



**TOWN OF SURFSIDE
PLANNING AND ZONING BOARD
AND
DESIGN REVIEW BOARD MEETING**

Town Hall Commission Chambers
9293 Harding Ave., 2nd Floor
Surfside, Florida 33154

**OCTOBER 30, 2014
7:00 PM**

AGENDA

DESIGN REVIEW BOARD

1. **CALL TO ORDER**
2. **ROLL CALL**
3. **APPROVAL OF MINUTES: SEPTEMBER 30, 2014**
4. **DESIGN REVIEW BOARD APPLICATIONS:**
 - A. Request of the Owner of Property located at 9455 Collins Avenue**
The applicant is requesting to install a monument sign.
 - B. Request of the Owner of Property located at 9458 Harding Avenue**
The tenant is requesting to install a wall sign.
 - C. Request of the Owner of Property located at 9033 Emerson Avenue**
The applicant is requesting to add a new bathroom and a walk in closet to the master bedroom.
 - D. Request of the Owner of Property located at 9480 Bay Drive**
The applicant is requesting to build a new single-family house.
 - E. Request of the Owner of Property located at 9432 Bay Drive**
The applicant is requesting to build an addition.

F. Request of Property Owner of Property located at 8934 Froude Avenue
The applicant is requesting a garage conversion.

G. Request of Property Owner of Property located at 8874 Dickens Avenue
The applicant is requesting a first floor and second floor addition.

H. Request of the Owner of Property located at 801_ 88th Street
The applicant is requesting to build an addition.

6. ADJOURNMENT.

PLANNING AND ZONING BOARD

AGENDA

OCTOBER 30, 2014

7:00 PM

- 1. CALL TO ORDER**
- 2. ROLL CALL**
- 3. APPROVAL OF MINUTES:**
- 4. QUASI-JUDICIAL APPLICATION:**

Please be advised that the following item on the Agenda is Quasi-Judicial in nature. If you wish to object or comment upon an item, please complete a Public Speaker's Card indicating the Agenda item number on which you would like to comment. You must be sworn in before addressing the Board and you may be subject to cross-examination. If you refuse to submit to cross-examination, the Board will not consider your comments in its final deliberation. Please also disclose any Ex-Parte communications you may have had with any Board member. Board members must also do the same.

A. 801- 88th Street Variance–

**A RESOLUTION OF THE TOWN OF SURFSIDE, FLORIDA
PLANNING & ZONING BOARD CONSIDERING THE
APPLICATION OF 801_88TH STREET TO PERMIT A
VARIANCE FROM THE REQUIREMENTS OF SECTION
90-54.5 OF THE TOWN OF SURFSIDE CODE OF
ORDINANCES; TO CONNECT A DETACHED GARAGE TO
THE HOME TO ALLOW THE EXISTING SINGLE FAMILY
HOME TO CONVERT THE GARAGE TO ADDITIONAL
LIVING SPACE; PROVIDING FOR RECOMMENDATION
OF APPROVAL; PROVIDING FOR AN EFFECTIVE DATE.**

5. ORDINANCES:

A. Sight Triangle Ordinance –

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA AMENDING CHAPTER 90 “ZONING” AMENDING CODE SECTION 90-52 “REQUIRED CLEARANCES” AND STRIKING CODE SECTION 90-92 “SIGHT TRIANGLES AND CLEARANCES”; PROVIDING FOR INCLUSION IN THE CODE; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE.

6. DISCUSSION ITEMS:

A. Lot Coverage

B. Future Agenda Items

7. PERMITS ISSUED AND REVENUE REPORT FOR SEPTEMBER 2014.

[To be delivered separately]

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.



**PLANNING AND ZONING BOARD
AND
DESIGN REVIEW BOARD MEETING**

Town Hall Commission Chambers
9293 Harding Ave., 2nd Floor
Surfside, Florida 33154

**SEPTEMBER 30, 2014
7:00 PM**

MINUTES

DESIGN REVIEW BOARD

1. CALL TO ORDER

Chair Lindsay Lecour called the meeting to order at 7:03 pm.

2. ROLL CALL

Recording Clerk Frantza Duval called the roll with the following members present: Board Member Peter Glynn, Chair Lindsay Lecour, Vice Chair Jacob Kligman and Design and Review Board Member Jorge Gutierrez. Board Member Moisha Rubenstein, Board Member Armando Castellanos and Design and Review Board Member Jessica Weiss were absent.

Board Member Armando Castellanos arrived at 7:04 p.m.

Design and Review Board Member Weiss arrived at 7:06 p.m.

Commissioner Cohen attended as liaison and arrived at 7:27 p.m.

3. APPROVAL OF MINUTES: August 27, 2014

Design and Review Board Member Gutierrez made a motion to approve. The motion received a second from Vice Chair Kligman and all voted in favor with Board Members Rubenstein, Castellanos and Weiss absent.

4. DESIGN REVIEW BOARD APPLICATIONS:

A. Request of the Owner of Property located at 8945 Dickens Avenue

The applicant is requesting after the fact approval of a garage conversion for their single family home. Town Planner Sarah Sinatra presented the item. Staff is recommending approval upon plans to install planter.

Board Member Glynn Castellanos made a motion to approve. The motion received a second from Design and Review Board Member Gutierrez and all voted in favor with Board Members Rubenstein and Weiss absent.

5. DISCUSSION ITEMS:

A. Corridor analysis discussion

Town Planner Sarah Sinatra gave an update on item and said she is preparing a proposal to be placed on the agenda for the next Commission meeting. However, she wanted the Board to discuss the item and get their input before doing so. She said the area she gets the most calls for development are between 94th-88th Street.

Design and Review Board Member Gutierrez would like more information on what is being planned. Chair Lecour would like to see massing models and wants to look at the potential development of each corridor. Breezeways and walkways should also be considered. She also would like information on the existing conditions in these areas as well as the usage and what would be prohibited. Parking should also be considered.

6. ADJOURNMENT.

There being no further business to come before the Design and Review Board the meeting adjourned at 7:17 p.m.

PLANNING AND ZONING BOARD
MINUTES

1. CALL TO ORDER

Chair Lindsay Lecour called the meeting to order at 7:17 pm.

2. ROLL CALL

Recording Clerk Frantza Duval called the roll with the following members present: Board Member Peter Glynn, Chair Lindsay Lecour, Vice Chair Jacob Kligman and Board Member Armando Castellanos. Board Member Moisha Rubenstein was absent.

3. APPROVAL OF MINUTES: August 27, 2014

Vice Chair Kligman a motion to approve. The motion received a second from Board Member Castellanos and all voted in favor with Board Member Rubenstein absent.

4. DISCUSSION ITEMS:

A. Resident request to increase lot coverage

Town Planner Sarah Sinatra presented the item. Public Speaker Charles Ness who is requesting the additional room to his residence explained the importance of changing the zoning code on this issue. Steve Bernard also spoke on behalf of Mr. Ness and gave a detailed overview of the existing zoning code and how it limits residences from expanding. The need to keep families from moving out of the area is something to be considered.

There was discussion regarding the size of lots, especially the 5,600 size lots, and the codes for expansion. Second floor expansion was also discussed. Board Member Glynn was in favor of expansion for the first floor but would like restrictions on second floor expansion. Board Member Castellanos agreed with Board Member Glynn that restriction be placed on the second story over the addition.

There was much discussion on the item especially expansion of the second floor. Different options were presented from the Board.

The Board was open to the concept of expansion of the first floor up to 50% lot coverage on lots of 5,600 or less and wants to explore whether there be further restrictions for second floor expansion. Town Planner Sinatra will explore massing of the first floor vs. second floor and prepare additional information with illustrations. The item will be placed on the agenda as a discussion item at the next meeting.

B. Modification of uses in the business district

Vice Mayor Eli Tourgeman presented the item and for the record, read what he presented to the Commission on September 9, 2014. "I have noted the proliferation of the new service usage located in the town business district. I am concerned, as others in the town, about these uses taking up the space in the district which would otherwise be available for restaurants and other retail establishments. I believe that restaurants and retail uses are preferable in the downtown, specifically and especially on the street level in order to generate more pedestrian traffic and a more lively downtown and an activity of greater economic value to the district and the town. In consideration, I propose that the Commission ask the Town Planner Sarah Sinatra and other appropriate town staff to study ways in which to encourage retail and restaurant usage in the downtown. This should include proposed changes in the town zoning code that might include for example, restrictions on the location of new service uses to the second floor and, to amend the zoning code and to bring the proposed ordinance to the town Planning and Zoning Board for discussion and then to the town Commission." Vice Mayor Tourgeman said the main reason was to allow more retail and restrict service areas to the second floor.

