



**Town of Surfside
DESIGN REVIEW BOARD/
PLANNING & ZONING BOARD
AGENDA**

May 25, 2017 – 7:00 p.m.

Town Hall Commission Chambers –
9293 Harding Ave, 2nd Floor, Surfside, FL 33154

Any person who received compensation, remuneration or expenses for conducting lobbying activities is required to register as a lobbyist with the Town Clerk prior to engaging in lobbying activities per Town Code Sec. 2-235. "Lobbyist" specifically includes the principal, as defined in this section, as well as any agent, officer or employee of a principal, regardless of whether such lobbying activities fall within the normal scope of employment of such agent, officer or employee. The term "lobbyist" specifically excludes any person who only appears as a representative of a not-for-profit corporation or entity (such as charitable organization, a trade association or trade union), without special compensation or reimbursement for the appearance, whether direct, indirect, or contingent, to express support or opposition to any item.

Per Miami Dade County Fire Marshal, the Commission Chambers has a maximum capacity of 99 people. Once reached this capacity, people will be asked to watch the meeting from the first floor.

DESIGN REVIEW BOARD

1. Call to Order/Roll Call

2. Approval of Minutes – April 27, 2017

3. DESIGN REVIEW BOARD APPLICATIONS:

- A. **1000 Surfside Boulevard – Garage Addition** -The applicant is requesting a 559-square foot garage and laundry room addition to the front of the house. Also included is a request to remove and replace an existing driveway to align with the new garage.
- B. **9408 Byron Avenue – New Single Family Residence** - The applicant is proposing the construction of a new two story single-family residence.
- C. **500 Surfside Boulevard – Façade modifications** - The applicant is requesting to renovate a portion of the house, replace and add windows, replace clay tile roof, add two trellises, add a Jacuzzi spa and patio, new driveways, new front walkway, and new aluminum fencing and gates along the front of the property.
- D. **9528 Bay Drive – Façade modifications** - The applicant is proposing to construct the following items to their single-family residence: an additional garage, covered porch, trellises, gates and fencing, a new deck, an outdoor spa, an outdoor kitchen, and new paver driveway.
- E. **9380 Collins Avenue – Sign** - The applicant is requesting one (1) non-illuminated wall signs for the sales center for the proposed townhouse development. The applicant is proposing individual aluminum letter sign and logo.

F. **400 90th Street - After-The-Fact Approval - New Residence** - The applicant is requesting approval of an after-the-fact constructed new one story single-family residence.

4. Adjournment

PLANNING & ZONING BOARD

1. Call to Order/Roll Call

2. Commissioner Daniel Gielchinsky- Town Commission Liaison Report

3. Planning and Zoning Board Member – Sustainability Subcommittee Liaison Report

4. Approval of Minutes – April 27, 2017

5. Quasi-Judicial Application:

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. 400 90th Street – After-The- Fact Approval - Setback Variance

A RESOLUTION OF THE TOWN OF SURFSIDE, FLORIDA PLANNING AND ZONING BOARD CONSIDERING THE APPLICATION OF 400 90TH STREET TO PERMIT A VARIANCE FROM THE REQUIREMENTS OF SECTION 90-45 “SETBACKS” OF THE TOWN OF SURFSIDE CODE OF ORDINANCES; TO ALLOW AN AFTER-THE-FACT 0.32 FOOT SETBACK VARIANCE ON THE NORTH (CORNER SIDE OF LOT) AND A 5.21 FOOT SETBACK VARIANCE ON THE WEST (REAR SIDE OF LOT); PROVIDING FOR RECOMMENDATION OF APPROVAL; PROVIDING FOR AN EFFECTIVE DATE.

B. Casa de Jesus - Special Exception Request

A RESOLUTION OF THE TOWN OF SURFSIDE, FLORIDA PLANNING AND ZONING BOARD; RECOMMENDING APPROVAL OF A SPECIAL EXCEPTION WITH CONDITIONS TO PERMIT AN AFTER-SCHOOL PROGRAM AT CASA DE JESUS, INC. LOCATED AT 228 89TH STREET IN THE TOWN OF SURFSIDE; PROVIDING FOR A SEVERABILITY CLAUSE AND PROVIDING FOR AN EFFECTIVE DATE.

6. Discussion Items:

- A. PEM Technology**
- B. Dune Crossovers**
- C. Prioritization of Future Agenda Items**
- D. Verbal Update of Pedestrian Circulation**
- E. Verbal Update of Resiliency Strategies**

7. Adjournment

THIS MEETING IS OPEN TO THE PUBLIC. IN ACCORDANCE WITH THE AMERICANS WITH DISABILITIES ACT OF 1990, ALL PERSONS THAT ARE DISABLED; WHO NEED SPECIAL ACCOMMODATIONS TO PARTICIPATE IN THIS MEETING BECAUSE OF THAT DISABILITY SHOULD CONTACT THE OFFICE OF THE TOWN CLERK AT 305-861-4863 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. A COMPLETE AGENDA PACKET IS ALSO AVAILABLE ON THE TOWN WEBSITE AT www.townofsurfsidefl.gov.

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

DESIGN REVIEW BOARD

MINUTES

April 27, 2017 – 7:00 p.m.

Town Hall Commission Chambers –
9293 Harding Ave, 2nd Floor, Surfside, FL 33154

The meeting was called to order by Chair Lecour at 7:00 p.m.

The following were present:

- Chair Lindsay Lecour
- Vice Chair Judith Frankel
- Board Member Jorge Gutierrez
- Board Member Brian Roller
- Board Member Gregg Covin
- Board Member Richard Iacobacci
- Board Member Peter Glynn

Also present:

- Linda Miller, Town Attorney
- Guillermo Olmedillo, Town Manager
- Sarah Sinatra Gould, Town Planner
- Daniel Gielchinsky, Town Commission Liaison
- Elora Riera, Deputy Clerk

1. APPROVAL OF MINUTES: **March 30, 2017**

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

2. DESIGN REVIEW BOARD APPLICATIONS:

A. 8818 Froude Avenue – Garage Conversion

The applicant is requesting to convert their garage to additional living space.

Town Planner Sarah Sinatra presented the item. Rolando Hernandez the contractor for the project gave details on the item and answered questions from the Board.

Board Member Gutierrez made a motion to approve with the following conditions:

1. Landscaping shall be placed in front of the converted garage.
2. The curb cut shall be no greater than 18 feet in width.

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

B. 8830 Byron Avenue – Addition & Renovation

The applicant is proposing to enclose the 185-square foot front covered porch and other interior renovations to the existing single family house.

Town Planner Sarah Sinatra presented the item. The applicant Gregory Castro gave more details on the design and explained further the side entry which the Board discussed.

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

1. The applicant will provide a survey with the building permit package.

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

C. 8934 Abbot Avenue – Addition

The applicant is requesting a 96.25 square foot addition to the west side of the house as well as a 125-square foot addition to the rear of the property. Also included is a request to convert the garage to additional living space.

Town Planner Sarah Sinatra presented the item.

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

D. 9551 Harding Avenue – Sign

The applicant is requesting one (1) illuminated wall sign for a proposed Araxi Burger Restaurant.

Town Planner Sarah Sinatra presented the item.

Board Member Iacobacci made a motion to approve with the following conditions:

1. Proposed sign shall be off-set from the wall a minimum of one quarter inch to a maximum of two inches to permit rain water to flow down the wall face.
2. The wall face should be reconditioned as necessary and painted in its entirety.
3. At the time of building permit, applicant will need to verify and supply trademark information to confirm all proposed text is part of the company's logo.

The motion received a second from Board Member Glynn and the motioned carried 6/1 with Board Member Gutierrez voting in opposition.

E. 9526 Harding Avenue – Sign

The applicant is requesting one (1) illuminated channel letter wall sign, one (1) window sign and one (1) rear non-illuminated sign for a proposed salon.

Town Planner Sarah Sinatra presented the item.

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

1. Proposed sign shall be off-set from the wall a minimum of one quarter inch to a maximum of two inches to permit rain water to flow down the wall face.
2. The wall face should be reconditioned and painted as necessary.

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

F. 9072 Carlyle Avenue – Garage Conversion

The applicant is requesting to convert their garage to additional living space.

Town Planner Sarah Sinatra presented the item. The Architect Jose Cardona gave details on the project and will give an update on the plans to the Town Planner.

Board Member Gutierrez made a motion to approve with the following conditions:

1. Landscaping shall be placed in front of the converted garage.
2. A two car driveway (18 x 18) shall be provided and has been confirmed by the applicant.

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

5. Quasi-Judicial Application:

A. 8995 Collins – Architecturally Significant Determination

A RESOLUTION OF THE DESIGN REVIEW BOARD OF THE TOWN OF SURFSIDE, FLORIDA, DETERMINING THAT THE STRUCTURE LOCATED AT 8995 COLLINS AVENUE IS ARCHITECTURALLY SIGNIFICANT PURSUANT TO THE STANDARDS AND CRITERIA OF SECTION 90-33 OF THE TOWN OF SURFSIDE ZONING CODE; PROVIDING FOR A SEVERABILITY CLAUSE AND PROVIDING FOR AN EFFECTIVE DATE.

Deputy Clerk Riera read the title of the resolution.

Chair Lecour read the process and rulings of a quasi-judicial hearing.

Deputy Clerk Riera confirmed that compliance with advertising notice requirements have been met. Attorney Miller asked the DRB and Planning and Zoning Board if anyone had ex-parte communications with the Applicant or any objector. Board Member Covin said he had met with the applicant about his project but not about architectural significance. All other Board Members answered no.

Deputy Clerk Riera swore in the people who wished to speak on the item.

The applicant's representatives presented the item giving details which included visuals.

Chair Lecour opened the meeting to public hearing.

Public Speakers:

-Michael Marcil an attorney representing Carol Adams, Steve McKnight and Tom Bainbridge who live at the Surf House, spoke in opposition of the item and explained in detail that this was a violation of his client's property rights. Mr. Larkin, representing the applicant, responded to Mr. Marcil's objections. Town Attorney Miller clarified that this evening the Board is being asked to approve architectural significance not a site plan. Special Land Use Counsel Nancy Stroud spoke about the issue of ownership. The attorneys for both sides spoke about ownership.

No one else wishing to speak Chair Lecour closed the public hearing.

The Board proceeded with discussion on the issue of architectural significance. The Board had some recommendations for the applicant and the representatives for the applicant answered questions from the Board. Town Planner Sarah Sinatra addressed some of the concerns the Board had.

Vice Chair Frankel made a motion to approve. The motion received a second from Board Member Covin. The motion passed 4/3 with Board Member Glynn, Board Member Gutierrez and Board Member Roller voting in opposition.

6. Adjournment

There being no further business to come before the Design Review Board the meeting adjourned at 8:58 p.m.

Accepted this ____ day of _____, 2017

Chair Lindsay Lecour

Attest:

Sandra Novoa, MMC
Town Clerk



MEMORANDUM

To: Design Review Board
Thru: Guillermo Olmedillo, Town Manager
From: Sarah Sinatra Gould, AICP, Town Planner
CC: Linda Miller, Town Attorney
Date: May 25, 2017
Re: 1000 Surfside Boulevard – Garage Addition

The property is located at 1000 Surfside Boulevard, within the H30B zoning. The applicant is requesting a 559 square foot garage and laundry room addition to the front of the house. Also included is a request to remove and replace an existing driveway to align with the new garage.



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

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

STANDARDS / RESULTS

Town of Surfside Zoning Code, Applicable Requirements

Sec. 90.43 Maximum building heights

Height	Required Maximum	Proposed
H30B	30 feet	18.92 feet

Sec. 90-45. Setbacks

Setbacks	Required	Proposed
Primary Frontage	Minimum 20 feet	Proposed - 20 feet
Interior side (lots over 50 feet in width)	Minimum 10% of the frontage (12 feet)	12 feet
Rear	Minimum 20 feet	Proposed - > 20 feet
Secondary Frontage	Minimum 10 feet	N/A

Sec. 90.49 Lot standards

Lot Standards H30B	Required	Proposed
Minimum Lot width	50 feet	100.12 feet
Minimum lot area	5,600 feet	12,000 square feet
Maximum lot coverage	40%	34.76%
Pervious area	35% (minimum)	48.8%

Sec. 90.50 Architecture and roof decks

	Required	Proposed
Unique Elevation	A unique elevation from the main buildings of the adjacent two (2) homes shall be created through the modulation of at least three (3) of the following architectural features: (a)Length, width and massing of the structure; (b)Number of stories; (c)Façade materials; (d)Porches and other similar articulation of the front façade; (e)Number and location of doors and windows; and (f)Roof style and pitch.	The façade will not be modified other than to add a two car garage with garage door.
Wall openings	10% for all elevations	Wall openings have been provided on all sides of the new garage addition.
Roof Material	(a) Clay Tile; (b) White concrete tile; (c) Solid color cement tile which	The proposed clay tile roof matches the existing roof of house.

	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.	
Garage Façade	Attached front garage not to exceed 50% of overall length of facade	The proposed garage is less than 50% of the overall length of façade

Sec. 90-77Off-street Parking Requirements

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

Town of Surfside Adopted Residential Design Guidelines
Building Massing

Required	Proposed
Building forms should be varied enough to avoid monotony and to avoid pyramidal massing and should be compatible with surrounding houses.	Consistent. The existing home is primarily one story in height with a two story portion. The garage addition is proposed to vary from other portions of the house and is consistent with the design of the house and surrounding properties.

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.

Wall Materials and Finishes

Required	Proposed
The same material should be used on all building elevations unless multiple materials	The existing structure is stucco and proposed garage will be stucco.

are a legitimate expression of the particular style.	
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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.	Tile is proposed.

Windows and Trims

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

RECOMMENDATION

Staff recommends approval.



MEMORANDUM

To: Design Review Board
Thru: Guillermo Olmedillo, Town Manager
From: Sarah Sinatra Gould, AICP, Town Planner
CC: Linda Miller, Town Attorney
Date: May 25, 2017
Re: 9408 Byron Avenue, New Residence

The property is located at 9408 Byron Avenue, within the H30B zoning district. The applicant is proposing the construction of a new two story single-family residence. This was previously heard by the Design Review Board on May 30, 2013, however the approval expired and the applicant is proposing to submit for the exact design with no modifications to the last approval.



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

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

STANDARDS / RESULTS
Town of Surfside Zoning Code, Applicable Requirements

Sec. 90.43 Maximum building heights

Height	Required Maximum	Proposed
H30B	30 feet	30 feet

Sec. 90-45. Setbacks

<i>H30B</i> UPPER STORY FLOOR AREA IS LESS THAN 80% OF FIRST STORY FLOOR AREA	Required	Proposed 80%
<i>Maximum Lot Coverage</i>	40%	40%
FIRST STORY		
Primary Frontage	Minimum 20 feet	20 Feet
Interior side	Minimum 5 feet	5 feet
Rear	Minimum 20 feet	20 feet, 4 inches
UPPER STORY		
Primary frontage	Minimum 20 feet/Average 30 feet	Minimum 20 feet/Average 32 feet
Interior side	Minimum 5 Feet/ Average 10 feet	Minimum 5 feet/Average 10 feet
Rear	Minimum 20 feet/ Average n/a	20 feet 4 inches

Sec. 90.49 Lot standards

Lot Standards H30B	Required	Proposed
Minimum Lot width	50 feet	50 feet
Minimum lot area	5,600 feet	5,625
Maximum lot coverage	40%	40%
Pervious area	35% (minimum)	43%

Sec. 90.50 Architecture and roof decks

	Required	Proposed
Unique Elevation	A unique elevation from the main buildings of the adjacent two (2) homes shall be created through the modulation of at least three (3) of the following architectural features: (a)Length, width and massing of the structure; (b)Number of stories; (c)Façade materials; (d)Porches and other similar articulation of the front façade;	The façade is stucco, glass and cladding and is a two story structure, which is different that the neighboring facades.

	(e)Number and location of doors and windows; and (f)Roof style and pitch.	
Wall openings	10% for all elevations	Exceeds 10% openings for 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.	Tile roof is proposed

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

Paving Yards	Required	Proposed
Front setback permeability	50% minimum	51%
Front yard landscaped	30% minimum	51%
Rear yard landscaped	20% minimum	100%
Number of Curb Cuts	One	Two
Curb Cut side set back	5 feet minimum	5 feet
Curb cut width	12 feet width maximum for each	Less than 12 feet in width each
Driveway Materials	Limited to the following 1. Pavers 2. Color and texture treated concrete, including stamped concrete 3. Painted concrete shall not be permitted. 4. Asphalt shall not be permitted.	Concrete Pavers

Sec. 90-77Off-street Parking Requirements

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

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

Required	Required	Proposed
Street trees shall be required at one shade tree/palm tree per 20 linear feet of street	2 trees	2 trees

frontage thereof along all public or private street right-of-ways in all zoning districts.		
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Sec. 90-95. Single-family H30A and H30B district landscape requirements.

Required	Required	Proposed
A minimum of five trees of two different species and 25 shrubs shall be planted per lot.	5 trees, 25 shrubs	5 trees and 25 shrubs are proposed

Town of Surfside Adopted Residential Design Guidelines

Building Massing

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

Main Entries

Required	Proposed
Prominent and oriented to the street	Main entry is prominent.
Rendered in appropriate scale for the block as well as the individual building	The majority of the structures are one story in nature and a two story structure, while allowed, is of a different scale than the neighboring properties.
Entry feature should not extend above the eave line of the structure	The entry feature does not extend above the eave line.
Should not be obstructed from view by fences, landscaping or other visual barriers	Main entry is not obstructed from view.

Decorative Features

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

Overall Architectural Style

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

Driveway Treatments

Required	Proposed
Town encourages the use of pavers	Pavers

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	The building will be stucco, glass and cladding.

style.	
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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.	Tile roof is proposed.

Windows and Trims

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

RECOMMENDATION

Staff recommends approval.



MEMORANDUM

To: Design Review Board

Thru: Guillermo Olmedillo, Town Manager

From: Sarah Sinatra Gould, AICP, Town Planner

CC: Linda Miller, Town Attorney

Date: May 25, 2017

Re: 500 Surfside Boulevard – Renovations and Yard Improvements

The property is located at 500 Surfside Boulevard, within the H30B zoning. The applicant is requesting to renovate a portion of the house, replace and add windows, replace clay tile roof, add two trellises, add a Jacuzzi spa and patio, new driveways, new front walkway, and new aluminum fencing and gates along the front of the property.



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

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

STANDARDS / RESULTS

Town of Surfside Zoning Code, Applicable Requirements

Sec. 90.43 Maximum building heights

Height	Required Maximum	Proposed
H30B	30 feet	13.92 feet (Existing)

Sec. 90-45. Setbacks

Setbacks	Required	Proposed
Primary Frontage	Minimum 20 feet	Garage – 15.41 feet (existing) House – 18.54 feet (existing)
Interior side (lots 50 feet or less)	Minimum 5 feet	House - 5.72 feet (existing) Trellis – 5.33 feet (proposed)
Rear	Minimum 20 feet	House – 15.06 feet (existing) Trellis – 5.01 feet (proposed)
Secondary Frontage	Minimum 10 feet	10.96 feet

Sec. 90.49 Lot standards

Lot Standards H30B	Required	Proposed
Minimum Lot width	50 feet	56.25 feet
Minimum lot area	5,600 feet	5,625 square feet
Maximum lot coverage	40%	36%
Pervious area	35% (minimum)	>35%

Sec. 90.50 Architecture and roof decks

	Required	Proposed
Unique Elevation	A unique elevation from the main buildings of the adjacent two (2) homes shall be created through the modulation of at least three (3) of the following architectural features: (a)Length, width and massing of the structure; (b)Number of stories; (c)Façade materials; (d)Porches and other similar articulation of the front façade; (e)Number and location of doors and windows; and (f)Roof style and pitch.	The façade is stucco, glass and cladding; has a flat roof and a tile roof; and has a center porch, which is different that the neighboring facades.
Wall openings	10% for all elevations	10% openings for each façade or greater.

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.	Clay tile roof and flat roof are proposed
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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	> 50%
Front yard landscaped	30% minimum	> 30%
Rear yard landscaped	20% minimum	> 20%
Number of Curb Cuts	One minimum	Two
Curb Cut side set back	5 feet minimum	5 feet
Curb cut width	12 feet width maximum for each	10.50 feet
Driveway Materials	Limited to the following 1. Pavers 2. Color and texture treated concrete, including stamped concrete 3. Painted concrete shall not be permitted. 4. Asphalt shall not be permitted.	Pavers

Sec. 90-77 Off-street Parking Requirements

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

Sec. 90.56 Fences, walls and hedges

	Required	Proposed
Fence	Fences in the front are only permitted with the Planning and Zoning Board's approval.	Aluminum rail fencing is proposed along the front and secondary front property lines.

Sec. 90-56.4 Front yard and corner yard fences and ornamental walls—Table.

Frontage	Maximum Height (Feet)	Maximum Opacity (Percent)	Proposed
32.48 feet	4feet	All wall and fence surfaces above two (2) feet measured from grade shall maintain a maximum opacity of fifty (50) percent	A 4 foot aluminum rail style fence is proposed with a 4 foot column at the driveway openings to support the proposed 4 foot aluminum rail gates. A 30 inch aluminum rail fence is proposed along the front corner clearance area in conformance with Sec 90-52. Maximum opacity proposed is 50%

Town of Surfside Adopted Residential Design Guidelines

Building Massing

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

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.

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.	Consistent

Roof Materials, Types, and Slopes

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

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

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

RECOMMENDATION

Staff recommends approval subject to the following conditions:

1. Proposed fence along frontage of property needs to verify 50% opacity maximum at building permit;
2. Roof Deck note shall be removed on Sheet A2.02;
3. Proposed driveway material shall be verified at building permit;
4. Design Review Board should supply an interpretation on proposed trellis in rear yard. Accessory structures in rear yard require a 5 foot setback which the proposed trellis meets, however, trellis is attached to the house and staff does not interpret the trellis as an accessory structure and requires a 20 foot setback.



MEMORANDUM

To: Design Review Board
Thru: Guillermo Olmedillo, Town Manager
From: Sarah Sinatra Gould, AICP, Town Planner
CC: Linda Miller, Town Attorney
Date: January 26, 2017
Re: 9528 Bay Drive – Garage Addition, Covered Porch, and Yard Improvements

The property is located at 9528 Bay Drive, within the H30A zoning district. The applicant is proposing to construct the following items to their single-family residence: an additional garage, covered porch, trellises, gates and fencing, a new deck, an outdoor spa, an outdoor kitchen, and new paver driveway. The applicant appeared before the Design Review Board on October 27, 2016 and January 26, 2017. The Board requested additional information and clarification from the applicant on the design at both meetings.



