



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

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

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

AGENDA

DESIGN REVIEW BOARD

1. CALL TO ORDER

2. ROLL CALL

3. APPROVAL OF MINUTES: August 27, 2014

4. DESIGN REVIEW BOARD APPLICATIONS:

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

The applicant is requesting after the fact approval of a garage conversion for their single family home.

5. DISCUSSION ITEMS:

A. Corridor analysis discussion

6. ADJOURNMENT.

PLANNING AND ZONING BOARD

1. CALL TO ORDER

2. ROLL CALL

3. APPROVAL OF MINUTES: August 27, 2014

4. DISCUSSION ITEMS:

- A. Resident request to increase lot coverage**
- B. Modification of uses in the business district**
- C. Future agenda items**

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

6. ADJOURNMENT.

THIS MEETING IS OPEN TO THE PUBLIC. IN ACCORDANCE WITH THE AMERICANS WITH DISABILITIES ACT OF 1990, ALL PERSONS WHO ARE DISABLED AND NEED SPECIAL ACCOMMODATIONS TO PARTICIPATE IN THIS MEETING BECAUSE OF THAT DISABILITY SHOULD CONTACT THE OFFICE OF THE TOWN CLERK AT 305-861-4863 EXT. 226 NO LATER THAN FOUR DAYS PRIOR TO SUCH PROCEEDING. 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 COMMUNICATION MEDIA TECHNOLOGY, SPECIFICALLY, A TELEPHONE CONFERENCE CALL. THE LOCATION 9293 HARDING AVENUE, SURFSIDE, FL 33154, WHICH IS OPEN TO THE PUBLIC, SHALL SERVE AS AN ACCESS POINT FOR SUCH COMMUNICATION.



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

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

**AUGUST 27, 2014
7:00 PM**

MINUTES

DESIGN REVIEW BOARD

1. CALL TO ORDER

Chair Lindsay Lecour called the meeting to order at 7:02 pm.

2. ROLL CALL

Recording Clerk Frantza Duval called the roll with the following members present: Chair Lindsay Lecour, Board Member Armando Castellanos, Vice Chair Jacob Kligman, Design and Review Board Member Jorge Gutierrez, Board Member Moisha Rubenstein and Design and Review Board Member Jennifer Weiss. Board Member Peter Glynn was absent. Commissioner Cohen attended as the Board liaison.

3. APPROVAL OF MINUTES: July 31, 2014

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

4. DESIGN REVIEW BOARD APPLICATIONS:

A. Request of the Owner of Property located at 624-94th Street

The applicant is requesting to convert the garage to an accessory structure and replace the existing driveway.

Town Planner Sarah Sinatra presented the item. Design and Review Board Member Gutierrez recused himself from the dais and gave further details on the item. Applicant P.J. Cannava also spoke on the item.

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

B. Request of the Owner of Property located at 8950 Byron Avenue

The applicant is requesting to convert an existing garage into a bedroom and bathroom.

Town Planner Sarah Sinatra presented the item.

The applicant Luis Zaldivar gave more details on the project answering questions posed by the Board.

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

C. Request of the Tenant of Property located at 9487-9489 Harding Avenue

The tenant is requesting to replace the existing awning to a new canvas awning that expands over both storefronts.

Town Planner Sarah Sinatra presented the item.

Vice Chair Kligman made a motion to approve with the following condition:

-provide awning break as code requirement or an articulation on length

The motion received a second from Review Board Member Gutierrez and all voted in favor with Board Member Glynn absent.

5. ADJOURNMENT

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

PLANNING AND ZONING BOARD

1. CALL TO ORDER

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

2. ROLL CALL

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

APPROVAL OF MINUTES: July 31, 2014

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

3. 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; SECTION 90-51 MAXIMUM FRONTAGE OF BUILDINGS, SPECIFICALLY AMENDING SECTION 90-51.1 TO LIMIT THE HEIGHT OF THE 270 FOOT LONG PLATFORM TO 30 FEET IN HEIGHT AND LIMIT THE TOWERS TO 150 FEET IN LENGTH; 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.

Recording Clerk Frantza Duval read the title of the ordinance.
Town Planner Sarah Sinatra presented the item with some graphics.

Chair Lecour opened the meeting for public discussion. Public Speaker Susan Delano had a question as to which parcels this ordinance applied to and Town Planner Sinatra explained in more detail.

Vice Chair Kligman made a motion to recommend the item to the Commission for approval. The motion received a second from Board Member Castellanos and all voted in favor with Board Member Glynn absent.

5. DISCUSSION ITEMS:

A. Historic Preservation

Town Planner Sarah Sinatra presented the item. She said there will be a public meeting with the Historic Board staff on September 10, 2014 and property owners whose properties are identified will be notified.

Chair Lecour opened the meeting for public comments.