Town Planner Sinatra suggested different options such as restrictions for first and second floor, the option of distance requirements, and the option of limiting the number of services on the first floor.

Public Speakers

-Anthony Martucie said the town has good potential to grow but it needs revamping as there are too many of the same businesses on the same block. He feels what is being proposed this evening as to distance requirements is good. It would not only help the town but the existing businesses as well.

-Annette Schrader is in support of limiting the number of same services that can open.

Board Member Glynn had concerns regarding too many restrictions may result in empty stores.

The Board gave direction to Town Planner Sinatra that they were in favor of distance requirements such as one type of business per block, per first floor.

C. Future agenda items

1. Prevent using other municipality names on signage
2. Revisit Harding/Collins corridor analysis; preliminary discussion November
3. Meeting dates, October 30, 2014 and November combined with December 11, 2014

5. REPORT OF PERMITS ISSUED FOR THE MONTH OF AUGUST 2014.

Building Official Ross Prieto gave an update.

6. ADJOURNMENT.

There being no further business to come before the Planning and Zoning Board the meeting adjourned at 8:41 p.m.

Accepted this ____ day of _____, 2014

Chair Lindsay Lecour

Attest:

Sandra Novoa
Town Clerk



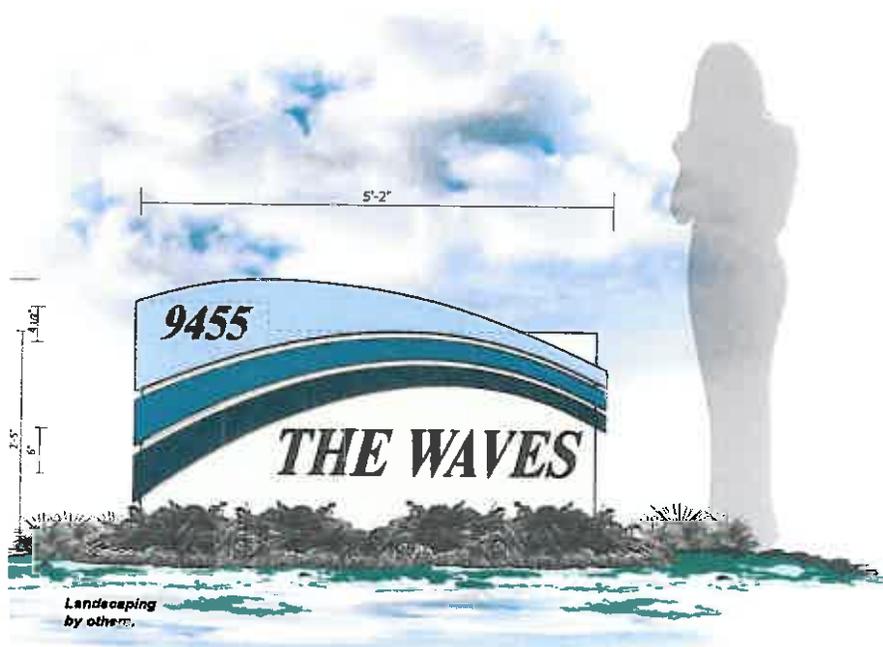
MEMORANDUM

To: Design Review Board
 Thru: Michael Crotty, Town Manager
 From: Sarah Sinatra Gould, AICP, Town Planner
 CC: Linda Miller, Town Attorney
 Date: October 30, 2014
 Re: 9455 Collins Avenue

The Waves is requesting to replace the existing monument sign at their property located at 9455 Collins Avenue, within the H120 zoning district. The proposed monument sign will be located at the same location as the existing sign, on the east side of Collins Avenue.

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. 90-71.2 Monument Sign

Signs	Permitted	Proposed
Area	25 sf	15.5 sf
Approved word content	Signs may include the following: 1) Trade name of establishment 2) Nature of business, services rendered or products sold on premises.	"The Waves" (Trade Name) "9455" (Address)
Prohibited Word Content	Signs may not include the following: 1) Any reference to price, except as provided in regards to "window sign."	"The Waves" (No reference to price.)
Location	Monument signs. a. Monument signs shall be permitted in the H30C, H40, MU and H120 districts and are subject to the following restrictions: 1. One sign per street frontage. 2. Maximum sign area is 25 square feet. 3. Maximum height is five feet. 4. Signs shall maintain a five-foot setback from all property lines and no portion shall be permitted to project within this five-foot setback area.	1. One sign 2. Sign area is 15.5 sf. 3. Sign height is 3 ft. 4. Sign Setback shall be located 5 ft. away from property line

RECOMMENDATION

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

1. Sign Setback shall be located 5 ft. away from property line



MEMORANDUM

To: Design Review Board
 Thru: Michael Crotty, Town Manager
 From: Sarah Sinatra Gould, AICP, Town Planner
 CC: Linda Miller, Town Attorney
 Date: October 30, 2014
 Re: 9458 Harding Avenue – New Sign

The property is located at 9458 Harding Avenue, within the SD-B40 zoning district. The applicant is requesting to install a new sign. The retail store is Artourage Galleries. The applicant is proposing illuminated channel letters made of PVC mounted directly on the wall. The lettering is chrome in color.

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. 90-71.1

Signs	Permitted	Proposed
Area	25 square feet	8.73 square feet
Approved word content	Signs may include the following: 1) Trade name of establishment 2) Nature of business, services rendered or products sold on premises.	"Artourage" (Trade Name)
Prohibited Word Content	Signs may not include the following: 1) Any reference to price, except as provided in regards to "window sign."	"Artourage" (No reference to price.)



<p>Location</p>	<p>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.</p>	<p>Sign does not project over the sidewalk or street.</p>
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RECOMMENDATION

Staff recommends approval.



MEMORANDUM

To: Design Review Board
Thru: Michael Crotty, Town Manager
From: Sarah Sinatra Gould, AICP, Town Planner
CC: Linda Miller, Town Attorney
Date: October 30, 2014
Re: 9033 Emerson Avenue – Rear Addition

The property located at 9033 Emerson Avenue is within the H30B zoning district. The applicant is proposing additions to the single-family residence. The applicant is requesting to add a new bathroom and walk-in closet to the master bedroom. The applicant is also requesting to extend the family room at the rear of the home and add a covered terrace.

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 standards, along with the results of the review
- Staff Recommendation



STANDARDS / RESULTS

Town of Surfside Zoning Code, Applicable Requirements

Sec. 90.43 Maximum building heights

Height	Required Maximum	Proposed
H30B	30 feet	No changes proposed to height.

Sec. 90.45 Setback

H30A and H30B (Single-story structures up to 15 feet in height)	Required	Proposed
Primary frontage	20 Feet	20 feet 3 inches No changes proposed to front setback.
Interior side (lots over 50 feet in width)	7.5 Feet	North side setback: 5 feet No change proposed to north side setback. South side setback: 23 feet
Rear	20 Feet	20 feet

Sec. 90.49 Lot standards

Lot Standards H30B	Required	Proposed
Minimum Lot width	50 Feet	75 feet
Minimum lot area	5,600 feet	8,438 square feet
Maximum lot coverage	40%	21.78%
Pervious area	35% (minimum)	59.4%

Sec. 90.50.1 Architecture and roof decks

	Required	Proposed
Wall openings	10% for all elevations	All elevations have 10% wall openings.
Roof Material	(a) Clay tile; (b) White concrete tile; (c) Solid color cement tile which color is impregnated with the same color intensity throughout, provided said color if granted approval by the Design Review Board; (d) Architecturally embellished metal if granted approval by the Design Review Board; or (e) Other Florida Building Code approved roof material(s) if	Flat roof is proposed.

	granted approval by the Design Review Board.	
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Town of Surfside Adopted Residential Design Guidelines

Transparency and Void Requirements

Required	Proposed
All elevations should provide for a minimum of 10% wall openings.	Minimum 10% wall openings provided.
New windows should be placed to avoid direct views into existing neighboring windows.	New windows are placed to avoid direct views into existing neighboring windows.

Wall Materials and Finishes

Required	Proposed
The same material should be used on all building elevations unless multiple materials are a legitimate expression of the particular style.	Materials to match existing wall materials and finishes.

