



**TOWN OF SURFSIDE
PLANNING AND ZONING BOARD
AGENDA
NOVEMBER 21, 2013
7:00 PM**

1. CALL TO ORDER
2. ROLL CALL
3. APPROVAL OF MINUTES: **OCTOBER 23, 2013** [To be delivered separately]
4. QUASI-JUDICIAL HEARING:

Please be advised that the following items on the Agenda are 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. Carmona Veterinary Office Conditional Use Application

A RESOLUTION OF THE PLANNING AND ZONING BOARD OF THE TOWN OF SURFSIDE, FLORIDA, RECOMMENDING FOR APPROVAL A CONDITIONAL USE APPLICATION, PURSUANT TO SECTION 90-41 ET SEQ. OF THE ZONING CODE TO PERMIT A VETERINARY OFFICE TO BE OPERATED ON THE PROPERTY LOCATED AT 9530 HARDING AVENUE SUBMITTED BY CARMONA VETERINARY CORPORATION, SUBJECT TO CERTAIN CONDITIONS, AND AS LEGALLY DESCRIBED IN EXHIBIT "A"; PROVIDING FOR AUTHORIZATION; AND PROVIDING FOR AN EFFECTIVE DATE.

5. PLANNING AND ZONING APPLICATIONS:

**A. Request of the Owner of Property located at 9380 Carlyle Avenue
The applicant is requesting a garage conversion.**

**B. Request of the Owner of Property located at 9482 Harding Avenue
The applicant is requesting to install a permanent sign.**

**C. Request of the Owner of Property located at 9455 Harding Avenue
The applicant is requesting to install a permanent sign.**

**D. Request of the Owner of Property located at 9308 Harding Avenue
The applicant is requesting to build a new single-family home.**

**E. Request of the Owner of Property located at 708 88th Street
The applicant is requesting to build a new single-family home.**

6. Discussion items:

- A. Garage door ordinance text draft**
- B. Driveway materials ordinance text draft**
- C. Paint colors**
- D. Turtle lighting**

7. Future Agenda items:

- A. Frontage ordinance**
- B. Attached list of ordinances and schedule**
- C. Setback ordinance**

**8. PERMITS ISSUED AND REVENUE REPORT FOR OCTOBER 2013.
[To be delivered separately]**

9. 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 & Zoning Communication

Agenda Date: November 21, 2013
Subject: Carmona Veterinary Corporation
From: Sarah Sinatra Gould, AICP, Town Planner

Request

The applicant, Carmona Veterinary Corporation, has submitted an application (Attachment 1) for a Conditional Use to permit the operation of a veterinary office at 9530 Harding Avenue. This location was previously a shoe store.

Location



Analysis

Veterinary offices were specifically prohibited by the Town's Code of Ordinances (Code) until the recent passage of Ordinance 13-1608 (Attachment 2) which modified section 90-41 of the Code to permit a veterinary office as a Conditional Use in the SD-B40 zoning district. A veterinary office is defined as a facility for the diagnosis and treatment of pet animals (pet animals defined as dogs, cats, rabbits, guinea pigs, hamsters, mice, ferrets, birds and fish retained for the purposes of being kept as a household pet). Per the Code a conditional use approval for a veterinary office is subject to the following conditions. The responses to the conditions are in italics below:

Responses to Conditions in Ordinance 13-1608

- a. Animals shall be walked on the premises in an enclosed area and all waste shall be disposed of immediately.

The applicant has provided a dog walk area with a decorative fire hydrant and trash can for disposal of waste. Animal waste bags will be provided within this area so that any accidents will be attended to immediately. The applicant will also be installing an irrigation system to allow for proper dilution of any waste.

- b. No overnight boarding shall be permitted.

The applicant has indicated that the facility will not offer any overnight boarding. Any animals in need of overnight monitoring will be transferred to a nearby animal hospital.

- c. Soundproofing shall be required and the noise outside the building shall not exceed that of average daily traffic measured at the lot line.

The interior renovations will include soundproofing on the ceiling and walls. The plans also indicate the doors and windows will provide weather stripping for sound control.

- d. No malodor shall be perceptible at the boundary of the premises.

The applicant is including a floor drainage system to allow for a quick clean up and antimicrobial commercial cleaners for both the inside and outside courtyard area of the facility.

- e. All waiting rooms and patient areas shall not be visible from the public right of way.

The applicant's plans indicate that the waiting area is setback from public view. The front of the facility, adjacent to Harding Avenue, will have a retail area. The rear entrance is through a courtyard.

- f. A minimum of 10% of the floor area of the establishment shall provide retail sales located at the front of the establishment.

The applicant is proposing a 12.3% retail component to the establishment.

- g. Grooming shall be permitted as an ancillary use to a veterinary service.

The applicant is proposing grooming.

h. There shall be a minimum distance separation of 400 feet between veterinary offices.

There are no other veterinary offices within 400 feet of the proposed location. A map indicating the location of the proposed veterinary office with a 400 foot radius is included as Attachment 3.

i. A violation of any of the conditions described in Section 90-41 (24) a – h, or a violation of the Standards of Review in Section 90-23.2 or a violation of additional conditions required by the Town Commission, shall result in the rescinding of the Conditional Use permit after the Conditional Use permit holder has been notified of these deficiencies. An administrative decision to revoke the Conditional Use permit may be appealed to the Town Manager within thirty (30) days of the date of the revocation. The Town Manager shall schedule an informal hearing with the applicant and the Town Manager's decision shall be rendered in writing within ten days of the meeting. Any decision made by the Town Manager regarding Conditional Use permits may be appealed to the Town Commission.

This requirement will be a condition of approval to this application.

Responses to Standards of Review in Code Section 90-23

Section 90-23 of the zoning code provides standards of review for Conditional Uses. Conditional Uses are generally compatible with the other land uses permitted in a zoning district but, because of their unique characteristics or potential impacts on the surrounding neighborhood and the Town as a whole, require individual review as to their location, design, configuration, and/or operation for the particular use at the particular location proposed, as well as the imposition of individualized conditions in order to ensure that the use is compatible with the surrounding neighborhoods and appropriate at a particular location.

In addition to the standards set forth in this zoning code for the particular use, all proposed Conditional Uses shall meet each of the following standards. The responses to the criteria are in italics below:

(1) The proposed use shall be consistent with the Comprehensive Plan and the Zoning Code;

With the adoption of the veterinary office regulations in Section 90-41, the proposed use is consistent with the Comprehensive Plan and Zoning Code.

(2) The establishment, maintenance or operation of the proposed use shall not be detrimental to or endanger the public health, safety, or general welfare;

The applicant has proposed a number of practices to meet this criteria including daily biohazard collection service, a gated courtyard outside the main entrance (rear elevation), placement of waste bags at the gate and the rear entrance for arrivals and at the check-out counter. Waste receptacles are located within the gated courtyard. Staff will have scheduled inspection and pick up of waste overlooked by clients. Clients will be

encouraged to use the courtyard entrance to allow time for their pets to use the courtyard, which will be irrigated to allow for proper grounding and dilution of waste.

- (3) The proposed use shall be compatible with the community character of the immediate neighborhood. In addition to compatibility there must be congruity between the subject development and neighboring improvements and surroundings including but not limited to form, spacing, heights, setbacks, materials, color, rhythm and pattern of architectural or aesthetic interest or value as well as with any overlays and other development schemes or legislation.

The proposed use is in keeping with the small business atmosphere in the area. The applicant is not proposing any exterior improvements at this time. Any proposed signage will require a permit and be required to meet the sign code applicable to this area.

- (4) Adequate provisions shall be included for safe traffic movement, both vehicular and pedestrian, both internal to the use and in the area which will serve the use;

Staff agrees with the applicant's statement that the main entrance for the clients with animals in need of treatment of services (such as grooming) will be the west entrance, adjacent to the Abbott parking lot. Applicant states a secondary retail entrance located adjacent Harding Avenue is available for pedestrian patrons for their retail needs.