Public speaker Leo dela Pena explained that a property designated as historic cannot be torn down. To keep the integrity of the original design, any alterations to the structure would need approval from the Historic Board. A property owner would be very limited in what he can do to the outside of the structure. He has heard that the entire district from 93rd to 94th street may be considered as an historic district which would greatly affect plans for property owners and future development. He further indicated that they have grave concerns about their property rights and sees this as a

roadblock. His clients believe in historic preservation and they have hired outside experts and were told that there is no historic value on these parcels. Planner Sinatra wanted property owners to be aware that there is an appeal process if the Historic Board does decide to include the district in question as historic. Town Manager Crotty said that a resolution asking for a six month moratorium on this item is being placed on the September 9, 2014 Commission Meeting.

Chair Lecour expressed her concerns and said this is in conflict with what the town's priorities are. She also said that the town and staff should be a part of the decision making and should be notified along with the property owner when a parcel has been designated as historic.

Board Member Castellanos made a motion to bring to the Commission that they include language in the resolution to reflect that any properties or future properties identified by the Historic Board be brought back to the Planning and Zoning Board and Town Commission for discussion and decision making. The motion received a second from Vice Chair Kligman and all voted in favor with Board Member Glynn absent.

B. Future Agenda items

Town Planner Sinatra presented the item and Chair Lecour asked the items be sorted by schedule and pending items.

6. REPORT OF PERMITS ISSUED FOR THE MONTH OF JULY 2014.

[To be delivered separately]

Building Official Ross Prieto gave an update.

7. ADJOURNMENT.

There being no further business to come before the Planning and Zoning Board the meeting adjourned at 8:03 p.m.

Accepted this ____ day of _____, 2014

Chair Lindsay Lecour

Attest:

Sandra Novoa
Town Clerk



MEMORANDUM

To: Planning and Zoning Board
Thru: Michael Crotty, Town Manager
From: Sarah Sinatra Gould, AICP, Town Planner
CC: Linda Miller, Town Attorney
Date: September 30, 2014
Re: 8945 Dickens Avenue – Garage Conversion

The property is located at 8945 Dickens Avenue within the H30B zoning district. The applicant is requesting after the fact approval of a garage conversion for their single family home.

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 has not been provided, but has been demonstrated on the plans and will be installed.

Sec. 90.77 Off Street Parking

Required	Proposed
2 spaces	Existing driveway has two spaces.

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)	Does not encroach.

RECOMMENDATION

Staff recommends approval.



Town of Surfside Design Review Board Communication

Agenda Date: September 30, 2014

Subject: Collins to Harding between 94th Street and 88th Street
Corridor Analysis

From: Sarah Sinatra Gould, AICP, Town Planner

Background: At the September 30, 2013 Joint Planning and Zoning and Town Commission meeting, there was a discussion about the block between Collins and Harding Avenues and the high interest in redevelopment of this corridor. In an effort to stay ahead of the new construction, there was interest from both boards to prepare criteria to help guide future development into the desired development pattern. Based on that, a budget item have been included for an analysis and preparation of zoning criteria which includes the following:

- Preparation of new zoning criteria and comparison of existing conditions
- A review of green book traffic engineering standards as well as Miami-Dade County and FDOT as it relates to mid-block accessibility, walkways, pedestrian activity
- Impacts to existing buildings and strategies for potential non-conformities such as if there is a modification to an existing building, under what circumstances would the entire development need to be brought up to the proposed code
- Consistency of new criteria with comprehensive plan, including the 1989 Comprehensive Plan, which provided for a study of this corridor
- Consistency of new criteria with other sections of the zoning code such as off-street parking, signs, accessory structures, conditional uses, landscaping
- Requirements for open space in terms of landscaping, public space
- Coordination with legal in terms of vested rights, reduced density or intensity resulting from new zoning criteria

- Design criteria for pedestrian walkways

In an effort to provide an effective and efficient analysis of the Collins to Harding corridor between 94th Street and 88th Street staff is recommending discussion from the Board on its expectations for the potential code changes. This will allow staff the opportunity to outline a scope and critical path for successfully preparing the ordinance.



Sarah Sinatra Gould, AICP, Town Planner



Michael Crotty, Town Manager



Town of Surfside Planning & Zoning Communication

Agenda Date: September 30, 2014

Subject: Resident Request to Increase Lot Coverage

From: Sarah Sinatra Gould, AICP, Town Planner

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

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

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

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

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

Analysis: Staff has reviewed other municipalities for comparison, which is attached. Other municipalities have tiered lot coverage maximums based on number of stories.

Staff Recommendation: Staff does not have a recommendation as this is a policy decision and offers this information for your consideration.



Sarah Sinatra Gould, AICP, Town Planner



Michael Crotty, Town Manager



MEMORANDUM

To: Planning and Zoning Board
 Thru: Michael Crotty, Town Manager
 From: Sarah Sinatra Gould, AICP, Town Planner
 CC: Linda Miller, Town Attorney
 Date: September 30, 2014
 Re: Discussion Item – Modification of Service Uses in the SD-B40 District

At the September 9, 2014 Town Commission Meeting, Vice Mayor Tourgeman requested that the Town Commission consider a moratorium for service related uses in the business district with the goal of preparing code modifications to limit service uses. The Town Commission did not approve the moratorium and gave direction to staff to examine the existing code and possibly restrict any new service uses to the second floor and/or implement distance separation requirements. The intent is to encourage more retail and restaurant uses at the street level.

