



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

Town Hall Commission Chambers  
9293 Harding Ave., 2<sup>nd</sup> Floor  
Surfside, Florida 33154

**NOVEMBER 19, 2015  
7:00 PM**

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**AGENDA**

**DESIGN REVIEW BOARD**

1. CALL TO ORDER
2. ROLL CALL
3. APPROVAL OF MINUTES: **OCTOBER 29, 2015**
4. DESIGN REVIEW BOARD APPLICATIONS:

**A. Request of the Owner of Property located at 9048 Dickens Avenue**

The applicant has begun converting their garage to additional living space and is requesting after-the-fact approval. The applicant is replacing the garage door with a wall and window as well as adding a two car driveway to the property.

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

The applicant is requesting to install and LED illuminated push through sign with an aluminum backing for a restaurant, Villa Castelli Ristorante.

**C. Request of the Owner of Property located at 9200 Collins Avenue**

The applicant is requesting to install a monument sign on the corner of Collins Avenue and 92<sup>nd</sup> Street, one wall sign on the façade facing Harding Avenue and a channel letter sign mounted on the canopy facing 92<sup>nd</sup> Street.

**5. ADJOURNMENT.**

**PLANNING AND ZONING BOARD  
AGENDA  
NOVEMBER 19, 2015  
7:00 PM**

**1. CALL TO ORDER**

**2. ROLL CALL**

**3. APPROVAL OF MINUTES: **OCTOBER 29, 2015****

**4. ORDINANCE:**

**AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA AMENDING THE TOWN OF SURFSIDE CODE OF ORDINANCES BY AMENDING CHAPTER 90 ZONING; SPECIFICALLY AMENDING SECTION 90-43 MAXIMUM BUILDING HEIGHTS; PROVIDING FOR INCLUSION IN THE CODE; PROVIDING FOR SEVERABILITY; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE.**

**5. DISCUSSION ITEMS:**

**1. Second floor balconies**

**2. Future Agenda Items**

**6. 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 OF SURFSIDE  
PLANNING AND ZONING BOARD  
AND  
DESIGN REVIEW BOARD MEETING**

Town Hall Commission Chambers  
9293 Harding Ave., 2<sup>nd</sup> Floor  
Surfside, Florida 33154

**OCTOBER 29, 2015  
7:00 PM**

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**MINUTES**

**DESIGN REVIEW BOARD**

**1. CALL TO ORDER**

Chair Lindsay Lecour called the meeting to order at 7:00 pm.

**2. ROLL CALL**

Recording Clerk Nissa Benjamin called the roll with the following members present: Chair Lindsay Lecour, Vice Chair Jacob Kligman, Board Member Jorge Gutierrez, Board Member James Mackenzie, Board Member Peter Glynn and Board Member Armando Castellanos. Liaison, Commissioner Cohen was absent. Board Member Moisha Rubenstein arrived at 7:02 p.m.

**3. APPROVAL OF MINUTES: **SEPTEMBER 24, 2015****

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

**4. DESIGN REVIEW BOARD APPLICATIONS:**

**A. Request of the Owner of Property located at 9580 Abbott Avenue**

The applicant is proposing to install a cinder block and stucco six foot high wall along a portion of the south end of the property, two feet north of the property line where the property abuts the neighbor located at 9572 Abbott Avenue.

Town Planner Sarah Sinatra presented the item.

Stanley Price, representing Young Israel said they have spoken to Mr. Baaker (neighbor) and he is in agreement with the installation of the cinder block wall. Mr. Pierce presented the Board with the design and description of the wall.

Board Member Mackenzie recused himself due to a conflict.

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

**B. Request of the Owner of Property located at 9549 Carlyle Avenue**

The applicant is requesting to build a new two story single family house.

Town Planner Sarah Sinatra presented the item and staff is recommending approval. The Board briefly discussed the plans and Planner Sinatra answered their questions. The Board gave some suggestions to the applicant regarding rainwater and removing the trellis. The architect spoke and explained the changes they have made to the plan using the recommendations that the Board made at the last meeting.

Board Member Glynn made a motion to approve with the following condition:

Remove the second floor trellises on the side elevation

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

**C. Request of the Owner of Property located at 9356 Abbott Avenue**

The applicant is requesting to replace the garage door and modify the configuration of the front door and windows.

Town Planner Sarah Sinatra presented the item and staff is recommending approval.

Board Member Rubenstein made a motion to approve. The motion received a second from Board Member Gutierrez and all voted in favor.