Roof Materials, Types, and Slopes

Required	Proposed
Roof types and slopes should be generally the same over all parts of a single building.	Roof types and slopes are generally the same over all parts of the building.
Restricted materials for roofs are pre-determined in the Town's Building Code, which restricts roofing materials to: <ol style="list-style-type: none"> 1. Clay tile; 2. White concrete tile; 3. Solid color cement tile which color is impregnated with the same color intensity throughout, provided said color is first approved by the Planning and Zoning board; and 4. Metal. 	Flat roof is proposed.

Recommendation

Staff recommends approval.



SOUTHEAST CORNER OF EXISTING HOME (REAR)



EAST VIEW OF EXISTING HOME (REAR)



EAST VIEW OF EXISTING HOME (REAR)



NORTH EAST VIEW OF EXISTING HOME (REAR)



ESPAZIO DESIGN CORP
 3745 SW 60th Place
 Miami, FL 33155
 www.espaziodesign.com

RESIDENTIAL ADDITION
 6032 Espazo Avenue
 Surfside, FL 33154
 Project No. 17920

**TOWN OF SURSIDE
 SITE PLAN REVIEW**

No.	DATE	REVISION

DRAWN	APPROVED
ME	ME
DATE	SCALE
10/20/11	AS SHOWN

CONSULTANTS

SEAL/DATE

N. ALEXANDER, CERTIFIED PLANNING
 P.A. (EPA) 46
 2/15/2011

"I, the undersigned, certify that I am a duly licensed and qualified professional engineer and that I am the author of the design and construction of the project shown on the attached drawings and specifications."
 SHEET TITLE: REAR PHOTOGRAPHS

SHEET NUMBER



MEMORANDUM

To: Design Review Board
Thru: Michael Crotty, Town Manager
From: Sarah Sinatra Gould, AICP, Town Planner
CC: Linda Miller, Town Attorney
Date: October 30, 2014
Re: 9480 Bay Drive, New Residence

The property is located at 9480 Bay Drive, within the H30A zoning. The applicant is proposing the construction of a two story new single-family residence with a pool. The application for the pool will be submitted under a separate permit, which will be reviewed administratively.



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

- Applicable Zoning Code regulations, along with the results of the review
- Applicable Design Guidelines standards, along with the results of the review
- Staff Recommendation

STANDARDS / RESULTS

Town of Surfside Zoning Code, Applicable Requirements**Sec. 90.43 Maximum building heights**

Height	Required Maximum	Proposed
H30A	30 feet	29 Feet 2 inches

Sec. 90.44 Modifications of height regulations

	Maximum height	Proposed
Chimney	3 feet	3 feet

Sec. 90-45. Setbacks

H30A UPPER STORY IS 65% to 80% of the FIRST FLOOR AREA	Required	Proposed (78%)
Maximum Lot Coverage	40%	33%
FIRST STORY		
Primary Frontage	Minimum 20 feet	20 feet
Interior side	Minimum 5 feet	5 feet, 10 feet
Rear	Minimum 20 feet	46 feet
UPPER STORY		
Primary frontage	Minimum 20 feet/Average 30 feet	20 feet
Interior side	Minimum 5 feet/Average 10 feet	5 feet, 10 feet
Rear	Minimum 20 feet/ Average n/a	64 feet 5 inches

Sec. 90.49 Lot standards

Lot Standards H30A	Required	Proposed
Minimum Lot width	50 feet	50 feet
Minimum lot area	8,000 feet	9,107 square feet
Maximum lot coverage	40%	33%
Pervious area	35% (minimum)	44%

Sec. 90.50 Architecture and roof decks

	Required	Proposed
Unique Elevation	A unique elevation from the main buildings of the adjacent two (2) homes shall be created through the modulation of at least three (3) of the following architectural features: (a)Length, width and massing of the structure;	Façade will be painted stucco.

	(b)Number of stories; (c)Façade materials; (d)Porches and other similar articulation of the front façade; (e)Number and location of doors and windows; and (f)Roof style and pitch.	
Wall openings	10% for all elevations	All elevation have at least 10% wall openings
Roof Material	(a) Clay Tile; (b) White concrete tile; (c) Solid color cement tile which color is impregnated with the same color intensity throughout, provided said color if granted approval by the Design Review Board; (d)Architecturally embellished metal if granted approval by the Design Review Board; or (e)Other Florida Building Code approved roof material(s) if granted approval by the Design Review Board.	White Spanish tile is proposed.

Sec. 90.61.1 Paving in front and rear yards in H30 and H40 Districts

Paving Yards	Required	Proposed
Front setback permeability	50% minimum (500 sf)	600 sf
Front yard landscaped	30% minimum (333 sf)	400 sf
Rear yard landscaped	20% minimum (1,834 sf)	25%, 2,300 sf
Number of Curb Cuts	One	One curb cut
Curb Cut side set back	5 feet minimum	5 feet
Curb cut width	18 feet width maximum	18 feet
Driveway Materials	Limited to the following 1. Pavers 2. Color and texture treated concrete, including stamped concrete 3. Painted concrete shall not be permitted. 4. Asphalt shall not be permitted.	Concrete Pavers

Sec. 90-77Off-street Parking Requirements

Required	Minimum Space Requirements	Proposed
Single-family	2 spaces	2 spaces

Sec. 90-89.4(6). Street Tree Requirements

Required	Required	Proposed
Street trees shall be required at one shade tree/palm tree per 20 linear feet of street frontage thereof along all public or private street right-of-ways in all zoning districts.	2 trees	2 trees

Sec. 90-95. Single-family H30A and H30B district landscape requirements.

Required	Required	Proposed
A minimum of five trees of two different species and 25 shrubs shall be planted per lot. For all lots larger than 8,000 square feet in area, additional shrubs and trees shall be provided at the rate of one tree and ten shrubs per 2,000 square feet of lot area.	5 trees, 25 shrubs	5 canopy and shade trees. Minimum shrubs provided.

Town of Surfside Adopted Residential Design Guidelines

Building Massing

Required	Proposed
Building forms should be varied enough to avoid monotony and to avoid pyramidal massing and should be compatible with surrounding houses.	Consistent

South of property:



North of property:



West of property:



Main Entries

Required	Proposed
Prominent and oriented to the street	Main entry is recessed.
Rendered in appropriate scale for the block as well as the individual building	Appropriate for block.
Entry feature should not extend above the eave line of the structure	The entry feature does not extend above the eave line.
Should not be obstructed from view by fences, landscaping or other visual barriers	Main entry is not obstructed from view.

Decorative Features

Required	Proposed
Decorative features should be stylistically consistent throughout the entire building.	Consistent.

Overall Architectural Style

Required	Proposed
The overall style of each house should be consistent on all sides of the building, as well as among all portions of the roof.	Consistent.

Parking Driveways

Required	Proposed
The width of paved driveways on private property as well as driveway cuts at the curb should be as narrow as possible	18 feet

Driveway Treatments

Required	Proposed
Town encourages the use of pavers	Pavers provided.

Wall Materials and Finishes

Required	Proposed
The same material should be used on all building elevations unless multiple materials are a legitimate expression of the particular style.	The building will be stucco.

Roof Materials, Types, and Slopes

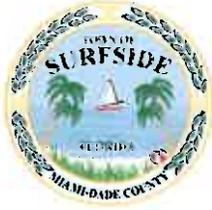
Required	Proposed
Roof types and slopes should be generally the same over all parts of a single building.	Consistent
Restricted materials for roofs are pre-determined in the Town's Building Code, which restricts roofing materials to: 1. Clay tile; 2. White concrete tile; 3. Solid color cement tile which color is impregnated with the same color intensity throughout, provided said color is first approved by the planning and zoning board; and 4. Metal.	White Spanish tile is proposed.

Windows and Trims

Required	Proposed
Window styles should always be consistent among all elevations of a building.	Consistent.
Frame materials should never vary on a single building.	No variation.
Window, door and eave trim should be consistent on all elevations of the house	Consistent.

RECOMMENDATION

Staff recommends approval.



MEMORANDUM

To: Design Review Board
 Thru: Michael Crotty, Town Manager
 From: Sarah Sinatra Gould, AICP, Town Planner
 CC: Linda Miller, Interim Town Attorney
 Date: October 30, 2014
 Re: 9432 Bay Drive – Second Story Addition

The property is located at 9432 Bay Drive, within the H30A zoning. The applicant is requesting to build a second story addition to his existing single-family residence. The site plan also includes renovations to the first floor.