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

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

STANDARDS / RESULTS
Town of Surfside Zoning Code, Applicable Requirements

Sec. 90-45. Setbacks

Setbacks	Required	Proposed
Primary Frontage	Minimum 20 feet	57.08 feet
Interior side	Minimum 7.5 feet	7.5 feet or greater
Rear	Minimum 20 feet	20 feet

Sec. 90.49 Lot standards

Lot Standards H30A	Required	Proposed
Minimum Lot width	50 feet	75 feet
Minimum lot area	8,000 square feet	13,650 square feet
Maximum lot coverage	40%	31.58%
Pervious area	35% (minimum)	36.48%

Sec. 90.50 Architecture and roof decks

	Required	Proposed
Unique Elevation	A unique elevation from the main buildings of the adjacent two (2) homes shall be created through the modulation of at least three (3) of the following architectural features: (a)Length, width and massing of the structure; (b)Number of stories; (c)Façade materials; (d)Porches and other similar articulation of the front façade; (e)Number and location of doors and windows; and (f)Roof style and pitch.	The façade is stucco. Two garage doors are proposed. The applicant is also providing a new porch and trellis.
Wall openings	10% for all elevations	Exceeding 10%
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.	Tile roof to match existing.

90-56.4 Front yard and corner yard fences and ornamental walls

Required	Proposed
4 ft + ½ ft per 10 feet of lot width exceeding 50 feet, maximum 5 ft. Maximum opacity of 50%	5 foot high fence with 6 foot high concrete pillars and gates, 50% opacity maximum

Town of Surfside Adopted Residential Design Guidelines

Building Massing

Required	Proposed
Building forms should be varied enough to avoid monotony and to avoid pyramidal massing and should be compatible with surrounding houses.	Consistent. The home is one story in height. The addition is consistent with the design of the house and surrounding properties.

Main Entries

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

Decorative Features

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

Overall Architectural Style

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

Wall Materials and Finishes

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

Roof Materials, Types, and Slopes

Required	Proposed
Roof types and slopes should be generally the same over all parts of a single building.	Consistent
Restricted materials for roofs are pre-determined in the Town's Building Code,	Tile is proposed.

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.	
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Windows and Trims

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

RECOMMENDATION

Staff recommends approval subject to the following conditions:

- 1). Concrete strips driveway cannot extend beyond the front plan of the house into the side yard;
- 2). Proposed concrete pillars, fencing and gates in the front of the home cannot exceed 5 feet;
- 3). Remove any chain-link fencing on this property that extends beyond the front plan of the house;
- 4). Proposed deck is required to have a 5-foot setback from the bulkhead;
- 5). Synthetic grass is only permitted in the inlays of the proposed driveway and may not extend into landscape areas;
- 6). If proposed Jacuzzi spa is recessed into the ground it requires a 20-foot setback from the bulkhead or an inspection is required from a registered structural engineer is required to verify the structural integrity of the existing bulkhead will not be compromised by the spa.
- 7) Applicant shall include calculations on openings to demonstrate at least 10% wall openings are provided on the building permit plans.



MEMORANDUM

To: Design Review Board
 Thru: Guillermo Olmedillo, Town Manager
 From: Sarah Sinatra Gould, AICP, Town Planner
 CC: Linda Miller, Town Attorney
 Date: May 25, 2017
 Re: 9380 Collins Avenue – Eden Residences

The subject property is located at 9380 Collins Avenue and is within the H40 zoning district. The applicant is requesting one (1) non-illuminated wall signs for the sales center for the proposed townhouse development. The applicant is proposing individual aluminum letter sign and logo.

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

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

STANDARDS / RESULTS

Town of Surfside Zoning Code, Applicable Requirements

Sec. 90-73

Signs	Permitted	Proposed
Area	75 square feet	75 square feet
Approved word content	Signs may include the following: 1) Trade name of establishment 2) Logo of the establishment 3) Nature of business, services rendered or 4) Products sold on premises.	Sign consists of the townhouse development name and logo of the establishment.
Prohibited Word Content	Signs may not include the following: 1) Phone numbers; 2) Any reference to price, except as provided in regards to “window sign.”	No phone number No reference to price



<p>Location</p>	<p>With the exception of theater marquees and V-box signs, no sign shall be erected so that any portion thereof shall project over a dedicated street or sidewalk or so that any portion thereof shall project more than five feet from any main building wall.</p>	<p>Sign does not project over the sidewalk or street.</p>
<p>Illumination</p>	<p>All signage, lettering, logos or trademarks shall be required to be lit with white illumination from dusk to dawn. The illumination may be either internal illumination or external illumination, however, all walls below the sign shall be illuminated with white wall wash LED lighting. It shall be located and directed solely at the sign. The light source shall not be visible from or cast into the right-of-way, or cause glare hazards to pedestrians, motorists, or adjacent properties.</p>	<p>Proposed sign is not illuminated. Condition of approval for external illumination to be required</p>

RECOMMENDATION

Staff recommends approval subject to the following conditions:

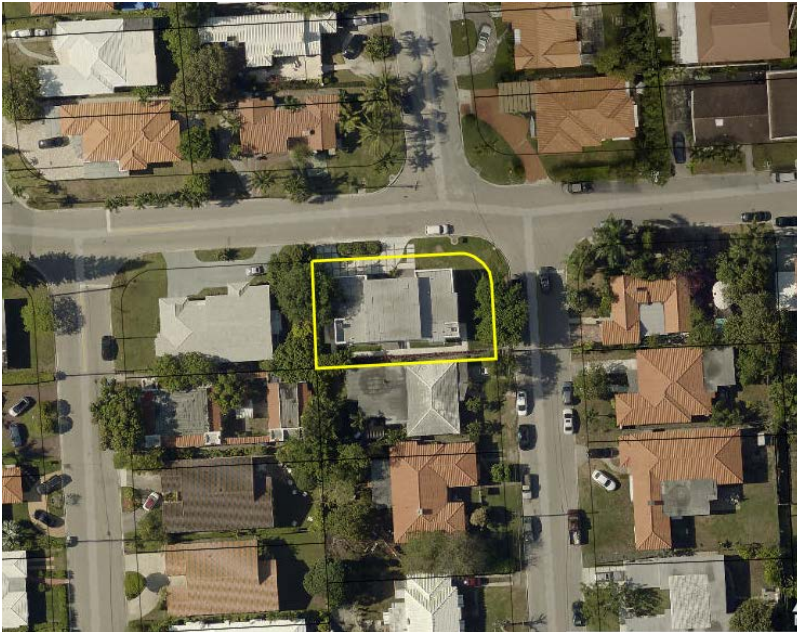
- 1) The applicant shall remove the window signs and graphics on the property that are not included with this application;
- 2) Proposed sign shall be off-set from the wall a minimum of one quarter inch to a maximum of two inches to permit rain water to flow down the wall face;
- 3) The applicant shall provide external illumination per code for the proposed sign.



MEMORANDUM

To: Design Review Board
Thru: Guillermo Olmedillo, Town Manager
From: Sarah Sinatra Gould, AICP, Town Planner
CC: Linda Miller, Town Attorney
Date: May 25, 2017
Re: 400 90th Street – After-The-Fact Approval - New Residence

The property is located at 400 90th Street, within the H30B zoning district. The applicant is requesting approval after-the-fact constructed new one story single-family residence. The current structure was issued a building permit by a prior Building Official without requesting zoning review or Design Review Board approval. The applicant has also submitted an after-the-fact variance application for non-conforming rear property line setbacks and secondary frontage property line setbacks.



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

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

STANDARDS / RESULTS
Town of Surfside Zoning Code, Applicable Requirements

Sec. 90.43 Maximum building heights

Height	Required Maximum	Proposed
H30B	30 feet	18'-10"

Sec. 90-45. Setbacks

H30B SINGLE STORY STRUCTURES UP TO 15 FEET IN HEIGHT	Required	Proposed
Maximum Lot Coverage	40%	39%
FIRST STORY		
Primary Frontage	Minimum 20 feet	23.58 feet
Interior side	Minimum 5 feet	10.32 feet
Rear	Minimum 20 feet	14.79 feet* *variance requested
Secondary Frontage	Minimum 10 feet	9.68* *variance requested

Sec. 90.49 Lot standards

Lot Standards H30B	Required	Proposed
Minimum Lot width	50 feet	61.25 feet
Minimum lot area	5,600 square feet	6,832 square feet
Maximum lot coverage	40%	39%
Pervious area	35% (minimum)	46%

Sec. 90.50 Architecture and roof decks

	Required	Proposed
Unique Elevation	A unique elevation from the main buildings of the adjacent two (2) homes shall be created through the modulation of at least three (3) of the following architectural features: (a)Length, width and massing of the structure; (b)Number of stories; (c)Façade materials; (d)Porches and other similar articulation of the front façade; (e)Number and location of doors and windows; and (f)Roof style and pitch.	The façade is stucco, glass and cladding, has a flat roof, and has a center porch, which is different than the neighboring facades.
Wall openings	10% for all elevations	10% openings for each façade or greater.
Roof Material	(a) Clay Tile;	Flat roof proposed

	(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.	
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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	> 50%
Front yard landscaped	30% minimum	> 30%
Rear yard landscaped	20% minimum	< 20%
Number of Curb Cuts	One minimum	Two
Curb Cut side set back	5 feet minimum	5 feet
Curb cut width	12 feet width maximum for each	12 feet
Driveway Materials	Limited to the following 1. Pavers 2. Color and texture treated concrete, including stamped concrete 3. Painted concrete shall not be permitted. 4. Asphalt shall not be permitted.	Pavers – Concrete pads

Sec. 90-77 Off-street Parking Requirements

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

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

Required	Required	Proposed
Street trees shall be required at one shade tree/palm tree per 20 linear feet of street frontage thereof along all public or private street right-of-ways in all zoning districts.	9 trees	2 trees

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

Required	Required	Proposed
A minimum of six trees of two different species and 35 shrubs shall be planted per lot – corner lot.	6 trees, 35 shrubs	2 trees

Town of Surfside Adopted Residential Design Guidelines

Building Massing

Required	Proposed
Building forms should be varied enough to avoid monotony and to avoid pyramidal massing and should be compatible with surrounding houses.	Modern Style – Not similar to neighboring houses, not pyramidal

Main Entries

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

Decorative Features

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

Overall Architectural Style

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

Driveway Treatments

Required	Proposed
Town encourages the use of pavers	Pavers

Wall Materials and Finishes

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

Roof Materials, Types, and Slopes

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

Windows and Trims

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

RECOMMENDATION

Staff recommends approval with the following conditions:

1. The property shall meet the Landscape Code requirements of 9 trees and 35 shrubs;
2. Landscaping should be supplied along the front elevation specifically the blank wall areas to soften the appearance.



Town of Surfside

PLANNING & ZONING BOARD

MINUTES

April 27, 2017 – 7:00 p.m.

Town Hall Commission Chambers –
9293 Harding Ave, 2nd Floor, Surfside, FL 33154

The meeting was called to order by Chair Lecour at 8:58 p.m.

The following were present: Chair Lindsay Lecour
Vice Chair Judith Frankel
Board Member Brian Roller
Board Member Richard Iacobacci
Board Member Peter Glynn

Also present: Linda Miller, Town Attorney
Guillermo Olmedillo, Town Manager
Sarah Sinatra Gould, Town Planner
Daniel Gielchinsky, Town Commission Liaison
Elora Riera, Deputy Clerk

- 1. Commissioner Daniel Gielchinsky- Town Commission Liaison Report**
Commissioner Gielchinsky gave an update.
- 2. Planning and Zoning Board Member – Sustainability Subcommittee Liaison Report**
Vice Chair Judith Frankel gave an update. Board Member Iacobacci will attend the next meeting of the Sustainability Subcommittee.
- 3. APPROVAL OF MINUTES: March 30, 2017**
Board Member Roller made a motion to approve. The motion received a second from Vice Chair Frankel and the motion carried 4-1 with Board member Richard Iacobacci absent.
- 4. Quasi-Judicial Application:**
 - A. Casa de Jesus Special Exception Request**

A RESOLUTION OF THE TOWN OF SURFSIDE, FLORIDA PLANNING AND ZONING BOARD; RECOMMENDING APPROVAL OF A SPECIAL EXCEPTION WITH CONDITIONS TO PERMIT AN AFTER-SCHOOL PROGRAM AT CASA DE JESUS, INC. LOCATED AT 228 89TH STREET IN THE TOWN OF SURFSIDE; PROVIDING FOR A SEVERABILITY CLAUSE AND PROVIDING FOR AN EFFECTIVE DATE.

Deputy Clerk Riera read the title of the resolution.

Chair Lecour read the process and rulings of a quasi-judicial hearing.

Deputy Clerk Riera confirmed that compliance with advertising notice requirements have been met. Attorney Miller asked the DRB and Planning and Zoning Board if anyone had ex-parte communications with the Applicant or any objector. All Board Members answered no. Deputy

Clerk Riera swore in the people who wished to speak on the item.

Town Planner Sarah Sinatra presented the item. The applicant spoke in favor of the item.

Chair Lecour opened the public hearing.

Public Speakers:

- Grace Murtada was not in favor of the item and spoke of traffic, parking and safety of children.

-Deborah Cimadevilla who is a member of the church spoke in favor of the item and feels the daycare staff would be highly efficient in seeing the children are kept safe.

No one else wishing to speak the Chair closed the public hearing.

Traffic Engineer Joaquin Vargas answered questions from the Board. There was discussion regarding parking and traffic.

Board Member Roller made a motion to defer the item to May 25, 2017 at 7:00 p.m. or soon thereafter. The motion received a second from Board Member Glynn and all voted in favor.

5. Ordinance:

A. Temporary Signs

AN ORDINANCE OF THE TOWN OF SURFSIDE, FLORIDA AMENDING ARTICLE VI "SIGNS" OF "CHAPTER 90 ZONING" OF THE TOWN OF SURFSIDE CODE OF ORDINANCES; SPECIFICALLY AMENDING SECTION 90-69 "DEFINITIONS"; SPECIFICALLY AMENDING SECTION 90-74 "TEMPORARY SIGNS"; PROVIDING FOR REPEAL OF CONFLICTING PROVISIONS; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

Deputy Clerk Riera read the title of the ordinance.

Town Planner Sarah Sinatra presented the item.

There was discussion as to which signs this ordinance would apply to.

Board Member Glynn made a motion to defer the item and not move it forward to the Town Commission. The motion received a second from Board Member Roller and all voted in favor.

6. Discussion Items:

A. Pedestrian Circulation – Verbal Update

Town Manager Olmedillo gave an update.

B. Sea Level Rise Request to Commission

Town Planner Sinatra gave an update. The Board gave their views on the item and suggestions for the Town Planner for the proposed amendment. Public Speaker Commissioner Michael Karukin, speaking as a resident, spoke about homes being built now and elevation.

C. Summer Schedule

Chair Lecour asked that Deputy Clerk Riera send an email to all Board members of the Summer meeting dates to ensure that there will be quorums for those meetings.

D. Future Agenda Items

7. Adjournment

There being no further business to come before the Planning and Zoning Board the meeting adjourned at 10:31 p.m.

Accepted this ____ day of _____, 2017

Chair Lindsay Lecour

Attest:

Sandra Novoa, MMC
Town Clerk

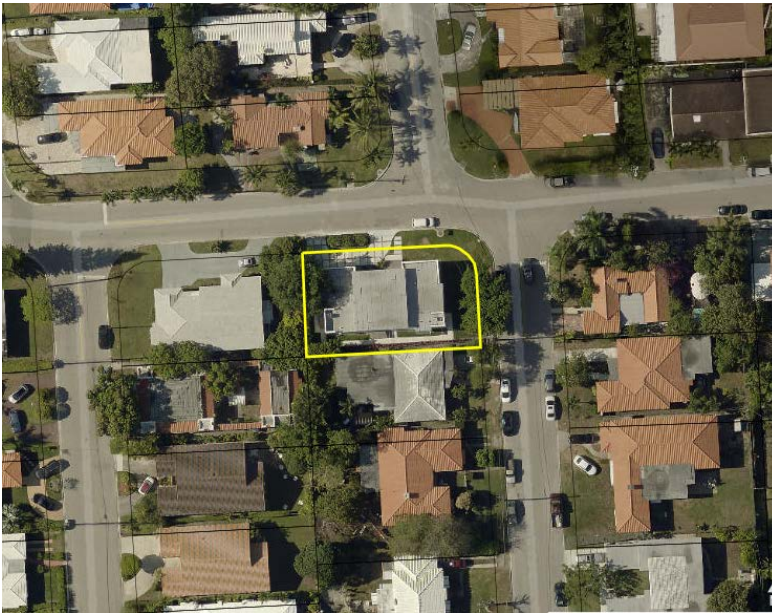


MEMORANDUM

To: Planning and Zoning Board
Thru: Guillermo Olmedillo, Town Manager
From: Sarah Sinatra Gould, AICP, Town Planner
CC: Linda Miller, Town Attorney
Date: May 25, 2017
Re: 400 90th Street – After-The-Fact Approval - Setback Variance

Request

The property owner, Sasha Sadovnik, is requesting a variance from the Town of Surfside Code for the property at 400 90th Street. The applicant request is for two (2) after-the-fact setback variances required in order to bring the property into compliance with the Town's Code. The house was built in 1956 and substantially renovated several years ago with a Town approved building permit. The current home has a 14.79-foot setback from the rear property line (west side) and a 9.68-foot setback on the secondary frontage property line (north side). The current code requires a 20-foot setback to the rear property line and a 10-foot setback to the secondary frontage property line. Therefore, the applicant is requesting a 5.2-foot setback variance for the rear property line (west side) and a 0.32-foot setback variance for the secondary frontage property line (north side).



Background

On March 27, 2012 pursuant to Permit #12-492, the Applicant's father, who is the previous owner, was granted the right to demolish over 50% of the value of the original structure in order to build a new structure on the existing slab. The prior home had non-conforming setbacks. By renovating more than 50% of the value of the home, it lost its non-conforming setbacks and was required to meet current setback requirements. Subsequently, the Applicant received Building Permit #12-433 to rebuild the structure on the existing slab. The building permit was issued by a prior Building Official, who did not request a zoning review of the building permit. The structure was constructed per the approved architectural plans (without zoning review or subsequent review by the Design Review Board) and received all required building trade inspections. It was not until the Applicant applied for a Certificate of Occupancy that an inspector identified the non-compliant rear and secondary frontage setback issues of the structure.

Variance Criteria

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

This property was constructed in 1956 with a 14.87-foot rear setback and a 9.73-foot secondary frontage setback. The code requirements have been modified since that time resulting in a non-conforming structure. The non-conforming code section states that a non-conformity may remain but cannot be enlarged or altered, unless the enlargement or alteration is conforming. However, due to the issuance of a building permit for substantial reconstruction of the original house without zoning review, the original non-conformities were not corrected as required by Code.

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

The existing structure was developed under a different code, which is not the result of the applicant. In addition, the permit was issued for the reconstruction of the structure without requesting zoning review. If the applicant was notified of the setback issues, the property owner may have adjusted the structure or changed the scope of work in order to meet the code requirements. The applicant has worked with staff and agreed to meet the other Code requirements, such as adding windows on the front elevation to meet the 10% wall plane opening requirements.

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

The existing structure does not meet current Code requirements for setbacks. However, had the building permit plan been reviewed as required, the property owner may have modified the scope of work to be in compliance with the current setback requirements or may have renovated less than 50% of the value of the structure in order to retain the non-conforming setbacks.

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

The former home was originally constructed in 1956. It was not deliberately developed to be inconsistent with the Town. It was developed prior to the current Town Code requirements. The current applicant finds herself in a predicament where she applied for all required permits, approvals and inspections prior to the CO only to find out at the end of the process that the structure is non-conforming for setbacks on two sides.

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

Granting of the variance is not intended to assist the applicant in achieving greater financial return, rather the applicant was renovating the home utilizing the original foundation (slab). However, the permit was issued without zoning and Design Review Board review. Zoning would have identified the non-conforming status of the setbacks on the rear and secondary front side of the property and requested modifications of the plans.

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

The original home was developed in 1956. The renovated home's setbacks are substantially the same as the original home. Granting of the variances would not provide the Applicant with more than what was originally approved for the property.

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

The requested variances are the minimum variance needed since it is an after-the-fact request due to circumstance not created by the applicant. If not granted the applicant would need to demolish a portion of the structure to bring the structure into compliance after previously receiving an approved building permit from the Town.

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

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

Recommendation: Staff recommends approval of the variance.

Exhibits

1. Application
2. Site Plan



April 26, 2017

via Hand-Delivery

Ms. Sarah Sinatra Gould, Director
Planning Department
Town of Surfside
9293 Harding Avenue
Surfside, FL 33154

**Re: VARIANCE APPLICATION – 400 90th Street (the “Property”)
Property Owner: Sasha Sadovnik**

Dear Ms. Gould,

This firm represents Ms. Sasha Sadovnik, owner of the above-referenced Property (the “Applicant”). This letter, along with the enclosed Variance Applications and additional documentation, is being submitted in support of our request for two (2) after-the-fact setback variances required in order to bring the Property into compliance with the Town of Surfside’s Code of Ordinances (the “Code”).

The Property consists of 6,860sf and is located in the H30B zoning district. The Property sits on a corner lot; the original structure was built in 1956. Much later when the Town’s Code was modified, increasing property line setbacks were issued and the then existing structure became non-conforming,

On March 27, 2012 pursuant to Permit #12-492, the Applicant’s father, who is the previous owner, was granted the right to demolish over 50% of the structure in order build a new structure on the existing foundation. The Applicant received Building Permit #12-433, issued by the Town’s Building Official, and construction commenced. Between the issuance of the demolition permit and October 9, 2014, all required trade permits were issued by the Town in order to complete the structure pursuant to the architectural plans submitted to and approved by the Town. The construction was completed after having received all required inspection approvals from Town inspectors. However, it was not until the Applicant applied for a Certificate of Occupancy that an inspector identified the non-compliance situation. That is that the structure was constructed without meeting today’s required setbacks.

It is unclear how or why the Building Permit was originally issued and how it was that the Town did not realize in its original review that because the renovations were more than 50% of the existing structure that the new setback requirements had to be applied. To not grant these variances will require the demolition of two sides of the home, which would be a severe penalty for a situation that was not premeditated, nor intended by the Applicant. To not grant these minor variances, would come at a great loss and hardship to the Applicant, which inherited the Property and the project from her father.

The Applicant respectfully requests after-the-fact setback variances for the North side, or “front” of the Property, of .32 feet; and a 5.21foot setback on the West side of the Property, which is considered the “rear” setback. The encroachments currently found are less than the original structure provided. Thus,

the impact to the property owners on the North and West side has not been and won't be negatively affected by the granting of these variances. Moreover, as the Variance Application shows, the requested variances meet all of the criteria set out by the Code.