- (5) Adequate measures exist including landscaping or other buffering measures or shall be taken to mitigate any adverse effects of noise, light or other potential nuisances; and

In addition to measures described previously in item two, the applicant states that soundproofing will also be accomplished by the use of solid doors impervious to sound transference and all doors and windows sealed with weather stripping for sound control.

- (6) The establishment of the Conditional Use shall not impede the development of surrounding properties for uses permitted in the zoning district; and

With the requirements of the Conditional Use and the proposed mitigation measures offered by the applicant, the approval of the Conditional Use should not impede the operation of any existing or future business allowed in the existing zoning district.

- (7) Any other condition imposed by the Planning and Zoning Board.

Recommendation

Staff recommends the Planning and Zoning Board recommend approval of this resolution to permit a veterinary office located at 9530 Harding Avenue with the following conditions of approval:

1. The applicant shall provide an irrigation system in the dog walk area located at the rear of the property.
2. All animals shall be leashed to an owner or attendant at all times while on the premises (waiting area, courtyard) to ensure the animal does not escape the courtyard or interact with other animals in a threatening manner.
3. A violation of any of the conditions described in Section 90-41 (24) a – h, or a violation of the Standards of Review in Section 90-23.2 or a violation of additional conditions required by the Town Commission, shall result in the rescinding of the Conditional Use permit after the Conditional Use permit holder has been notified of these deficiencies. An administrative decision to revoke the Conditional Use permit may be appealed to the Town Manager within thirty (30) days of the date of the revocation. The Town Manager shall schedule an informal hearing with the applicant and the Town Manager's decision shall be rendered in writing within ten days of the meeting. Any decision made by the Town Manager regarding Conditional Use permits may be appealed to the Town Commission.

Attachments

1. Application
2. Ordinance 13-1608
3. Location map with 400 foot buffer
4. Site Plan



Sarah Sinatra Gould, AICP, Town Planner



Michael Crotty, Town Manager



TOWN OF SURFSIDE
CONDITIONAL USE APPLICATION

Approval of such conditional use(s) shall only be granted where it has been clearly shown that the public health, safety, morals, and general welfare will not be adversely affected; that adequate off-street parking facilities, in accordance with this chapter, will be provided; and that necessary safeguards will be provided for the protection of surrounding property.

A complete submittal includes all items on the "Submission Checklist for Conditional Use Application" document as well as completing this application in full. The owner and agent must sign the application with the appropriate supplemental documentation attached. Please print legibly in ink or type on this application form.

PROJECT INFORMATION	<i>Carmona Veterinary Corp.</i>
OWNER'S NAME	<i>Key Realty LLC</i>
PHONE / FAX	<i>305.864.8665</i>
AGENT'S NAME	
ADDRESS	<i>210 N. 11th St</i>
PHONE / FAX	
PROPERTY ADDRESS	<i>9530 Harding Ave.</i>
ZONING CATEGORY	
DESCRIPTION OF CONDITIONAL USE REQUESTED (please use separate sheet if necessary)	

INTERNAL USE ONLY	
Date Submitted _____	Project Number _____
Report Completed _____	Date _____
Comments _____	

<p><i>Haimi</i> SIGNATURE OF OWNER <i>Haim Yehzekel on behalf of Key Realty LLC</i></p>	<p><i>10/1/2013</i> DATE</p>	<p><i>[Signature]</i> SIGNATURE OF AGENT</p>	<p><i>10/1/13</i> DATE</p>
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TOWN OF SURFSIDE
SUBMISSION CHECKLIST
CONDITIONAL USE APPLICATION

Approval of such conditional use(s) shall only be granted where it has been clearly shown that the public health, safety, morals, and general welfare will not be adversely affected; that adequate off-street parking facilities, in accordance with this chapter, will be provided; and that necessary safeguards will be provided for the protection of surrounding property.

Project Name Carmona Veterinary Cof. Project Number _____
 Review Date _____

SUBMITTAL REQUIREMENTS FOR REVIEW (Permit clerk shall initial if item has been submitted):

- Completed "Conditional Use Application" form
- Survey less than one (1) year old (including owner's affidavit that no changes have occurred since the date of the survey). A survey over one (1) year is sufficient as long as the property has not changed ownership and the owner provides an affidavit that no changes change occurred since the date of the survey.
- Recent photographs of the subject property and all abutting, diagonal and fronting properties visible from the street.
- Site Plan (Minimum scale of 1" = 20').
 - ✓ Two (2) full sized sets of complete design development drawings (24" x 36" sheets) signed and sealed
 - ✓ Eight (8) reduced sized copies of the plans (11" x 17" sheets)

Please show / provide the following:

- Tabulations of total square footage, lot coverage, setbacks and acreage
- Entire parcel(s) with dimensions and lot size in square feet
- Existing and proposed buildings with square footage
- Buildings to be removed
- Setbacks
- Dimensions and locations of all existing and proposed right-of-ways, easements and street frontage, including sidewalks, curb and gutter and planting strips
- All existing and proposed site improvements, including, but not limited to, all utilities, retaining walls, fences, decks and patios, driveways and sidewalks, signs, parking areas, and erosion control features
- Location of all existing and proposed trees, vegetation, palms and note tree species
- Locations and dimensions of parking spaces and lot layout
- Driveway entrance width and setbacks from property line
- Map indicating the general location of the property.



- Written Narrative of request that addresses each of the following standards of review:**
 1. That the requested Conditional Use will not adversely affect public health, safety, morals, and general welfare;
 2. That the requested Conditional Use will provide adequate off-street parking facilities;
 3. That the requested Conditional Use will provide necessary safeguards for the protection of surrounding property.
- Such additional data, maps, plans, or statements as the Town may require to fully describe and evaluate the particular proposed plan.

To Whom It May Concern:

(1) The proposed use shall be consistent with the Comprehensive Plan and the Zoning Code

The Veterinary Wellness Center of Surfside shall abide by and be consistent with the Comprehensive Plan and the Zoning Code.

(2) The establishment, maintenance or operation of the proposed use shall not be detrimental to or endanger the public health, safety, or general welfare.

This will be accomplished via contracted biohazard collection service that picks up specimens daily. The main entrance will consist of an outside gate followed by a landscaped courtyard and a main entrance door. This shall mitigate the traffic flow of clients and their companion animals. Animal waste bags will be available close to both entrances and will also be given to all clients upon check out to minimize the potential for fecal accidents surrounding the premises. Veterinary Wellness Center staff will have scheduled pick up and inspection intervals in the landscaped courtyard and front side walk to provide precise and efficient cleaning of any waste overlooked by clients. Clients will be encouraged to use the courtyard entrance and allow time for their pets to urinate in the designated area of the landscaped courtyard. This courtyard will have an irrigation system that will allow for proper grounding and dilution of urinary waste.

(3) The proposed use shall be compatible with the community character of the immediate neighborhood. In addition to compatibility there must be congruity between the subject development and neighboring improvements and surroundings including but not limited to form, spacing, heights, setbacks, materials, color, rhythm and pattern of architectural or aesthetic interest or value as well as with any overlays and other development schemes or legislation.

This will be accomplished by designing coherent color schemes on the outside of the building as well as precise and purposeful landscaping on this existing structure. All new fencing and landscape will precisely follow the Town of Surfside zoning code.

(4) Adequate provisions shall be included for parking and safe traffic movement, both vehicular and pedestrian, both internal to the use and in the area which will serve the use.

This will be accomplished by using the west (public parking lot) entrance as its main entrance for patients and their clients seeking services and goods. A secondary "retail entrance" will also be available for patrons arriving by foot.

(5) Adequate measures exist including landscaping or other buffering measures or shall be taken to mitigate any adverse effects of noise, light or other potential nuisances.

Noise and odor control shall be a daily priority of the Veterinary Wellness Center. This will be accomplished via installment of impermeable modern flooring system as well as a floor drainage system which allows quick clean up. Antimicrobial commercial cleaners that are environmentally safe will be used for cleaning purposes on the inside of the facility as well as the outside courtyard. Soundproofing will be a part of the construction process on the inside walls of the facility. All doors used will be made of solid materials impervious to sound transference. All doors and windows will be sealed with "weather striping" for sound control.