**D. Request of the Owner of Property located at 8917 Froude Avenue**

The applicant is requesting modifications to the previously approved plans by the Design Review Board on April 30, 2015. The changes include modifications to the configuration of the front windows and doors, dormer windows added to the roof and metal siding.

Town Planner Sarah Sinatra presented the item and staff is recommending approval. Ed Landers representing the applicant answered some questions from the Board.

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

Board Member Mackenzie would like the Board to consider looking into the modifications of small rooms being added to homes. There was some discussion regarding room sizes and what the code standards are. Board Member Mackenzie would like to see a more upscale version regarding room sizes. Chair Lecour said the item will be added for future discussion.

**E. Request of the Owner of Property located at 9048 Emerson Avenue**

The applicant is requesting to add a four foot high decorative picket style fence with two rolling gates at the front of the property.

Town Planner Sarah Sinatra presented the item and staff is recommending denial and gave an explanation.

Board Member Rubenstein made a motion for denial. The motion received a second from Board Member Castellanos and all voted in favor.

**5. ADJOURNMENT.**

There being no further business to come before the Design Review Board the meeting adjourned at 7:44p.m.

Accepted this \_\_\_\_\_ day of \_\_\_\_\_, 2015

Attest:

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

\_\_\_\_\_  
Sandra Novoa, MMC  
Town Clerk



**PLANNING AND ZONING BOARD**  
**MINUTES**  
**OCTOBER 29, 2015**  
**7:00 PM**

**1. CALL TO ORDER**

Chair Lindsay Lecour called the meeting to order at 7:44 pm.

**2. ROLL CALL**

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

**3. APPROVAL OF MINUTES: SEPTEMBER 24, 2015**

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

**4. DISCUSSION ITEMS:**

**A. Residential district (including three attachments)**

Town Planner Sinatra gave an overview of the item and the three attachments provided to the Board.

Pervious requirements, setbacks, massing, and landscaping were among the discussion items. Two story homes and taking into consideration the neighboring houses were talked about. As a public speaker, James Mackenzie said that Surfside was traditionally a one story home community and feels the Board is going in the right direction by not having a great deal of massing and gave some points of view. As a public speaker, Jorge Gutierrez said he agrees with Mr. Mackenzie and reconfiguring all the setbacks and believes it is a good start. He also suggested various options regarding adding a second floor. The limit of 64% on second floor additions (excluding outside balconies) was considered. Different scenarios were discussed as well as sea level rise.

Other items discussed were a minimum of two street trees in the front of a home; the types of trees and placement; screening of trash cans and shrubbery/hedges. Heights of fences and shrubbery were talked about.

Chair Lecour is in favor of hedges and does not like the idea of fences and is against the idea of vehicular gates. Chair Lecour said part of the beauty of a community is to see the façade of the different homes and would not like to see a street boxed in with no visibility beyond a high fence and would like to see the height of a fence brought down. Height of shrubbery on front and side can be increased. Planner Sinatra will come back with some diagrams/photos for further discussion.

Garage conversion was a topic they discussed but the only item Board Member Rubenstein questioned was the requirement for landscaping in front of the

conversion. Building Official Ross Prieto said the reasoning was there is a façade change when there is a conversion and the garage door removed and windows placed. However, if the garage door remains and windows placed on the side of the house the façade is not changed. He also mentioned that in a flooding condition the room converted may not be covered by FEMA because it was a garage. Elevation of the floor was discussed.

Board Member Glynn said there are grants out there for funding of trees and asked to move this item forward if we can get the funding. Sidewalks and one way streets were also discussed. Board Member Glynn suggested putting the one way street on the March ballot to poll the community to see what it wants. Attorney Miller said it would have to go to Dade County first and the ballot question would have to be submitted by December 22, 2015. First it would have to go to the Commission and the question written out and approved and then submitted to Dade County. Attorney Miller said the item would be put on the agenda at the November Commission Meeting.

Board Member Rubenstein made a motion that a ballot question regarding one way streets be presented to the Commission for approval. The motion received a second from Board Member Glynn and all voted in favor.

Planner Sinatra gave an update regarding balconies.

#### **B. Future Agenda Items**

#### **6. ADJOURNMENT.**

There being no further business to come before the Planning and Zoning Board the meeting adjourned at 9:14p.m.

Accepted this \_\_\_\_ day of \_\_\_\_\_, 2015

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

Attest:

\_\_\_\_\_  
Sandra Novoa, MMC  
Town Clerk



## MEMORANDUM

To: Design Review Board

Thru: Guillermo Olmedillo, Town Manager

From: Sarah Sinatra Gould, AICP, Town Planner

CC: Linda Miller, Town Attorney

Date: November 19, 2015

Re: 9048 Dickens Ave – Garage Conversion

The property is located at 9048 Dickens Avenue within the H30B zoning. The applicant has begun converting their garage to additional living space and is requesting after-the-fact approval. The applicant is replacing the garage door with a wall and window as well as adding a two car driveway to the property.