The Property, and its existing new structure, is in complete harmony with the general intent and purpose of the Town of Surfside Comprehensive Plan and the Code. It is not injurious to the neighborhood or otherwise detrimental to public safety and welfare. It is also compatible with the neighborhood and will not substantially diminish or impair property values within the neighborhood. Rather, the property values are sure to increase by virtue of this new construction.

We respectfully request a recommendation of approval of these variances from the Planning Department and the Planning Board, with subsequent final approval by the Town Commission. If you require any additional information or documentation, please do not hesitate in contacting me.

Thank you, in advance, for your consideration and assistance.

Sincerely,



Lillian A. Ser, Esq.

cc: Ms. Sasha Sadovnik



**TOWN OF SURFSIDE
SUBMISSION CHECKLIST
GENERAL VARIANCE APPLICATION**

Project Name Sadovnik Residence Project Number _____
Review Date _____

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

- Completed "General Variance Application" form
- Statements of ownership and control of the property, executed and sworn to by the owner or owners of one hundred (100) percent of the property described in the application, or by tenant or tenants with the owners' written, sworn consent, or by duly authorized agents evidenced by a written power of attorney if the agent is not a member of the Florida Bar.

N/A

- The written consent of all utilities and/or easement holders if the proposed work encroaches into any easements
- 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. (to be provided prior to Design Review Board Meeting)

- Site Plan (Minimum scale of 1" = 20').
 - ✓ Ten (10) 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) (to be provided prior to Design Review Board Meeting)

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



- A map indicating the general location of the property.
- Written Narrative of request that addresses each of the following standards of review:**
 1. Special conditions and circumstances exist which are peculiar to the land, structure, or building involved, and which are not applicable to other lands, structures, or buildings in the same zoning district;
 2. The special conditions and circumstances do not result from the actions of the applicant or a prior owner of the property;
 3. Literal interpretation of the provisions of the Town Code deprives the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of the Town Code and results in unnecessary and undue hardship on the applicant;
 4. The hardship has not been deliberately or knowingly created or suffered to establish a use or structure which is not otherwise consistent with the Town of Surfside Comprehensive Plan or the Town Code;
 5. An applicant's desire or ability to achieve greater financial return or maximum financial return from his property does not constitute hardship;
 6. Granting the variance application conveys the same treatment to the applicant as to the owner of other lands, buildings, or structures in the same zoning district;
 7. The requested variance is the minimum variance that makes possible the reasonable use of the land, building, or structure; and
 8. The requested variance is in harmony with the general intent and purpose of the Town of Surfside Comprehensive Plan and the Town Code, is not injurious to the neighborhood or otherwise detrimental to the public safety and welfare, is compatible with the neighborhood, and will not substantially diminish or impair property values within the neighborhood.
- Such additional data, maps, plans, or statements as the Town may require to fully describe and evaluate the particular proposed plan.



**TOWN OF SURFSIDE
GENERAL VARIANCE APPLICATION**

A complete submittal includes all items on the "Submission Checklist for General Variance 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.

<u>PROJECT INFORMATION</u>	
OWNER'S NAME	Sasha Sadounik
PHONE / FAX	305-322-6678
AGENT'S NAME	Lillian A. Ser, Esq.
ADDRESS	2100 Ponce de Leon Blvd, St 1180
PHONE / FAX	Coral Gables, FL 33134 305-222-7282
PROPERTY ADDRESS	400 90 th Street, Surfside, FL 33154
ZONING CATEGORY	H30B
DESCRIPTION OF VARIANCE REQUESTED (please use separate sheet)	Rear Setback Variance of 5'2"

<u>INTERNAL USE ONLY</u>	
Date Submitted _____	Project Number _____
Report Completed _____	Date _____
Comments _____	

<u>ZONING STANDARDS</u>	Required	Provided
Lot Coverage	40% Max	39%
Dimension of yards	See Plans	See Plans
Setbacks (F/R/S)	See Plans	See Plans
Parking	See Plans	See Plans
Loading	N/A	N/A
Pervious Area		

SIGNATURE OF OWNER _____

DATE _____

SIGNATURE OF AGENT _____

DATE 4/22/17

Tenant or Owner Affidavit

I, Sasha Sadovnik, being first duly sworn, depose and say that I am the owner/tenant of the property described and which is the subject matter of the proposed hearing; that all the answers to the questions in this application, and all sketch data and other supplementary matter attached to and made a part of the application are honest and true to the best of my knowledge and belief. I understand this application must be completed and accurate before a hearing can be advertised. In the event that I or any one appearing on my behalf is found to have made a material misrepresentation, either oral or written, regarding this application, I understand that any development action may be voidable at the option of the Town of Surfside

Sasha Sadovnik
Print Name of Petitioner

[Signature]
Signature of Petitioner

STATE OF FLORIDA COUNTY OF MIAMI-DADE

The foregoing instrument was acknowledged before me this 25th day of APRIL, 20 17, by Sasha Sadovnik who is personally known to me or who has produced DRIVERS LICENSE as identification and who (did) (did not) take an oath.

Jessica Treto
Printed Name of Notary Public

[Signature]
Signature of Notary Public

My Commission Expires:

Attorney Affidavit

I, Lillian A. Ser, being first duly sworn, depose and say that I am a State of Florida Attorney at Law, and I am the Attorney for the Owner/Applicant of the property described and which is the subject matter of the proposed hearing; that all the answers to the questions in this application, and all sketch data and other supplementary matter attached to and made a part of this application are honest and true to the best of my knowledge and belief. I understand this application must be complete and accurate before a hearing can be advertised. In the event that I or any one appearing on my behalf is found to have made a material misrepresentation, either oral or written, regarding this application, I understand that any variance, special exception or plat approval shall be voidable at the option of the Town of Surfside

Lillian A. Ser
Print Name of Petitioner

[Signature]
Signature of Petitioner

STATE OF FLORIDA COUNTY OF MIAMI-DADE

The foregoing instrument was acknowledged before me this 25th day of APRIL, 20 17, by Lillian A. Ser who is personally known to me or who has produced N/A. as identification and who (did) (did not) take an oath.

JESSICA TRETO
Printed Name of Notary Public

[Signature]
Signature of Notary Public

My Commission Expires:



Corporation Affidavit

I/We, _____, being first duly sworn, depose and say that I/we are the President/Vice President, and Secretary of the aforesaid corporation, and as such, have been authorized by the corporation to file this application for public hearing; that all answers to the questions in said application and all sketches, data and other supplementary matter attached to and made a part of this application are honest and true to the best of our knowledge and belief; that said corporation is the owner/tenant of the property described herein and which is the subject matter of the proposed hearing. We understand that this application must be complete and accurate before a hearing can be advertised. In the event that for any one appearing on our behalf is found to have made a material misrepresentation, either oral or written, regarding this application, I understand that any development action may be voidable at the option of the Town of Surfside

Print Name of Petitioner

Signature of Petitioner

STATE OF _____

COUNTY OF _____

The foregoing instrument was acknowledged before me this _____ day of _____, 19_____, by _____ who is personally known to me or who has produced _____ as identification and who (did) (did not) take an oath.

Printed Name of Notary Public

Signature of Notary Public

My Commission Expires:

Disclosure of Interest

If the property, which is the subject of the application, is owned or leased by a CORPORATION, list the principal stockholders and the percentage of stock owned by each. Note: where the principal officers or stockholders consist of another corporation(s), trustee(s), partnership(s) or other similar entities, further disclosure shall be required which discloses the identity of the individual (s) (natural persons) having the ultimate ownership interest in the aforementioned entity.

Corporation Name

Name, Address and Office

Percentage of Stock

If the property which is the subject of the application is owned or leased by a TRUSTEE, list the beneficiaries of the trust and the percentage of interest held by each. [Note: where the beneficiary (ies) consist of corporation (s), another trust(s), partnerships) or other similar entities, further disclosure shall be required which discloses the identity of the individual(s) (natural persons) having the ultimate ownership interest in the aforementioned entity.]

Trust Name

Name, Address and Office

Percentage of Stock

If the property which is the subject of the application is owned or leased by a PARTNERSHIP or LIMITED PARTNERSHIP, list the principals of the partnership, including general and limited partners, and the percentage of ownership held by each. [Note: where the partners(s) consist of another partnership(s), corporation(s), trust(s), or other similar entities, further disclosure shall be required which discloses the identity of the individual(s) (natural persons) having the ultimate ownership interest in the aforementioned entity.]

Partnership of Limited Partnership Name

Name, Address

Percentage of Ownership

If there is a CONTRACT FOR PURCHASE, whether contingent on this application or not, and whether a Corporation, Trustee, or Partnership, list the names of the contract purchasers below, including the principal officers, stockholders, beneficiaries, or partners. [Note: where the principal officers, stockholders, beneficiaries, or partners consist of another corporation, trust, partnership, or other similar entities, further disclosure shall be required which discloses the identity of the individual(s) (natural person) having the ultimate ownership interest in the aforementioned entity].

_____ Name	_____ Date of Contract
_____ Name and Address	_____ Percentage of Interest
_____ _____ _____	_____ _____ _____

If any contingency clause or contract terms involve additional parties, list all individuals or officers, if a corporation, partnership, or trust.

_____ _____ _____	_____ _____ _____
-------------------------	-------------------------

For any changes of ownership or changes in contracts for purchase subsequent to the date of the application, but prior to the date of final public hearing, a supplemental disclosure of interest shall be filed. The above is full disclosure of all parties of interest in this application to the best of my knowledge and belief.

Signature of Applicant Print Name of Applicant

State of _____ County of _____

The foregoing instrument was Sworn to and Subscribed before me this _____ day of _____, 200__ by _____ who is personally known to me or who has produced _____ as identification.

Printed Name of Notary Public Signature of Notary Public

My commission Expires:

Note: Disclosure shall not be required of any entity, the equity interests in which are regularly traded on an established securities market in the United States or other country; or of any entity, the ownership interest of which are held in a limited partnership consisting of more than 5,000 separate interest and where no one person or entity holds more than a total of 5% of the ownership interest in the limited partnership.

**General Variance Application
Written Narrative of request**

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

The property, located at 400 90th Street (the "Property") sits on a corner lot. The structure was built in 1956. At that time, the Property provided for the following setbacks:

Original Setbacks Provided	
Front (East)	25.70 ft
Rear (West)	14.87 ft
Side Interior (South)	10.46 ft
Side Corner Lot (North)	9.73 ft

At some point, the Town's zoning regulations were changed and the following setbacks were established:

Currently Required Setbacks	
Front (East)	20ft
Rear (West)	20ft
Side Interior (South)	6.1ft
Side Corner Lot (North)	10ft

Thus, at the time the Zoning Code was modified, the structure became a non-conforming structure.

On March 27, 2012 pursuant to Permit #12-492, the Town of Surfside (the "Town") granted the applicant the right to demolish over 50% of the structure and build a new structure on the existing foundation. Between the first demolition permit and October 9, 2014, all required trade permits were issued by the Town in order to complete the pursuant to the architectural plans submitted to the Town on January 1, 2012. The Applicant received Building Permit #12-433 issued by the Town's Building Official and construction commenced.

Over a period of several years, the construction was completed after having received all required inspection approvals from Town inspectors. Then, it was not until the Applicant applied for a Certificate of Occupancy that an inspector

identified the non-compliance situation, which is that the structure was constructed without meeting today's required setbacks.

Below is a summary showing original encroachments (non-conforming structure) and the existing encroachments. As you will note, the encroachments are less than the original encroachments found on the Property.

SETBACK SUMMARY					
	New Regs Required	Original Structure	Original Encroachments	New Construction Provides	Existing Encroachments
Front (East)	20ft	25.70 ft	None	23.58ft	None
Rear (West)	20ft	14.87 ft	11.1 ft	14.79ft	5.21ft
Side Interior (South)	6.1 ft	10.46ft	None	10.32ft	None
Side Corner Lot (North)	10ft	9.73 ft	.27	9.68ft	.32ft

Today, the lot coverage of homes in the neighborhood remains largely unchanged. In other words, the distance between properties have not changed from the original construction back in the late 1950s. As such, the granting of these variances would not negatively affect the neighbor to the North or West. In fact, one can say that the setbacks/encroachments remain the same. There has been no enlargement of the encroachment. No diminishment of area between the subject Property and adjacent properties to the North and West.

It is unclear how or why the Building Permit was originally issued and how it was that the Town did not realize in its original review that because of the extent of the renovations, the structure could no longer maintain the original setbacks. And, now, the Applicant has spent a very large sum of money for the construction of the existing structure. To not grant these variances will require the demolition of two sides of the home, which would be a severe penalty for a situation that was not premeditated nor intended. To not grant these minor variances, would come at a great loss to the Applicant, which inherited the Property and the project from her father, who is elderly and incapacitated to the extent that Applicant cannot obtain any further knowledge as to the original Town review and issuance of the Building Permit.

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

The Applicant did not directly cause the existing circumstance. The original building permit plans were submitted in good faith. The Town, in turn and in good faith, issued all required permits and conducted all necessary inspections throughout the construction. For this reason, the Applicant was never aware that there was an issue. Moreover, the Applicant has agreed to modify the existing structure to add additional windows at her expense in order to meet the requests of the Town Planner. Apparently, the original plans also did not meet the design criteria in regards to windows. Plans are being prepared for the requested windows and the Applicant will be complete the reconstruction as quickly as possible.

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

The current code creates an extraordinary hardship for property owners in this neighborhood in that the original structures were built with smaller setbacks. Thus, in order to be able to modernize any of the existing homes by more than 50% will result in a much smaller structure. In this case, it is clear that an error occurred in the initial review and that permit after permit, inspection after inspection was conducted as if the project met all required setbacks. Moreover, all work was done to Code and in good faith. The encroachments from the original structure to the new structure are not that different. Thus, it would only require minimal setback variances to bring this property into compliance, which other property owners perhaps can seek in the future if found in the same situation.

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

The Applicant finds herself in a predicament where she obtained all required permits, approvals and inspections as required by the Town Code. She's also incurred substantial cost in constructing a beautiful new residential home. She did not deliberately or knowingly create the need for these variances. And, other than the need for these minor variances, the project is consistent with the Town of Surfside's Comprehensive Plan and Town Code.

- 5. An applicant's desire or ability to achieve greater financial return or maximum financial return from his property does not constitute hardship.**

The current encroachments did not substantially change the under air square footage of the house. The error in not meeting all of the required setbacks was not done to achieve a greater financial return. Rather, the new structure was basically designed using the original foundation. The only error that occurred, however, is that when the building plans were being reviewed, no one realized that the structure now had to conform to the new setback requirements.

- 6. Granting the variance application conveys the same treatment of the applicant as to the owner of other lands, buildings, or structures in the same zoning district.**

As stated above, the neighborhood remains largely unchanged from the late 1950s where the homes were constructed with very small setbacks. Granting of these variances would not provide the Applicant with anything more than what was originally approved for the site. In fact, the encroachments remain substantially the same.

- 7. The requested variance is the minimum variance that makes possible the reasonable use of the land, building, or structure.**

The Applicant is requesting the minimum variance to make reasonable use of the existing structure. The granting of this variance, the need for which was not caused by the Applicant, will allow the continued use of a beautiful, modern home in keeping with the Surfside standards of design.

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

The requested variance is in complete harmony with the general intent and purpose of the Town of Surfside Comprehensive Plan and the Town Code, it is not injurious to the neighborhood or otherwise detrimental to public safety and welfare. It is also compatible with the neighborhood and will not substantially diminish or impair property values within the neighborhood. Rather, the property values are sure to increase by virtue of this new construction.



TOWN OF SURFSIDE
OFFICE OF PLANNING AND ZONING BOARD HEARING

NOTICE IS HEREBY GIVEN that a public hearing will be held by the Planning and Zoning Board of the Town of Surfside, Florida, in the Commission Chambers, 9293 Harding Avenue, Surfside, Florida on **THURSDAY, May 25 at 7:00 p.m.**, to consider the following VARIANCE application:

Application: Sadovnik Setback Variance Request

Location: 400 90th Street

Summary: The applicant is requesting an after-the-fact .32ft setback variance on the North and a 5.21ft setback variance on the West.

Requests: Pursuant to Section 90-36 of the Town Zoning Code, permits setback variances.

Plans, prepared by Jose Conde, R.A., are on file and may be examined in the Building Department

Legal Description: Normandy Beach 2nd Amended Plat, PB 16-44, Lot 18, Blk 8

Size of Property: 6,860 Square Feet

Zone: H30B

All persons are invited to appear at this meeting or be represented by an agent, or to express their views in writing addressed to the Town Clerk, Town of Surfside, 9293 Harding Avenue, Surfside, Florida, 33154. Maps and other data pertaining to these applications are available for public inspection during normal business hours in Surfside, Florida. Any zoning hearing may be continued at this meeting and under such circumstances, additional legal notice would not be provided. Any persons wishing to speak at a public hearing should register with the Town Clerk prior to that item being heard. Inquiries regarding the item may be directed to the Town's Building Department at (305)861-4863. Please refer to the hearing number when making an inquiry. If a person decides to appeal any decision made by the Town Commission with respect to any matter considered at such meeting or hearing, they 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 includes the testimony and evidence upon which the appeal is to be based. This notice does not constitute consent by the Town for introduction or admission of otherwise inadmissible or irrelevant evidence, nor does it authorize challenges or appeals not otherwise allowed by law. Any person wishing to appeal any decision made with respect to any matter considered at this meeting or hearing will need a record of the proceeding and for such purpose may need to ensure that a verbatim record of the proceeding is made; which record includes the testimony and evidence upon which the appeal is to be made. In accordance with the Americans with Disabilities Act of 1990, individuals who need special accommodations in order to attend or to participate in this proceeding should contact the Office of the Town Clerk, (305) 861-4863, no later than seven (7) days prior to the proceeding in order to request such assistance.



OFFICE OF THE PROPERTY APPRAISER

Summary Report

Generated On : 4/4/2017

Property Information	
Folio:	14-2235-005-1130
Property Address:	400 90 ST Surfside, FL 33154-3228
Owner	SASHA SADOVNIK
Mailing Address	400 - 90 ST SURFSIDE, FL 33154 USA
PA Primary Zone	0800 SGL FAMILY - 1701-1900 SQ
Primary Land Use	0101 RESIDENTIAL - SINGLE FAMILY : 1 UNIT
Beds / Baths / Half	3 / 2 / 0
Floors	1
Living Units	1
Actual Area	2,215 Sq.Ft
Living Area	1,844 Sq.Ft
Adjusted Area	2,021 Sq.Ft
Lot Size	6,860 Sq.Ft
Year Built	1956



Assessment Information			
Year	2016	2015	2014
Land Value	\$497,442	\$339,371	\$288,380
Building Value	\$140,662	\$140,662	\$137,024
XF Value	\$0	\$0	\$0
Market Value	\$638,104	\$480,033	\$425,404
Assessed Value	\$468,012	\$425,466	\$386,788

Benefits Information				
Benefit	Type	2016	2015	2014
Non-Homestead Cap	Assessment Reduction	\$170,092	\$54,567	\$38,616

Note: Not all benefits are applicable to all Taxable Values (i.e. County, School Board, City, Regional).

Short Legal Description
NORMANDY BEACH 2ND AMD PL PB 16-44 LOT 18 BLK 8 LOT SIZE 61.250 X 112

Taxable Value Information			
	2016	2015	2014
County			
Exemption Value	\$0	\$0	\$0
Taxable Value	\$468,012	\$425,466	\$386,788
School Board			
Exemption Value	\$0	\$0	\$0
Taxable Value	\$638,104	\$480,033	\$425,404
City			
Exemption Value	\$0	\$0	\$0
Taxable Value	\$468,012	\$425,466	\$386,788
Regional			
Exemption Value	\$0	\$0	\$0
Taxable Value	\$468,012	\$425,466	\$386,788

Sales Information			
Previous Sale	Price	OR Book-Page	Qualification Description
03/27/2011	\$340,000	27677-2071	Qual by exam of deed
10/01/1972	\$47,500	00000-00000	Sales which are qualified

The Office of the Property Appraiser is continually editing and updating the tax roll. This website may not reflect the most current information on record. The Property Appraiser and Miami-Dade County assumes no liability, see full disclaimer and User Agreement at <http://www.miamidade.gov/info/disclaimer.asp>

Version:



Subject Property



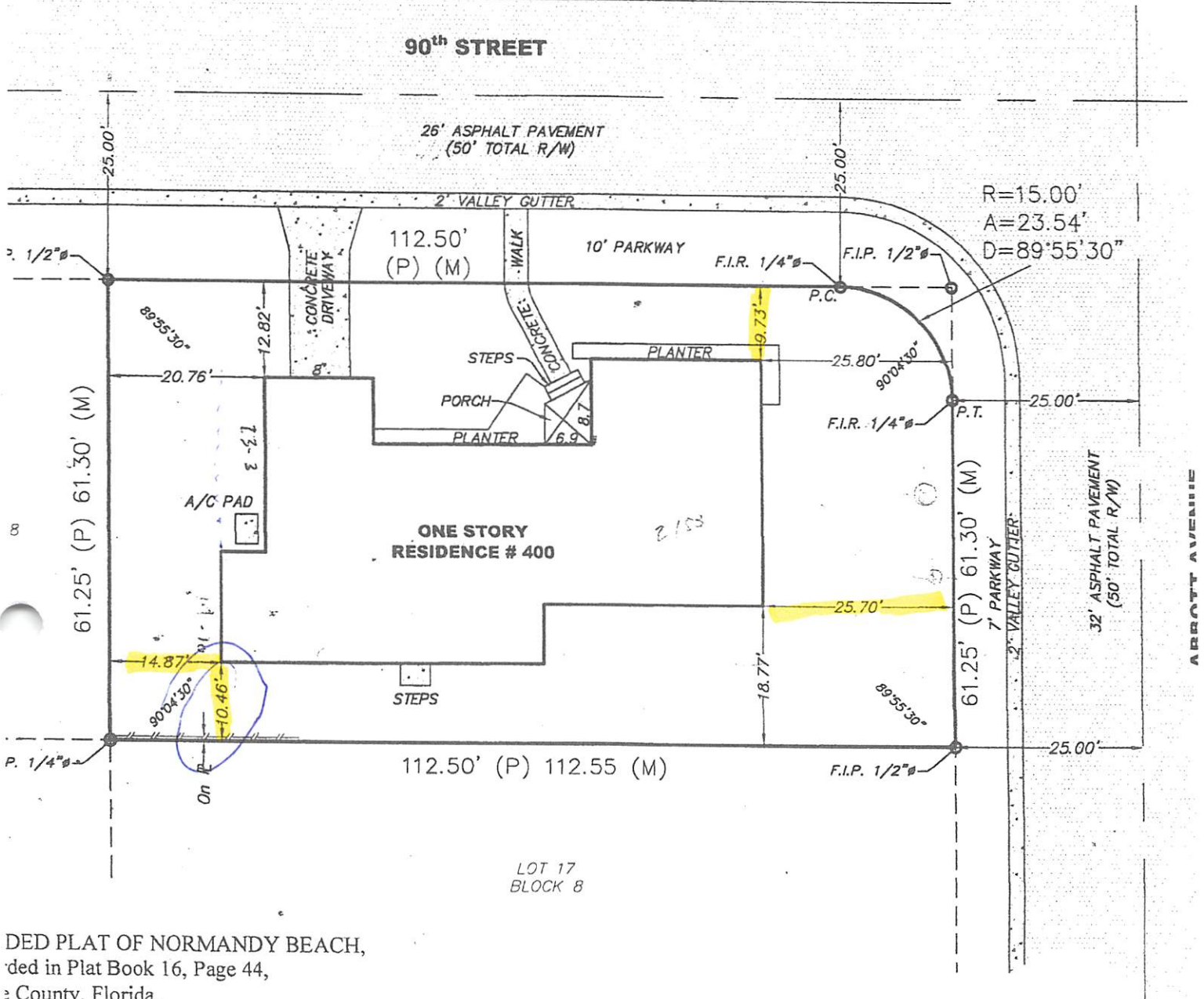
Browsing Search Results 1 - 11 of 11 results