(6) The establishment of the conditional use shall not impede the development of surrounding properties for uses permitted in the zoning district; and

Veterinary Wellness Center will follow all the permitting and zoning laws and will not impede on any surrounding properties.

(7) Any other condition imposed by the planning and zoning board and/or the development impact committee.

Any other conditions imposed by the planning and zoning boards will be schematically abided by Veterinary wellness center of surfside.

Legal Description:

Lot 9, Block 6, of ALTOS DEL MAR NO. 6, according to the plat thereof as recorded in Plat Book 8, at Page 106, of the Public Records of Miami-Dade County, Florida.

Certified To
 KEY REALTY, LLC, A FLORIDA LIMITED LIABILITY COMPANY, GREEN, KAHN & PIOTRKOWSKI, P.A., ATTORNEYS' TITLE INSURANCE FUND, INC., OCEAN BANK, ITS SUCCESSORS AND/OR ASSIGNS.

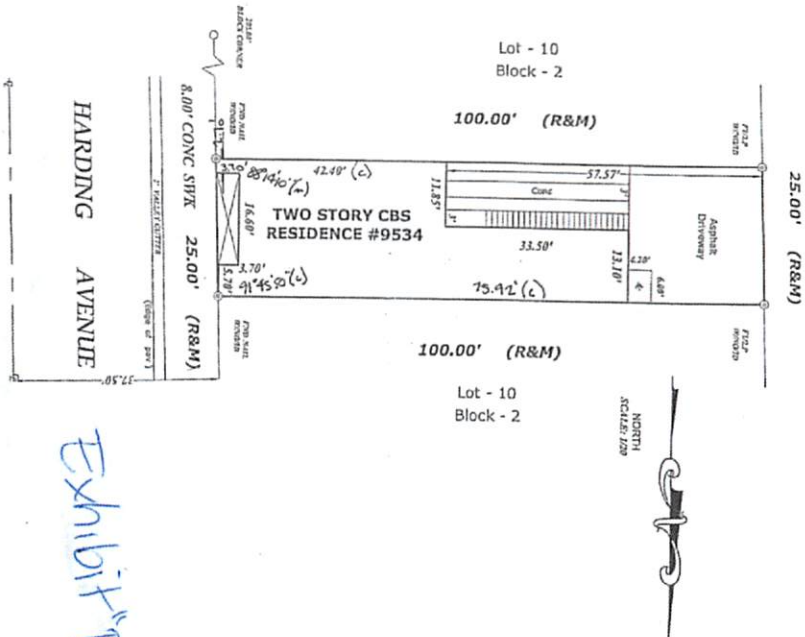
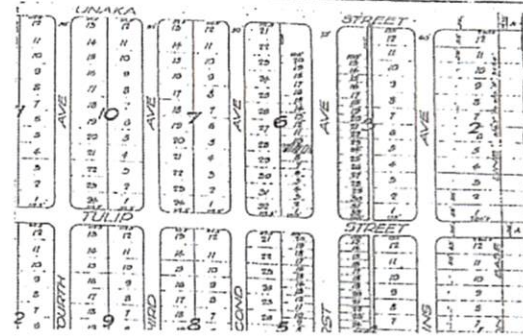


Exhibit A

Community Number: 120659
 Panel Number: 0094
 Suffix: J
 Data of Firm Index: 3/2/1994
 Flood Zone: AE
 Base Flood Elevation: 8.0
 Date of Completion: 06/25/2004
 Property Address:
 9534 HARDING AVENUE
 SURFSIDE, FL 33154
 Survey: M24217

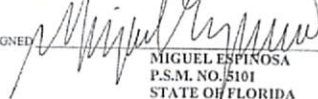
Accepted By: _____



GENERAL NOTES:

- 1) LEGAL DESCRIPTION PROVIDED BY OTHERS.
- 2) THE LANDS SHOWN HEREON WERE NOT ABSTRACTED FOR EASEMENT OR OTHER RECORDED ENCUMBRANCES NOT SHOWN ON THE PLAT.
- 3) UNDERGROUND PORTIONS OF FOOTINGS, FOUNDATIONS OR OTHER IMPROVEMENTS WERE NOT LOCATED.
- 4) ONLY VISIBLE ENCROACHMENTS LOCATED.
- 5) WALL TIES ARE TO THE FACE OF THE WALL.
- 6) BEARINGS REFERENCED TO LINE NOTED AS B.R.
- 7) NO IDENTIFICATION FOUND ON PROPERTY CORNERS UNLESS NOTED.
- 8) NOT VALID UNLESS SEALED WITH THE SIGNING SURVEYORS EMBOSSED SEAL
- 9) DIMENSIONS SHOW ARE PLAT AND MEASURED UNLESS OTHERWISE SHOWN.
- 10) ELEVATIONS IF SHOWN ARE BASED UPON N.G.V.D. 1929 UNLESS OTHERWISE NOTED.
- 11) THIS IS A BOUNDARY SURVEY UNLESS OTHERWISE NOTED.

I HEREBY CERTIFY THAT THIS BOUNDARY SURVEY IS A TRUE AND CORRECT REPRESENTATION OF A SURVEY PREPARED UNDER MY DIRECTION.

SIGNED:  FOR THE FIRM
 MIGUEL ESPINOSA
 P.S.M. NO. 5101
 STATE OF FLORIDA

THIS SURVEY IS INTENDED FOR MORTGAGE OR REFINANCE PURPOSE ONLY, EXCLUSIVELY FOR THIS USE BY THOSE TO WHOM IT IS CERTIFIED. THIS SURVEY IS NOT TO BE USED FOR CONSTRUCTION, PERMITTING, DESIGN OR ANY OTHER USE WITHOUT WRITTEN CONSENT OF MIGUEL ESPINOSA.



MIGUEL ESPINOSA
 LAND SURVEYING, INC.
 6494 S.W. 24TH STREET
 MIAMI, FLORIDA 33155

PHONE: (305) 740-3319
 LB # 6463

ORDINANCE NO. 13- 1608

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA AMENDING CHAPTER 90 "ZONING" OF THE TOWN OF SURFSIDE CODE OF ORDINANCES AND SPECIFICALLY AMENDING SECTION SEC. 90-41(d) "REGULATED USES" ADDING VETERINARY OFFICE AS A CONDITIONAL USE; PROVIDING FOR INCLUSION IN THE CODE; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Section 90-41 of the Code states that business offices, except veterinary offices, are permitted in the business district; and

WHEREAS, Section 90-41 specifically prohibits all veterinary offices in Town; and

WHEREAS, permitting veterinary offices will require a conditional use application, which will require the Town Commission to analyze the specific location requested for the use, and determine if any special conditions should be applied to the use; and

WHEREAS, the Town Commission recognizes the need to regulate veterinary offices for the health, safety and welfare of the Town; and

WHEREAS, the Town has attempted to create regulations to address the specific needs of the this unique community and continues to amend these regulations to address the placement of veterinary offices as they may best suit the needs of the community; and

WHEREAS, the Town Commission held its first public hearing on September 17, 2013, 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, has held a public hearing on October 2, 2013 and recommended approval of the proposed

amendments to the Code of Ordinances and also found the proposed Code amendments to be consistent with the Comprehensive Plan; and

WHEREAS, the Town Commission shall have conducted a second duly noticed public hearing on these regulations as required by law on October 8, 2013.

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. 90-41. Regulated uses.

Applicability and validity of tables. Nothing shall be used to misconstrue or reinterpret the provisions, limitations and allowances made here in.

(a) *Purpose.* Permitted uses are considered to be fundamentally appropriate within the district in which they are located and are deemed to be consistent with the comprehensive plan. These uses are permitted as of right, subject to the required permits and procedures described in this section. Permitted uses require final site plan review and approval for compliance with the standards applicable to a particular permitted use as provided in this zoning code.