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 standards, along with the results of the review
- Staff Recommendation

STANDARDS / RESULTS

Town of Surfside Zoning Code, Applicable Requirements**Sec. 90.43 Maximum building heights**

Height	Required Maximum	Proposed
H30A	30 feet (may exceed up to 3 feet for architectural features)	29 feet 8 inches

Sec. 90-45. Setbacks

H30A UPPER STORY IS 65% to 80% of the FIRST FLOOR AREA	Required	Proposed
		76.2%
FIRST STORY		
Primary Frontage	Minimum 20 feet	30 feet 10 inches
Interior side	Minimum 5 feet	5 feet
Rear	Minimum 20 feet	69 feet 3 inches
UPPER STORY		
Primary frontage	Minimum 20 feet/Average 30 feet	30.10 inches
Interior side	Minimum 5 feet/Average 10 feet	Minimum 5 feet/Average 10 feet
Rear	Minimum 20 feet/Average N/A	69 feet 3 inches

Sec. 90.49 Lot standards

Lot Standards H30B	Required	Proposed
Minimum Lot width	50 feet	50 feet 4 inches
Minimum lot area	5,000 feet	9,107.26 feet
Minimum lot coverage	40%	35.8%
Pervious area	35% (minimum)	64%

Sec. 90.50 Architecture and roof decks

	Required	Proposed
Wall openings	10% for all elevations	Not provided.
Roof Material	(a) Clay Tile; (b) White concrete tile; (c) Solid color cement tile which color is impregnated with the same color intensity throughout, provided said color if granted approval by the Design Review Board; (d) Architecturally embellished metal if granted approval by the	Barrel Tile

	Design Review Board; or (e)Other Florida Building Code approved roof material(s) if granted approval by the Design Review Board.	
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Sec. 90.61.1 Paving in front and rear yards in H30 and H40 Districts

Paving Yards	Required	Proposed
Front setback permeability	50% minimum	60%
Front yard landscaped	30% minimum (333 sf)	40%
Rear yard landscaped	20% minimum (1,834 sf)	34%
Number of Curb Cuts	One	Two proposed. Required to reduce to 1 curb cut.
Curb Cut side set back	5 feet minimum	5 feet
Curb cut width	18 feet width maximum	18 feet
Driveway Materials	Limited to the following 1. Pavers 2. Color and texture treated concrete, including stamped concrete 3. Painted concrete shall not be permitted. 4. Asphalt shall not be permitted.	Concrete slabs

Sec. 90-77Off-street Parking Requirements

Required	Minimum Space Requirements	Proposed
Single-family	2 spaces	2 spaces

Town of Surfside Adopted Residential Design Guidelines

Main Entries

Required	Proposed
Prominent and oriented to the street	Main entry provided.
Rendered in appropriate scale for the block as well as the individual building	The block has numerous two story buildings existing and under construction.
Entry feature should not extend above the eave line of the structure	The entry feature does not extend above the eave line.
Should not be obstructed from view by fences, landscaping or other visual barriers	Meets this requirement

View east of property:



View north of property:



View south of property



Decorative Features

Required	Proposed
Decorative features should be stylistically consistent throughout the entire building.	Consistent.

Overall Architectural Style

Required	Proposed
The overall style of each house should be consistent on all sides of the building, as well as among all portions of the roof.	Front and rear have the same material for the balcony. Windows and doors are the same material.

Wall Materials and Finishes

Required	Proposed
The same material should be used on all building elevations unless multiple materials are a legitimate expression of the particular style.	Materials are the same.

Roof Materials, Types, and Slopes

Required	Proposed
Roof types and slopes should be generally the same over all parts of a single building.	Roof types and slopes appear to be the same.
Restricted materials for roofs are pre-determined in the Town's Building Code, which restricts roofing materials to: 1. Clay tile; 2. White concrete tile; 3. Solid color cement tile which color is impregnated with the same color intensity throughout, provided said color is first approved by the planning and zoning board; and 4. Metal.	Tile is proposed

Windows and Trims

Required	Proposed
Window styles should always be consistent among all elevations of a building.	Consistent
Frame materials should never vary on a single building.	No variation
Window, door and eave trim should be consistent on all elevations of the house	Consistent

RECOMMENDATION

Staff recommends approval with the following condition:

1. Reduce the curb cuts to one.
2. Provide 10% wall openings on each elevation.



MEMORANDUM

To: Design Review Board
 Thru: Michael Crotty, Town Manager
 From: Sarah Sinatra Gould, AICP, Town Planner
 CC: Linda Miller, Town Attorney
 Date: October 30, 2014
 Re: 8934 Froude Ave– Garage Conversion

The property is located at 8934 Froude Ave, within the H30B zoning. The applicant is proposing to convert the garage to additional living space.

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

- Applicable Zoning Code regulations, along with the results of the review
- Applicable Design Guidelines standards, along with the results of the review
- Staff Recommendation

STANDARDS / RESULTS

Town of Surfside Zoning Code, Applicable Requirements

Sec. 90-50.1 (5) Garage Facades

Required	Proposed
1 window	1 window
Landscaping required along the base	Landscaping required along the base

Sec. 90-77 Off-street Parking Requirements

Required	Minimum Space Requirements	Proposed
Single-family	2 spaces	2 spaces provided

RECOMMENDATION

Staff is recommending approval.



MEMORANDUM

To: Design Review Board
Thru: Michael Crotty, Town Manager
From: Sarah Sinatra Gould, AICP, Town Planner
CC: Linda Miller, Interim Town Attorney
Date: October 30, 2014
Re: 8874 Dickens Ave –Addition

The property is located at 8874 Dickens Avenue, within the H30B zoning. The applicant is requesting to build a first and second story addition to the existing single-family residence. The site plan also includes a new covered terrace.

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 standards, along with the results of the review
- Staff Recommendation

STANDARDS / RESULTS

Town of Surfside Zoning Code, Applicable Requirements

Sec. 90.43 Maximum building heights

Height	Required Maximum	Proposed
H30A	30 feet (may exceed up to 3 feet for architectural features)	26 feet

Sec. 90-45. Setbacks

H30A UPPER STORY IS LESS THAN 50% OF THE FIRST FLOOR AREA	Required	Proposed
FIRST STORY		
Primary Frontage	Minimum 20 feet	22 feet
Interior side	Minimum 10% of the frontage 6.1 feet)	8 feet 4 inches
Corner side	Minimum 10 feet	10 feet
Rear	Minimum 20 feet	20 feet
UPPER STORY		
Primary frontage	Minimum 20 feet	20 feet inches
Interior side	Minimum 10% (6.1 feet)	10 feet
Rear	Minimum 20 feet	20 feet

Sec. 90.49 Lot standards

Lot Standards H30B	Required	Proposed
Minimum Lot width	50 feet	61 feet
Minimum lot area	5,000 feet	6,860 feet
Minimum lot coverage	40%	39.5%
Pervious area	35% (minimum)	52%

Sec. 90.50 Architecture and roof decks

	Required	Proposed
Wall openings	10% for all elevations	10% provided
Roof Material	(a) Clay Tile; (b) White concrete tile; (c) Solid color cement tile which color is impregnated with the same color intensity throughout, provided said color if granted approval by the Design Review Board;	Tile

	(d) Architecturally embellished metal if granted approval by the Design Review Board; or (e) Other Florida Building Code approved roof material(s) if granted approval by the Design Review Board.	
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Sec. 90-77 Off-street Parking Requirements

Required	Minimum Space Requirements	Proposed
Single-family	2 spaces	2 spaces

Town of Surfside Adopted Residential Design Guidelines

Main Entries

Required	Proposed
Prominent and oriented to the street	Main entry provided.
Rendered in appropriate scale for the block as well as the individual building	The home is appropriate for the lot.
Entry feature should not extend above the eave line of the structure	The entry feature does not extend above the eave line.
Should not be obstructed from view by fences, landscaping or other visual barriers	Meets this requirement

Decorative Features

Required	Proposed
Decorative features should be stylistically consistent throughout the entire building.	Consistent.

Overall Architectural Style

Required	Proposed
The overall style of each house should be consistent on all sides of the building, as well as among all portions of the roof.	Front and rear have the same material for the balcony. Windows and doors are the same material.

Wall Materials and Finishes

Required	Proposed
The same material should be used on all building elevations unless multiple materials are a legitimate expression of the particular style.	Materials are the same.

Roof Materials, Types, and Slopes

Required	Proposed
Roof types and slopes should be generally the same over all parts of a single building.	Roof types and slopes appear to be the same.