<p>1. 8989 BYRON AVE SURFSIDE, FL 33154-3450 Owner(s): 8989 BYRON LLC Last Sale: \$1,077,500 on 11/05/2015</p>	<p>PID # 14-2235-005-0980 Market Value: \$584,482 Assessed Value: \$584,482 Waterfront: Covered Parking: No</p>	<p>Bedrooms: 6 Bathrooms: 6 Stories: 1 No Pool: No Land Area:</p>	<p>Living Area: 2,816 sf Total Area: 2,816 sf Year Built: 1935 Land Area: 5,650 sf</p>
<p>2. 8975 ABBOTT AVE SURFSIDE, FL 33154-3430 Owner(s): IPI HOLDINGS LLC Last Sale: \$480,000 on 09/02/2014</p>	<p>PID # 14-2235-005-0810 Market Value: \$618,836 Assessed Value: \$508,748 Waterfront: Covered Parking: GARAGE, UNFINISHED</p>	<p>Bedrooms: 2 Bathrooms: 1 Stories: 1 No Pool: No Land Area:</p>	<p>Living Area: 1,470 sf Total Area: 1,750 sf Year Built: 1930 Land Area: 6,860 sf</p>
<p>3. 424 90TH ST SURFSIDE, FL 33154-3228 Owner(s): ZAMEK MIGUEL & LE ESTHER F ZAMEK FREEMAN REM ALINA & ZAMEK ALBERT Last Sale: on 09/01/2006</p>	<p>PID # 14-2235-005-0972 Market Value: \$699,929 Assessed Value: \$246,877 Waterfront: Covered Parking: GARAGE, FINISHED</p>	<p>Bedrooms: 3 Bathrooms: 2 Stories: 1 No Pool: No Land Area:</p>	<p>Living Area: 1,992 sf Total Area: 2,422 sf Year Built: 1990 Land Area: 6,921 sf</p>
<p>4. 8951 ABBOTT AVE SURFSIDE, FL 33154-3430 Owner(s): PAZOS CONCEPCION M PAZOS KARLA M Last Sale: on 07/01/2004</p>	<p>PID # 14-2235-005-0830 Market Value: \$803,657 Assessed Value: \$241,377 Waterfront: Covered Parking: No</p>	<p>Bedrooms: 4 Bathrooms: 3 Stories: 1 No Pool: No Land Area:</p>	<p>Living Area: 2,929 sf Total Area: 2,954 sf Year Built: 1950 Land Area: 8,400 sf</p>

5.	9001 ABBOTT AVE SURFSIDE, FL 33154-3235 Owner(s): RADELAT FELIPE A RADELAT ANA I Last Sale: \$94,900 on 03/01/1985	PID # 14-2235-001-0580 Market Value: \$584,977 Assessed Value: \$439,355 Waterfront: Covered Parking: No	Bedrooms: 3 Bathrooms: 2 Stories: 1 No Pool:	3 Living Area: 1,619 sf 2 Total Area: 2,325 sf 1 Year Built: 1954 No Land Area: 6,160 sf
6.	9000 ABBOTT AVE SURFSIDE, FL 33154-3236 Owner(s): 9000 ABBOTT LLC Last Sale: \$750,000 on 11/10/2015	PID # 14-2235-001-0940 Market Value: \$554,492 Assessed Value: \$554,492 Waterfront: Covered Parking: GARAGE, FINISHED	Bedrooms: 3 Bathrooms: 2 Stories: 1 No Pool:	3 Living Area: 1,302 sf 2 Total Area: 1,672 sf 1 Year Built: 1937 No Land Area: 6,160 sf
7.	9000 HARDING AVE SURFSIDE, FL 33154-3226 Owner(s): DANZINGER SHLOMO DANZINGER ROCHEL LEAH Last Sale: \$450,000 on 05/18/2012	PID # 14-2235-001-0410 Market Value: \$618,532 Assessed Value: \$403,246 Waterfront: Covered Parking: No	Bedrooms: 3 Bathrooms: 2.5 Stories: 1 No Pool:	3 Living Area: 2,070 sf 2.5 Total Area: 2,140 sf 1 Year Built: 1980 No Land Area: 6,160 sf
8.	9008 ABBOTT AVE SURFSIDE, FL 33154-3236 Owner(s): GARCIA SORAYA-BATISTA & MARIO Last Sale: \$125,000 on 09/01/1994	PID # 14-2235-001-0950 Market Value: \$477,537 Assessed Value: \$169,078 Waterfront: Covered Parking: GARAGE, UNFINISHED	Bedrooms: 2 Bathrooms: 2 Stories: 1 No Pool:	2 Living Area: 1,257 sf 2 Total Area: 1,641 sf 1 Year Built: 1937 No Land Area: 5,600 sf
9.	8959 ABBOTT AVE SURFSIDE, FL 33154-3430 Owner(s): KOCAK AZIZ & FERIDE Last Sale: \$35,000 on 04/01/2005	PID # 14-2235-005-0820 Market Value: \$537,132 Assessed Value: \$293,920 Waterfront: Covered Parking: GARAGE, UNFINISHED	Bedrooms: 3 Bathrooms: 2 Stories: 1 No Pool:	3 Living Area: 1,734 sf 2 Total Area: 2,056 sf 1 Year Built: 1953 No Land Area: 5,600 sf
10.	400 90TH ST SURFSIDE, FL 33154-3228 Owner(s): SADOVNIK SASHA Last Sale: \$340,000 on 03/27/2011	PID # 14-2235-005-1130 Market Value: \$638,104 Assessed Value: \$468,012 Waterfront: Covered Parking: GARAGE, UNFINISHED	Bedrooms: 3 Bathrooms: 2 Stories: 1 No Pool:	3 Living Area: 1,844 sf 2 Total Area: 2,215 sf 1 Year Built: 1956 No Land Area: 6,860 sf
11.	8958 ABBOTT AVE SURFSIDE, FL 33154-3431 Owner(s): PAZ FERNANDO C PAZ ANA INTRIERI Last Sale: \$426,000 on 03/30/2012	PID # 14-2235-005-1120 Market Value: \$508,766 Assessed Value: \$312,439 Waterfront: Covered Parking: GARAGE, UNFINISHED	Bedrooms: 3 Bathrooms: 2 Stories: 1 No Pool:	3 Living Area: 1,804 sf 2 Total Area: 2,108 sf 1 Year Built: 1956 No Land Area: 5,600 sf

© PropertyKey, Inc., 2017 | Information is believed accurate but not guaranteed and should be independently verified.

Old Survey



DED PLAT OF NORMANDY BEACH,
ded in Plat Book 16, Page 44,
e County, Florida.

is Lending, Inc,
IA.

e Company.

"THIS
DATE I
TRAI

NOTES:

- No Visible encroachments.
- No Platted easements on this Lot.

FLOOD ZONE AE	COMM. No. 120659	PANEL No. 0163	SUFFIX: L	ELEVATION NOTE: (IF APPLICABLE) L.F.Elev.= <u>7.77</u> (lowest habitable floor elevation). Elevation shown hereon refer to N.G.V.D. 1929. Lowest adjacent grade elevation= <u>5.5</u> BM. <u>T-243</u> Elev.= <u>12.98</u> Garage Elev.= <u>5.99</u> Erp.= <u>N/A</u>	Not valid unless it bears the signature and the original raised seal of Florida licensed Surveyor and Mapper.
F.I.R.M.DATE 09/11/09	F.I.R.M.INDEX 09/11/09	BASE ELEV. + 8.0 N.G.V.D.			

FLC
AND
Co

ARCHITECT:



JOSE R CONDE R.A.
REG. / AR. 000924
MAIL: 11000 N. 15th AVE, SUITE 100, DALLAS, TX 75244
PHONE: (214) 594 0685
E-MAIL: jose@joseconde.com

PROJECT TITLE:
SADOVNIK HOUSE
RENOVATION

OWNER:
4000 STREET
SURFIDE FL 31514
760 280 2745

DESIGNER:
DETAIL CONSTRUCTION
09-19-2011
FOR PERMIT:
01-15-2012

PROJECT COORDINATOR:
DRAWING TITLE:
SITE PLAN

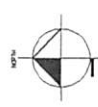
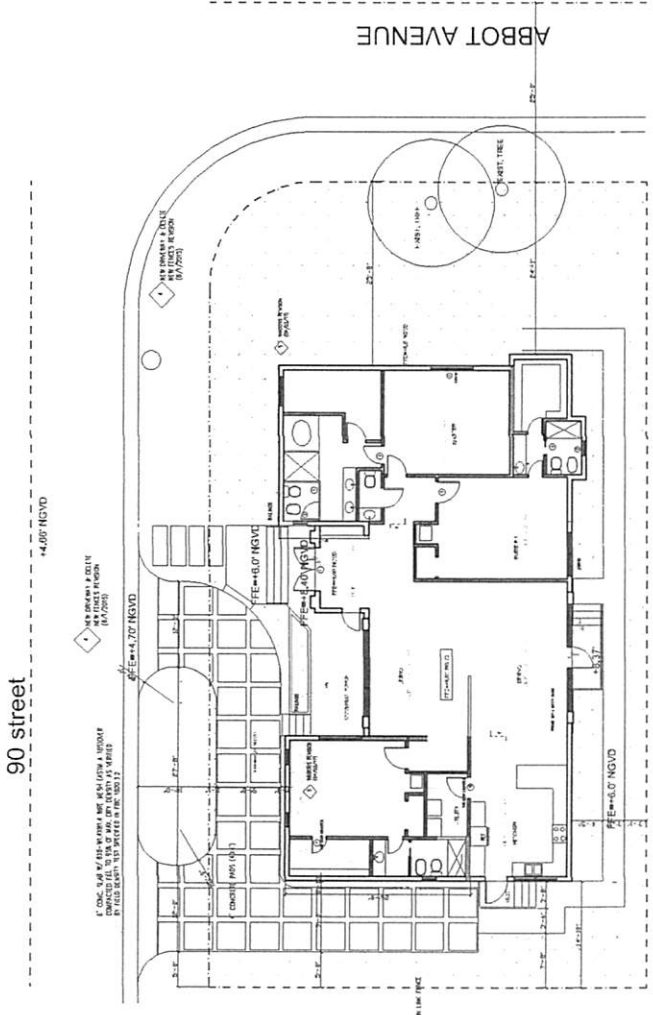
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6/1/12
CONTRACT NUMBER:
WORKSHEET:
4/1/12

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AS SHOWN
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CHECKED BY:
PROJECT NO.:

DATE:
6/1/12
CONTRACT NUMBER:
WORKSHEET:
4/1/12



40' X 60' INCHES (SHEET) 5/8"
DRAWING NUMBER:
A1



SCALE: 1/8" = 1'-0"

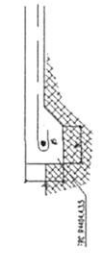
Table with 2 columns: Item, Description. Includes items like 'CONCRETE DRIVEWAY', 'CONCRETE WALKWAY', 'CONCRETE STEPS', etc.

Table with 2 columns: Item, Description. Includes items like 'CONCRETE DRIVEWAY', 'CONCRETE WALKWAY', 'CONCRETE STEPS', etc.

SCOPE OF WORK:
REINFORCE EXTERIOR WALLS AS INDICATED
PROVIDE NEW ROOF AS INDICATED
PROVIDE NEW WINDOWS AND DOORS AS INDICATED
PROVIDE NEW MEP AS INDICATED
ELEVATE FLOOR AS INDICATED
EASTING FENCES TO REMAIN



STEPS DETAIL



WALKWAY DETAIL

GENERAL NOTES

- List of general notes for the construction project, including notes on site preparation, foundation, framing, and finishes.

LEGAL DESCRIPTION:
TRACT 10, BLOCK 10, SUBDIVISION 10, COUNTY 10, STATE 10

ARCHITECT:



JOSE R CONDE R.A.
REG. # JR 00024
5555 WALK STONE #700
WALK FLOOR, S.W.S.
PHONE: (202) 391 0685
E-MAIL: jose@jrcos.com

PROJECT TITLE:

SADOVNIK
HOUSE
RENOVATION

400 20 STREET
SURREY BC V3L 2L4

CLIENT:
DETAIL CONSTRUCTION
766 266 7295

ISSUE & REVISIONS:
DATE: 01-15-2011
FOR NAME: 01-15-2012

PROJECT COORDINATOR

DRAWING TITLE:
DEMOLITION PLAN

REVISIONS:
DATE: 1/7/12

SCALE:
UNITS: FEET & INCHES
DRAWN BY: P.C.
CAD NAME: SACOMBA_S324
PROJECT NO: 2011-030

NO. AND DATE DRAWN PER
DRAWING NUMBER

A2

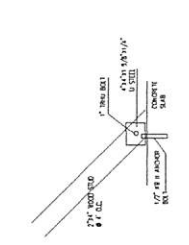
OF 1

DEMOLITION NOTES
SEE TECHNICAL BUILDING CHAPTER 14

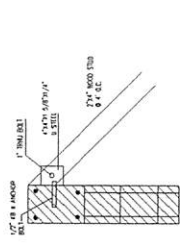
1. Contractor shall verify the location and depth of existing existing services.
2. Contractor to take care of the building structure during demolition.
3. All work shall comply with chapter 14 section 1402 of IBC 2000.
4. Structure shall be demolished in accordance with the following sequence:
Contractor shall verify the location of any services in the structure.
Contractor shall verify the location of any services in the structure.
Contractor shall verify the location of any services in the structure.
5. Contractor shall verify the location of any services in the structure.
6. Contractor shall verify the location of any services in the structure.
7. Contractor shall verify the location of any services in the structure.
8. Contractor shall verify the location of any services in the structure.
9. Contractor shall verify the location of any services in the structure.
10. Contractor shall verify the location of any services in the structure.

WALLS KEY

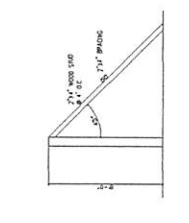
- 1" ON EDGE TO BE DEMO
- 6" ON EDGE TO REMAIN
- 1/2" ON EDGE TO BE DEMO
- 1/2" ON EDGE TO REMAIN



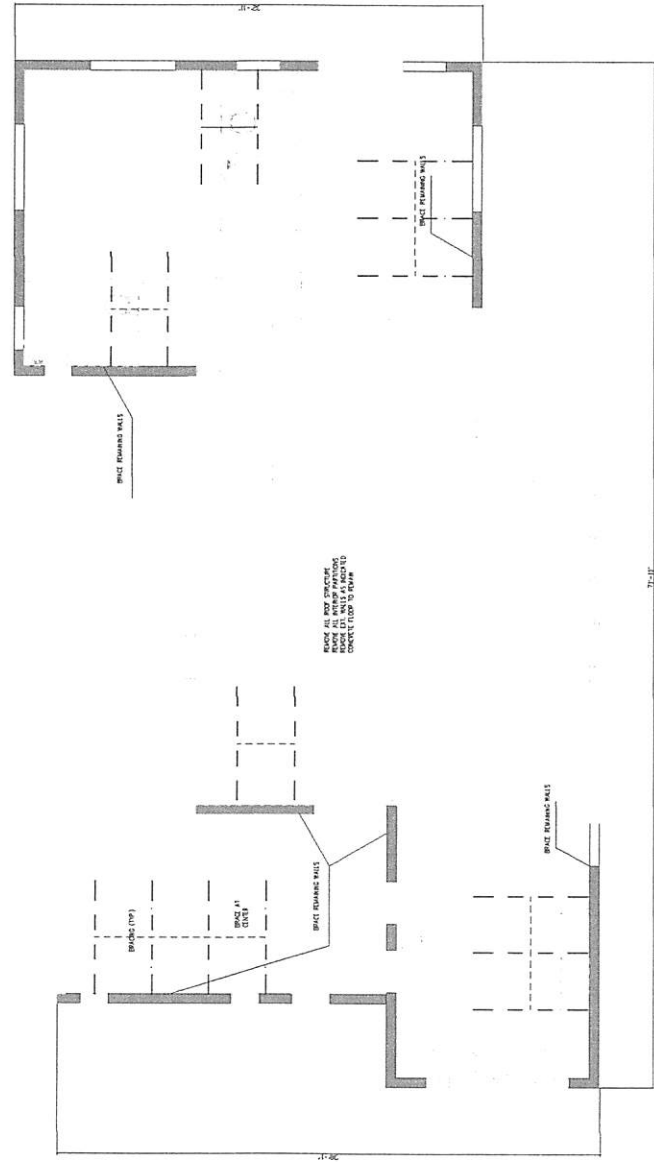
BRACING DETAIL AT WALL SCALE: 1/4"=1'-0"



BRACING DETAIL AT FLOOR SCALE: 1/4"=1'-0"



BRACING SECTION SCALE: 1/4"=1'-0"



DEMOLITION PLAN SCALE: 1/4"=1'-0"

ARCHITECT:



JOSE R CONDE R.A.
 REG. # A-000124
 8308 MILLS DRIVE #109
 PHOENIX, AZ 85028
 E-MAIL: jose@jrcconde.com

PROJECT TITLE:

SADOVNIK HOUSE RENOVATION

3820 STREET
 SURPHISE AZ 85144

CLIENT:
 DETAIL CONSTRUCTION
 704.246.7245

ISSUED & REVISED:
 01-15-2011
 01-15-2012

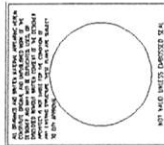
PROJECT COORDINATOR:

DRAWING TITLE:

FLOOR PLAN

DATE: 7/2/12
 STRUCTURES: 4/2/12

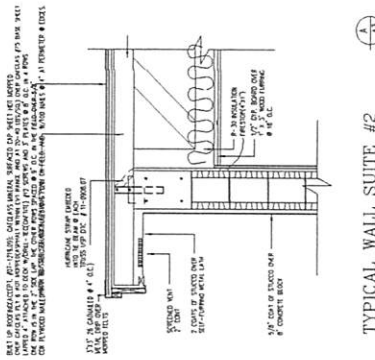
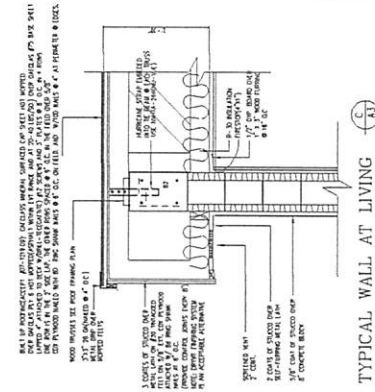
SCALE: INDICATED
 LINES: 1/16" & 1/32"
 DRAWN BY: SADDAM S. SALAM
 PROJECT NO.: 2011-020



NOT VALID UNLESS APPROVED BY ARCHITECT

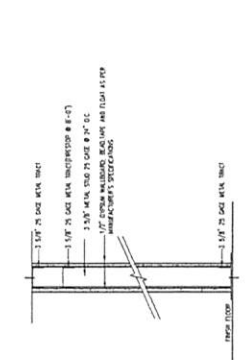
A3

OF



NO.	DESCRIPTION	WALL	HEIGHT	FINISH	REMARKS
1	1/2" RIGID FOAM INSULATION	WALL	8'-0"	1/2"	SEE SECTION FOR DETAILS
2	1/2" STUCCO	WALL	8'-0"	1/2"	SEE SECTION FOR DETAILS
3	1/2" GYPSUM BOARD	WALL	8'-0"	1/2"	SEE SECTION FOR DETAILS
4	1/2" METAL LATH	WALL	8'-0"	1/2"	SEE SECTION FOR DETAILS
5	1/2" RIGID FOAM INSULATION	WALL	8'-0"	1/2"	SEE SECTION FOR DETAILS
6	1/2" STUCCO	WALL	8'-0"	1/2"	SEE SECTION FOR DETAILS
7	1/2" GYPSUM BOARD	WALL	8'-0"	1/2"	SEE SECTION FOR DETAILS
8	1/2" METAL LATH	WALL	8'-0"	1/2"	SEE SECTION FOR DETAILS
9	1/2" RIGID FOAM INSULATION	WALL	8'-0"	1/2"	SEE SECTION FOR DETAILS
10	1/2" STUCCO	WALL	8'-0"	1/2"	SEE SECTION FOR DETAILS
11	1/2" GYPSUM BOARD	WALL	8'-0"	1/2"	SEE SECTION FOR DETAILS
12	1/2" METAL LATH	WALL	8'-0"	1/2"	SEE SECTION FOR DETAILS

NO.	DESCRIPTION	WALL	HEIGHT	FINISH	REMARKS
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SCALE: 1/4" = 1'-0"

FLOOR PLAN

SCALE: 1/4" = 1'-0"