(b) *Permits required.* Except as explicitly provided herein, no use designated as a permitted use in this chapter shall be established until after the person proposing such use has applied for and received all required development permits.

(c) *Table—Regulated uses.*

	H30A	H30B	H30C	H40	H120	SD-B40
Office Uses and Professional Services						
Business and professional offices, except veterinary offices	-	-	-	-	-	P

<u>Veterinary office</u>	-	-	-	-	-	<u>CU</u> <u>(24)</u>
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(24) Veterinary Office is a facility for the diagnosis and treatment of pet animals.

Pet Animals are defined as dogs, cats, rabbits, guinea pigs, hamsters, mice, ferrets, birds and fish retained for the purposes of being kept as a household pet.

Veterinary offices approved by Conditional Use are subject to the following:


- a. Animals shall be walked on the premises in an enclosed area and all waste shall be disposed of immediately.
- b. No overnight boarding shall be permitted.
- c. Soundproofing shall be required and the noise outside the building shall not exceed that of average daily traffic measured at the lot line.
- d. No malodor shall be perceptible at the boundary of the premises.
- e. All waiting rooms and patient areas shall not be visible from the public right of way.
- f. A minimum of 10% of the floor area of the establishment shall provide retail sales located at the front of the establishment.
- g. Grooming shall be permitted as an ancillary use to a veterinary service.
- h. There shall be a minimum distance separation of 400 feet between veterinary offices.
- i. A violation of any of the conditions described in Section 90-41 (24) a – h, or a violation of the Standards of Review in Section 90-23.2 or a violation of additional conditions required by the Town Commission, shall result in the rescinding of the Conditional Use permit after the Conditional Use permit holder has been notified of these deficiencies. An administrative decision to revoke the Conditional Use permit may be appealed to the Town Manager within thirty (30) days of the date of the revocation. The Town Manager shall schedule an informal hearing with the applicant and the Town Manager’s decision shall be rendered in writing within ten days of the meeting. Any decision made by the Town Manager regarding Conditional Use permits may be appealed to the Town Commission.

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.

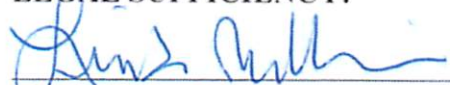


Daniel Dietch, Mayor

Attest: 

Sandra Novoa, Town Clerk

APPROVED AS TO FORM AND LEGAL SUFFICIENCY:



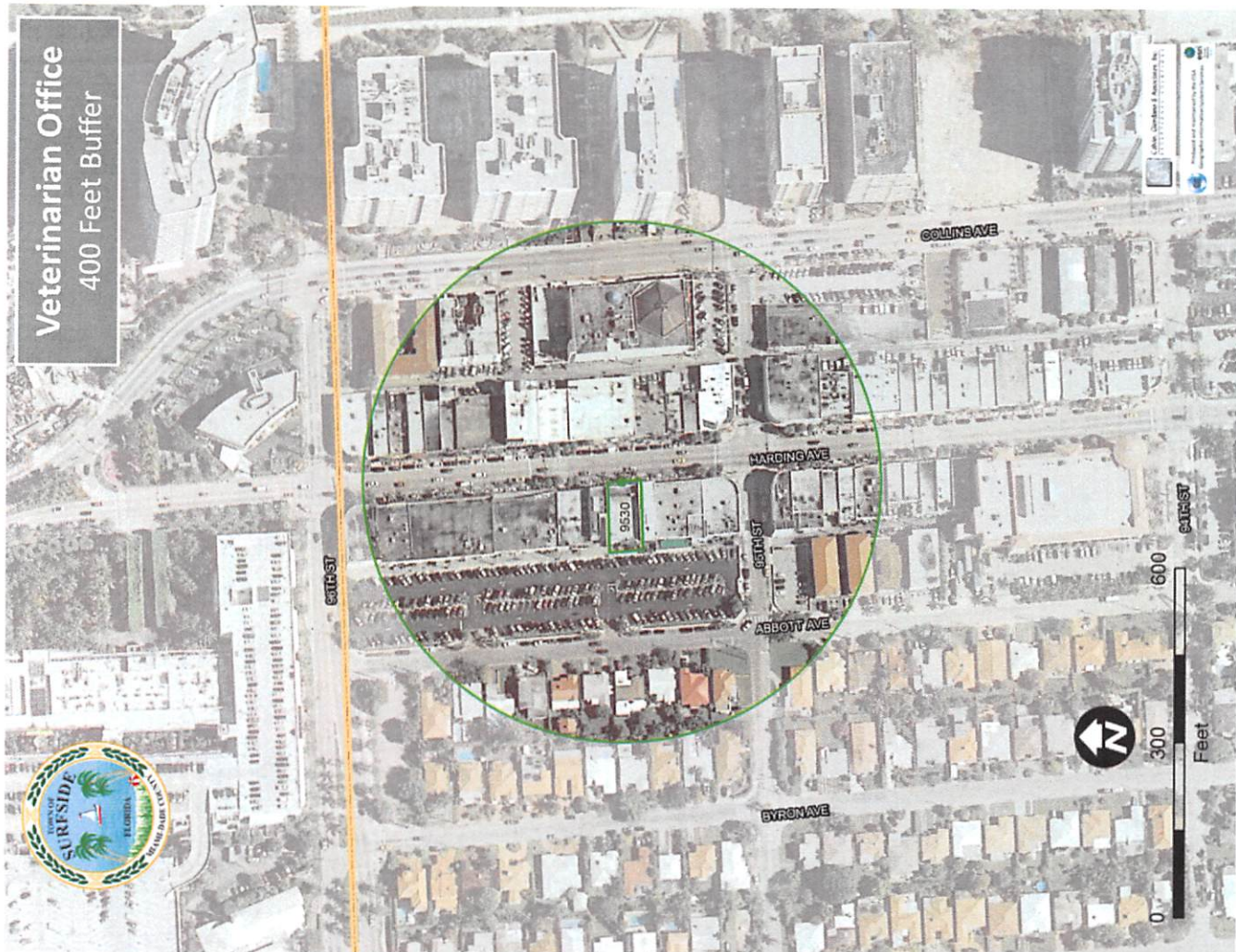
Linda Miller, Town Attorney

On Final Reading Moved by: Commissioner Kligman

On Final Reading Seconded by: Commissioner Olchyk

Vote:

Mayor Dietch	yes <input checked="" type="checkbox"/>	no <input type="checkbox"/>
Vice Mayor Karukin	yes <input checked="" type="checkbox"/>	no <input type="checkbox"/>
Commissioner Graubart	yes <input type="checkbox"/>	no <input checked="" type="checkbox"/>
Commissioner Kligman	yes <input checked="" type="checkbox"/>	no <input type="checkbox"/>
Commissioner Olchyk	yes <input checked="" type="checkbox"/>	no <input type="checkbox"/>



RESOLUTION NO. 13-Z-0_

A RESOLUTION OF THE PLANNING AND ZONING BOARD OF THE TOWN OF SURFSIDE, FLORIDA, RECOMMENDING FOR APPROVAL A CONDITIONAL USE APPLICATION, PURSUANT TO SECTION 90-41 ET SEQ. OF THE ZONING CODE TO PERMIT A VETERINARY OFFICE TO BE OPERATED ON THE PROPERTY LOCATED AT 9530 HARDING AVENUE SUBMITTED BY CARMONA VETERINARY CORPORATION, SUBJECT TO CERTAIN CONDITIONS, AND AS LEGALLY DESCRIBED IN EXHIBIT "A"; PROVIDING FOR AUTHORIZATION; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, on October 1, 2013 the Carmona Veterinary Corporation submitted a conditional use application to permit a veterinary office to be operated on the property located at 9530 Harding Avenue; and

WHEREAS, the proposed veterinary office will be located on Harding Avenue in the SBD-40 Business Zoning District, as legally described in Exhibit "A", and

WHEREAS, Section 90-41(d)(24) *Regulated Uses*, of the Town of Surfside Zoning Code requires conditional use approval for veterinary offices; and

WHEREAS, public notice was provided in accordance with the law; and

WHEREAS, this Application came before the Planning and Zoning Board at a duly noticed public hearing on November 21, 2013; and

WHEREAS, the Planning and Zoning Board reviewed the Application, the written and oral recommendations of the Town Planners and other consultants who render reports with respect to the Application, including the recommended conditions, and found substantial competent evidence to support a showing by the Applicant that the requests for the approval of the conditional use application approval are in compliance with the zoning code and the Comprehensive Plan of the Town and maintain the basic intent and purpose of the zoning, subdivision or other land use regulations, which is to protect the general welfare of the public, particularly as it affects the stability and appearance of the community; and, further, recommend to the Town Commission that said requests should be granted, subject to all of the conditions set forth in this Resolution and the execution of any attendant agreements.