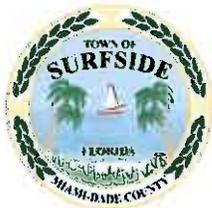
<p>Restricted materials for roofs are pre-determined in the Town's Building Code, which restricts roofing materials to:</p> <ol style="list-style-type: none"> 1. Clay tile; 2. White concrete tile; 3. Solid color cement tile which color is impregnated with the same color intensity throughout, provided said color is first approved by the planning and zoning board; and 4. Metal. 	<p>Tile is proposed</p>
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Windows and Trims

Required	Proposed
Window styles should always be consistent among all elevations of a building.	Consistent
Frame materials should never vary on a single building.	No variation
Window, door and eave trim should be consistent on all elevations of the house	Consistent

RECOMMENDATION

Staff recommends approval.



MEMORANDUM

To: Design Review Board
Thru: Michael Crotty, Town Manager
From: Sarah Sinatra Gould, AICP, Town Planner
CC: Linda Miller, Town Attorney
Date: October 30, 2014
Re: 801 88th Street – Addition

The property is located at 801 88th Street, within the H30B zoning. The applicant is proposing to connect the existing detached garage to the home, convert the garage to additional living space as well as construct covered patio and a pool in the front yard. The applicant will be seeking a variance from the Town Code which prohibits connecting an accessory structure to the primary structure due to the reduced setbacks afforded an accessory structure. An accessory structure is permitted to have a five foot rear setback, while the primary structure is required to have a 20 foot rear setback. By connecting an accessory structure to the primary structure, the primary structure will result in a reduced overall setback. The existing condition provides for a five foot separation between the buildings, which has proved to be an issue for drainage and maintenance.

Existing condition of east side of home



Existing condition of south side of home



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

- Applicable Zoning Code regulations, along with the results of the review
- Applicable Design Guidelines standards, along with the results of the review
- Staff Recommendation

STANDARDS / RESULTS

Town of Surfside Zoning Code, Applicable Requirements

Sec. 90.43 Maximum building heights

Height	Required Maximum	Proposed
H30B	30 feet	13 feet 3 inches

Sec. 90-45. Setbacks

H30B	Required	Proposed
<i>Maximum Lot Coverage</i>	40%	32%
Primary Frontage	Minimum 20 feet	20 feet
Interior side	Minimum 5 feet	5 feet.
Corner side	Minimum 10 feet	9 Feet, 5 inches, existing
Rear	Minimum 20 feet	5 feet, Variance requested to connect accessory structure to primary structure

Sec. 90.49 Lot standards

Lot Standards H30B	Required	Proposed
Minimum Lot width	50 feet	50 feet
Minimum lot area	5,600 feet	6,860 square feet
Maximum lot coverage	40%	32%
Pervious area	35% (minimum)	37%

Sec. 90.50 Architecture and roof decks

	Required	Proposed
Unique Elevation	A unique elevation from the main buildings of the adjacent two (2) homes shall be created through the modulation of at least three (3) of the following architectural features: (a)Length, width and massing of the structure; (b)Number of stories; (c)Façade materials; (d)Porches and other similar articulation of the front façade; (e)Number and location of doors and windows; and (f)Roof style and pitch.	Existing home.
Wall openings	10% for all elevations	The home is existing. The addition is five feet wide, which connects the existing garage to the home. The existing garage does not meet the 10% wall openings, however, this is an existing condition and therefore not applicable.
Roof Material	(a) Clay Tile; (b) White concrete tile; (c) Solid color cement tile which color is impregnated with the same color intensity throughout, provided said color if granted approval by the Design Review Board; (d)Architecturally embellished metal if granted approval by the Design Review Board; or (e)Other Florida Building Code approved roof material(s) if granted approval by the Design Review Board.	Flat roof is proposed

Sec. 90-54.2 Pool in the front setback

Applicant is proposing a pool in the front. The pool equipment shall not be within the 10 foot setback.

Sec. 90.61.1 Paving in front and rear yards in H30 and H40 Districts

Paving Yards	Required	Proposed
Front setback permeability	50% minimum	72%
Front yard landscaped	30% minimum	65%

Rear yard landscaped	20% minimum	No change
Number of Curb Cuts	One	One curb cut
Curb Cut side set back	5 feet minimum	5 feet provided.
Curb cut width	18 feet width maximum	18 feet provided
Driveway Materials	Limited to the following 1. Pavers 2. Color and texture treated concrete, including stamped concrete 3. Painted concrete shall not be permitted. 4. Asphalt shall not be permitted.	Concrete Pavers

Sec. 90-77 Off-street Parking Requirements

Required	Minimum Space Requirements	Proposed
Single-family	2 spaces	2 spaces provided

Town of Surfside Adopted Residential Design Guidelines

Main Entries

Required	Proposed
Prominent and oriented to the street	Main entry is prominent.
Rendered in appropriate scale for the block as well as the individual building	Appropriate for block.
Entry feature should not extend above the eave line of the structure	The entry feature does not extend above the eave line.
Should not be obstructed from view by fences, landscaping or other visual barriers	Main entry is not obstructed from view.

Decorative Features

Required	Proposed
Decorative features should be stylistically consistent throughout the entire building.	Consistent.

Overall Architectural Style

Required	Proposed
The overall style of each house should be consistent on all sides of the building, as well as among all portions of the roof.	Consistent.

Parking Driveways

Required	Proposed
The width of paved driveways on private property as well as driveway cuts at the curb should be as narrow as possible	18 feet wide.

Driveway Treatments

Required	Proposed
Town encourages the use of pavers	Pavers provided.

Wall Materials and Finishes

Required	Proposed
The same material should be used on all building elevations unless multiple materials are a legitimate expression of the particular style.	The building will be stucco.

Roof Materials, Types, and Slopes

Required	Proposed
Roof types and slopes should be generally the same over all parts of a single building.	Consistent
Restricted materials for roofs are pre-determined in the Town's Building Code, which restricts roofing materials to: 1. Clay tile; 2. White concrete tile; 3. Solid color cement tile which color is impregnated with the same color intensity throughout, provided said color is first approved by the planning and zoning board; and 4. Metal.	Flat roof is proposed.

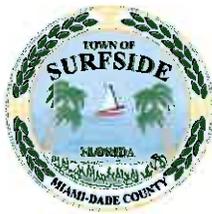
Windows and Trims

Required	Proposed
Window styles should always be consistent among all elevations of a building.	Consistent.
Frame materials should never vary on a single building.	No variation.
Window, door and eave trim should be consistent on all elevations of the house	Consistent.

RECOMMENDATION

Staff is recommending approval based on the following conditions:

1. Approval of the variance application to connect the existing accessory structure to the primary structure.
2. The pool equipment shall not be within the 10 foot setback.



MEMORANDUM

To: Planning and Zoning Board
Thru: Michael Crotty, Town Manager
From: Sarah Sinatra Gould, AICP, Town Planner
CC: Linda Miller, Town Attorney
Date: October 30, 2014
Re: 801 88th Street -Gato Variance
Project #: 08-1763.17

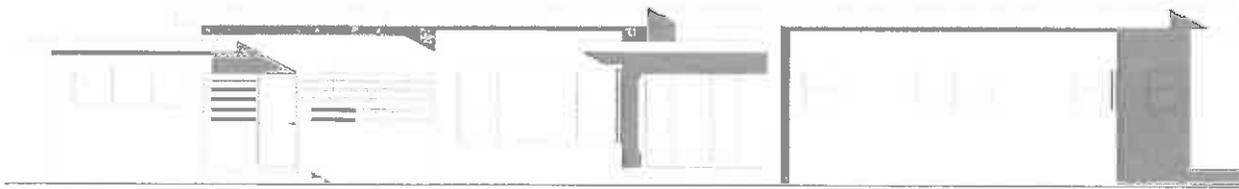
Request

The property owner, Joyce Gato, is requesting variance from the Town of Surfside Code for the property at 801 88th Street. The property currently has a detached garage that is separated by five feet to the home. The owner is proposing to connect the garage to the home and convert the garage to additional living space. Section 90-54.5 of the Town Code prohibits connecting an accessory structure to the primary structure due to the reduced setbacks afforded an accessory structure. An accessory structure is permitted to have a five foot rear setback, while the primary structure is required to have a 20 foot rear setback. By connecting an accessory structure to the primary structure, the primary structure will result in a reduced overall setback. The existing condition provides for a five foot separation between the buildings, which has proved to be an issue for drainage and maintenance.