WALLS KEY
 1/2" STUCCO
 1/2" GYPSUM BOARD
 1/2" METAL LATH
 1/2" RIGID FOAM INSULATION

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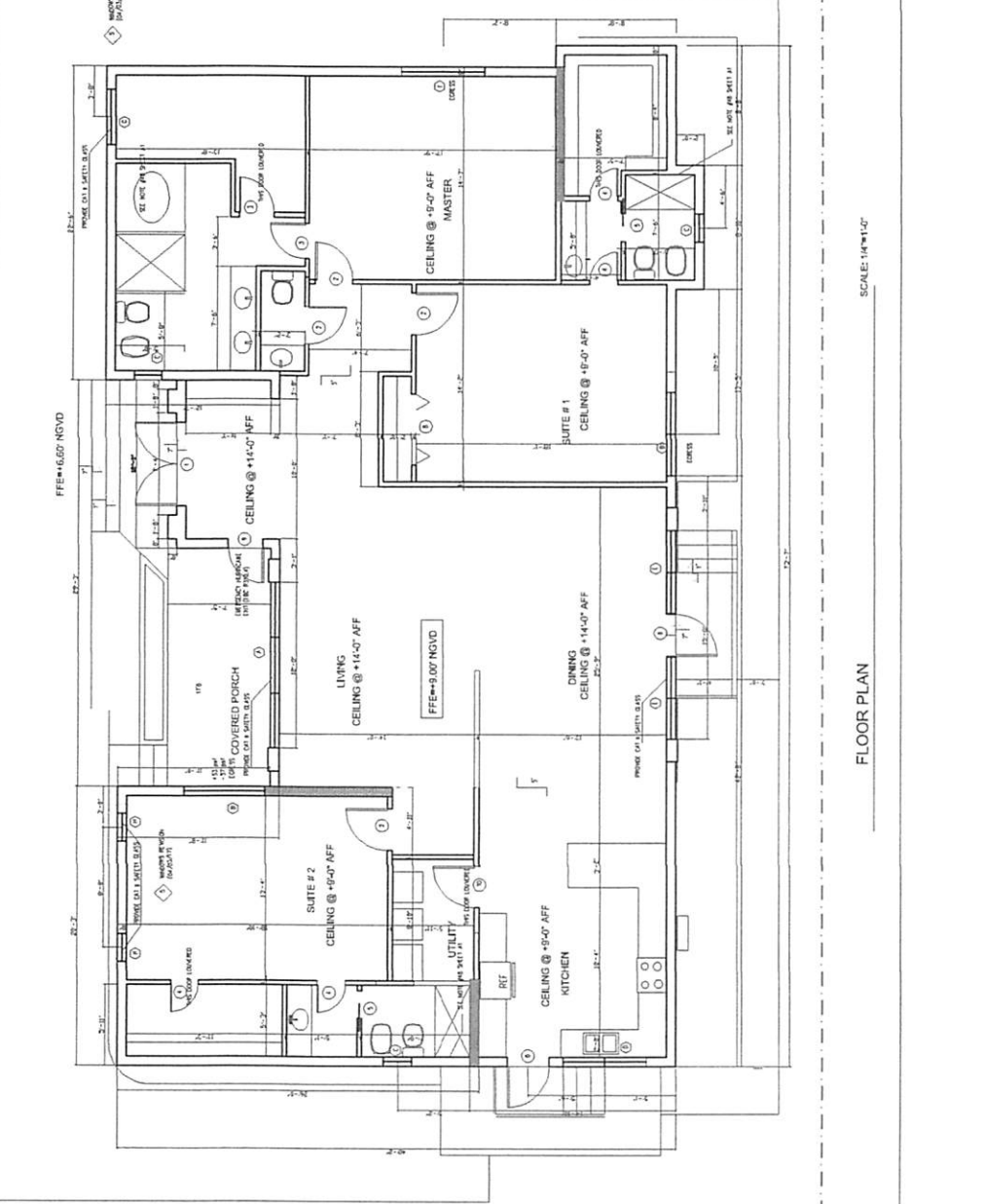
1/2" STUCCO
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1/2" STUCCO
 1/2" GYPSUM BOARD
 1/2" METAL LATH
 1/2" RIGID FOAM INSULATION



ARCHITECT:



JOSE R. CONDE R.A.
REC. # AR 000794
8300 MILLS DRIVE #109
HOUSTON, TEXAS 77033
PHONE: (281) 591-8888
FAX: (281) 591-8889
E-MAIL: jose@jrcarch.com

PROJECT TITLE:

SADOVNIK
HOUSE
RENOVATION

3800 BAY STREET
SUITE 101
HOUSTON, TX 77024

CLIENT:
DR. I. VIL CONSTRUCTION
786.286.7945

DESIGN & PREPARED BY:
DATE: 12/11/11
CHECKED BY:
DATE: 01/12/12

PROJECT COORDINATOR:

DRAWING TITLE:

ELEVATIONS

REVISIONS: DATE
STRUCTURES: 12/11/11
WINDOWS: 4/17/12

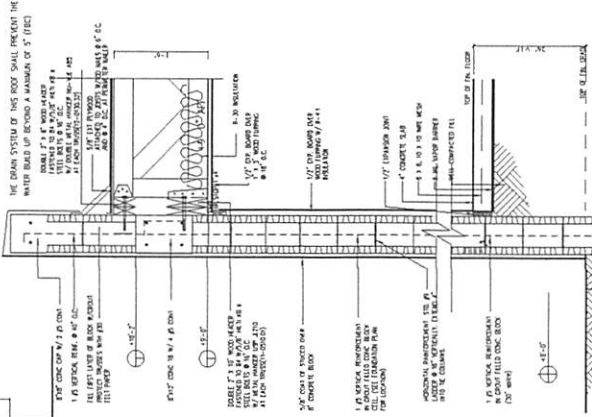
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DRAWN BY: JRC
CHECKED BY: JRC
DATE: 12/11/11

PROJECT NO.: 2011-020
DATE: 12/11/11
SCALE: 1/4" = 1'-0"
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CHECKED BY: JRC
DATE: 12/11/11

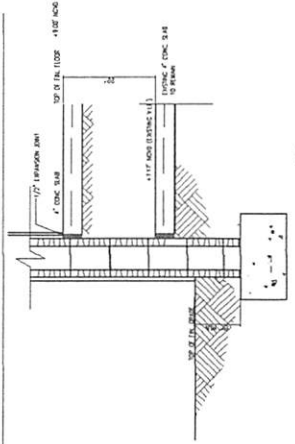
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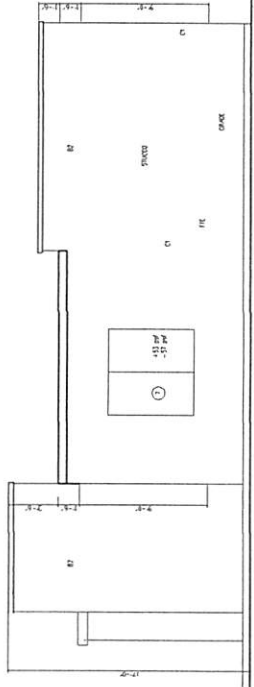
1514.4.2 Downflow drains and scuppers. Where roof drains are required, overflow drains having the same size as the roof drains shall be installed with the overflow line located 2 inches (51 mm) above the top of the roof drain. The overflow drain shall be a minimum of 1/2 inches (12.7 mm) in diameter and shall be installed with the overflow line located 2 inches (51 mm) above the top of the roof drain. The overflow drain shall be a minimum of 1/2 inches (12.7 mm) in diameter and shall be installed with the overflow line located 2 inches (51 mm) above the top of the roof drain. The overflow drain shall be a minimum of 1/2 inches (12.7 mm) in diameter and shall be installed with the overflow line located 2 inches (51 mm) above the top of the roof drain.



TYPICAL WALL SECTION
SCALE: 1/4" = 1'-0"



NEW SLAB DETAIL
SCALE: 1/4" = 1'-0"

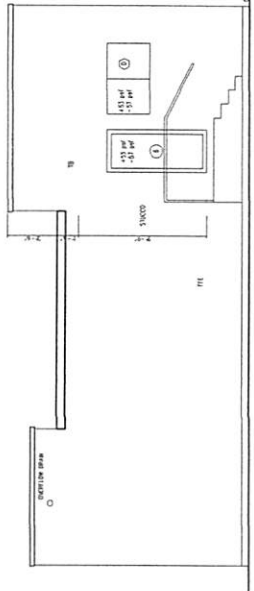


EAST ELEVATION
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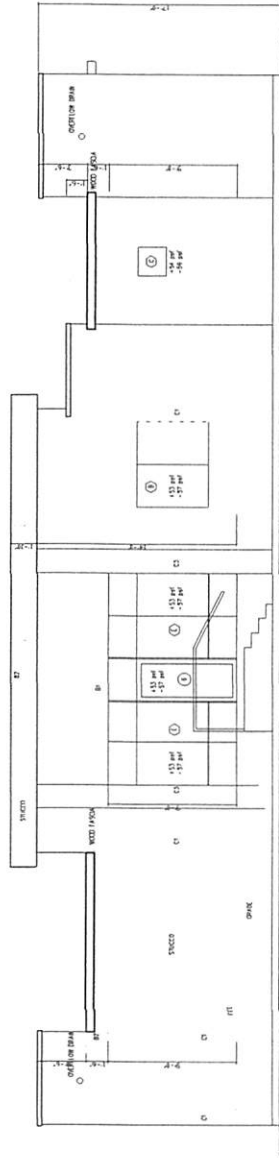
ELEVATIONS AREAS

ELEVATION	FINISH AREA	NO. OF WINDOWS	NO. OF DOORS	TOTAL AREA
WEST	1000	1	1	1000
EAST	1000	1	1	1000
SOUTH	1000	1	1	1000
NORTH	1000	1	1	1000
TOTAL	4000	4	4	4000

NOTE: WINDOWS & DOOR PRESSURES ARE "ASD" CONVERTED

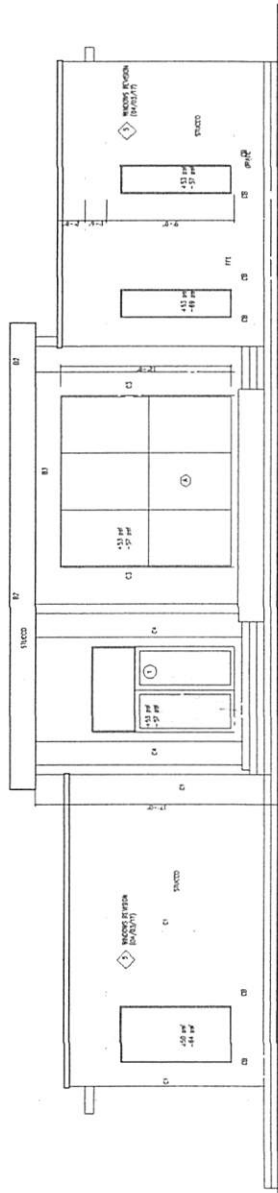


WEST ELEVATION
SCALE: 1/4" = 1'-0"



SOUTH ELEVATION
SCALE: 1/4" = 1'-0"

NOTE: WINDOWS & DOOR PRESSURES ARE "ASD" CONVERTED



NORTH ELEVATION
SCALE: 1/4" = 1'-0"

1355N.W. 97th AVE. SUITE 200
 MIAMI, FLORIDA 33172
 TELEPHONE: (305) 264-2660
 FAX: (305) 264-0229

Nova Surveyors Inc.

SURVEY No. 12-0000927-4

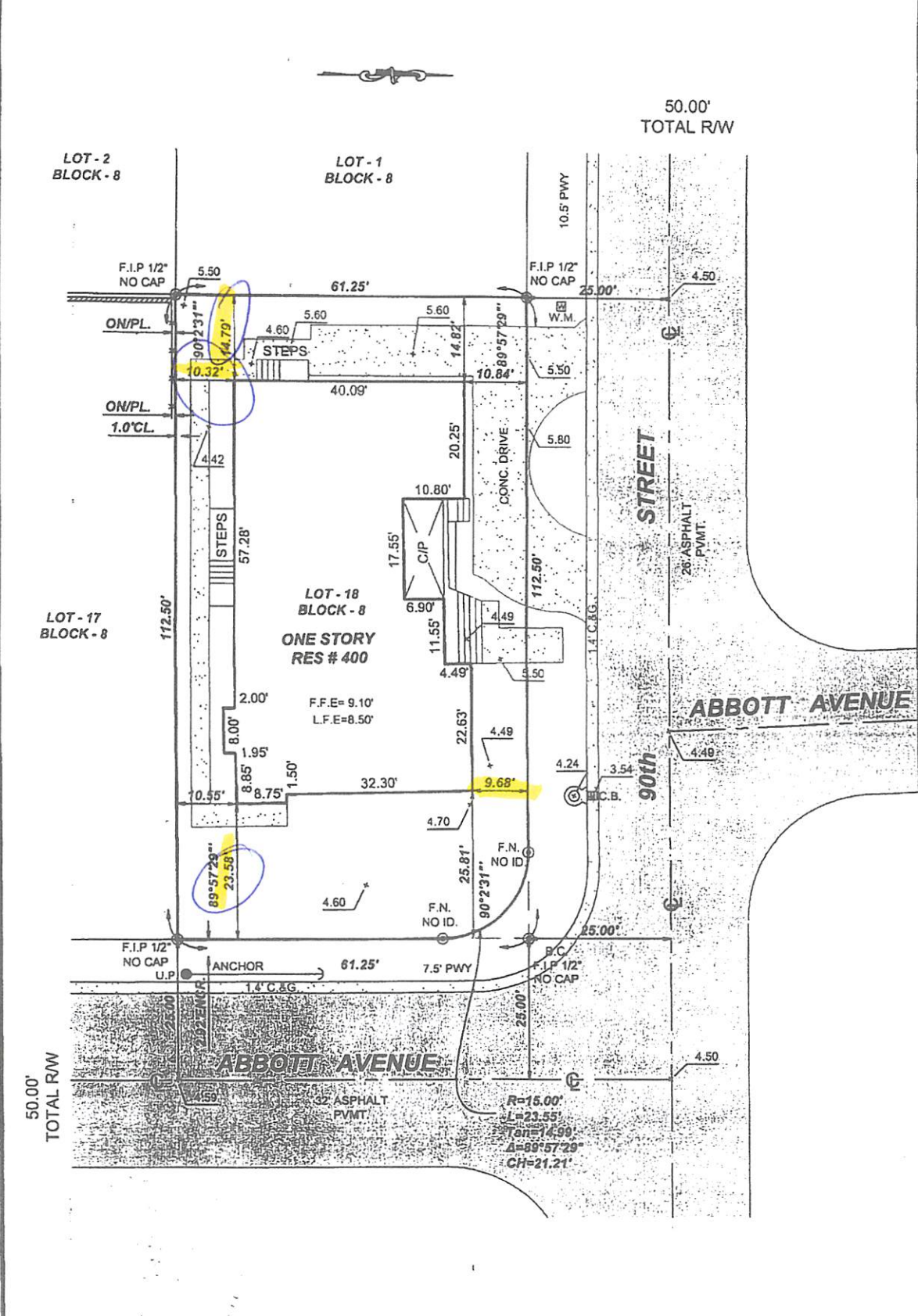
LAND SURVEYORS

SHEET No. 2 OF 2

DRAWN BY: AL (LG.)

BOUNDARY SURVEY

SCALE = 1" = 20'



SURVEYOR'S NOTE:
 There may be Easements recorded in the Public Records not shown on this Survey.