NOW THEREFORE, BE IT RESOLVED BY THE PLANNING AND ZONING BOARD OF THE TOWN OF SURFSIDE, FLORIDA, APPLICABLE TO APPLICANT, ITS SUCCESSORS OR ASSIGNS, AS FOLLOWS:

Section 1. Recitals. The above stated recitals are hereby adopted and confirmed.

Section 2. Approval. The Application for conditional use approval to permit a veterinary office to be operated on the property located at 9530 Harding Avenue is hereby recommended for approval, subject to the conditions in Section 4.

Section 3. Finding of Fact. The Planning and Zoning Board, after review of competent substantial evidence in the record and a duly noticed public hearing, hereby recommends for approval the Conditional Use Application and finds that the Application meets the conditional use requirements set forth in sections 90.41 “Regulated Uses” and 90.23 “Conditional Uses” of the Zoning Code of the Town of Surfside.

Section 4. Conditions. The recommended approval granted in Section 2 above is subject to the following conditions:

1. Animals shall be walked on the premises in an enclosed area and all waste shall be disposed of immediately.
2. No overnight boarding shall be permitted.
3. Soundproofing shall be required and the noise outside the building shall not exceed that of average daily traffic measured at the lot line.
4. No malodor shall be perceptible at the boundary of the premises.
5. All waiting rooms and patient areas shall not be visible from the public right of way.
6. A minimum of 10% of the floor area of the establishment shall provide retail sales located at the front of the establishment.
7. Grooming shall be permitted as an ancillary use to a veterinary service.
8. There shall be a minimum distance separation of 400 feet between veterinary offices.
9. A violation of any of the conditions described in Section 90-41 (24) a – h, or a violation of the Standards of Review in Section 90-23.2 or a violation of additional conditions required by the Town Commission, shall result in the rescinding of the Conditional Use permit after the Conditional Use permit holder has been notified of these deficiencies. An administrative decision to revoke the Conditional Use permit may be appealed to the Town Manager within thirty (30) days of the date of the revocation. The Town Manager shall schedule an informal hearing with the applicant and the Town Manager’s decision shall be rendered in writing within ten days of the meeting. Any decision made by the Town Manager regarding Conditional Use permits may be appealed to the Town Commission.
10. There shall be an irrigation system in the dog walk area located at the rear of the property.
11. All animals shall be leashed to an owner or attendant at all times while on the premises (waiting area, courtyard) to ensure the animal does not escape the courtyard or interact with other animals in a threatening manner.

Section 5. Effective Date. This Resolution shall take effect immediately upon adoption hereof.

PASSED and ADOPTED on this ____ day of _____ 2013.

Motion by Planning and Zoning Board Member _____,
Second by Planning and Zoning Board Member _____

FINAL VOTE ADOPTION

Member, Armando Castellanos _____
Member, Jennifer Dray _____
Member, Carli Koshal _____
Vice Chair, Peter Glynn _____
Chair, Lindsay Lecour _____

Lindsay Lecour, Chair

ATTEST:

Sandra Novoa, CMC
Town Clerk

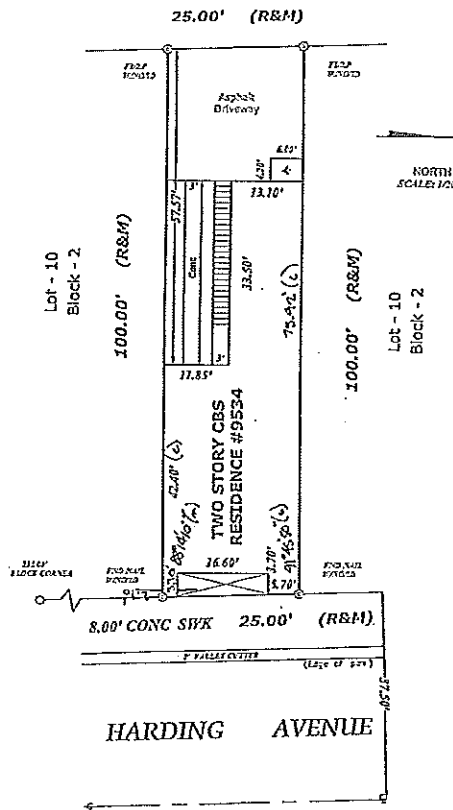
**APPROVED AS TO FORM AND
LEGAL SUFFICIENCY:**



Linda Miller, Town Attorney

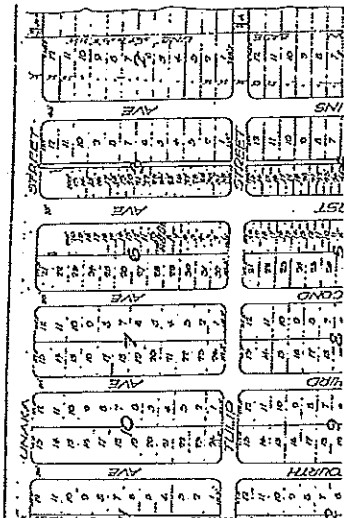
Certified To:
 KEY REALTY, LLC, A FLORIDA LIMITED LIABILITY COMPANY, GREEN, KAHN & PIOTRKOWSKI, P.A., ATTORNEYS' TITLE INSURANCE FUND, INC., OCEAN BANK, ITS SUCCESSORS AND/OR ASSIGNS.

Legal Description:
 Lot 9, Block 6, of ALTOS DEL MAR NO. 6, according to the plat thereof as recorded in Plat Book 8, at Page 106, of the Public Records of Miami-Dade County, Florida.



Community Number: 120659
 Parcel Number: 0094
 Suffix: J
 Date of Firm Index: 3/2/1994
 Flood Zone: AE
 Base Flood Elevation: 8.0
 Date of Completion: 06/25/2004
 Property Address:
 9534 HARDING AVENUE
 SURFSIDE, FL 33154
 Survey: M24217

Accepted By: _____




GENERAL NOTES

- 1) LEGAL DESCRIPTION PROVIDED BY OTHERS.
- 2) RESEARCH WAS NOT CONDUCTED FOR EASEMENT OR OTHER RECORDED ENCUMBRANCES, INCLUDING FOUNDATIONS OR OTHER UNDERGROUND PORTIONS OF FOOTINGS, FOUNDATIONS OR OTHER IMPROVEMENTS WERE NOT LOCATED.
- 3) ONLY VISIBLE ENCROACHMENTS LOCATED.
- 4) WALL TIES ARE TO THE FACE OF THE WALL.
- 5) BOARDINGS REFERENCED TO LINE NOTED AS B.R.
- 6) DIMENSIONS SHOW ASSE PLAT AND MEASURED UNLESS OTHERWISE SHOWN.
- 7) ELEVATIONS IF SHOWN ARE DATED UPON N.G.M.D. 1929 UNLESS OTHERWISE NOTED.
- 8) THIS IS A BOUNDARY SURVEY UNLESS OTHERWISE NOTED.
- 9) I HEREBY CERTIFY THAT THIS BOUNDARY SURVEY IS A TRUE AND CORRECT REPRESENTATION OF A SURVEY PREPARED UNDER MY DIRECTION.

