley, driveway or sidewalk	Restaurant with no window service.

#### *Sec. 90-71.1*

Signs	Permitted	Proposed
Area	50 sf	34.5 sf sign for primary sign 3 sq ft for column signs
Approved word content	Signs may include the following: 1) Trade name of establishment 2) Nature of business, services rendered or products sold on premises.	"Tiberio" (Trade Name)
Prohibited Word Content	Signs may not include the following: 1) Any reference to price, except as provided in regards to "window sign."	"Tiberio" (No reference to price.)
Location	With the exception of theater marquees and V-box signs, no sign shall be erected so that any portion thereof shall project over a dedicated street or sidewalk or so that any portion thereof shall project more than five feet from any main building wall.	Sign does not project over the sidewalk or street.



## RECOMMENDATION

Staff recommends approval of the application with the following conditions of approval:

1. Remove the illegal awnings. The awnings did not receive approval for the location and must be removed. The Code states that an awning shall not encroach more than six feet over the sidewalk. The existing awning, which was never approved by the Town and has outstanding code violations levied on the prior awning, must be removed.
2. Apply for all required permits. Applicant has been working without permits. The sign permit shall not be released until all required permits have been applied for through the Building Department.
3. Apply for a Certificate of Use and a Local Business Tax Receipt. The sign permit shall not be released until the applicant applies for a Certificate of Use and a Local Business Tax Receipt.
4. The reverse channel lettering proposed for the primary sign shall be individually mounted to the wall face and not mounted on a separate backing.



## Town of Surfside Planning and Zoning Board Communication

**Agenda Date:** August 29, 2013  
**Subject:** Wall Frontage and Side Setbacks in H120 District  
**From:** Sarah Sinatra Gould, AICP, Town Planner

**Background:** At the April 3, 2013 Planning and Zoning Board meeting, staff presented a discussion item of a number of topics regarding building massing related to new construction. One of the topics was the maximum wall frontage of buildings.

Section 90-51 was amended in December 2012 to provide a maximum frontage requirement. The section states that continuous wall frontage shall be not exceed 270 feet and articulated as follows:

.....(3) *H120*: For every 100 feet, a minimum six-foot change in wall planes. The change shall be either vertical or horizontal.

Staff has been requested to develop options that will reduce the maximum building frontage or provide for greater change in wall plane.

### **Analysis:**

Option A: For every 150 feet in building frontage there shall be a minimum building separation of 30 feet for the entire depth of the property. Where two or more buildings are provided, each building shall be set back an additional 30 feet from the front plane of any building within the same property.

Option B: For every 150 feet in building frontage there shall be a minimum building separation of 30 feet for the entire depth of the property. Where two or more buildings are provided, each building shall be set back an additional 66 feet from the front plane of any building within the same property.

Option C: Buildings exceeding 150 feet in frontage shall provide an additional frontage setback equivalent to 3 feet deep for every 5 feet of frontage provided that no required additional frontage setback exceeds 90 feet.

Additionally, staff is recommending the interior side setbacks be increased from 10 feet to twenty feet. This will allow for forty feet between buildings on neighboring properties.

**Graphics:** Attachment 1 represents 30 foot separation on a 300 foot lot.  
Attachment 2 represents 30 foot separation on a 500 foot lot.  
Attachment 3 represents 66 foot separation on a 300 foot lot.  
Attachment 4 represents 66 foot separation on a 500 foot lot.  
Attachment 5 represents additional setbacks on a 300 foot lot.  
Attachment 6 represents additional setbacks on a 500 foot lot.

**Recommendation:**

- 1) Staff recommends the Planning and Zoning Board review the three options for wall frontage and make a recommendation to the Town Commission.
- 2) Staff recommends increasing the interior side setback from 10 feet to 20 feet to allow a minimum 40 feet between buildings on neighboring properties.