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
- Staff Recommendation



**STANDARDS / RESULTS****Town of Surfside Zoning Code, Applicable Requirements*****Sec. 90-50.1 (5) Garage Facades***

<b>Required</b>	<b>Proposed</b>
1 window	1 window
Landscaping required along the base	Landscaping has been provided along the base

***Sec. 90-77 Off-street Parking Requirements***

<b>Required</b>	<b>Minimum Space Requirements</b>	<b>Proposed</b>
Single-family	2 spaces	2 spaces provided

**RECOMMENDATION**

Staff is recommending approval of the after-the-fact permit.



## MEMORANDUM

To: Design Review Board  
 Thru: Guillermo Olmedillo, Town Manager  
 From: Sarah Sinatra Gould, AICP, Town Planner  
 CC: Linda Miller, Town Attorney  
 Date: November 19, 2015  
 Re: 9472 Harding Avenue

The property located at 9472 Harding Avenue is within the SD-B40 zoning district. The applicant is requesting an LED illuminated push through lettering sign for a restaurant, Villa Castelli Ristomate. The push through sign concept requires an aluminum backing, which is being proposed by the applicant.

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
- Staff Recommendation

### STANDARDS / RESULTS

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

##### *Sec. 90-73*

Signs	Permitted	Proposed
Area	50 square feet	32 square feet
Approved word content	Signs may include the following: 1) Trade name of establishment 2) Logo of the establishment 3) Nature of business, services rendered or 4) Products sold on premises.	Sign consists of the trade name of the establishment
Prohibited Word Content	Signs may not include the following: 1) Any reference to price, except as provided in regards to "window sign."	No reference to price



<p><b>Location</b></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>
<p><b>Illumination</b></p>	<p>All signage, lettering, logos or trademarks shall be required to be lit with white illumination from dusk to dawn. The illumination may be either internal illumination or external illumination, however, all walls below the sign shall be illuminated with white wall wash LED lighting. It shall be located and directed solely at the sign. The light source shall not be visible from or cast into the right-of-way, or cause glare hazards to pedestrians, motorists, or adjacent properties.</p>	<p>The applicant is proposing LED push through letters.</p>

**RECOMMENDATION**

Staff recommends approval.



## MEMORANDUM

To: Design Review Board  
 Thru: Guillermo Olmedillo, Town Manager  
 From: Sarah Sinatra Gould, AICP, Town Planner  
 CC: Linda Miller, Town Attorney  
 Date: November 19, 2015  
 Re: 9200 Collins Avenue Signage

The property is located at 9200 Collins Avenue, within the H30C and H40 zoning districts. The site is currently under construction and being developed as a Marriott Residence Inn. The applicant is proposing one monument sign on the corner of Collins Avenue and 92<sup>nd</sup> Street, one wall sign on the façade facing Harding Avenue and a channel letter sign mounted on the canopy facing 92<sup>nd</sup> Street.

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. 90-73 (b) Monument Sign*

Signs	Permitted	Proposed
Area	25 sf	20.3 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.	"Residence Inn Marriott" (Trade Name)
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	1. One sign 2. Sign area is 20.3 sf. 3. Sign height is 5 ft. 4. Sign Setback is located 5 ft. away from property line



	<p>feet.</p> <p>3. Maximum height is five feet.</p> <p>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.</p>	
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**Sec. 90-73.(a) Wall Sign**

<b>Signs</b>	<b>Permitted</b>	<b>Proposed</b>
<b>Area</b>	The total area of exterior signs for total signage shall not exceed 75 square feet and no single sign shall exceed 45 square feet.	West facing sign: 32.45 sq ft South facing sign: 33.94 sq ft Total: 66.39 sq ft
<b>Approved word content</b>	Signs may include the following: 1) Trade name of establishment 2) Nature of business, services rendered or products sold on premises.	"Marriott" (Trade Name)
<b>Prohibited Word Content</b>	Signs may not include the following: 1) Any reference to price, except as provided in regards to "window sign."	"Marriott" (No reference to price.)
<b>Location</b>	No sign shall be erected so that any portion thereof shall project over a dedicated street, alley or sidewalk or so that any portion shall project more than five feet from any main building wall.	West facing sign: in compliance  South facing sign: The applicant is proposing to project 13 feet from the main building wall. They are proposing to attach the sign to the canopy and have indicated that their interpretation of the code is that the canopy is part of the overall structure and therefore the sign should be permitted.