SIGNED: *[Signature]* FOR THE FIRM
 MIGUEL ESPINOSA
 P.S.M. NO. 15101
 STATE OF FLORIDA

THIS SURVEY IS INTENDED FOR MORTGAGE OR REFERENCE PURPOSE ONLY, EXCLUSIVELY FOR THE USE BY THOSE TO WHOM IT IS CERTIFIED. THIS SURVEY IS NOT TO BE USED FOR CONSTRUCTION, PERMITTING, DESIGN OR ANY OTHER USE WITHOUT WRITTEN CONSENT OF MIGUEL ESPINOSA.



MIGUEL ESPINOSA
 LAND SURVEYING, INC.
 6494 S.W. 24TH STREET
 MIAMI, FLORIDA 33155
 PHONE: (305) 740-3319
 LB # 6463



MEMORANDUM

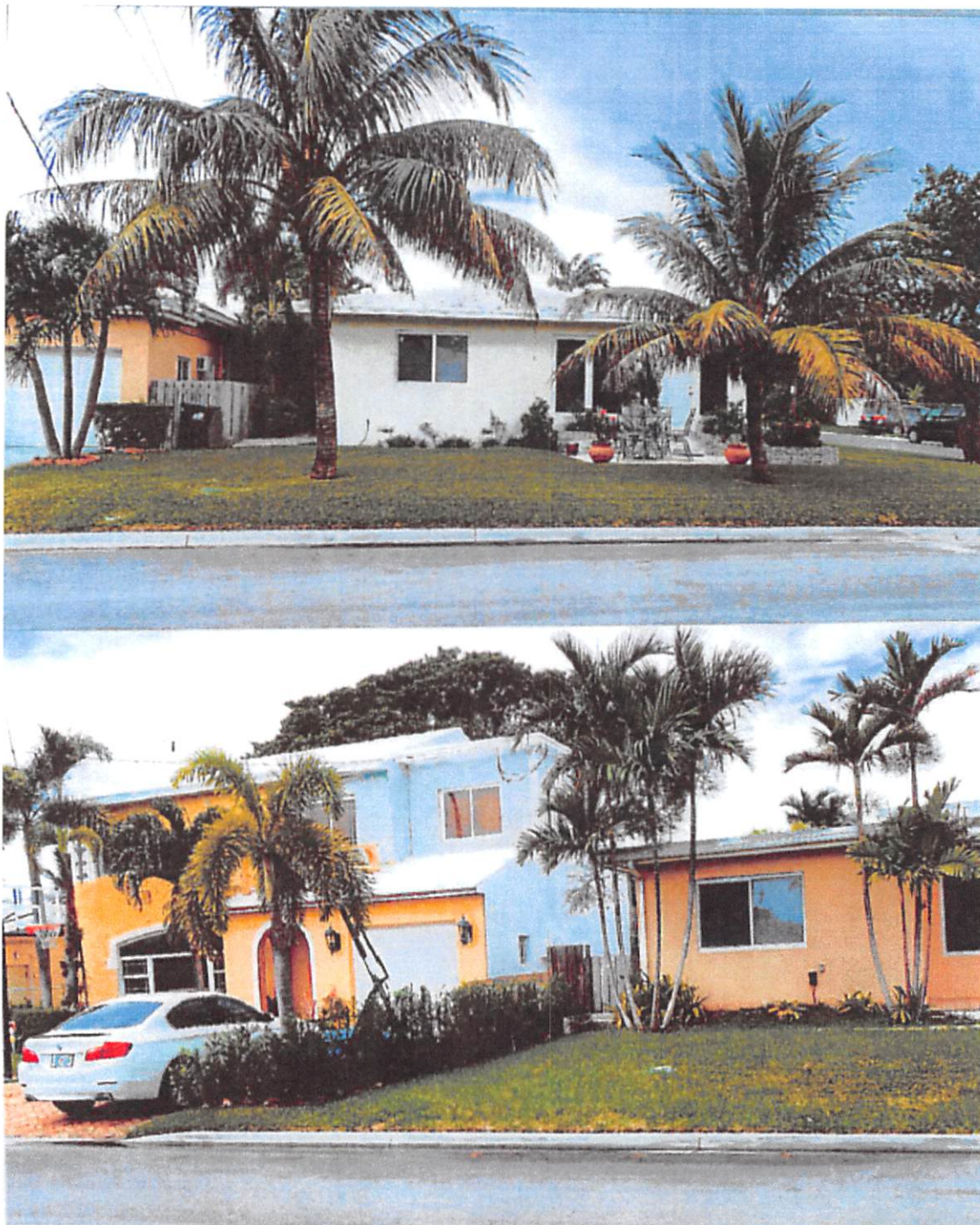
To: Planning and Zoning Board
Thru: Michael Crotty, Town Manager
From: Sarah Sinatra Gould, AICP, Town Planner
CC: Linda Miller, Town Attorney
Date: November 21, 2013
Re: 9380 Carlyle Avenue – Garage Conversion

The property is located at 9380 Carlyle Avenue, within the H30B zoning district. The applicant is requesting to convert the garage to additional living space for their single family home, create a stamped concrete circular driveway and propose a new front porch.

Staff has reviewed the current application for consideration by the Planning and Zoning Board. In this report Staff presents the following:

- Existing conditions of the property.
- Applicable Zoning Code regulations, along with the results of the review
- Applicable Design Guidelines, along with the results of the review
- Staff Recommendation





Standards/Results

Town of Surfside Zoning Code, Applicable Requirements

Sec. 90.50 (6) Converting Single Family Attached Garages

Required	Proposed
When an attached garage is converted for any other use, the garage door or doors may be replaced by a solid exterior wall and access to the former garage area must be provided from the main premises, in addition to any other permitted access.	Solid wall is proposed. Access is provided to the main premises.
At least one (1) window shall be provided.	One window is provided.
If the garage entrance is located at the front or primary corner of the property, landscaping shall be provided along the base of the new exterior wall	Landscaping is not provided.

Sec. 90.77 Off Street Parking

Required	Proposed
2 spaces	2 spaces, the applicant is proposing a new stamped concrete circular driveway

Sec. 90.45 Setback

H30A and H30B	Percentage	Proposed
SINGLE STORY STRUCTURES	MINIMUM SETBACK	
Primary frontage	20 Feet	24.7 feet
Interior side (lots equal to or less than 50 feet in width)	5 Feet	5 Feet
Rear	20 Feet	47.10 Feet

Sec. 90.47.5 Building entrance porches

Building entrance porches	Required	Proposed
May extend or project into the required front or side yard no more than 6 feet and required 2 foot setback.	6 feet encroachment (maximum) 2 feet setback (minimum)	0 feet encroachment

Sec. 90.49 Lot standards

Lot Standards H30A	Required	Proposed
Maximum Lot Coverage	40%	33.3%

RECOMMENDATION

Staff recommends approval.



MEMORANDUM

To: Planning and Zoning Board
Thru: Michael Crotty, Town Manager
From: Sarah Sinatra Gould, AICP, Town Planner
CC: Linda Miller, Town Attorney
Date: November 21, 2013
Re: 9482 Harding Avenue

The property is located at 9482 Harding Avenue, within the SD-B40 zoning district. The applicant is requesting to install a new wall sign. The store is delrayArt. The applicant is proposing to install PVC letters. The lettering is grey, black, and crimson red colors.

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	26.6 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.	“delrayArt.” (Nature of business)
Prohibited Word Content	Signs may not include the following: 1) Any reference to price, except as provided in regards to “window sign.”	“delrayArt.” (No reference to price.)
Location	With the exception of theater marquees and V-box signs, no sign shall be erected so that any portion thereof shall project over a dedicated street or sidewalk or so that any portion thereof shall project more than five feet from any main building wall.	Sign does not project over the sidewalk or street.

RECOMMENDATION

Staff recommends approval with the following condition of approval:

1. The applicant shall provide the width of the lot. If the lot is less than 26.6 feet in length then the square foot of the sign shall be reduced.
2. The lettering shall be individually installed into the wall façade and not installed on a plate to be installed onto the wall.