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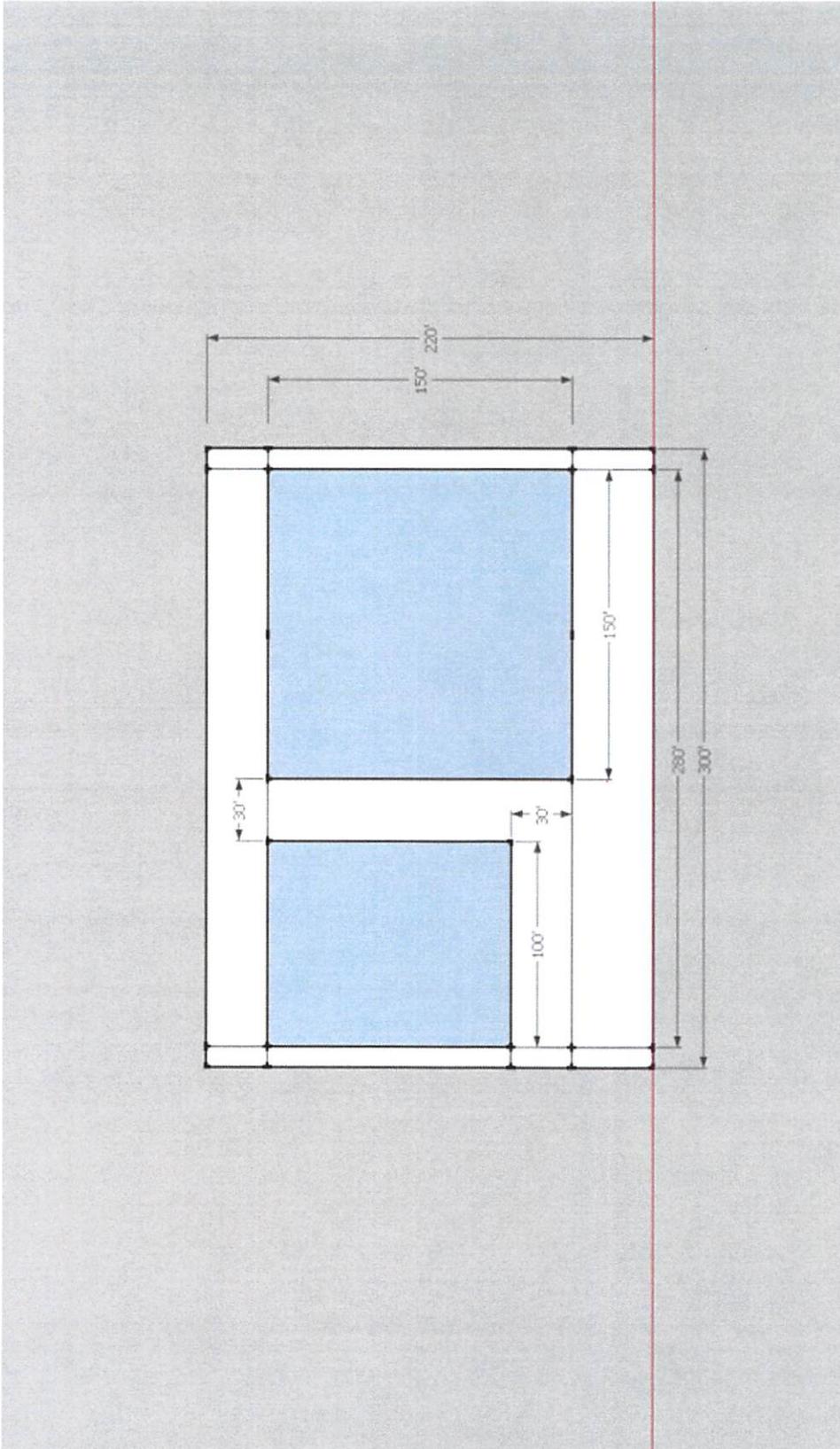
Sarah Sinatra Gould, AICP, Town Planner