New Survey



STOP

400

0
5



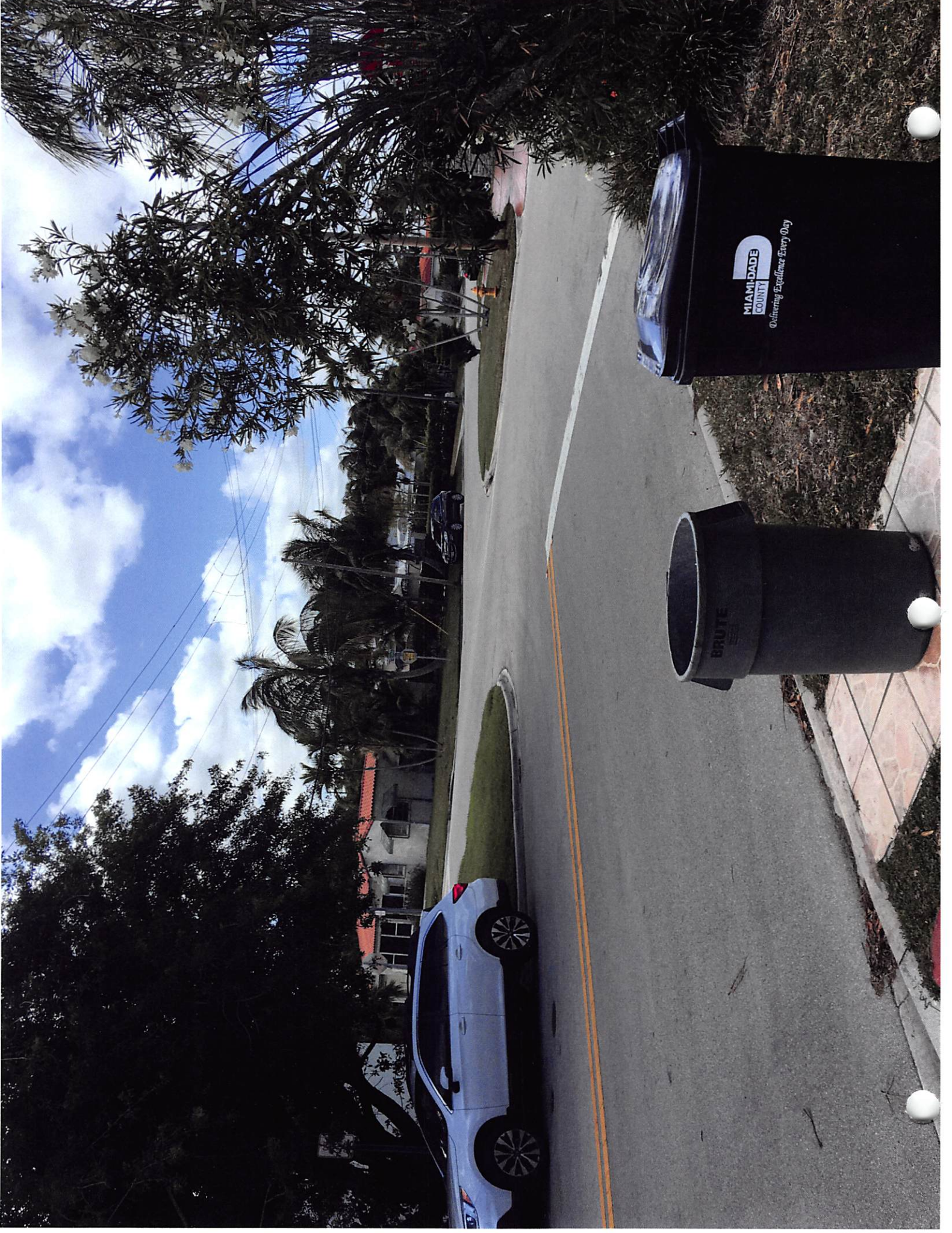




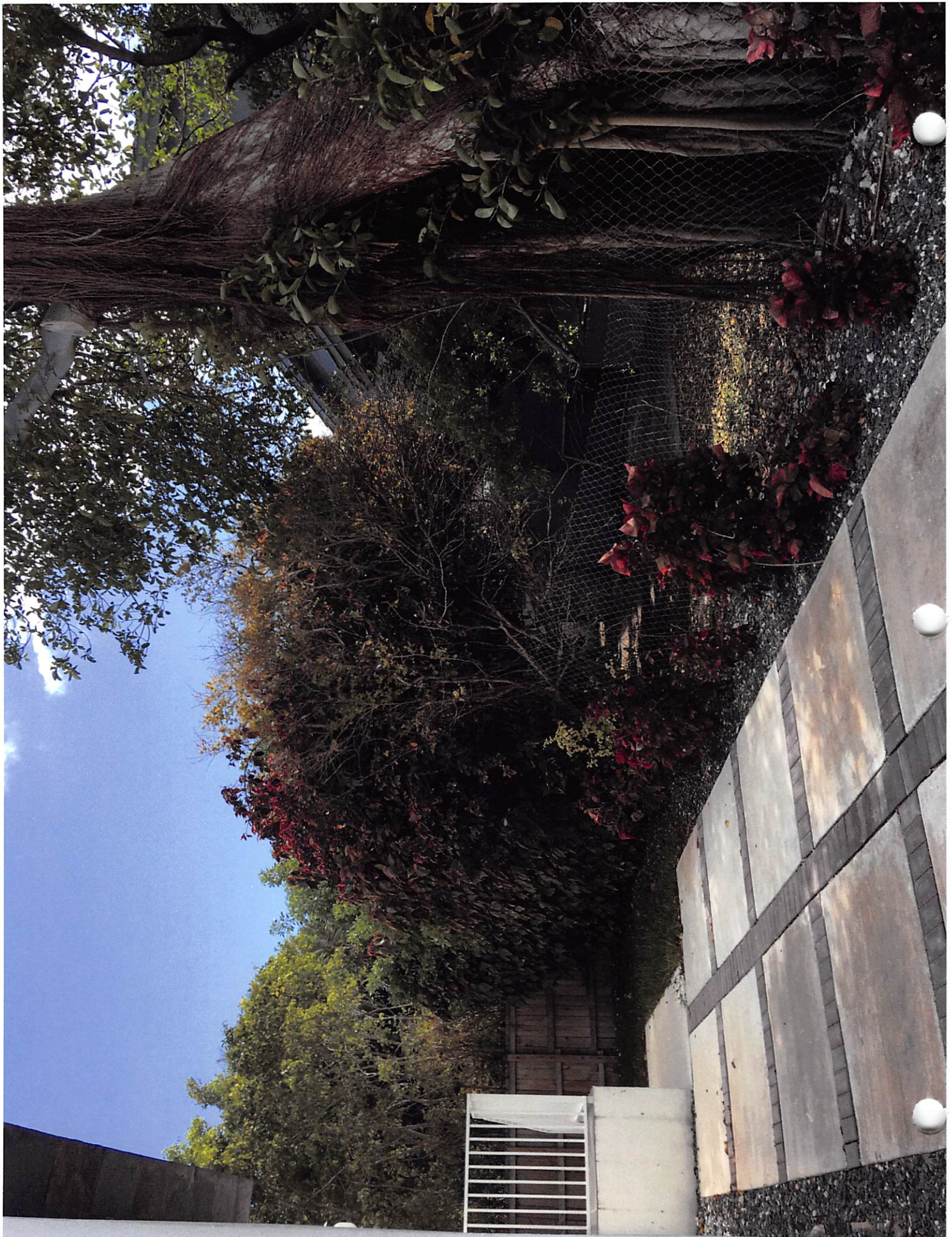










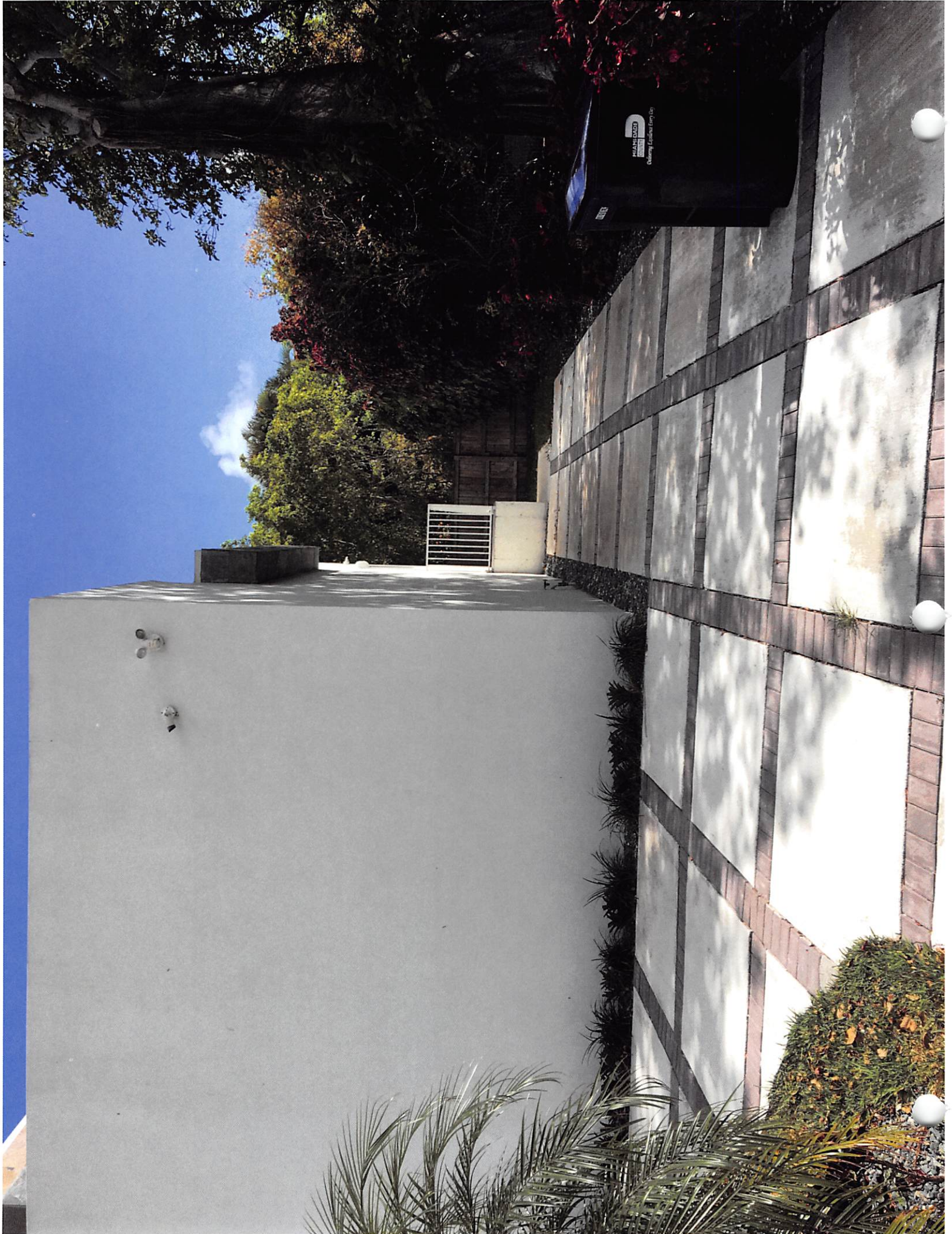






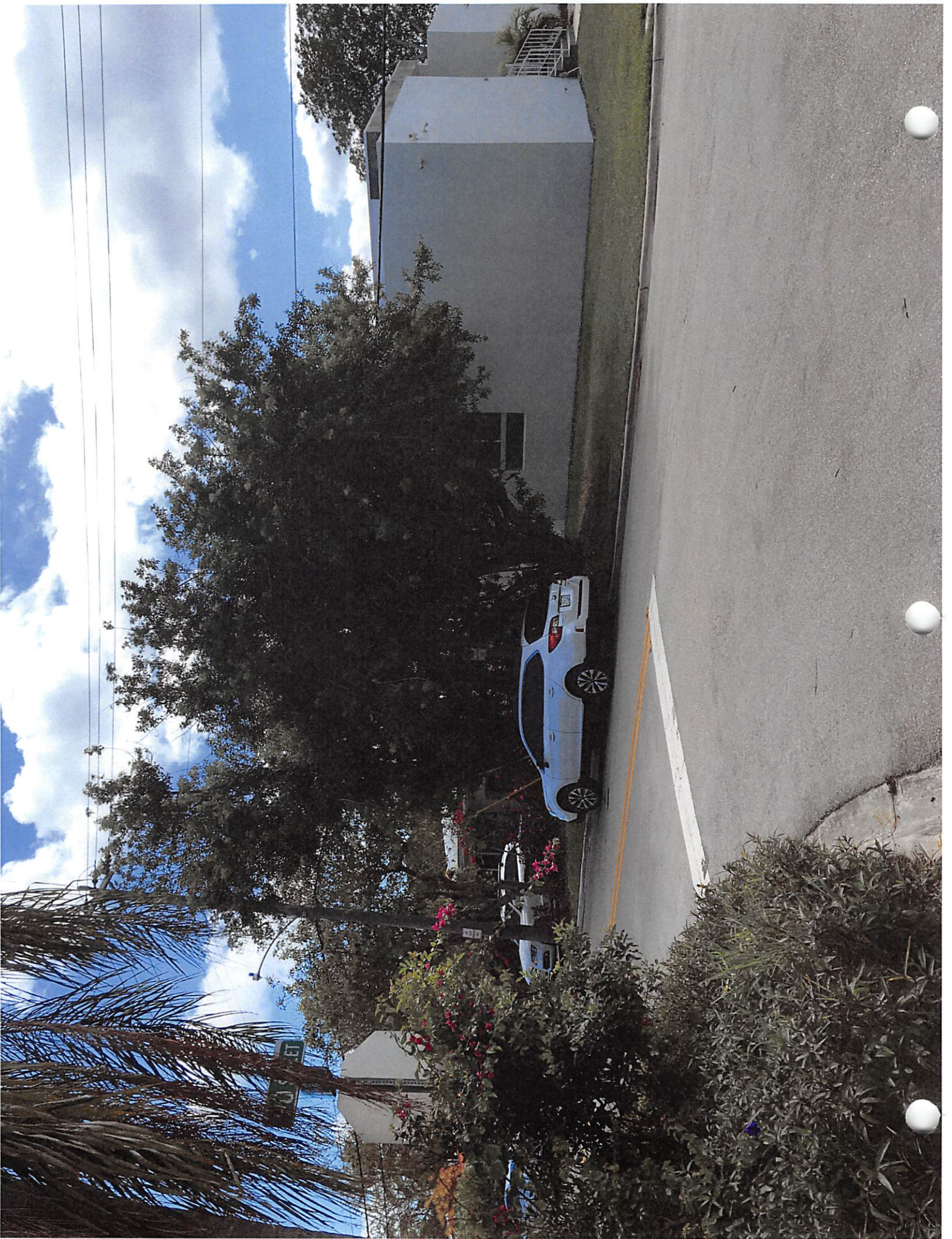














**TOWN OF SURFSIDE PLANNING AND ZONING BOARD
RESOLUTION NO. 17-Z-____**

**A RESOLUTION OF THE TOWN OF SURFSIDE,
FLORIDA PLANNING & ZONING BOARD CONSIDERING
THE APPLICATION OF 400 90TH STREET TO PERMIT A
VARIANCE FROM THE REQUIREMENTS OF SECTION
90-45 "SETBACKS" OF THE TOWN OF SURFSIDE CODE
OF ORDINANCES; TO ALLOW AN AFTER-THE-FACT
0.32 FOOT SETBACK VARIANCE ON THE NORTH
(CORNER SIDE OF LOT) AND A 5.21 FOOT SETBACK
VARIANCE ON THE WEST (REAR SIDE OF LOT);
PROVIDING FOR RECOMMENDATION OF APPROVAL;
PROVIDING FOR AN EFFECTIVE DATE.**

WHEREAS, the property owner, Sasha Sadovnik (Applicant), is requesting an after-the-fact variance from the Town of Surfside Code for the single-family home located at 400 90th Street within the Residential Single Family H30B Zoning District (Attachment "A" Legal Description); and

WHEREAS, Applicant's request is for two (2) after-the-fact setback variances required in order to bring the property into compliance with the Town's Code; and

WHEREAS, Section 90-45 of the Town of Surfside Code of Ordinances requires a 20-foot setback to the rear property line and a 10-foot setback to the secondary frontage property line for single-story structures up to 15 feet in height; and

WHEREAS, the existing home, which was built in 1956, was substantially renovated several years ago with a Town approved building permit; and

WHEREAS, by renovating more than 50% of the value of the home, the property lost its non-conforming setbacks and was required to meet current setback requirements; and

WHEREAS, subsequently, Applicant received Building Permit #12-433 to rebuild the structure on the existing slab. The building permit was issued by a prior Building Official, who did not request a zoning review of the building permit; and

WHEREAS, the structure was constructed per the approved architectural plans and received all require building trade inspections; and

WHEREAS, it was not until Applicant applied for a Certificate of Occupancy that an inspector identified the non-compliant rear and secondary frontage setback issues of the structure; and

WHEREAS, the existing home has a 14.79-foot setback from the rear property line (west side) and a 9.68-foot setback on the secondary frontage property line (north side); and

WHEREAS, the Applicant is requesting an unnecessary and undue hardship variance from the Town of Surfside Code to allow an after-the-fact 0.32 foot setback variance on the north (corner side of lot) and a 5.21 foot setback variance on the west (rear side of lot); and

WHEREAS, Section 90-36 of the Town of Surfside Code of Ordinances provides an unnecessary and undue hardship variance shall be approved only if the variance applicant demonstrates by clear and convincing evidence that all of the following are met and satisfied:

- a. Special conditions and circumstances exist which are peculiar to the land, structure, or building involved, and which are not applicable to other lands, structures, or buildings in the same zoning district;
- b. The special conditions and circumstances do not result from the actions of the applicant or a prior owner of the property;
- c. Literal interpretation of the provisions of the Zoning Code deprives the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of the Zoning Code and results in unnecessary and undue hardship on the applicant;
- d. The hardship has not been deliberately or knowingly created or suffered to establish a use or structure which is not otherwise consistent with the town comprehensive plan or the Zoning Code;
- e. An applicant's desire or ability to achieve greater financial return or maximum financial return from his property does not constitute hardship;
- f. Granting the variance application conveys the same treatment to the applicant as to the owner of other lands, buildings, or structures in the same zoning district;
- g. The requested variance is the minimum variance that makes possible the reasonable use of the land, building, or structure; and
- h. The requested variance is in harmony with the general intent and purpose of the town comprehensive plan and the Zoning Code, is not injurious to the neighborhood or otherwise detrimental to the public safety and welfare, is compatible with the neighborhood, and will not substantially diminish or impair property values within the neighborhood.

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

WHEREAS, Town Staff has reviewed the application and recommends approval of the unnecessary and undue hardship variance; and

WHEREAS, on May 25, 2017, the Planning and Zoning Board recommended approval of the after-the fact variance.

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

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

Section 2. Variance. The Planning and Zoning Board finds the requested variance meets the variance criteria set forth in Section 90-36 of the Town of Surfside Code of Ordinances and recommends approval of the variance from the requirements of Section 90-45 of the Town of Surfside Code of Ordinances to allow an after-the-fact 0.32 foot setback variance on the north (corner side of lot) and a 5.21 foot setback variance on the west (rear side of lot) based on the following variance criteria:

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

This property was constructed in 1956 with a 14.87-foot rear setback and a 9.73-foot secondary frontage setback. The Code requirements have been modified since that time resulting in a non-conforming structure. The non-conforming Code section states that a non-conformity may remain but cannot be enlarged or altered, unless the enlargement or alteration is conforming. However, due to the issuance of a building permit for substantial reconstruction of the original house without zoning review, the original non-conformities were not corrected as required by Code.

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

The existing structure was developed under a different Code, which is not the result of the applicant. In addition, the permit was issued for the reconstruction of the structure without requesting zoning review. If the applicant was notified of the setback issues, the property owner may have adjusted the structure or changed the scope of work in order to meet the Code requirements. The applicant has worked with staff and agreed to meet the other Code requirements, such as adding windows on the front elevation to meet the 10% wall plane opening requirements.

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

The existing structure does not meet current Code requirements for setbacks. However, had the building permit plan been reviewed as required, the property owner may have modified the scope of work to be in compliance with the current setback requirements or may have renovated less than 50% of the value of the structure in order to retain the non-conforming setbacks.

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

The former home was originally constructed in 1956. It was not deliberately developed to be inconsistent with the Town. It was developed prior to the current Town Code requirements. The current applicant finds herself in a predicament where she applied for all required permits, approvals and inspections prior to the CO only to find out at the end of the process that the structure is non-conforming for setbacks on two sides.

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

Granting of the variance is not intended to assist the applicant in achieving greater financial return, rather the applicant was renovating the home utilizing the original foundation (slab). However, the permit was issued without zoning and Design Review Board review. Zoning would have identified the non-conforming status of the setbacks on the rear and secondary front side of the property and requested modifications of the plans.

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

The original home was developed in 1956. The renovated home's setbacks are substantially the same as the original home. Granting of the variances would not provide the Applicant with more than what was originally approved for the property.

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

The requested variances are the minimum variance needed since it is an after-the-fact request due to circumstance not created by the applicant. If not granted the applicant would need to demolish a portion of the structure to bring the structure into compliance after previously receiving an approved building permit from the Town.

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

The requested variances are in harmony with the general intent and purpose of the Town of Surfside Comprehensive Plan and the Town Code, it is not injurious to the neighborhood or otherwise detrimental to the public safety and welfare. It is

also compatible with the neighborhood and will not substantially diminish or impair property values within the neighborhood.

Section 3. Approval. The Planning and Zoning Board recommends approval of this after-the-fact variance.

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

PASSED AND ADOPTED this _____ day of May, 2017

Motion by Planning and Zoning Board Member _____,

Second by Planning and Zoning Board Member _____.

FINAL VOTE ADOPTION

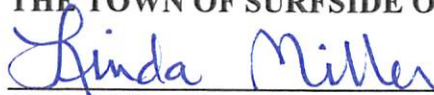
Member Peter Glynn _____
Member Richard Iacobacci _____
Member Brian Roller _____
Vice Chair Judith Frankel _____
Chair Lindsay Lecour _____

Lindsay Lecour, Chair

ATTEST:

Sandra Novoa, MMC
Town Clerk

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



Linda Miller, Town Attorney

ATTACHMENT "A"

Legal Description
400 90TH Street
Surfside, Florida 33154

NORMANDY BEACH 2ND AMD PL
PB 16-44
LOT 18 BLK 8



Town of Surfside Planning & Zoning Communication

Agenda Date: May 25, 2017

Subject: 228 89th Street

From: Guillermo Olmedillo, Town Manager
Sarah Sinatra Gould, AICP, Town Planner

Table of Contents:

1. Development Impact Committee
2. Application and Letter of Intent
3. Traffic Memorandum
4. Resolution

REQUEST:

Jerry Proctor, Esq. of Bilzin, Sumberg, agent for the applicant, Casa de Jesus, Inc. is proposing a childcare facility located at 228 89th Street.

The existing church facility is located at 228 89th Street. The proposed after school program will be an ancillary use to the existing church use. The applicant is proposing an after school care program to serve 30 children (ages 4 to 10). For the first year the after school program would allow 20 children with the ability to add an additional 10 children administratively. The applicant must prepare a traffic study which will demonstrate a de-minimus impact in order to be approved for the additional 10 children. The program would be held on weekdays between the hours of 3:00 p.m. to 8:00 p.m. A private shuttle van is proposed to pick up children from nearby schools and parents can also drop-off students. The applicant is also proposing to conclude the after school program at least one (1) hour before the start of any other events (such as worship service) on the property.

The applicant's traffic consultant has analyzed the possible traffic impacts and concluded that most trips will be generated before or after the afternoon peak hour traffic period. The traffic report indicates that the site has nine (9) parking spaces plus six (6) vehicles can be accommodated on the drive aisle next to the building. The traffic consultant concludes that a maximum stacking of two (2) vehicle will be needed and therefore will not be an issue for the proposed after school care program. In addition, the applicant is proposing that staff members of the after school program would park in the southern area of the parking lot on the property in order to allow for greater efficiency in the drop-off/pick-up area.

The zoning code permits public schools in this zoning category (H-30C), but a preschool or after care program is not specifically stated as a permitted use. Preschools and similar uses are often

ancillary uses to a religious institution. Section 90-37 of the zoning code states that in cases of uncertainty regarding whether or not a use is permitted, the classification of any use not specifically named in the regulations may be presented to the Planning and Zoning Board for a recommendation to the Town Commission for final action.

The Development Impact Committee (DIC) consisting of the Town Manager, Acting Assistant Town Manager, Town Attorney's Office, Town Planner, Building Official, Police Captain, Traffic Engineer, Public Works Director, and Parks and Recreation Director met in an open, advertised, televised session on February 7, 2017 to discuss this application.

The Planning and Zoning Board heard the request at their April 27, 2017 meeting. The board requested that the applicant provide more details on the traffic circulation and operations during pickup. The Board deferred the application to May 25, 2017 to allow the applicant to provide additional information. Additional information was not provided to staff prior to the agenda deadline.

STAFF RECOMMENDATION

Recommendation: Staff recommends that the Planning and Zoning Board recommend approval of the special exception application subject to the conditions in the Resolution.

Budget Impact: The addition of an after school program at Casa de Jesus Church is not intended to increase the need for City services, specifically for the Police Department. However, after the first year of operation, the traffic impacts will be reviewed to determine if an additional 10 students could be permitted. During this review it will also be determined if there has be impacts on the Town Police Department that were not initial foreseen.

Growth Impact: The application is for an after school program with a maximum of 30 children (ages 4 to 10) at the existing Casa de Jesus Church. Staff has not identified any growth management impacts at this time.

Staff Impact: The applicant has funded the review through the cost recovery process.



Sarah Sinatra Gould, AICP, Town Planner



Guillermo Olmedillo, Town Manager

**DEVELOPMENT IMPACT
COMMITTEE REPORT**

DEVELOPMENT IMPACT COMMITTEE MEETING

The Development Impact Committee (DIC)* met on February 7, 2017 to discuss the application for the 228 89th Street ("the Project"). The DIC meeting was attended by the following:

Staff Attendees: Guillermo Olmedillo, Town Manager
 Randy Stokes, Public Works Director
 Linda Miller, Town Attorney
 Jane Graham, Assistant Town Attorney
 Sarah Sinatra Gould, Town Planner
 Chief Allen, Police
 Ross Prieto, Building Official
 Eric Czerniejewski, Traffic Engineer
 Tim Millan, Parks and Recreation Director
 Duncan Tavares, Acting Assistant Town Manager

Applicant Attendees:
 Carter McDowell, Attorney, Bilzin Sumberg
 Marcella Castillo, Applicant, Casa de Jesus
 Joaquin Vargas, Traf Tech Engineering, Inc.
 Ezequiel Fattore, Casa de Jesus Church Pastor

Citizen Attendees (who signed in): None

***NOTE:** The DIC meetings are televised on the Town's Channel 77 and are well on the Town's website and posted on Town Hall.

The following was discussed at the meeting:

The applicant submitted a Special Exception Application for a 30 student (ages 4 to 10) after school program at the existing Casa de Jesus Church at 228 89th Street. The applicant's traffic consultant performed the traffic analysis based on all of the students being dropped off as well as picked up. The facility has indicated they will provide shuttle service to pick up the children from neighboring schools. The study showed that in worst case scenario (all students dropped off), there was a de minimus impact. The facility is proposing to offer aftercare from 3pm to 8pm, which extends typical pick up time and alleviates the traffic at peak hour.

Staff and the applicant's representatives discussed several possible conditions to be considered. The possible conditions include having the staff park in southernmost spaces on the site; the after school program should conclude an hour prior to other events at the church; the after school program should offer shuttle service to pick up students; and for the first year 20 students would be permitted as a trial run and if the test period is successful an additional 10 children could be added through an administrative request with an updated traffic and parking study being submitted.

**APPLICATION AND
LETTER OF INTENT**



SEP 01 02:32 PM

TOWN OF SURFSIDE

TOWN OF SURFSIDE SPECIAL EXCEPTION APPLICATION

A complete submittal includes all items on the "Submission Checklist for Special Exception" 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.

<u>PROJECT INFORMATION</u>	
OWNER'S NAME	<u>Casa de Jesus.</u>
PHONE / FAX	<u>(305) 510 7571</u>
AGENT'S NAME	<u>Marcella Castillo</u>
ADDRESS	<u>228 89th st. Surfside, FL, 33154</u>
PHONE / FAX	<u>(305) 510 7571</u>
PROPERTY ADDRESS	<u>228 89th st. Surfside, FL, 33154</u>
ZONING CATEGORY	_____
DESCRIPTION OF SPECIAL EXCEPTION (please use separate sheet)	<u>Aftercare Program</u>

<u>INTERNAL USE ONLY</u>	
Date Submitted _____	Project Number _____
Report Completed _____	Date _____
Comments _____	_____

<u>CRITERIA</u> (Please use separate sheet to respond to "a" or "b")
a. Nonconforming uses as follows:
i. A nonconforming use now existing in any part of a building to be extended vertically or laterally to other portions of the building.
ii. To determine the existence of a nonconforming use.
b. Other special use exceptions as follows:
i. To determine, in cases of uncertainty, the classification of any use not specifically named in these regulations; provided, however, such use shall be in keeping with uses specifically listed in the district.



[Handwritten signature]

SIGNATURE OF OWNER

8/31/2016

DATE

[Handwritten signature]

SIGNATURE OF AGENT

8/31/2016

DATE

Creative Strategy

Project : Aftercare Program

Objective : Faith based organization to provide care for children focusing on their spiritual growth, learning process, and confidence.

Who?	Children from the ages of 4 years to 10 years old.
Insight	We believe that children are the future of our country and we want to be part of their success. We would like to help children enjoy their learning experience, help with their spiritual growth and work on their confidence and self-esteem. It is very important for children to receive and individualize care that is systematically involved in their lives and that is the type of care we are interested in providing. The well being of child is our priority.
Principles	<ol style="list-style-type: none">1. Safety of Children2. Work on the parent-child relationship3. Being a faith based organization we would like to provide the possibility for our congregation for their children to experience Spiritual growth4. Using Creativity, Fun activities, and positive parenting skills to help children with their conduct5. Teach coping skills and problem solving skills6. Reinforce compassion, love, and empathy for our neighbors7. Using Art and Music classes to promote their creativity
Schedule	The Aftercare program would be opened from 3pm, parents could drop them off and we would also provide picking up from school service and the end of the activity or pick-up time would be from 7:30pm to 8:00pm.



SPECIAL EXCEPTION APPLICATION CHECKLIST

FEE

Single Family Residential: \$1,500

Multi-family or non-residential: \$5,000

Application fee made payable to the Town of Surfside

APPLICATION

A Special Exception Application shall be completed and submitted to the Town of Surfside Building Department located at the Town Hall. Town staff shall review the application and schedule the applicant for a Planning and Zoning Board meeting and Town Commission hearing.

