



**TOWN OF SURFSIDE  
PLANNING AND ZONING BOARD  
MINUTES  
JANUARY 30, 2014  
7:00 PM**

**1. CALL TO ORDER**

Chair Lindsay Lecour called the meeting to order at 7:04 pm.

**2. ROLL CALL**

Recording Clerk Jenorgen Guillen called the roll with the following members present: Board Member Jennifer Dray, Board Member Armando Castellanos, Vice Chair Peter Glynn and Chair Lindsay Lecour. Board Member Carli Koshal was absent.

**3. APPROVAL OF MINUTES: DECEMBER 19, 2013**

Board Member Armando Castellanos made a motion to approve. The motion received a second from Board Member Jennifer Dray and all voted in favor.

**4. PLANNING AND ZONING APPLICATIONS:**

**A. Request of the Owner of Property located at 9308 Harding Avenue**

**The applicant is requesting to build a new single family residence.**

Town Planner Sarah Sinatra presented the item.

The applicant and his architect spoke and gave more details on the project especially on a turnaround driveway and landscaping which they propose. The design of the house and placing of windows on east elevation was discussed.

A motion for approval was made by Board Member Dray with the following condition:

1. Revisit the east elevation with Town Planner

The motion received a second from Board Member Castellanos and all voted in favor.

**B. Request of the Owner of Property located at 9530 Harding Avenue**

**The applicant is requesting to remodel an existing storefront.**

Town Planner Sarah Sinatra presented the item.

Applicant Dr. David Carmona spoke on the issue. The Board gave some advice as to improving the signage. Chair Lecour said she had confidence that the applicant and Town Planner could work this out without having to come back for further approval. Town Planner Sinatra indicated that if she was not comfortable with the redesign she will bring it back to the Board for their review.

A motion for approval was made by Board Member Dray with the following condition:

1. Retweek the logo with the Town Planner and staff recommendations as to the colors.

The motion received a second from Board Member Castellanos and all voted in favor.

**C. Request of the Owner of Property located at 9472 Harding Avenue**

**The applicant is requesting to install a new canvas awning.**

Town Planner Sarah Sinatra presented the item. Staff is not recommending as it does not meet code requirements as the awning is scalloped.

Applicant and the awning installer spoke in support of the project. The Board gave their views and felt the awning was not compatible with the town and is not aesthetically pleasing to the eye. It also does not meet code requirements

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

**D. Request of the Owner of Property located at 9445 Harding Avenue**

**The applicant is requesting to install a new canvas awning.**

Town Planner Sarah Sinatra presented the item.

The applicant Evelyn Ramirez spoke and explained that it is a retractable awning which would only be closed in storm conditions.

A motion to approve was made by Board Member Dray. The motion received a second from Board Member Castellanos and all voted in favor.

**E. Request of the Owner of Property located at 9380 Collins Avenue**

**The applicant is requesting to renovate a sales center.**

Town Planner Sarah Sinatra presented the item.

The architect Alfonso Jurado spoke in support of the item and gave more details on the project. The Board discussed the mural on the wall and Vice Chair Glynn felt it looked like a billboard. The Board was not unanimous in their concept of the mural.

Landscaping was also discussed. The applicant was asked to reconsider the design of the image and remove the plants and greenery and add more art.

A motion to approve was made by Board Member Dray. The motion received a second from Board Member Castellanos. The item remained status quo with Board Member Dray and Board Member Castellanos voting for and Chair Lecour and Vice Chair Glynn voting in opposition.

## **5. Discussion items:**

### **A. Dock located in channel**

Project Manager Ross Prieto explained the permitting process and indicated that all permits were issued properly. Vice Chair Glynn said that a dock with fender and boat would block the canal to some navigation. Town Manager Crotty spoke on the issue and said the town was looking into the possibility of removing the debris and silt from the channel. He suggested that code requirements be looked into and reasonable safeguards be put into the code to assure proper navigation of the canal. It was confirmed that the previous owner never applied for a permit to install a dock. Mr. Prieto also gave a visual presentation of the channel.

Public Speaker Mel Schlessor spoke and strongly said that the city did not really look into this issue thoroughly as to what effect the dock and size of boat would have on other residents who navigate the canal. He indicated that if a boat were at the dock he would not be able to navigate his sailboat through the canal. He felt that when permission was given to build a dock a restriction should have been placed as to the parking of a boat which would impede navigation. His frustration is not with the applicant but with the city as residents were not notified and not given the opportunity to give their views.

Public Speaker Mark Geller spoke in opposition of the dock as it would impede navigation to anyone who lives on the lake. He feels this issue was not handled properly and there was no input from neighbors as they had not been informed of the project. A few other residents spoke in opposition and offered suggestions for resolution.