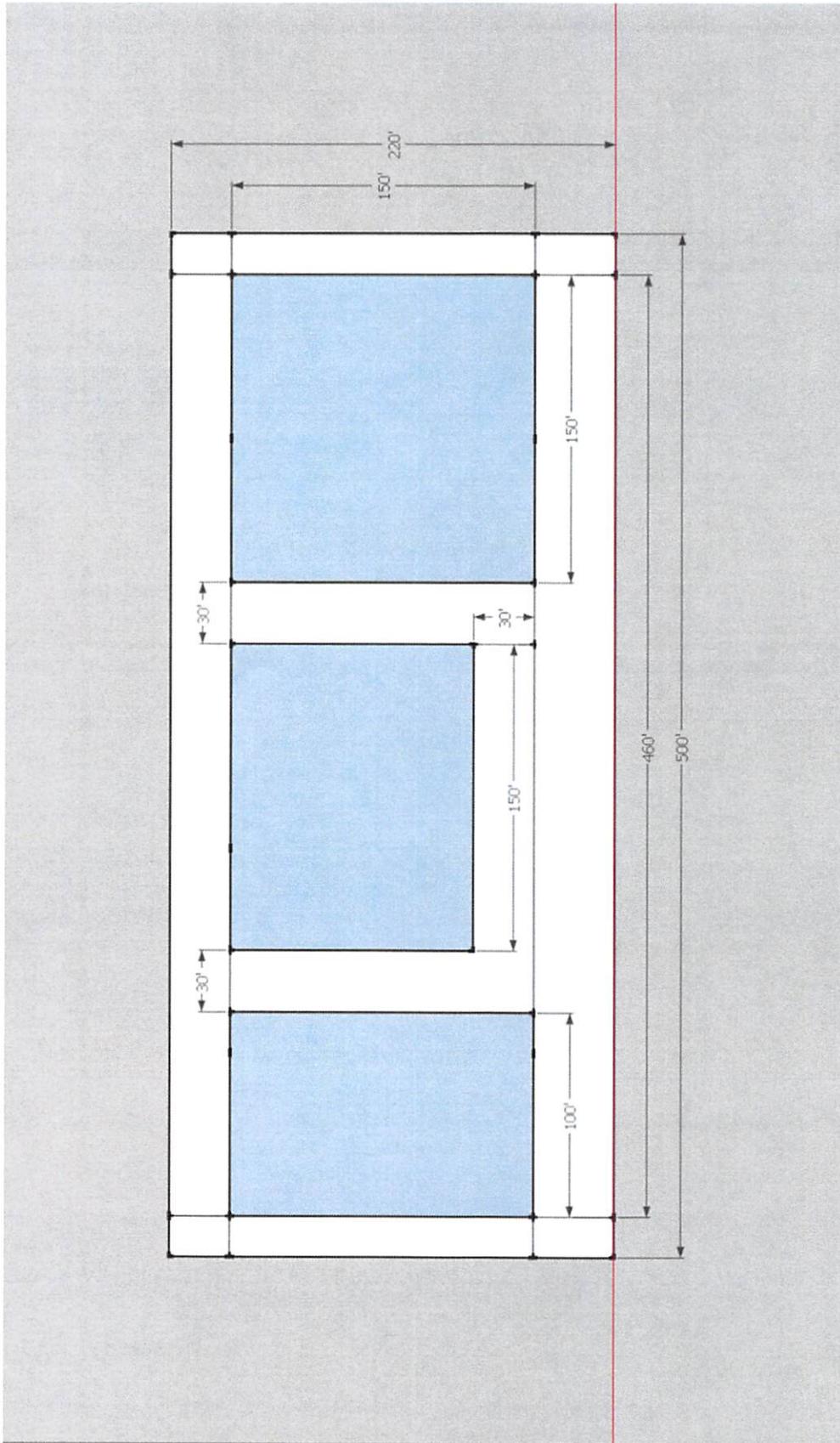
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Michael Crotty, Town Manager