Existing Home with location of five foot separation indicated



Proposed elevation



Variance Criteria

(1) Special conditions and circumstances exist which are peculiar to the land, structure, or building involved, and which are not applicable to other lands, structures, or buildings in the same zoning district;

This property was constructed in 1951. The original plans showed the garage attached to the home. Three weeks later, revised plans showed a five foot breezeway separating the garage from the home, which has resulted in water pooling problems due to the location of the two separate roofs converging.

(2) The special conditions and circumstances do not result from the actions of the applicant or a prior owner of the property;

The home has a breezeway which was the result of a previous owner prior to the Town's Code being adopted. The current owner wishes to retain the integrity of the existing home, but provide for a sustainable solution to the drainage issue.

(3) Literal interpretation of the provisions of the Town Code deprives the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of the Town Code and results in unnecessary and undue hardship on the applicant;

The literal interpretation of the Town Code results in a non-sustainable condition for the property where there are water intrusion concerns due to a poor design of two roofs converging on a five foot area.

(4) The hardship has not been deliberately or knowingly created or suffered to establish a use or structure which is not otherwise consistent with the Town of Surfside Comprehensive Plan or the Town Code;

The hardship is a result of the Town's Code provision intended to avoid the construction of an accessory structure with a reduced setback being modified and connected to the primary structure with the intent of creating a larger home. In this case, the home and accessory structure were constructed in 1951. Now that the new property owner has had the home evaluated, they have discovered the most efficient and sustainable method of retaining the home is to enclose the 5 X 15.5 foot breezeway.

(5) An applicant's desire or ability to achieve greater financial return or maximum financial return from his property does not constitute hardship;

Granting of the variance is not intended to assist the applicant in achieving greater financial return, rather the applicant wishes to expand her home for additional living space and avoid water intrusion issues.

(6) Granting the variance application conveys the same treatment to the applicant as to the owner of other lands, buildings, or structures in the same zoning district;

The granting of the variance is specific to the conditions within this property. The home was developed in 1951 with a five foot breezeway between the garage and home. This is unusual and will result in less maintenance issues for the property owner.

(7) The requested variance is the minimum variance that makes possible the reasonable use of the land, building, or structure; and

The requested variance is the minimum needed to connect the garage to the home. The home has a 20 foot interior side setback, where they only need five feet. The homeowner could have chosen to build more square footage on the property by right without the need for a variance, but have chosen to maintain the smaller scale and appearance of the structure.

(8) The requested variance is in harmony with the general intent and purpose of the Town of Surfside Comprehensive Plan and the Town Code, is not injurious to the neighborhood or otherwise detrimental to the public safety and welfare, is compatible with the neighborhood, and will not substantially diminish or impair property values within the neighborhood.

The proposed addition is generally consistent with the intent of the Comprehensive Plan and the Town of Surfside Code. The existing structure, as well as the proposed addition is compatible with the neighborhood. The proposed aesthetics of the home will not diminish or impair property values within the neighborhood.

Results

Staff recommends approval of the variance.

Exhibits

1. Application
2. Site Plan

**TOWN OF SURFSIDE PLANNING AND ZONING BOARD
RESOLUTION NO. 14-Z-_____**

A RESOLUTION OF THE TOWN OF SURFSIDE, FLORIDA PLANNING AND ZONING BOARD CONSIDERING THE APPLICATION OF 801_88TH STREET TO PERMIT A VARIANCE FROM THE REQUIREMENTS OF SECTION 90-54.5 OF THE TOWN OF SURFSIDE CODE OF ORDINANCES; TO CONNECT A DETACHED GARAGE TO THE HOME TO ALLOW THE EXISTING SINGLE FAMILY HOME TO CONVERT THE GARAGE TO ADDITIONAL LIVING SPACE; PROVIDING FOR RECOMMENDATION OF APPROVAL; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Section 90-54.5 of the Town of Surfside Code of Ordinances prohibits connecting an accessory structure to the primary structure due to the reduced setbacks afforded an accessory structure in the H30B Zoning District; and

WHEREAS, the property, a single family home is located on 801_88th Street within the Residential Single Family H30B Zoning District; and

WHEREAS, the property currently has a detached garage that is separated by five feet to the home and has an existing condition that provides for a five (5) foot separation between the building, which has proved to be an issue for drainage and maintenance; and

WHEREAS, an accessory structure is permitted to have a five (5) foot rear setback, while the primary structure is required to have a twenty (20) foot rear setback; thus, by connecting the accessory structure to the primary structure, the primary structure will result in a reduced overall setback; and

WHEREAS, the applicant is proposing to connect the garage to the home and convert the garage to additional living space; and

WHEREAS, Section 90-36 of the Town of Surfside Code of Ordinances provides for variance application and review; and

WHEREAS, the property was constructed in 1951 and the original plans showed the garage attached to the home and later revised plans showed a five (5) foot breezeway separating the garage from the home, which has resulted in water pooling problems due to the location of the two separate roofs converging on the five (5) foot breezeway; and

WHEREAS, the breezeway was the result of a previous owner prior to the Town's Code being adopted, and the current owners wish to retain the integrity of the existing property, but provide for a sustainable solution to the drainage and maintenance issues; and

WHEREAS, the literal interpretation of the Town Code would result in a non-sustainable condition for the property where there exist water intrusion concerns due to a poor design of two (2) roofs converging on a five (5) foot area; and

WHEREAS, the hardship is a result of the Town's Code provision intended to avoid the construction of an accessory structure with a reduced setback being modified and connected to the primary structure with the intent of creating a larger home; and

WHEREAS, granting the variance is not intended to assist the applicant in achieving greater financial return, rather the applicant wishes to expand the home for additional living space and avoid water intrusion and maintenance issues; and

WHEREAS, granting the variance is specific to the conditions within the property, meaning the existence of the five (5) foot breezeway between the garage and home which is unusual, and the variance will result in less maintenance issues for the property owner; and

WHEREAS, the requested variance is the minimum needed to connect the garage to the home; and

WHEREAS, the variance is consistent with the intent of the Comprehensive Plan, Town of Surfside Code, compatible with the neighborhood and will not diminish or impair property values within the neighborhood; and

WHEREAS, the Town Staff recommends approval of the variance; and

WHEREAS, the Planning and Zoning Board recommend approval of the variance.

NOW THEREFORE, BE IT RESOLVED BY THE PLANNING AND ZONING BOARD OF THE TOWN OF SURFSIDE, FLORIDA, AS FOLLOWS:

Section 1. Recitals. That the above and foregoing recitals are true and correct and are incorporated herein by reference.

Section 2. Variance. The Planning and Zoning Board find the requested variance meets the variance criteria set forth in Section 90-36 of the Town of Surfside Code of Ordinances and recommend a variance from the requirements of Section 90-54.5 of the Town of Surfside Code of Ordinances to allow the existing single family home to convert the garage to additional living space from the prohibition of connecting an accessory structure to the primary structure due to the reduced setbacks. (See Attachment “A” Planning and Zoning Board Memorandum dated October 30, 2014 from Sarah Sinatra Gould, AICP, Town Planner).

Section 3. Approval. The Planning and Zoning Board recommend approval of this variance.

Section 4. Effective Date. This resolution becomes effective upon adoption.

PASSED AND ADOPTED this _____ day of October, 2014

Motion by Planning and Zoning Board Member _____,

Second by Planning and Zoning Board Member _____

FINAL VOTE ADOPTION

Member, Armando Castellanos _____

Member, Peter Glynn _____

Member, Moisha Rubenstein _____

Vice Chair, Jacob Kligman _____

Chair, Lindsay Lecour _____

Lindsay Lecour, Chair

ATTEST:

Sandra Novoa, CMC
Town Clerk

**APPROVED AS TO FORM AND
LEGAL SUFFICIENCY FOR
THE TOWN OF SURFSIDE ONLY:**



Linda Miller, Town Attorney



MEMORANDUM

To: Planning and Zoning Board
Thru: Michael Crotty, Town Manager
From: Sarah Sinatra Gould, AICP, Town Planner
CC: Linda Miller, Town Attorney
Date: October 30, 2014
Re: 801 88th Street -Gato Variance
Project #: 08-1763.17

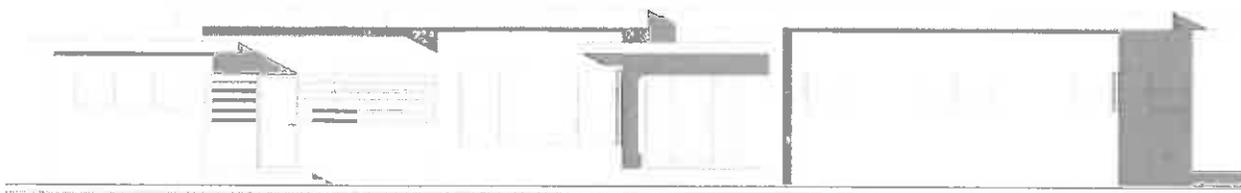
Request

The property owner, Joyce Gato, is requesting variance from the Town of Surfside Code for the property at 801 88th Street. The property currently has a detached garage that is separated by five feet to the home. The owner is proposing to connect the garage to the home and convert the garage to additional living space. Section 90-54.5 of the Town Code prohibits connecting an accessory structure to the primary structure due to the reduced setbacks afforded an accessory structure. An accessory structure is permitted to have a five foot rear setback, while the primary structure is required to have a 20 foot rear setback. By connecting an accessory structure to the primary structure, the primary structure will result in a reduced overall setback. The existing condition provides for a five foot separation between the buildings, which has proved to be an issue for drainage and maintenance.