**RECOMMENDATION**

Staff recommends approval of the monument sign and the west facing wall sign.  
Staff recommends denial of the south facing wall sign. Staff does not agree with the interpretation that the canopy meets the definition of a main building wall.

**ORDINANCE NO. \_\_ - \_\_\_\_\_**

**AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA AMENDING THE TOWN OF SURFSIDE CODE OF ORDINANCES BY AMENDING CHAPTER 90 ZONING; SPECIFICALLY AMENDING SECTION 90-43 MAXIMUM BUILDING HEIGHTS; PROVIDING FOR INCLUSION IN THE CODE; PROVIDING FOR SEVERABILITY; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS, Sec. 4 of the Town Charter states:**

**Sec. 4. - General powers of town; powers not deemed exclusive.**

The density, intensity, and height of development and structures within the Town of Surfside shall not exceed the maximum allowable units per acre, floor area ratios or the maximum allowable building heights in stories and feet that are set out in the Town of Surfside Comprehensive Plan or the Code of the Town of Surfside, whichever provisions are most restrictive, which were in effect in 2004. This amendment to the Town of Surfside Charter shall not be repealed, revised, amended, or superseded unless repeal, revision, amendment, or superseding provisions are placed on the ballot at a regularly scheduled election of the Town of Surfside and approved by a vote of the electors of the Town of Surfside.

**WHEREAS, Sec. 4 of the Town Charter was amended by the electors by approval of the November 6, 2012 ballot question which modified height to be restricted to the number of feet and the number of stories described in the more restrictive of the 2004 Zoning Code or 2004 Comprehensive Plan; and**

**WHEREAS, amending Sec. 90-43 Maximum building heights provides consistency between the Code and the Charter amendment; and**

**WHEREAS, the Town Commission held its first duly noticed public hearing on these regulations on September 8, 2015; and**

**WHEREAS, the Planning and Zoning Board, sitting as the Local Planning Agency, has reviewed the revisions to the code for consistency with the Town's Comprehensive Plan at a duly noticed public hearing on November 19, 2015 and recommended approval; and**

**WHEREAS**, the Town Commission has conducted a second duly noticed public hearing on these regulations as required by law on January 12, 2016 and further finds the proposed amendment to the Code in the best interest of the community.

**NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA AS FOLLOWS:**

**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. 90-43. - Maximum building heights.**

Designation	Maximum Height (Feet)	<u>Maximum Stories</u>
H30A	30 FT	<u>2</u>
H30B	30 FT	<u>2</u>
H30C	30 FT	<u>2</u>
H40	40 FT	<u>1 and 2 family = 2 stories, multifamily and hotel = 3 stories</u>
H120	120 FT	<u>12</u>
SD-B40	40 FT	<u>3</u>
MU	Surrounding Designation	
CF	70 FT	

**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 relettered 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 upon adoption on second reading.

**PASSED** and **ADOPTED** on first reading this \_\_\_\_ day of \_\_\_\_\_, 2015.

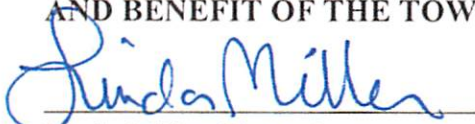
**PASSED** and **ADOPTED** on second reading this \_\_\_\_ day of \_\_\_\_\_, 2016.

\_\_\_\_\_  
Daniel Dietch, Mayor

**ATTEST:**

\_\_\_\_\_  
Sandra Novoa, MMC, Town Clerk

**APPROVED AS TO FORM AND LEGALITY FOR THE USE  
AND BENEFIT OF THE TOWN OF SURFSIDE ONLY:**

  
\_\_\_\_\_  
Linda Miller, Town Attorney

On Final Reading Moved by: \_\_\_\_\_,

On Final 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

**MEMORANDUM**

**TO:** Planning and Zoning Board  
**Agenda Date:** November 19, 2015  
**Subject:** Number of stories  
**From:** Sarah Sinatra Gould, AICP, Town Planner

**Background:** The November 6, 2012 ballot question as approved by the voters at referendum modified height to be restricted to the number of feet and the number of stories described in the more restrictive of the Zoning Code or Comprehensive Plan in 2004. The attached ordinance amending Sec. 90-43 Maximum building heights provides consistency within the Code and the Charter amendment. The underlined language in the table reflects the amendment.