MEMORANDUM

To: Planning and Zoning Board
Thru: Michael Crotty, Town Manager
From: Sarah Sinatra Gould, AICP, Town Planner
CC: Linda Miller, Town Attorney
Date: November 21, 2013
Re: 9455 Harding Avenue

The property is located at 9455 Harding Avenue, within the SD-B40 zoning district. The applicant is requesting to install a new wall sign. The retail store is Eyes on the Water. The applicant is proposing individually installed, non-illuminated channel lettering. The lettering color is bronze.

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 sf	28 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.	"Eyes on the Water" (Nature of business, services)
Prohibited Word Content	Signs may not include the following: 1) Any reference to price, except as provided in regards to "window sign."	"Eyes on the Water" (No reference to price.)
Location	With the exception of theater marquees and V-box signs, no sign shall be erected so that any portion thereof shall project over a dedicated street or sidewalk or so that any portion thereof shall project more than five feet from any main building wall.	Sign does not project over the sidewalk or street.

RECOMMENDATION

Staff recommends approval with the following conditions of approval:

1. The applicant shall provide the width of the lot. If the lot is less than 28 feet in length then the square foot of the sign shall be reduced.
2. The lettering shall be individually installed into the wall façade and not installed on a plate to be installed onto the wall.
3. Window signs are not included in this application.



MEMORANDUM

To: Planning and Zoning Board
 Thru: Michael Crotty, Town Manager
 From: Sarah Sinatra Gould, AICP, Town Planner
 CC: Linda Miller, Town Attorney
 Date: November 21, 2013
 Re: 9308 Harding Avenue, New Residence

The property is located at 9308 Harding Avenue, within the H30B zoning. The applicant, Steven Coles of Robert Swedroe Architects, on behalf of Sam Lupowitz, is requesting to build a new two story single family residence.



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 with a 3 foot encroachment for architectural features	30 feet to the top of the structure, plus 3 feet for a parapet wall

Sec. 90-45. Setbacks

H30B UPPER STORY IS 65% to 80% of the FIRST FLOOR AREA	Required	Proposed
<i>Maximum Lot Coverage</i>	<i>40% (2,250 square feet)</i>	<i>1,980 square feet</i>
FIRST STORY		
Primary Frontage	Minimum 20 feet	30 feet
Interior side	Minimum 5 feet	5 feet
Rear	Minimum 20 feet	24 feet 5 inches
UPPER STORY		
Primary frontage	Minimum 20 feet/Average 30 feet	Providing 23 foot and 30 foot setbacks
Interior side	Minimum 5 feet/Average 10 feet	Minimum 5 feet/Average 10.8 feet
Rear	Minimum 20 feet/ Average n/a	26 feet 6 inches

Sec. 90.49 Lot standards

Lot Standards H30B	Required	Proposed
Minimum Lot width	50 feet	50 feet
Minimum lot area	5,000 feet	5,625
Pervious area	35% (minimum)	35.5%

Sec. 90.50 Architecture and roof decks

	Required	Proposed
Wall openings	All elevations for new structures and multi-story additions (additions greater than 15 feet in height) shall provide for a minimum of ten-percent wall openings including windows, doors or transitional spaces defined by porches, porticoes or colonnades.	East elevation does not have any wall openings, except for the entry door and the garage. Staff does not agree with the applicant's interpretation that the garage door should be included in wall opening and suggests that windows be provided.

Roof Material	<p>(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.</p>	Flat roof.
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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	73%
Front yard landscaped	30% minimum	30.2%
Rear yard landscaped	20% minimum	46.5%
Number of Curb Cuts	One	One
Curb Cut side set back	5 feet minimum	5 feet
Curb cut width	12 feet width maximum	11.6 feet provided
Driveway Materials	<p>Limited to the following</p> <ol style="list-style-type: none"> 1. Pavers 2. Color and texture treated concrete, including stamped concrete 3. Painted concrete shall not be permitted. 4. Asphalt shall not be permitted. 	Grass block is being provided.

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 not provided on the east elevation.

Main Entries

Required	Proposed
Prominent and oriented to the street	A six foot privacy wall is proposed at the property line with a gate. This does not provide a prominent main entry.
Rendered in appropriate scale for the block as well as the individual building	The entry is not appropriate for the block as it is behind a privacy wall.
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	A six foot privacy wall is proposed which conceals the main entry from Harding Avenue.
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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.

Driveway Treatments

Required	Proposed
Town encourages the use of pavers	Grass block is 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 house 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 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

90-54.2 Accessory swimming pools and decks

Requirement	Proposed
<p><i>90-54.2 Accessory swimming pools and decks</i></p> <p>Required Setbacks</p> <p>(a) Rear: Five feet.</p> <p>(b) Interior side: Five feet.</p> <p>(c) Primary (front) and secondary (Corner): Ten feet.</p>	<p>(a) Rear setback: 7 feet</p> <p>(b) Interior setback: 5 feet</p> <p>c) Not applicable</p>

RECOMMENDATION

Staff is recommending denial due to the following:

1. The code requires a minimum of ten-percent wall openings including windows, doors or transitional spaces defined by porches, porticoes or colonnades. The applicant is providing a door and garage door on the front façade. There are no windows or transitional spaces being proposed. The intent of this code section is to provide either openings or transitional spaces and it is staff's interpretation that this code section is not being met. Staff recommends that the applicant add a window to both the first and second floor to meet the requirement.
2. The code does not expressly permit grass block as a permitted driveway material. Although grass block meets the pervious requirement, staff recommends this be modified to a permitted driveway material.



MEMORANDUM

To: Planning and Zoning Board
Thru: Michael Crotty, Town Manager
From: Sarah Sinatra Gould, AICP, Town Planner
CC: Linda Miller, Town Attorney
Date: November 21, 2013
Re: 708 88th Street, New Residence

The property is located at 708 88th Street, within the H30A zoning. The architect, David Rosenthal, on behalf of the owner, Greeneco Investments, LLC, is requesting to build a new two story single family residence.

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 with a 3 foot encroachment for architectural features	30 feet to the top of the structure, plus 3 feet for mechanical equipment

Sec. 90-45. Setbacks

<i>H30A UPPER STORY IS 65% to 80% of the FIRST FLOOR AREA</i>	<i>Required</i>	<i>Proposed</i>
<i>Maximum Lot Coverage</i>	<i>40% (4,088 square feet)</i>	<i>3,222 square feet</i>
FIRST STORY		
Primary Frontage	Minimum 20 feet	25 feet
Interior side	Minimum 5 feet	5 feet
Rear	Minimum 20 feet	47 feet 3 inches
UPPER STORY		
Primary frontage	Minimum 20 feet/Average 30 feet	Providing 20 foot and 33 foot average setbacks
Interior side	Minimum 5 feet/Average 10 feet	Minimum 5 feet/Average 12 feet
Rear	Minimum 20 feet/ Average n/a	47 feet 3 inches

Sec. 90.49 Lot standards

Lot Standards H30A	Required	Proposed
Minimum Lot width	50 feet	50 feet
Minimum lot area	5,000 square feet	8,000 square feet
Pervious area	35% (minimum)	37%

Sec. 90.50 Architecture and roof decks

	Required	Proposed
Wall openings	All elevations for new structures and multi-story additions (additions greater than 15 feet in height) shall provide for a minimum of ten-percent wall openings including windows, doors or transitional spaces defined by porches, porticoes or colonnades.	The applicant is providing a minimum of 11% wall openings on each façade
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

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

Paving Yards	Required	Proposed
Front setback permeability	50% minimum	53.5%
Front yard landscaped	30% minimum	30%
Rear yard landscaped	20% minimum	20%
Number of Curb Cuts	One	One
Curb Cut side set back	5 feet minimum	5 feet
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.	Pavers

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.

Main Entries

Required	Proposed
Prominent and oriented to the street	Entry is oriented to the street.
Rendered in appropriate scale for the block as well as the individual building	The entry is appropriate for the 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	The entry is not obstructed.