Current Code Requirement

Section 90-41, "Regulated uses" enumerates a variety of uses permitted in the SD-B40 zoning district. While a general "service" category is not used, individual service uses are specified as well as annotated. The annotated use restricts some "service" uses, above the first floor of a building. The table below summarizes the "service" uses that are permitted at any level and those only allowed above the first floor building as well as abbreviated table notes.

Service Use	Permitted Any Level	Above 1 st Floor
Banks	✓	
Business and professional offices, except veterinary offices	✓	
Currency exchange	✓	
Delivery service		✓

Employment agencies		✓
General ticket agencies	✓	
Interior decorator	✓	
Loan or mortgage office		✓
Medical or dental clinic		✓
Psychic reading, advising, and consulting, palmistry, clairvoyance, astrological interpretation, tarot card reading, spiritual consultation, or fortune telling		✓
Radio or television station or studio		✓
Savings and loan associates	✓	
Secretarial service, mailing, bookkeeping, court reporter		✓
Stocks and bond brokers	✓	
Taxi agency		✓
Title company		✓
Travel agency	✓	
Art and photograph galleries	✓	
Beauty/personal services	✓	
Health club or studio		✓
Dry cleaning and laundry agency (10)	✓	
Jewelry	✓	
Locksmith (11)	✓	
Shoe repair (20)	✓	

Tailor	✓	
Dance or music instruction studios		✓
Driving school offices		✓
Modeling school, language school, or athletic instruction		✓
Veterinary office (24)	✓	

Table notes (abr.).

- (10) Provided all machinery which provides cleaning or laundry services shall be separated from customer areas by a partition or counter and no customers shall be permitted to use such machinery.
- (11) Shall not be visible from sidewalk or street and shall not be permitted fronting Harding Avenue.
- (20) Provided no machinery for providing repairs shall be visible from the sidewalk or street and no shoe repair shop shall be permitted on Harding Avenue.
- (24) All waiting rooms and patient areas shall not be visible from the public right of way. Distance separation of 400 feet between veterinary offices. Minimum of 10% of floor area shall provide retail sales located in the front of the establishment.

Legal Nonconforming Uses

While some of the uses identified above may exist on the first floor, even though prohibited, Section 90-30 "Nonconforming use of buildings" provides measures in place for these uses to continue to exist or be replaced with "another nonconforming use of the same or of a more compliant classification."

Specifically, "Except as otherwise provided herein, the lawful use of a building existing at the effective date of the ordinance from which this division was derived may be continued, although such use does not conform to the provisions hereof. If no structural alterations are made other than substantial improvements as defined by this Code, a nonconforming use of a building may be changed to another nonconforming use of the same or of a more compliant classification. Whenever a nonconforming use has been changed to a more compliant use or to a conforming use, such use shall not thereafter be changed to a less compliant use. The nonconforming use of a building may be hereafter extended throughout those parts of a building which were lawfully and manifestly arranged or designed for such use at the time of passage of the ordinance from which this division was derived."

Options

1. Require those service uses listed above to be permitted on the first floor to only be permitted above the first floor.

2. Implement distance requirements similar to that of veterinary clinics for those service uses currently allowed on the first floor; 400 foot separation requirements could allow approximately one location per block.
3. Requires that those service uses permitted on the first floor to have a percentage of floor area dedicated to retail sales, similar to that of veterinary clinics.

Request

Staff seeks direction and input on the three (3) option identified above.

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

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

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

Permits and Revenue Report

<u>Fiscal Quarter</u>	<u>Fiscal Year</u>	<u>Revenue Period</u>	<u>Month/Year</u>	<u>Permits Issued</u>	<u>Revenue</u>	<u>Building</u>	<u>Electrical</u>	<u>Mechanical</u>	<u>Plumbing</u>	<u>Roofing</u>
1	2014	1	10/1/13	143	\$35,685	87	20	14	19	3
	2014	2	11/1/13	117	\$26,448	63	15	17	17	5
	2014	3	12/1/13	132	\$33,739	63	26	13	23	7
2	2014	4	1/1/2014	81	\$319,755	44	16	9	11	1
	2014	5	2/1/2014	101	\$30,772	54	11	13	17	6
	2014	6	3/1/2014	133	\$20,966	67	28	17	20	1
3	2014	7	4/1/2014	106	\$19,193	45	25	18	17	1
	2014	8	5/1/2014	113	\$32,099	56	18	13	19	7
	2014	9	6/1/2014	93	\$26,883	41	19	12	13	8
4	2014	10	7/1/2014	121	\$20,056	55	20	19	18	9
	2014	11	8/1/2014	131	\$18,777	74	21	15	18	3
	2014	12	9/1/2014							
				<u>Total Permits Issued</u>	<u>Total Permit Revenue</u>					
				1271	\$584,373					