**Sec. 90-43. - Maximum building heights.**

Designation	Maximum Height (Feet)	<u>Maximum Stories</u>
H30A	30 FT	<u>2</u>
H30B	30 FT	<u>2</u>
H30C	30 FT	<u>2</u>
H40	40 FT	<u>1 and 2 family = 2 stories, multifamily and hotel = 3 stories</u>
H120	120 FT	<u>12</u>
SD-B40	40 FT	<u>3</u>
MU	Surrounding Designation	
CF	70 FT	

**Budget Impact:** N/A

**Growth Impact:** N/A

**Staff Impact:** N/A

**Staff Recommendation:** Planning and Zoning Board recommend approval to the Town Commission of the attached Ordinance amending Sec. 90-43. - Maximum building heights.



\_\_\_\_\_  
Sarah Sinatra Gould, AICP, Town Planner



\_\_\_\_\_  
Guillermo Olmedillo, Town Manager



## Town of Surfside Planning and Zoning Communication

**Agenda Date:** November 19, 2015

**Subject:** Second Floor Balconies

**From:** Sarah Sinatra Gould, AICP, Town Planner

**Background :** Numerous applicants have presented plans that utilize interior balconies in an attempt to meet the additional setbacks required for the second floor. In an attempt to further limit the mass of a structure, the proposed modification would clarify that second floor balconies or terraces will not be counted towards the setback, except when the roof line of the balcony meets the average setbacks for the second floor.

Staff presented the attached language as a remedy for this situation. The Planning and Zoning Board requested information regarding setback encroachments. The following are the encroachments permitted by the code in the single family zoning districts.

***Sec. 90-47. - Yards generally, allowable projections.***

*90-47.1 Every part of a required yard shall be open to the sky, except ordinary projections of sills, cornices, roof eaves and ornamental features may project not more than 24 inches into any required yard.*

*90-47.2 In all districts except SD-B40, moveable awnings may be placed over doors or windows and may project not more than three feet into any required yard, except as provided in subsection 90-49.2.a.8.*

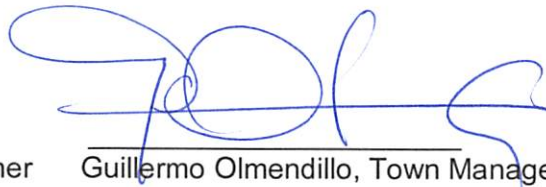
*90-47.3 On properties designated H30A or H30B, air conditioning equipment, pool pump or other mechanical equipment may be located in a required rear setback, provided such equipment is at least 15 feet from any other single-family or two-family residence, shall maintain at least a five-foot setback from the rear and side yards and is not visible from any street or waterway.*

90-47.5 In all districts except H120 district, open, unenclosed building entrance porches, platforms, stairs or paved terraces, not covered by a roof or canopy, and which do not extend above the level of the grade or entrance floor of the building, may extend or project into the required front or side yard no more than six feet and the encroachments shall not provide less than a 24-inch setback to the property line.

**Staff Recommendation:** Staff requests direction from the Planning and Zoning Board on any modifications to the proposed language and then direct staff to prepare any applicable ordinances.



\_\_\_\_\_  
Sarah Sinatra Gould, AICP, Town Planner



\_\_\_\_\_  
Guillermo Olmendillo, Town Manager



**Sec. 90-48. - Modification of side and rear yard regulations.**

*90-48.1* The minimum width of side setbacks for libraries, places of public assembly, recreational centers and other public, semipublic and civic buildings shall be a minimum of 15 feet, except when located within the community facilities district shall comply with subsection 90.45(a).

*90-48.2* In all districts other than the H120 districts, the required side setbacks for corner lots adjoining canals or waterway shall comply with the secondary frontage setback requirements for that frontage.

*90-48.3* In the H30A district, no building shall be erected within 25 feet of the seawall on Point Lake nor within 50 feet of the sea wall on Biscayne Bay or on any lots in Blocks 26, 28 and 28A of the Normandy Beach Subdivision, Second Amended.

*90-48.4* Where a lot abuts an alley, the depth of the rear yard shall be seven feet.

*90-48.5* In the H120 district, when a building exceeds a height of 30 feet, the width of each side yard shall be increased by one foot for every three feet of building height above 30 feet, provided however, on a corner lot the minimum width of the side yard adjoining a street need not exceed 20 feet.

*90-47.6* New balconies or decks located more than five feet above grade on new or existing single family homes shall not encroach into any setbacks.

*90-47.7* Second floor balconies or terraces shall not be counted towards the setback, except when the roof line of the balcony meets the average setbacks for the second floor.