Existing Home with location of five foot separation indicated



Proposed elevation



Variance Criteria

(1) Special conditions and circumstances exist which are peculiar to the land, structure, or building involved, and which are not applicable to other lands, structures, or buildings in the same zoning district;

This property was constructed in 1951. The original plans showed the garage attached to the home. Three weeks later, revised plans showed a five foot breezeway separating the garage from the home, which has resulted in water pooling problems due to the location of the two separate roofs converging.

(2) The special conditions and circumstances do not result from the actions of the applicant or a prior owner of the property;

The home has a breezeway which was the result of a previous owner prior to the Town's Code being adopted. The current owner wishes to retain the integrity of the existing home, but provide for a sustainable solution to the drainage issue.

(3) Literal interpretation of the provisions of the Town Code deprives the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of the Town Code and results in unnecessary and undue hardship on the applicant;

The literal interpretation of the Town Code results in a non-sustainable condition for the property where there are water intrusion concerns due to a poor design of two roofs converging on a five foot area.

(4) The hardship has not been deliberately or knowingly created or suffered to establish a use or structure which is not otherwise consistent with the Town of Surfside Comprehensive Plan or the Town Code;

The hardship is a result of the Town's Code provision intended to avoid the construction of an accessory structure with a reduced setback being modified and connected to the primary structure with the intent of creating a larger home. In this case, the home and accessory structure were constructed in 1951. Now that the new property owner has had the home evaluated, they have discovered the most efficient and sustainable method of retaining the home is to enclose the 5 X 15.5 foot breezeway.

(5) An applicant's desire or ability to achieve greater financial return or maximum financial return from his property does not constitute hardship;

Granting of the variance is not intended to assist the applicant in achieving greater financial return, rather the applicant wishes to expand her home for additional living space and avoid water intrusion issues.

(6) Granting the variance application conveys the same treatment to the applicant as to the owner of other lands, buildings, or structures in the same zoning district;

The granting of the variance is specific to the conditions within this property. The home was developed in 1951 with a five foot breezeway between the garage and home. This is unusual and will result in less maintenance issues for the property owner.

(7) The requested variance is the minimum variance that makes possible the reasonable use of the land, building, or structure; and

The requested variance is the minimum needed to connect the garage to the home. The home has a 20 foot interior side setback, where they only need five feet. The homeowner could have chosen to build more square footage on the property by right without the need for a variance, but have chosen to maintain the smaller scale and appearance of the structure.

(8) The requested variance is in harmony with the general intent and purpose of the Town of Surfside Comprehensive Plan and the Town Code, is not injurious to the neighborhood or otherwise detrimental to the public safety and welfare, is compatible with the neighborhood, and will not substantially diminish or impair property values within the neighborhood.

The proposed addition is generally consistent with the intent of the Comprehensive Plan and the Town of Surfside Code. The existing structure, as well as the proposed addition is compatible with the neighborhood. The proposed aesthetics of the home will not diminish or impair property values within the neighborhood.

Results

Staff recommends approval of the variance.

Exhibits

1. Application
2. Site Plan

ORDINANCE NO. 14 - _____

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA AMENDING CHAPTER 90 "ZONING" AMENDING CODE SECTION 90-52 "REQUIRED CLEARANCES" AND STRIKING CODE SECTION 90-92 "SIGHT TRIANGLES AND CLEARANCES"; PROVIDING FOR INCLUSION IN THE CODE; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HERewith; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Section 90-52 of the code requires that all new construction maintain a corner clearance distance of 25 feet along both lot lines and that this corner clearance area remain free of all obstructions greater than 24 inches in height; and

WHEREAS, Section 90-92 also requires a 25 feet corner clearance area, but this code provision states that this area shall provide an unobstructed view of 30 inches for eight feet in height and this code provision does not reference if it is for new or existing structures; and

WHEREAS, Section 90-52 provides for a lower height for obstructions within this corner clearance area; and

WHEREAS, Section 90-92 allows for an additional six inches in height which is typical within most zoning codes; and

WHEREAS, the additional six inches offers homeowners the ability to plant landscaping groundcover with a maximum height of 30 inches within the corner clearance area; and

WHEREAS, Town Staff recommends striking Section 90-92 of the Code and amending Section 90-52 for consistency; and

WHEREAS, the Town recommends all corner properties provide and maintain unobstructed corner clearance areas along both the front and side lot lines; and

WHEREAS, the Town recommends that the Town Manager or designee shall make the final determination regarding unobstructed corner clearance areas; and

WHEREAS, the Town Commission held its first public hearing on October 14, 2014 having complied with the notice requirements required by Florida Statutes; and

WHEREAS, the Planning and Zoning Board, as the local planning agency for the Town, held its hearing on the proposed amendments on October 30, 2014 with due public notice and input; and

WHEREAS, the Town Commission conducted a second duly noticed public hearing on

these regulations as required by law on November 18, 2014.

WHEREAS, it is in the best interest of the Town to strike Section 90-92 of the Code and amend Section 90-52 for consistency.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA:

Section 1. Recitals. The foregoing “WHEREAS” clauses are ratified and confirmed as being true and correct and are made a specific part of this Ordinance.

Section 2. Code Amendment. The code of the Town of Surfside, Florida is hereby amended as follows:

Sec. 90-52. - Required clearances.

As an aid to free and safe movement of vehicles at and near street intersections and in order to promote more adequate protection for the safety of children, pedestrians, operators of vehicles and for property, ~~for proposed construction hereafter~~, there shall be limitations on the height of fences, walls, gateways, ornamental structures, signs, hedges, shrubbery, and other fixtures, construction, and planting on corner lots in all districts where front yards are required as follows:

- (a) All corner properties shall provide and maintain unobstructed corner clearance areas ~~measured a distance of 25 feet along both the front and side lot lines; and measured from the point of intersection, of the intersecting lot lines.~~
- (b) All objects, fences, walls, gateways, ornamental structures, signs, hedges, shrubbery, and other fixtures, construction, and planting within any corner clearance areas as ~~previously defined shall be limited to a maximum height of 24 inches above the established elevation of the nearest curb; provide unobstructed cross-visibility at a level between 30 inches and eight feet, with the exception of tree trunks that do not create a traffic hazard; and~~
- (c) ~~Any permanent or semi-permanent structures, including trees or shrubs, with the exception of walls or fences subject to the height limitations stated herein, shall not be allowed or constructed.~~ The property owner shall be responsible for maintaining all landscaping within any part of the corner clearance areas; and
- (d) It shall be unlawful for any person to plant or cause to be planted any tree or shrubs or to place any structure in the public right-of-way without a permit from the Town Manager or designee. The elevation grades of the public right-of-way adjacent to private property shall not be altered.; and
- (e) Only turf as defined in Section 90-85.2 of the Code shall be located within the public-right-of-way between the edge of any roadway or curb and the private property line; and

(f) The Town Manager or designee shall make the final determination regarding unobstructed corner clearance areas.

~~Sec. 90-92. Sight triangles and clearances.~~

~~When the subject property abuts the intersection of one or more streets or access ways, all landscaping within the triangular area located within 25 feet of the intersection of the front and side street property lines shall provide unobstructed cross visibility at a level between 30 inches and eight feet, with the exception of tree trunks that do not create a traffic hazard. The property owner shall be responsible for maintaining all landscaping within the cross-visibility triangle. Landscaping, except required turf and groundcover, shall not be located closer than five feet from the edge of any roadway and three feet from the edge of any alley or pavement. All sight triangles shall be indicated on the landscape plans.~~

~~NOTE: The town traffic engineer shall have final approval of the clear sight triangles.~~

Section 3. Severability. If any section, subsection, clause or provision of this Ordinance is declared invalid or unconstitutional by a court of competent jurisdiction, the remainder shall not be affected by such invalidity.