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.

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 house will be stucco with stone.

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;	Flat roof proposed

<p>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>	
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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

90-54.2 Accessory swimming pools and decks

Requirement	Proposed
<p><i>90-54.2 Accessory swimming pools and decks</i></p> <p>Required Setbacks</p> <p>(a) Rear: 20 feet.</p> <p>(b) Interior side: Five feet.</p> <p>(c) Primary (front) and secondary (Corner): Ten feet.</p>	<p>(a) Rear setback: 20 feet</p> <p>(b) Interior setback: 5 feet</p> <p>c) Not applicable</p>

RECOMMENDATION

Staff is recommending approval.



Town of Surfside Planning and Zoning Communication

Agenda Date: November 21, 2013

Subject: Garage Door Modification

From: Sarah Sinatra Gould, AICP, Town Planner

Background: At the September 30, 2013 Town Commission and Planning and Zoning Board Joint meeting, there was a discussion regarding modification to the code relating to garage doors. Staff was provided direction to modify the code.

Analysis: The strict interpretation of the code is to have two separate garage doors, rather than a two car garage. This is not practical or financially feasible for the installation of a garage door. Staff is proposing the following change:

Sec. 90-50. Architecture and roof decks.

9-50.1 Architecture.

(5) Garage facades. Attached garages located at the front of a single family home shall not exceed 50 percent of the overall length of the facade. ~~If a garage is provided to accommodate two cars, the garage entrances must have an exterior expression of two separate entrances, each a maximum of ten feet wide, and separated by an 18-inch wide vertical element consistent with the facade.~~

Staff Recommendation: Staff recommends the Planning and Zoning Board direct staff to prepare an ordinance for the December Town Commission meeting.

Budget Impact: N/A

Growth Impact: N/A

Staff Impact: N/A



Sarah Sinatra Gould, AICP, Town Planner



Michael Crotty, Town Manager



Town of Surfside Planning and Zoning Communication

Agenda Date: November 21, 2013

Subject: Driveway Material Modification

From: Sarah Sinatra Gould, AICP, Town Planner

Background: At the September 30, 2013 Town Commission and Planning and Zoning Board Joint meeting, there was a discussion regarding modification to the code relating to expanding permitted driveway materials. Staff was provided direction to modify the code.

Analysis: The strict interpretation of the code substantially limits driveway materials. Many homes in Surfside wish to have concrete slabs with decorative rock. An interpretation could be made that it is permitted, but it is not expressly indicated in the code. The code requirement for stamped concrete that is permeable is not a financially feasible or hard wearing design for a driveway.

The code has provisions for maximum paved area of a front yard. This limits the size of a driveway, which results in landscaping for the remainder of the front of the lot. Therefore, permeable stamped concrete is not a necessity for drainage purposes when there are pervious areas in the front yard.

Based on the discussion, the proposed change would include the following:

Sec. 90-61. Paving in front and rear yards in H30 and H40 districts

(6) Driveway materials are limited to the following:

- a. Pavers.
- b. Color and texture treated concrete, including stamped concrete as long as it is permeable.

- c. Concrete slabs no larger than two square feet with decorative rock or grass in between. Decorative rock shall be stabilized and annually maintained with herbicide to avoid the material eroding away with use. The decorative rock and grass shall be replaced if eroded.
- d. Painted concrete shall not be permitted.
- e. Asphalt shall not be permitted.

The following are images of stamped concrete and concrete slabs with decorative rock:





Staff Recommendation: Staff recommends the Planning and Zoning Board direct staff to prepare an ordinance for the December Town Commission meeting.

Budget Impact: N/A

Growth Impact: N/A

Staff Impact: N/A

Sarah Sinatra Gould, AICP, Town Planner

Michael Crotty, Town Manager



Town of Surfside Planning and Zoning Communication

Agenda Date: November 21, 2013

Subject: Paint Colors

From: Sarah Sinatra Gould, AICP, Town Planner

Background: Mayor Dietch requested staff to place an item on the agenda regarding the creation of a paint palette for the single family district. The Mayor was contacted by a concerned resident who would like to regulate paint colors.

Analysis: The Town had a previous policy to permit all ranges of paint colors except the most intense color of the color range on a manufacture's paint palette.

Staff Recommendation: Color palettes are appropriate when there is a single type of home construction, such as Mediterranean, Art Deco or MiMo. In the case of Surfside, there are many different home types and not one single type. Staff does not recommend adopting a palette of colors, since a variety of colors are appropriate for certain home styles. If the Town wishes to regulate paint colors, staff recommends only limiting the most intense range of a manufacture's color palette. If directed, staff will add this to the future agenda items list.

Sarah Sinatra Gould, AICP, Town Planner

Michael Crotty, Town Manager



Town of Surfside Planning and Zoning Communication

Agenda Date: November 21, 2013
Subject: Turtle Lighting
From: Sarah Sinatra Gould, AICP, Town Planner

Background: Mayor Dietch requested staff to place an item on the agenda regarding the regulation of turtle lighting.

Analysis: All new construction requires turtle lighting, which is regulated by the state.

Staff Recommendation: Direct staff to analyze if there are requirements for existing buildings to provide turtle sensitive lighting and prepare an ordinance, if appropriate. If directed, staff will add this to the future agenda items list.

Sarah Sinatra Gould, AICP, Town Planner

Michael Crotty, Town Manager

ITEM	OUTCOME	NEXT STEPS	IN CONTRACT OR WORK AUTHORIZATION	TENTATIVE SCHEDULE
General Code Modifications				
a. Commercial waste and recycling container screening	Screening for containers, green screen, vegetation, include pictures from Commissioner Kligman	Draft code amendment	In contract	December PZ
b. 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	March PZ
c. cargo container regulations	Prohibit cargo containers in the business district	Draft code amendment	In contract	January PZ
d. 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
e. garage door clarification	Modify code to remove requirement for two separate garage doors	Draft code amendment	In contract	November PZ
f. satellite dishes	Further review by staff	Research and prepare report for discussion and possible code amendment	In contract	February PZ
g. pyramiding effects of setbacks in the H120 district	No action necessary since Planning and Zoning Board currently reviewing setbacks as part of wall frontage modifications			N/A
Sustainability Modifications				
a. residential or commercial wind turbine regulations	Prepare ordinance regulating wind turbines including hurricane precautions, noise regulations, insurance considerations	Draft code amendment	In contract	February PZ
b. solar panel	Prepare ordinance regulating solar panels	Draft code	In contract	January PZ

regulations		amendment		
c. 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
Building Code Clarification				
a. 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	February PZ
b. interpretation of base flood elevation for the H120 district	No change	No further action needed		N/A
Density	Amend comp plan to specify net as the density calculator; prohibit including ROW in density calculation when there is unity of title; research effects of utilizing net vs. gross for density calculations	Data and analysis and preparation of comprehensive plan amendment	Work Authorization	Schedule determined after Commission direction
Floor Area Ratio	Create new zoning criteria in H30 and H40 to include minimum open space requirements and mid block accessibility and walkways	Data and analysis, preparation of graphics	Work Authorization	Schedule determined after Commission direction
Expansion of the business district one block south	Manager to prepare analysis of public/private partnerships and financing alternatives	Place on future Planning and Zoning agenda for discussion	If a land use and zoning change are implemented, a Work Authorization will be required	Schedule determined after Commission direction
Sign/awning code	Discussed at Joint Meeting	Determination from Commission on how to proceed		

Additional Requests from Planning & Zoning after the Joint Meeting					
Green walls		Require green walls adjacent to alleys and other buildings that about public right of ways	Research and prepare report for discussion and possible code amendment	In contract	February PZ
Downtown Palette	Color	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	December PZ
Bay Drive & 96th Street		Open Bay Drive off 96 th Street	Staff will research	Police and Building to research	December PZ

*The schedule is subject to change due to the scheduling of items that will be scheduled after Town Commission direction.