The applicant Mr. Joel Tabas responded to the concerns of the city and his neighbors and had some photos of the area. He said the permit process took about 9 months and he was assured by all Departments that all was done appropriately. Mr. Tabas did not intend to upset his neighbors but was told he was within all code requirements. However, Mr. Tabas said he is willing to work with his neighbors and the city to help resolve this problem.

Vice Chair Glynn assured Mr. Tabas that no one is upset with him but that the town was not prepared for this. Now the problem is how to resolve this and put proper code in place so it doesn't happen again.

Chair Lecour wanted to go on record that she is a neighbor and resides on the lake and is biased on this issue.

Public Speaker Commissioner Graubart gave a little history of the Point Lake area and suggested that a deep title search be part of the research to see if there are any covenants on lots in that area.

The Board is directing staff to do the following:

1. revisit the restrictions as to size (length and width) of boats and to consider the maximum projection into the canal
2. dredging of the canal
3. limiting docks on the west side of the canal.

**B. Planning and Zoning membership**

Town Attorney Miller gave an update report.

**C. Update on turtle lighting**

Town Planner Sarah Sinatra gave update on enforcement issue

**D. Future Agenda Items**

Town Planner Sarah Sinatra gave update and indicated they are moving forward with the sign code.

**E. Update on Noise Ordinance**

Town Attorney Linda Miller gave an update on construction and noise ordinance. Vice Chair Glynn said that citizens have approached him and asked if there was any way to limit the amount of noise that neighbor's birds make.

**6. ORDINANCES:**

- 1. AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA AUTHORIZING THE CREATION OF A SPECIAL OR BUSINESS NEIGHBORHOOD IMPROVEMENT DISTRICT BY THE ENACTMENT OF A SEPARATE ORDINANCE FOR EACH; PROVIDING FOR INCLUSION IN THE CODE; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR AUTHORIZATION, AND PROVIDING FOR AN EFFECTIVE DATE.**

Recording Clerk Jenorgen Guillen read the title of the ordinance.

Duncan Tavares Tourist Director presented the item.

A motion to recommend to the Commission was made by Board Member Dray. The motion received a second from Board Member Castellanos and all voted in favor.

- 2. AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA AMENDING CHAPTER 90 "ZONING", AND SPECIFICALLY AMENDING SECTION 90-45 "SETBACKS"; PROVIDING FOR INCLUSION IN THE CODE; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE.**

Recording Clerk Jenorgen Guillen read the title of the ordinance.

Town Planner Sarah Sinatra presented the item.

A motion to recommend to the Commission was made by Board Member Castellanos. The motion received a second from Board Member Dray and all voted in favor.

- 3. AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA AMENDING CHAPTER 90 "ZONING", AND SPECIFICALLY AMENDING SECTION 90-50 "ARCHITECTURE AND ROOF DECKS" TO ALLOW FOR THE INSTALLATION OF TWO CAR**

**GARAGE DOORS; PROVIDING FOR INCLUSION IN THE CODE; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE.**

Recording Clerk Jenorgen Guillen read the title of the ordinance.  
Town Planner Sarah Sinatra presented the item.

A motion to recommend to the Commission was made by Vice Chair Glynn. The motion received a second from Board Member Castellanos and all voted in favor.

**4. AN ORDINANCE OF THE TOWN OF SURFSIDE, FLORIDA AMENDING CHAPTER 90 "ZONING" OF THE TOWN OF SURFSIDE CODE OF ORDINANCES AND SPECIFICALLY AMENDING SECTION 90.41 "REGULATED USES" PROHIBITING THE SALE OF LIVE ANIMALS AS A PERMITTED USE; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE.**

Recording Clerk Jenorgen Guillen read the title of the ordinance.  
Town Attorney Linda Miller presented the item.

A motion to recommend to the Commission was made by Board Member Dray. The motion received a second from Vice Chair Glynn and all voted in favor.

**7. PERMITS ISSUED AND REVENUE REPORT FOR DECEMBER 2013.**

**[To be delivered separately]**

Building Official Ross Prieto gave an updated report. The Board was pleased with the new format of the report. Vice Chair Glynn asked about the parking structure and Town Manager Crotty gave an update.

**8. ADJOURNMENT.**

There being no further business to come before the Planning and Zoning Board, the meeting adjourned at 9:45 p.m.

Accepted this 27<sup>th</sup> day of February, 2014

  
Chair Lindsay Lecour

Attest:

  
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Sandra Noyoa  
Town Clerk