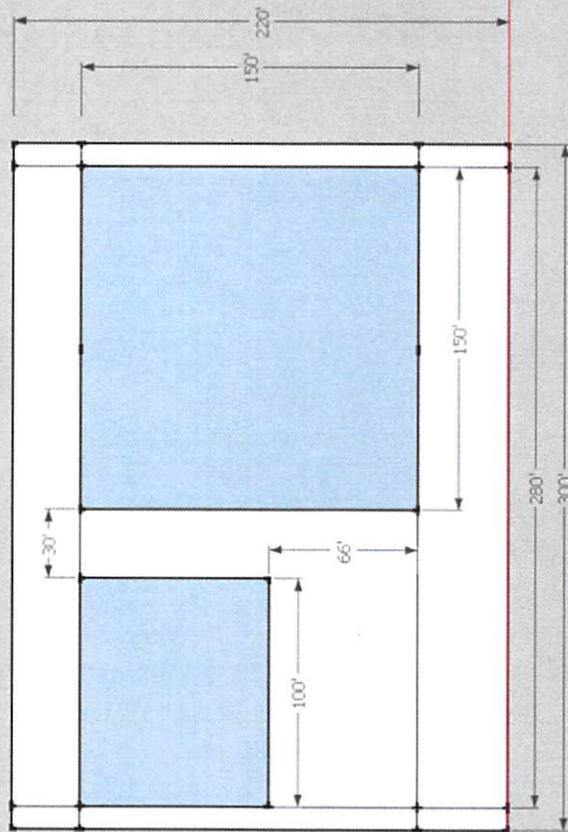
Attachment 1



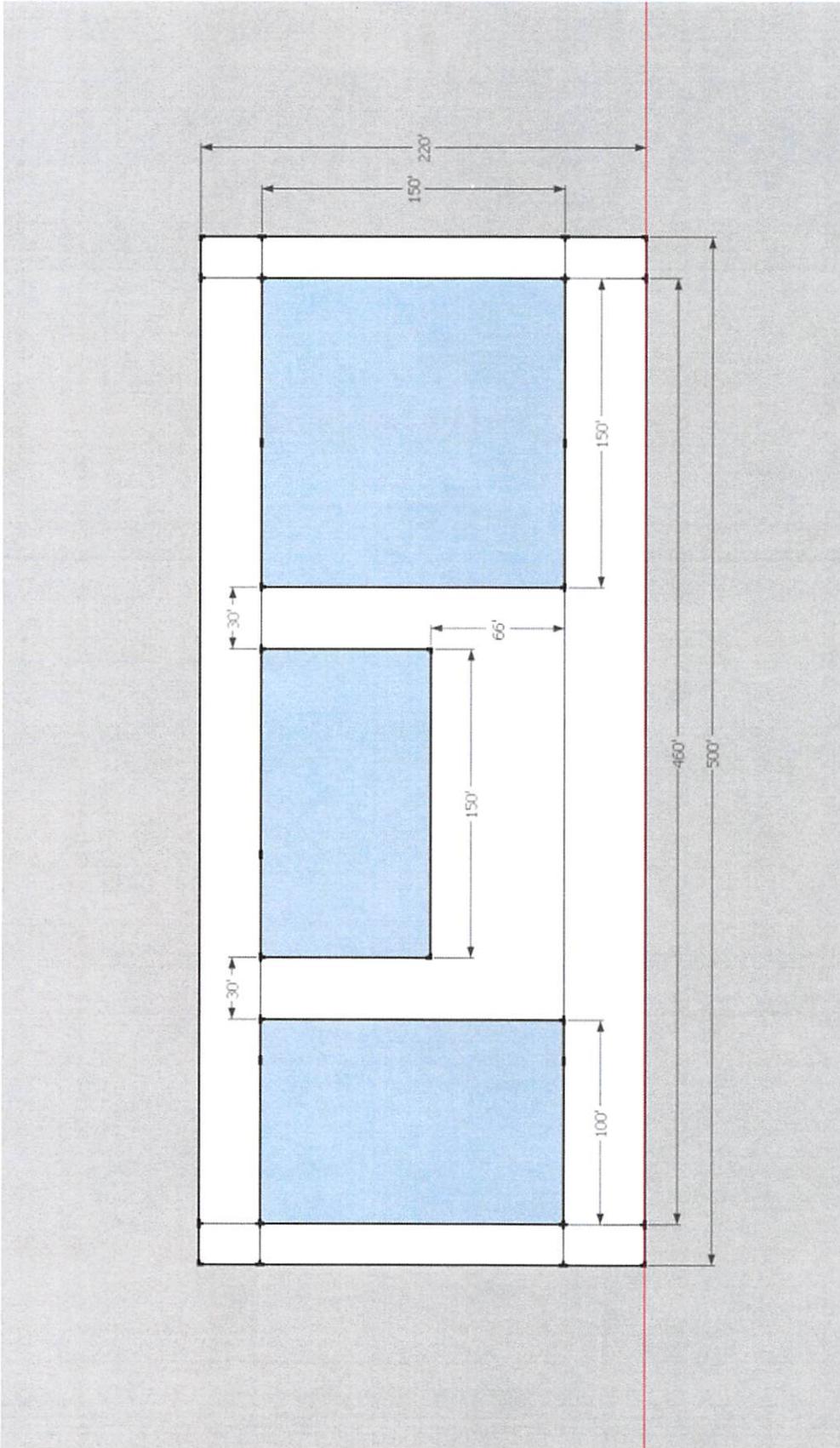
**Attachment 2**



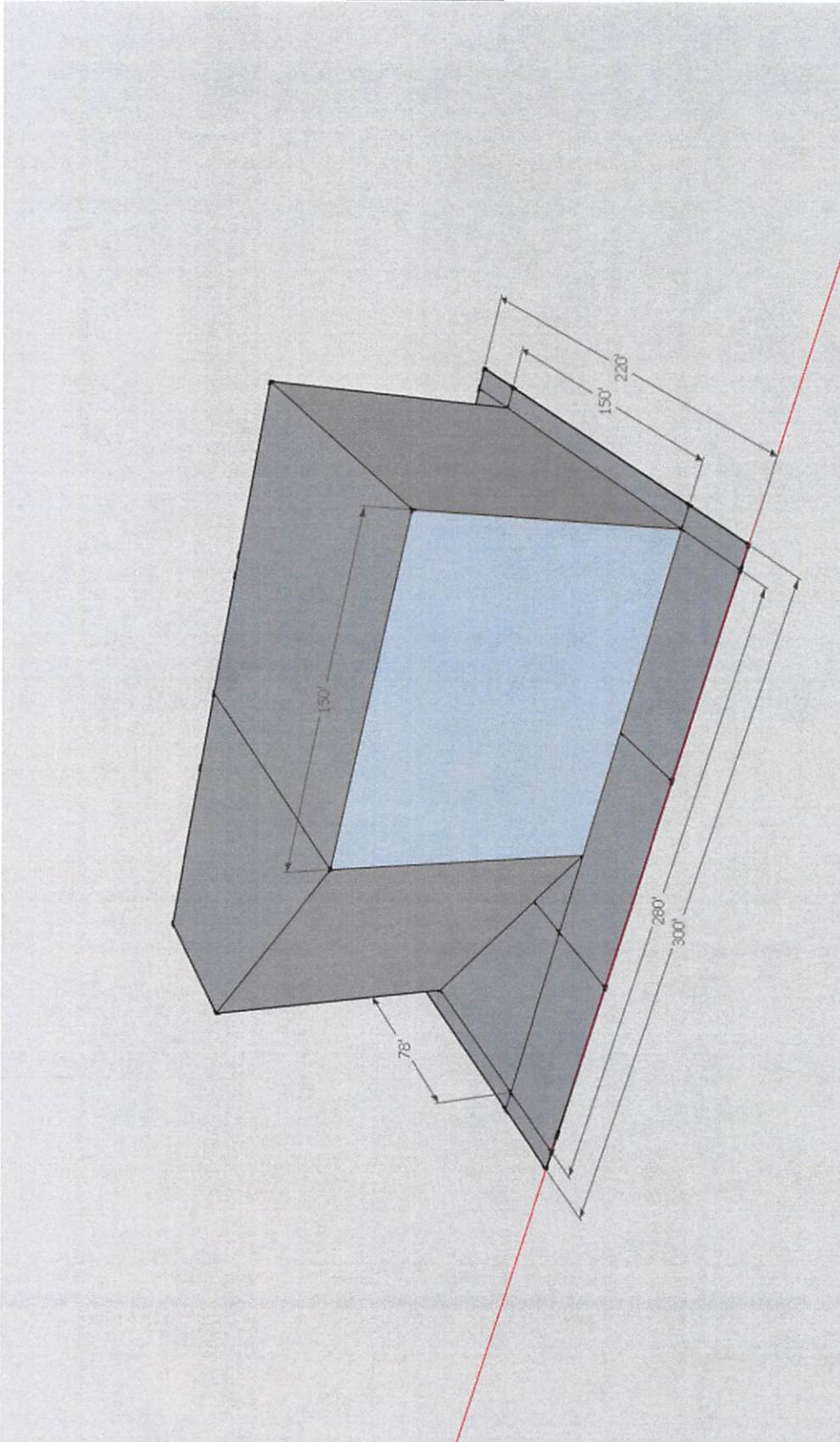
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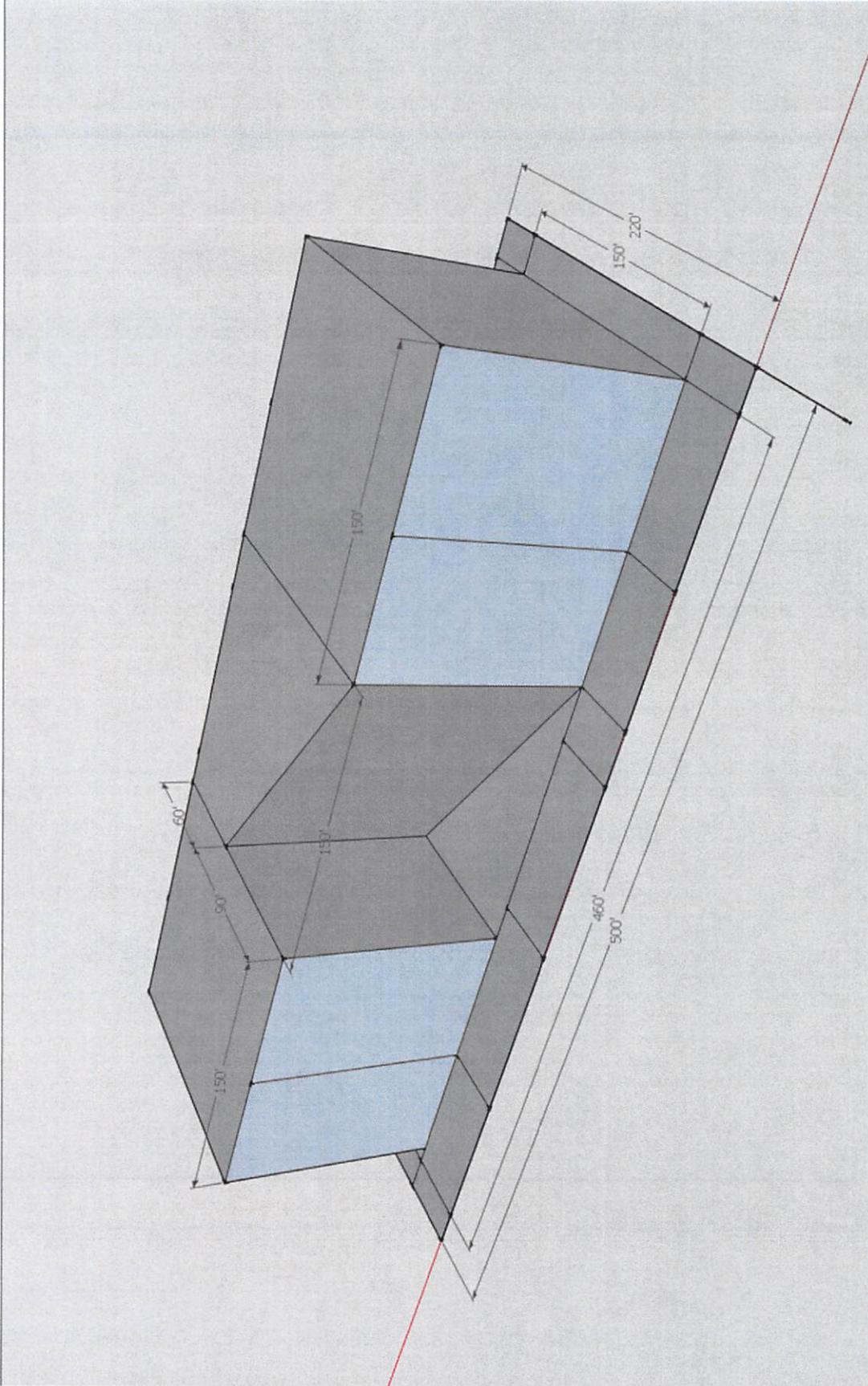
**Attachment 4**



Attachment 5



**Attachment 6**



## Permits and Revenue Report

<u>Fiscal Quarter</u>	<u>Fiscal Year</u>	<u>Revenue Period</u>	<u>Month/Year</u>	<u>Permits Issued</u>	<u>Revenue</u>
1	2013	1	Oct of 2012	68	\$25,315
	2013	2	Nov of 2012	70	\$29,242
	2013	3	Dec of 2012	72	\$42,686
2	2013	4	Jan of 2013	71	\$102,779
	2013	5	Feb of 2013	83	\$44,198
	2013	6	Mar of 2013	79	\$20,634
3	2013	7	Apr of 2013	107	\$107,099
	2013	8	May of 2013	119	\$28,846
	2013	9	Jun of 2013	85	\$25,139
4	<b>2013</b>	<b>10</b>	<b>Jul of 2013</b>	<b>110</b>	<b>\$48,172</b>
	2013	11	Aug of 2013		
	2013	12	Sep of 2013		
				<u>Total Permits Issued</u>	<u>Total Permit Revenue</u>
				<u>864</u>	<u>\$474,110</u>