ADVERTISING

The applicant is responsible for all advertising, noticing and signage required. A public hearing shall be advertised at least once in a local newspaper of general circulation or publicly posted in the Town Hall at least ten (10) days prior to the public hearing. Written courtesy notices shall be sent by first class mail to affected property owners within a radius of three hundred (300) feet. Where practicable, such advertising shall contain, in addition to a legal description, a street address, together with the specific intended use in layman's language, i.e., "apartment house" rather than "multiple dwelling," "meat market" rather than "business zoning."

A notice, eighteen (18) inches by twenty-four (24) inches, shall be placed in a prominent place on the property by the applicant at his own expense denoting the following:

REQUEST FOR: _____

PLANNING AND ZONING MEETING DATE AND TIME

TOWN COMMISSION MEETING: DATE AND TIME

TOWN HALL
9293 Harding Avenue
Surfside, FL 33154

COMPLETE INFORMATION REGARDING THE APPLICATION IS AVAILABLE BY CONTACTING THE TOWN HALL AT _____.

CRITERIA

1. The following are special exceptions which may be granted by resolution of the Town Commission receiving at least three affirmative votes:
 - a. Nonconforming uses as follows:
 - i. A nonconforming use now existing in any part of a building to be extended vertically or laterally to other portions of the building.
 - ii. To determine the existence of a nonconforming use.
 - b. Other special use exceptions as follows:
 - i. To determine, in cases of uncertainty, the classification of any use not specifically named in these regulations; provided, however, such use shall be in keeping with uses specifically listed in the district.

TOWN OF SURFSIDE TOWN HALL

9293 Harding Avenue

Surfside, FL 33154

305-861-4863

TOWN OF SURFSIDE PLANNING & ZONING DEPARTMENT

c/o Calvin, Giordano & Associates, Inc.

1800 Eller Drive, Suite 600

Fort Lauderdale, Florida 33316

954-921-7781

Jerry B. Proctor
Tel 305-350-2361
Fax 305-351-2250
jproctor@bilzin.com

November 1, 2016

**Mr. Guillermo Olmedillo, Town Manager
c/o Building Department
Town of Surfside
9293 Harding Avenue
Surfside, FL 33154**

**Re: Proposed Childcare Facility
Applicant: Casa de Jesus, Inc.
Property: 228 89th Street, Surfside, Florida
Folio No. 14-2235-005-0300**

Dear Mr. Olmedillo:

Please accept this letter of intent in conjunction with an Application for Public Hearing Approval for an After-School Program. In this Application, our firm represents Casa de Jesus, Inc., property owner ("Applicant") at 228 89th Street (the "Property"). The Property is located at the southeast corner of 89th Street and Harding Avenue.

The Property, which is 0.3 acres in size, houses an existing church in a 4,244 square foot two-story building. The Property is zoned H-30C.

The Applicant proposes an after school care program to serve 30 children from 4 to 10 years of age. The program would open at 3:00 p.m. on weekdays and end at 8:00 p.m. Accordingly, the bulk of the traffic movement to and from the Property would occur before and after, but not during, afternoon peak hour traffic periods. The required traffic statement authorizing these facts is contained in the attached letter from Traf Tech Engineering, Inc., dated August 26, 2016.

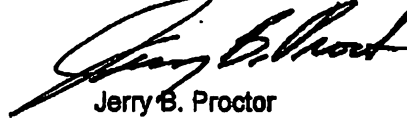
The proposed use of the Property is a customary, ancillary use to a religious facility and is addressed as such in the Town's Land Development Regulations. A religious facility is a place of public assembly, pursuant to Town Ordinance #07-1479, and the After-School Use will use the on-site church facilities and will operate with faith-based principles consistent with those of the church. Approval of this Application will create an additional option for child care in the community and an outlet for a safe play environment for children in accordance with the findings of the Surfside Charrette.

MIAMI 5173147.1 82548/49471

November 1, 2016
Page 2

Thank you for your consideration of this Application.

Sincerely,



Jerry B. Proctor

JBP/d

cc: Marcella Castillo

TRAFFIC MEMORANDUM

December 22, 2016

Ms. Marcella Castillo
228 Eighty Nine Street
Surfside, Florida 33154

Re: After School Program (Casa de Jesus) – Traffic Memorandum

Dear Ms. Castillo:

Per your request, Traf Tech Engineering, Inc. conducted a traffic statement associated with a proposed after-school program for up to 30 students at the existing Casa de Jesus Church located at 228 Eighty Ninth Street in the Town of Surfside. The site plan is contained in Attachment A. This traffic memorandum addresses trip generation and projected vehicle accumulation on site as a result of the proposed school.

Proposed Program

It is our understanding that a private shuttle van will pick up students from nearby schools for the afterschool program. Parents can also elect to drop-off their children after they are released from other schools. Hence, the inbound peak of the after-school program will occur sometime around 3:00 to 3:30 PM which is before the typical afternoon peak period. Likewise, the outbound peak will occur after 6:00 PM which will not coincide with the typical afternoon rush hour.

Trip Generation

Even though a private shuttle van is available for the inbound peak period, in order to assess impacts with a conservative approach, it was assumed that all after-school students will be dropped off by their parents. Based on this assumption, a trip generation analysis was performed using the trip generation rates published in the Institute of Transportation Engineer's (ITE) *Trip Generation Manual* (9th Edition). The trip generation analysis was based on the following assumption:

PROPOSED AFTERSCHOOL PROGRAM

- Private School (up to 30 students)

According to ITE's *Trip Generation Manual* (9th Edition), the trip generation rates used for the proposed after-school program are:

PRIVATE SCHOOL (ITE Land Use 534)

Inbound Peak Period

$T = 0.90 (X)$ (55% inbound and 45% outbound)

Where T = number of trips, X = number of students

Outbound Peak Period

$T = 0.90 (X)$ (45% inbound and 55% outbound)

Where T = number of trips, X = number of students

Using the above-listed equations from the ITE document, a trip generation analysis was undertaken for the proposed afterschool program. The results of this effort are documented in Table 1.

TABLE 1 Trip Generation Analysis After School Program (Casa de Jesus)					
Land Use	Size	Daily Trips	Inbound Peak (Outbound Peak)		
			Ins	Out	Total
School	30 students	n/a	15 (12)	12 (15)	27 (27)

Source: ITE Trip Generation Manual (9th Edition).

As indicated in Table 1, the proposed after-school program is projected to generate approximately 27 trips during the inbound peak as well as during the outbound peak. Therefore, the proposed school is anticipated to have de-minimus traffic impacts to the surrounding street system (one new peak hour trip every two minutes and 13 seconds).

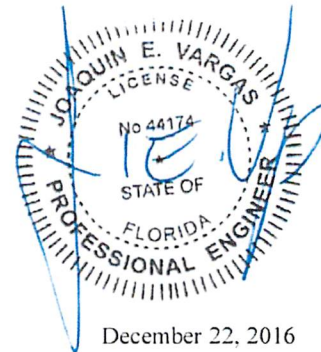
Vehicle Accumulation

A vehicle accumulation analyses was conducted for the proposed after-school program. The vehicle accumulation was based on results of vehicle stacking counts conducted by Traf Tech Engineering, Inc. at other South Florida schools. Based on vehicles counts conducted at other schools, the maximum vehicle accumulation was 17.05% of the student population (15 vehicles divided by 88 students – refer to Attachment C). Hence, up to six vehicles will be accumulated on site (including teachers/administration) and nine (9) parking spaces plus six (6) vehicles on the drive aisle next to the building can be accommodated on site. Additionally, a queuing analysis was undertaken based on ITE procedures (refer to Attachment B) indicating a maximum of two (2) vehicle stacking requirements, excluding parking for teachers/administration staff. Therefore, stacking is not anticipated to be a problem at the subject after-school facility.

Please give me a call if you have any questions.

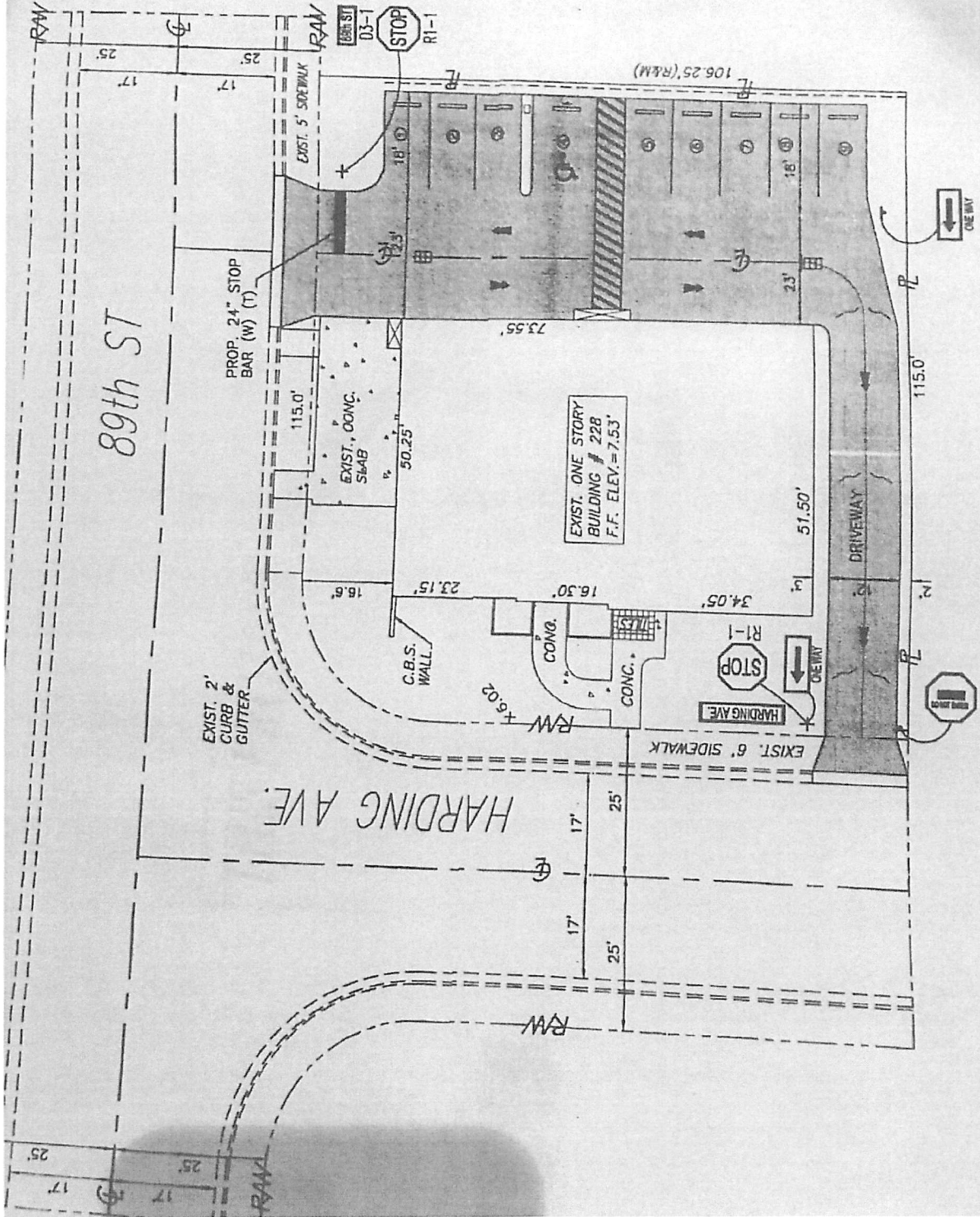
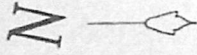
TRAF TECH ENGINEERING, INC.

Joaquin E. Vargas, P.E.
Senior Transportation Engineer



December 22, 2016

ATTACHMENT A
Site Plan



ATTACHMENT B

**Queuing Analysis and Processing Times
Recorded at another School**

Queuing Analysis based on ITE Procedures

$q = 15$ veh/hr (demand rate – Assume to arrive in 10 min)

$Q = 60$ veh/hr (service rate – refer to Table B-1, counts of processing times at another school)

$$p = \frac{q}{NQ} = 0.25 \quad (N = 1)$$

$$Q_M = 0.25$$

Using Acceptable Probability of 1% (99% Confidence Level)

$$M = \left[\frac{\ln(x > M) - \ln(Q_M)}{\ln(p)} \right] - 1$$

$$M = \left[\frac{\ln(0.01) - \ln(0.25)}{\ln(0.25)} \right] - 1$$

$$M = \left[\frac{-4.6052 - (-1.3863)}{-1.3863} \right] - 1$$

$$M = 2.3 - 1 = 1.3, \text{ say } 2 \text{ vehicles}$$

TABLE B-1 Ransom Middle School at 2045 S. Bayshore Drive Recordation of Pick-up Operation Processing Time							
Time Period	Duration		Vehicles Discharged		Capacity of School's Pick-up Operation		
	Min	Sec	Cummulative	Per Period	Sec/veh	veh/hr	veh/min
3:26 PM	1	60	6	6	10.0	360	6
3:27 PM	1	60	13	7	8.6	420	7
3:28 PM	1	60	19	6	10.0	360	6
3:29 PM	1	60	25	6	10.0	360	6
3:30 PM	1	60	38	13	4.6	780	13
3:31 PM	1	60	45	7	8.6	420	7
Total =	6	360	146	45	8.0	450	7.5

SOURCE: Traf Tech Engineering, Inc. (December 15, 2016)

Use six (6) vehicles can be processed per minute. Hence, in 10 minutes 60 vehicles can be processed.

ATTACHMENT C

**Example of Accumulation Study Done at
an Existing Day Care Facility near
Homestead, Florida**

Traf Tech

ENGINEERING, INC.

Ms. Marilyn Ramirez
Countryside Early Learning Center
15395 SW 288th Street
Homestead, Florida 33033

October 6, 2009

Re: Vehicle Accumulation Study – Countryside Early Learning Center

Dear Ms. Ramirez:

Per your request, Traf Tech Engineering, Inc. conducted a vehicle accumulation study at the existing Countryside Early Learning Center located at 15395 SW 288th Street in southwest Miami-Dade County, Florida. The vehicle accumulation study was conducted on Thursday, September 24, 2009 during the afternoon peak period.

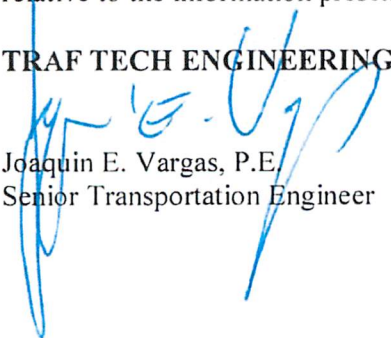
The Countryside Early Learning Center site has two access driveways off of SW 288th Street and a small parking lot with nine parking stalls. The west driveway functions as an inbound driveway and the east driveway operates as an egress driveway. The existing day-care facility has a capacity for 88 students. The facility is planning to expand its operation in order to accommodate approximately 140 students (approximately 60% increase in student capacity).

The number of vehicles accumulated at and near the site was recorded every 5-minute period between 3:30 PM and 5:30 PM. Table 1 summarizes the results of the vehicle accumulation study conducted on September 24, 2009. As documented in Table 1, the maximum vehicle accumulation occurred between 5:15 PM and 5:20 PM with 15 vehicles (all vehicles were inside the site).

By increasing the student capacity from 88 students to 140 students, the expansion project should have capacity to accommodate approximately 24 vehicles on site (refer to Miami-Dade County's Accumulation Assessment form attached to this letter). The proposed site plan is also enclosed.

Please give me a call if you have any questions or if you need additional clarifications relative to the information presented herein.

TRAF TECH ENGINEERING, INC.


Joaquin E. Vargas, P.E.
Senior Transportation Engineer

8400 North University Drive, Suite 309, Tamarac, Florida 33321
Tel: (954) 582-0988 Fax: (954) 582-0989

TABLE 1			
Countryside Early Learning Center			
Vehicle Accumulation Study			
Time Period	Number of Vehicles Accumulated at:		
	On Site¹	Off Site	Total
3:30 PM – 3:35 PM	10	0	10
3:35 PM – 3:40 PM	11	0	11
3:40 PM – 3:45 PM	11	0	11
3:45 PM – 3:50 PM	9	0	9
3:50 PM – 3:55 PM	10	0	10
3:55 PM – 4:00 PM	10	0	10
4:00 PM – 4:05 PM	9	0	9
4:05 PM – 4:10 PM	12	0	12
4:10 PM – 4:15 PM	13	0	13
4:15 PM – 4:20 PM	14	0	14
4:20 PM – 4:25 PM	11	0	11
4:25 PM – 4:30 PM	11	0	11
4:30 PM – 4:35 PM	10	0	10
4:35 PM – 4:40 PM	7	0	7
4:40 PM – 4:45 PM	8	0	8
4:45 PM – 4:50 PM	10	0	10
4:50 PM – 4:55 PM	7	0	7
4:55 PM – 5:00 PM	6	0	6
5:00 PM – 5:05 PM	7	0	7
5:05 PM – 5:10 PM	12	0	12
5:10 PM – 5:15 PM	14	0	14
5:15 PM – 5:20 PM	15	0	15
5:20 PM – 5:25 PM	14	0	14
5:25 PM – 5:30 PM	12	0	12
5:30 PM – 5:35 PM	10	0	10

Source: TrafTech Engineering, Inc. (September 24, 2009)

¹ Vehicles parked on parking stalls and parking aisles/driveways.

RESOLUTION

RESOLUTION NO. 17-Z-0__

A RESOLUTION OF THE TOWN OF SURFSIDE, FLORIDA PLANNING AND ZONING BOARD; RECOMMENDING APPROVAL OF A SPECIAL EXCEPTION WITH CONDITIONS TO PERMIT AN AFTER-SCHOOL PROGRAM AT CASA DE JESUS, INC. LOCATED AT 228 89TH STREET IN THE TOWN OF SURFSIDE; PROVIDING FOR A SEVERABILITY CLAUSE AND PROVIDING FOR AN EFFECTIVE DATE.

I. RECITALS.

WHEREAS, CASA DE JESUS, INC. (“Applicant”), owner of the church property located at 228 89th Street, Surfside, FL 33154, with a Folio number of 14-2235-05-0300 and general location of the southeast corner of 89th Street and Harding Avenue, Surfside, FL, (the “Property”) submitted an “Application” on November 1, 2016, requesting approval from the Town of Surfside, Florida for the use of the Property for an after- school care program to serve 30 children ages 4-10; and

WHEREAS, the Property is zoned as H-30C but a preschool or after day care program is not specifically listed as a permitted use in the zoning district; and

WHEREAS, Section 90-37 of the Town of Surfside Zoning Code provides that a use not specifically listed in the zoning regulations may be approved as a special exception by the Town Commission after recommendation by the Planning and Zoning Board; and

WHEREAS, the legal description of the Property is as follows in Attachment “A” “Legal Description”, incorporated herein; and

WHEREAS, on February 7, 2017, the Town’s Development Impact Committee, after notice posted on the Town’s website, met in a televised meeting, reviewed and discussed the Application and provided guidance to the Applicant regarding the criteria set forth in the Town’s Zoning Code; and

WHEREAS, on April 27, 2017, the Planning & Zoning Board, at a duly noticed and televised quasi-judicial public hearing, after reviewing the Application and hearing from its professional staff, the Applicant, and members of the public, considered the requirements of the Town Zoning Code and the Application’s consistency with the Town of Surfside Comprehensive Plan and recommended the Application for approval with conditions by the Town Commission.

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

II. INCORPORATION OF RECITALS AND FINDINGS OF FACT.

A. All recitals set forth above are incorporated into the body of this Resolution as if same were fully set forth herein.

B. The Planning and Zoning Board finds that the proposed after-school program, as conditioned, is in compliance with the requirements and criteria set forth in the applicable Town Code and the Comprehensive Plan, and recommends that the Town Commission approve the after-school program with a maximum of 30 children at the existing Casa de Jesus Church as a special exception use.

III. APPROVAL AND CONDITIONS OF APPROVAL.

A. The Applicant's request for approval of the after-school program, with a maximum of 30 children at the existing Casa de Jesus Church, is granted as a special exception with conditions.

B. The following are conditions of approval:

1. The Applicant shall ensure that staff members of the after-school program shall park in the southern area of the parking lot on the Property, as indicated on the attached plans (Attachment B), to keep other spaces open and to allow for greater efficiency (less turnover) in the drop-off/pick-up area.
2. The Applicant shall ensure that the after-school program shall conclude in the evenings at least one (1) hour before the start of any other events (such as worship services) on the Property.
3. The Applicant shall offer a shuttle service to pick up students for the after-school program.
4. In order to demonstrate that the Property can accommodate the after-school program, for the first 12 months of operation following approval of the use by the Town, a maximum of 20 students shall be permitted. At any time after the first 12 months of operation, the Applicant may apply to the Town Manager for administrative approval of up to 10 additional students, for a maximum total of 30 students. The Applicant's application for additional students shall include a traffic study demonstrating there is sufficient parking and stacking to accommodate the requested increased enrollment, and the Town must approve and accept the results of that study prior to approving any requested increase in student enrollment.

IV. SEVERABILITY CLAUSE.

In the event any portion or section of this Resolution is determined to be invalid, illegal or unconstitutional by a court or agency of competent jurisdiction, such decision shall in no way affect the remaining portions of this Resolution, which shall remain full force and effect.

V. EFFECTIVE DATE. This Resolution shall become effective upon adoption.

PASSED AND ADOPTED this ____ day of _____, 2017

Motion by Planning and Zoning Board Member _____,

Second by Planning and Zoning Board Member _____.