Section 4. Conflict. All sections or parts of sections of the Town of Surfside Code of Ordinances in conflict herewith are intended to be repealed to the extent of such conflict.

Section 5. Inclusion in the Code of Ordinances. It is the intention of the Town Commission, and it is hereby ordained that the provisions of this Ordinance shall become and made a part of the Town of Surfside Code of Ordinances, that the sections of this Ordinance may be renumbered or re-lettered to accomplish such intentions; and the word "ordinance" may be changed to "Section" or other appropriate word.

Section 6. Effective Date. This Ordinance shall be effective ten (10) days after adoption on second reading.

PASSED and ADOPTED on first reading this _____ day of _____, 2014.

PASSED and ADOPTED on second reading this _____ day of _____, 2014.

Daniel Dietch, Mayor

ATTEST:

Sandra Novoa
Town Clerk

**APPROVED AS TO FORM AND
LEGAL SUFFICIENCY:**

Linda Miller

Linda Miller, Town Attorney

On First Reading Moved by: _____

On Second Reading Seconded by: _____

VOTE ON ADOPTION:

Commissioner Barry R. Cohen	yes _____	no _____
Commissioner Michael Karukin	yes _____	no _____
Commissioner Marta Olchyk	yes _____	no _____
Vice Mayor Eli Tourgeman	yes _____	no _____
Mayor Daniel Dietch	yes _____	no _____



Town of Surfside Planning and Zoning Communication

Agenda Date: October 30, 2014

Subject: Resident Request to Increase Lot Coverage

From: Sarah Sinatra Gould, AICP, Town Planner

Background: Charlie Ness, a town resident, requested an addition at their existing single family home. The Town code limits lot coverage to 40% and Mr. Ness requested to exceed the lot coverage limits. Lot coverage is defined as *the percentage of the total area of a lot that, when viewed from above, would be covered by all principal and accessory buildings and structures, or portions thereof; provided however that allowable exclusions, as described under "floor area," shall not be included in determining the building area.*

The exclusions to lot coverage mean that they will not count towards the 40% maximum. The exclusions are as follows:

- a. Basement space when used for parking of vehicles, as provided in the design standards for underground parking in this Code.
- b. Accessory water tanks or cooling towers.
- c. Uncovered steps and exterior balconies.
- d. Interior balconies. The width of an interior balcony shall not be greater than the depth.
- e. Covered or uncovered terraces, patios, breezeways, or porches which are open on two (2) sides.

It should be noted that although the exclusions above do not count towards the maximum 40% lot coverage, they will count towards a property's maximum impervious area, which is 65%. Meaning, that 35% of a lot must remain "green."

Mr. Ness spoke at the September 9, 2014 Town Commission meeting under the Good and Welfare portion of the agenda and asked the Town Commission to change the code to increase lot coverage of single family homes from 40% to 47.5% to enable him to build his addition. The Commission directed Staff to place this request on the Planning and Zoning Board's agenda for discussion.

This was reviewed by the Planning and Zoning Board at the September 30, 2014 meeting. The board directed staff to return with language that accommodated this request, but provided parameters and graphics to explain the code provision.

Analysis:

The "McMansion" Ordinance, which provided additional setback requirements for 2nd story structures, instituted additional regulations for the second floor. If the desire is to increase the lot coverage by 50% on the 1st floor, then staff suggests not permitting the second floor to exceed the current maximums with lot coverage of 40% on the first floor, and no more than 80% on the second floor. For example, on a typical 5,600 square foot lot, the existing maximum floor area of the first floor would be 2,240 square feet. The second floor could be 1,792 square feet, for a total of 4,032 square feet. The square footage is approximately 70% of the lot.

To maintain the intent of the original ordinance which limits large homes from overpowering the lot, the code could state that 50% lot coverage is permitted, however all floor areas of principle and accessory buildings and structures or portions thereof; except allowable exclusions, as described under "floor area," shall not exceed 70% of the net acreage of the lot.

At the October 14, 2014 Town Commission meeting, the Commission directed staff to consider the option of prohibiting an expansion of the second story if a homeowner takes advantage of a maximum lot coverage of 50% on the first story.

Staff Recommendation: Staff recommends evaluating the two described options as a way to maintain the intent of the "McMansion" ordinance.



Sarah Sinatra Gould, AICP, Town Planner



Michael Crotty, Town Manager

ITEM	OUTCOME	NEXT STEPS	IN CONTRACT OR WORK AUTHORIZATION	TENTATIVE SCHEDULE	COMPLETE
FUTURE PZ DISCUSSION ITEMS					
Parking space standards	Modify multi-family rates based on number of bedrooms and provide for guest parking, look at other cities (Coral Gables), require parking for hotel employees, no change to size of spaces, pumps in underground garages	Draft code amendment	In contract	November PZ	
Cargo container regulations	Prohibit cargo containers in the business district	Draft code amendment	In contract	November PZ	
Satellite dishes	Further review by staff	Research and prepare report for discussion and possible code amendment	In contract	December PZ	
Residential or commercial wind turbine regulations	Prepare ordinance regulating wind turbines including hurricane precautions, noise regulations, insurance considerations	Draft code amendment	In contract	January PZ	
Green walls	Require green walls adjacent to alleys and other buildings that abut public right of ways	Research and prepare report for discussion and possible code amendment	In contract	December PZ	
Final Zoning Inspections	Town Manager will analyze				
Corridor Analysis	Study corridor between Collins & Harding	Prepare code amendments	Work authorization to be approved in NOVEMBER	JANUARY PZ	

ON UPCOMING COMMISSION AGENDA					
Single Family Paint Colors	Discussion with the Planning & Zoning Board to determine if a color palette is appropriate for single family homes and what colors/criteria should be included	Place on future Planning and Zoning agenda for discussion	In contract	March PZ	November Commission for first reading
10% window opening requirement per story	Discussion with the Planning & Zoning Board	Prepare ordinance for commission	In contract	June PZ	November Commission for first reading
ON FUTURE COMMISSION AGENDA					
Commercial waste and recycling container screening	Screening for containers, green screen, vegetation, include pictures from Commissioner Kligman	Draft code amendment	In contract	March PZ	Waiting placement on Commission Agenda
Driveway material regulations	Modify code to allow stamped concrete and concrete slabs with decorative rock or grass in between	Draft code amendment	In contract	November PZ	Waiting Placement on Commission Agenda
Painting of commercial structures	Town Staff to prepare ordinance	Prepare ordinance for commission	Building to prepare ordinance	March PZ	Upcoming Commission agenda.
COMPLETED					
Parking Trust Fund	Discussion with the Planning & Zoning Board to provide a cap for payment into the fund	Ordinance on July PZ agenda	In contract	July Commission for 1st reading, July PZ August Commission for 2nd reading	Complete
Turtle Lighting	Town Staff to prepare review	No ordinance necessary. Turtle fighting already required in code.	COMPLETE	Turtle Lighting	Town Staff to prepare review

Downtown Color Palette	Discussion with the Planning & Zoning Board to determine if a color palette is appropriate and what colors/criteria should be included	Place on future Planning and Zoning agenda for discussion	In contract	Replaced with repainting of structures.	Complete
Bay Drive & 96 th Street	Open Bay Drive off 96 th Street	Staff will research	Police and Building to research	No change. Police Chief cited safety concerns	COMPLETE
Sign/awning code	Discussed at Joint Meeting	Staff beginning to work on draft	Work Authorization approved	July Commission August Commission	COMPLETE
As-built reviews for residential projects	Discuss increasing canopy in town, street trees, what can be planted in ROW	Research and prepare report for discussion and possible code amendment	In contract	March PZ	COMPLETE Added a program modification to FY2015 budget
Interpretation of base flood elevation for the H120 district	No change	No further action needed		N/A	COMPLETE
Solar panel regulations	Prepare ordinance regulating solar panels	Draft code amendment	In contract	March PZ	COMPLETE
Car charging station regulations	Prepare ordinance regulating car charging stations requiring them in new multi-family, research what other communities are doing	Draft code amendment	In contract	December PZ	COMPLETE
Pyramiding effects of stepbacks in the H120 district	No action necessary since Planning and Zoning Board currently reviewing stepbacks as part of wall frontage modifications			N/A	
Garage door clarification	Modify code to remove requirement for two separate garage doors	Draft code amendment	In contract	November PZ	COMPLETE