FINAL VOTE ADOPTION:

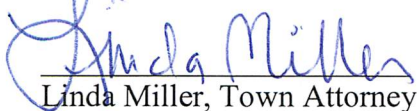
Member Peter Glynn	_____
Member Richard Iacobacci	_____
Member Brian Roller	_____
Vice Chair Judith Frankel	_____
Chair Lindsay Lecour	_____

Lindsay Lecour, Chair

ATTEST:

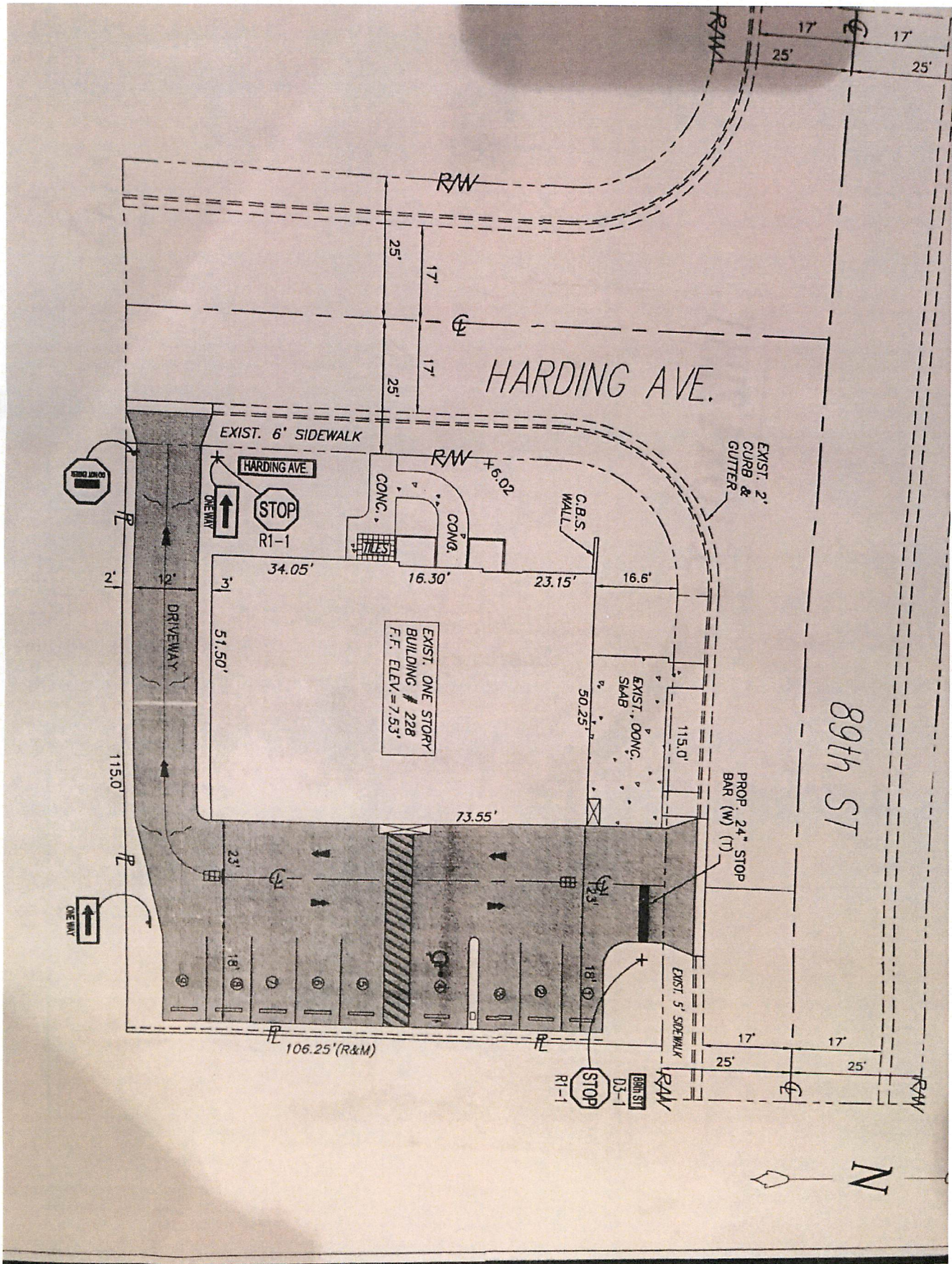
Sandra Novoa, MMC
Town Clerk

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


Linda Miller, Town Attorney

Attachment "A"

Legal Description –SECOND AMENDED PLAT OF NORMANDY BEACH, PB
16-44, LOT 1 & LOT 2 LESS S.5FT THEREOF BLK 3





Town of Surfside Planning and Zoning Communication

Agenda Date: May 25, 2017

Subject: Pressure Equalizing Modules (PEM) Pilot Program

From: Sarah Sinatra Gould, AICP, Town Planner

Background: The Sustainability Committee reviewed a presentation by FIU relating to PEM technology. The presenter demonstrated how the PEM tubes are placed in the sand. The desired effect is for the PEMs to lower the beach groundwater levels and therefore reduce beach sand erosion.

The Sustainability Committee has passed a resolution to request the Planning & Zoning Board to evaluate this concept and to decide if it should be presented to the Town Commission. The presentation viewed by the Sustainability Committee is included.

Sarah Sinatra Gould, AICP, Town Planner

Guillermo Olmedillo, Town Manager



FIU

**International
Hurricane Research
Center**

FLORIDA INTERNATIONAL UNIVERSITY

PEM Pilot Study

Laboratory for Coastal Research
By Cesar Castillo



Laboratory For Coastal research at FIU

The Laboratory for Coastal Research quantitatively assesses the vulnerability of storm surge flooding and coastal erosion induced by hurricanes and nor'easters utilizing advanced remote sensing technology, numerical simulation and field observation. This Lab brings together the disciplines of geomorphology, oceanography, meteorology and remote sensing in basic and applied research concerning coastal environments. Current interest areas include:

Numerical modeling of Surge Flooding

3D Animation of Surge Inundation

Surge Sensor Network

Climate Change & Sea Level Rise Impacts


Inland Flooding Assessment

Airborne Laser Technology to Quantify Surface Roughness



History of Beach Dewatering

- Use of Beach drainage can be traced back to the 1940's and has been studied on many occasions
- In 1997, Ian L. Turner and Stephen P. Leatherman published a critical review of the Beach Dewatering concept using a pump system



1997 Research by Dr. Stephen Leatherman, co-director of the FIU Laboratory for Coastal Research concerning Beach Dewatering

- In *Journal of Coastal Research*, Vol. 13, No. 4 (Autumn, 1997), pp. 1050-1063, Ian L. Turner and Stephen P. Leatherman published: Beach Dewatering as a 'Soft' Engineering Solution to Coastal Erosion: A History and Critical Review

Brief overview of research

- Primary aim was to study the link between the elevation of beach Groundwater and beach erosion/accretion
- Using a system of drains and pumps, the study measured the affects of artificially lowering the water table on beach while observing accretion/erosion on the beach face and profile.



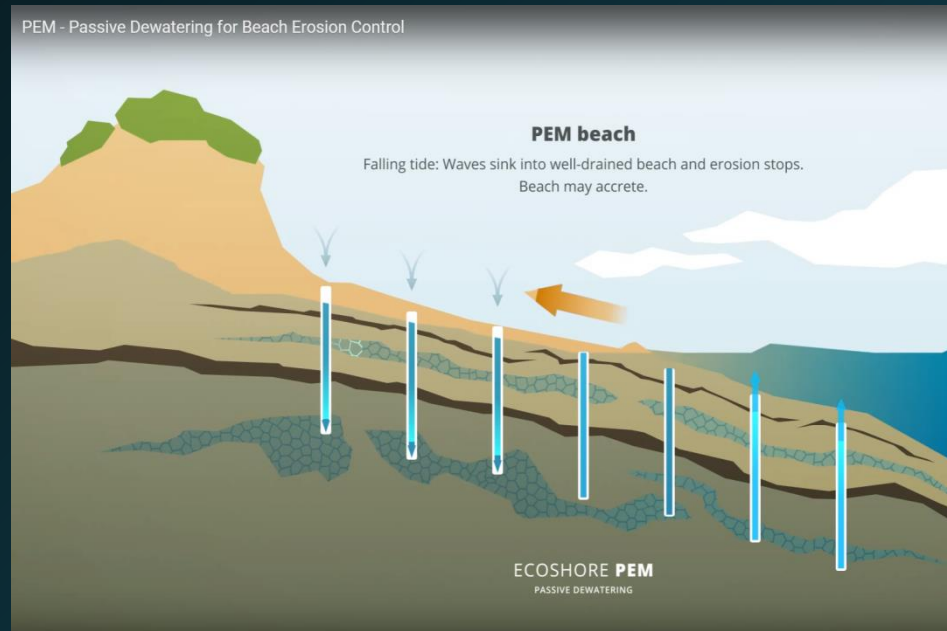


What did the study determine?

”In a qualitative sense, the role of elevated beach groundwater in promoting beach face erosion and lower beach water table in promoting onshore accretion, is now well established”

Turner and Leatherman, 1997,

Beach Dewatering as a ‘Soft’ Engineering Solution to Coastal Erosion
– A History and Critical Review. *Journal of Coastal Research*, 13 (4), 1050-1063



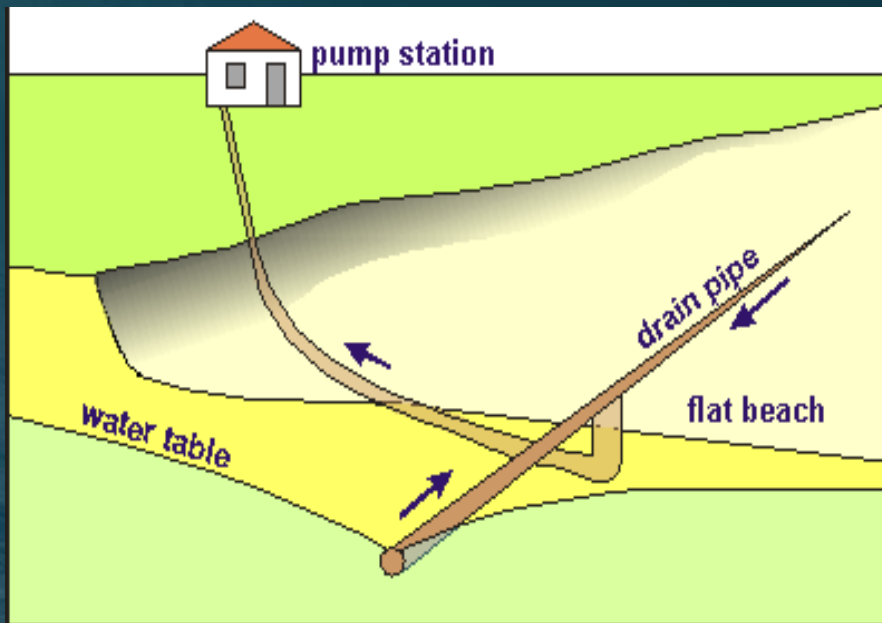
Why Pressure Equalizing Modules?

A closer look at the prospects for this Danish invention, Pressure Equalizing Modules (PEM)

Comparing technologies

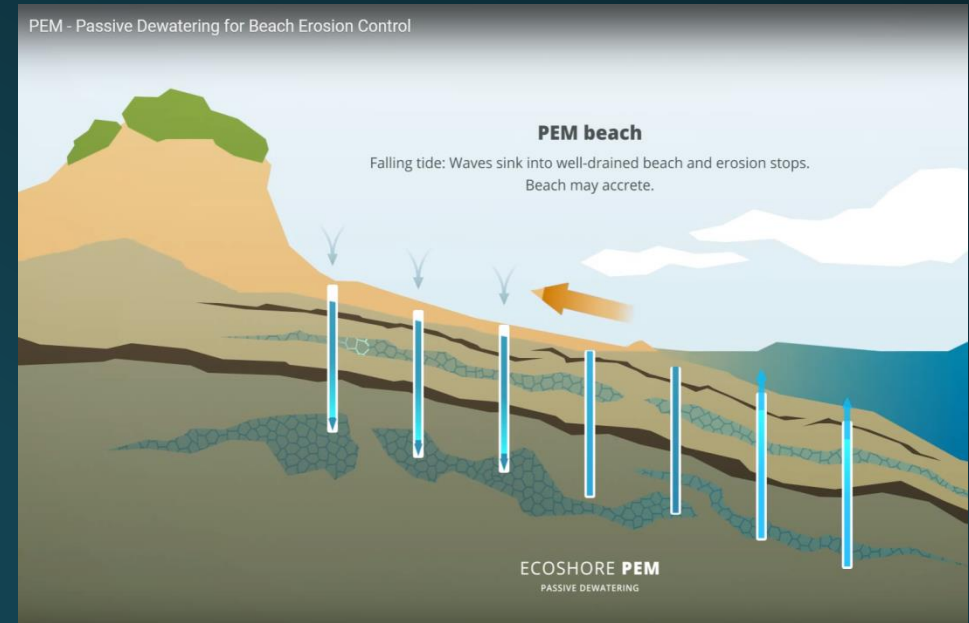
Pump system (Active Dewatering)

- Uses pumps and horizontal pipe system to drain beach water table



PEM (Passive Dewatering)

- Uses no electricity and consists of series of "tubes" with horizontal slits





Active Dewatering V. Passive

- The Active Dewatering system is still used today and marketed by EcoPlage, a European Company and has yielded positive results in many beaches.
- An active de-watering system was used in all U.S. studies and commentary from the 1997 review by Turner and Leatherman has shown that this system can be problematic due to its dependency on the system functioning as a whole along with other factors.
- PEM seems to work as a system that does not suffer from the same downfalls of the active dewatering system.

The background of the slide features a vertical strip on the left side showing a close-up of ocean waves with white foam. The rest of the background is a dark, solid teal color.

Purpose of PEM Pilot Study

To determine if Pressure Equalizing Modules (PEM) have an effect on beach groundwater levels; Where if it can be proven that PEMs do help lower beach groundwater levels, it will be an effective solution to counteracting beach erosion on Pilot Study site.

Overview of Pilot Study

Phase 1 – Monitoring normal groundwater activity



Phase 2 - Monitoring effect of PEM installation



- Water observation well with 4 in. slits 4 in. from the bottom. Placed under the sand.
- ▲ PEM fully permable. Placed under the sand.
- Tracer well at surface. Each well is added hyper saline water and a unique and a fluorescent tracer

Overview (Continued)

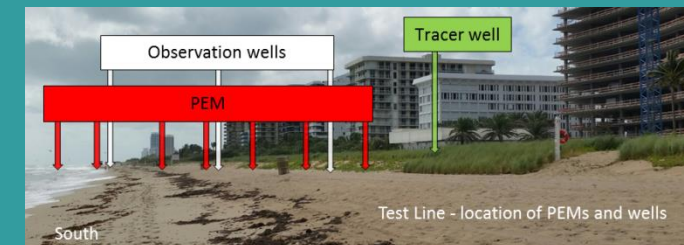
Phase 1

- Install groundwater observation wells with recorders for water level, etc., in both lines.
- Record MER and MASW baseline profiles.
- Install tracer wells, one in each line
- Add hyper saline water to tracer well at high tide. Record water flow over time with MER



Phase 2 – Starts when normal groundwater flow has been defined

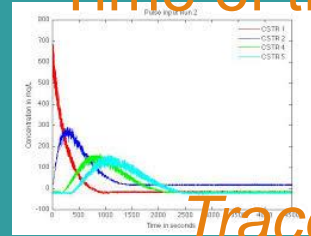
- Add hyper saline water and specific tracer and fluorescent tracer in each well
- Install PEMs in Test line
- Record MER and MASW time profiles, water level, temperature, salinity etc.





Time of travel

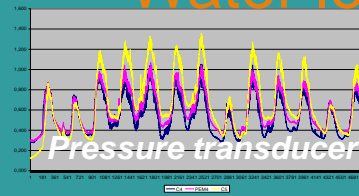
Temperature



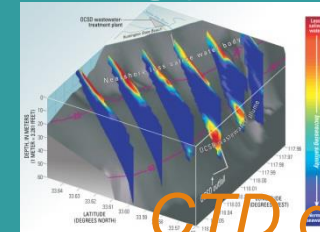
Tracers

Salinity

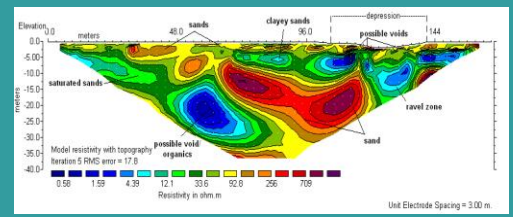
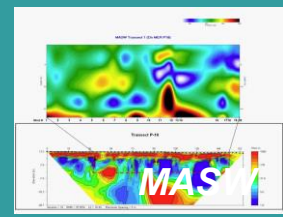
Water level



University Report



CTD diver



Sub surface changes and time of travel



Results of Pilot Study

- The data collected and conclusions made by the PEM pilot study will be published in a University report headed by Dr. Stephen Leatherman. This information will provide a concrete critical analysis of PEM's effectiveness on groundwater levels in a pilot study location as well provide insight into the effectiveness of its implementation in other beach sites.

Potential benefits for stakeholders

- If proven effective in study sites, PEM can provide a longer-lasting and cost-effective alternative to traditional beach nourishment, Here are Just some of the possible benefits:



- No Beach Downtime during installation
- Eco-friendly alternative to traditional erosion solutions
- No escarpment formation: safe for turtles and children
- Invisible to the naked eye after system is installed
- Data collected in PEM sites internationally show longer-lasting and highly effective beach stabilization compared to traditional beach nourishment
- Used with traditional Beach nourishment to help stabilize beaches for longer periods and many cases results in further accretion.
- Requires no electricity to operate
- Offers communities more options to counteract beach erosion.

Thank You!

Cesar Castillo

Sustainability and the Environment
Student, Department of Earth and
The Environment
ccast235@fiu.edu

FIU

International
Hurricane Research
Center

FLORIDA INTERNATIONAL UNIVERSITY



Town of Surfside Planning and Zoning Communication

Agenda Date: May 25, 2017

Subject: Crossovers of the dune

From: Sarah Sinatra Gould, AICP, Town Planner

The Sustainability Committee has indicated a desire to prohibit additional crossovers of the dune, which have the potential to compromise the ecological integrity of the dune. The request is to modify the code to establish a limitation.

Pursuant to Section 161.053, Florida Statutes, the Florida Department of Environmental Protection (FDEP) regulates activities seaward of the Coastal Construction Control Line.

Pursuant to Section 161.053(3), Florida Statutes,

“A coastal county or coastal municipality may establish coastal construction zoning and building codes in lieu of the provisions of this section if such zones and codes are approved by the department as being adequate to preserve and protect the beaches and coastal barrier dunes adjacent to such beaches, which are under the jurisdiction of the department, from imprudent construction that will jeopardize the stability of the beach-dune system, accelerate erosion, provide inadequate protection to upland structures, endanger adjacent properties, or interfere with public beach access. Exceptions to locally established coastal construction zoning and building codes may not be granted unless previously approved by the department. The intent of this subsection is to provide for the local administration of established coastal construction control lines through approved zoning and building codes if desired by local interests and where such local interests have, in the judgment of the department, sufficient funds and personnel to adequately administer the program. Should the department determine at any time that the program is inadequately administered, the department may revoke the authority granted to the county or municipality.”

Below is proposed language limiting the crossovers of the dune. Town Administration has been in contact with FDEP who has stated that the Town may proceed codifying this language.



The Sustainability Committee has made a motion to request the Planning and Zoning Board to review. If accepted by Planning and Zoning, staff will prepare an ordinance to the Town Commission.

Sec. 90-60. - Construction adjacent to bulkhead lines.

90-60.1 Ocean bulkhead lines are established in section 14-86 and the following regulations shall control construction adjacent thereto:

(6) The Town shall not permit private property owners to penetrate the dune system with crossovers from east to west. The crossovers existing as of January 1, 2017 are all that shall be permitted. If an applicant wishes to request a crossover, the applicant may apply for a Special Exception under Section 90-37 of this code which may be granted by resolution of the Town Commission

ITEM	OUTCOME	NEXT STEPS	TENTATIVE SCHEDULE	COMPLETE
FUTURE PZ DISCUSSION ITEMS				
Stepback discussion	Commission has requested the PZ board analyze this requirement	Prepare visual and calculation of volume, how much square footage does this equate to	Future PZ	
Maximum building lengths			March PZ, will come back to a Future PZ	
Setback for parapet above 30 feet on single family homes	Prepare ordinance to require additional setback	Draft code amendment	Future PZ	
Architecturally Significant Ordinance	Discussion requested for modifications to the ordinance		Future PZ	
Driveway	Prepare code modification that limits a driveway so that it does not exceed the front plane of the home.		Future PZ	
West Side of Collins	Discussion on amenities permitted	Discuss with PZ	Future PZ	
Impact fee discussion			Future PZ	
Ways to increase pervious area of lots	Place on PZ agenda for discussion. Provide PZ with current standards		Future PZ	
Tree Canopy Initiative/ Single family district Streetscape master plan	\$8,000 budgeted in the FY 2014-2015 budget for the tree canopy	Town Manager analyzing. Would need inclusion in the budget for additional projects.		
Fences & Hedges in the front of single family residences	Modify ordinance	Discussion on hedge height in the front	Future PZ	
Average side setback /Massing	Modify ordinance for additional side setbacks on upper floors for single family homes	Preparing graphics on reductions in 2 nd floor		On hold until full discussion of height and

						Future PZ	sea level rise.
Requiring larger sidewalks on east side of Collins	Discussion item for PZ from the Town Commission to require setback of walls and fences on Collins to provide larger sidewalks	Further review by staff					
Satellite dishes			Research and prepare report for discussion and possible code amendment			Future PZ	
Residential or commercial wind turbine regulations	Prepare ordinance regulating wind turbines including hurricane precautions, noise regulations, insurance considerations		Draft code amendment			Future PZ	
Green walls	Require green walls adjacent to alleys and other buildings that abut public right of ways		Research and prepare report for discussion and possible code amendment			Future PZ	
Final Zoning Inspections	Town Manager will analyze						
Request to Commission for a referendum on one-way streets in residential to support a streetscape plan	In budget to perform analysis for update of undergrounding		PZ discussion on pedestrian safety and walkability			Representation by the Town Manager at the November & December PZ meetings.	
ON UPCOMING COMMISSION AGENDA							
Roof Pitch of Single Family	Modify ordinance to include roof pitch above top of the truss as an architectural feature		Provide side by side elevation in current code to the top of the flat roof to demonstrate it is 3 feet above the top of a pitched roof.			Commission in June or July	
Circulation pattern	Prepare graphics					May Commission	
Give a foot, get a foot relating Sea Level Rise	Place on agenda for discussion on referendum		Prepare visuals, timeline and cross section.			May Commission	
- Flat Roof vs. Pitch roof							

ON FUTURE COMMISSION AGENDA			
Commercial waste and recycling container screening	Screening for containers, green screen, vegetation, include pictures from Commissioner Kligman	Draft code amendment	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	Waiting Placement on Commission Agenda
Painting of commercial structures	Town Staff to prepare ordinance	Prepare ordinance for commission	Upcoming Commission agenda.
COMPLETED			
Requiring noticing for demolition of houses	Research option and place on agenda for discussion		Yes
H40, H30 & SDB40 Architecturally Significant ordinance	Review with PZ options for architecturally significant ordinance for other zoning districts.	PZ discussion	No Action
Sign-Definitions	Modify sign definitions for monument and sign area	Drafted code amendment	
Carpets	Require improved surface on frame	Addressed in Code	Yes
Provide summary on construction hours and noise ordinance	Place update on PZ agenda.		Yes
Workforce housing update			Yes

Add requirement for licensed architect for DRB submittals	Reviewing entire section relating to DRB	Draft code amendment	Work authorized to be approved in NOVEMBER	May Commission Agenda Complete
Corridor Analysis	Study corridor between Collins & Harding	Prepare code amendments	In-contract	January Commission Complete
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	Will add to Joint Meeting with PZ/Commission. Complete
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 & 96 th Street	Open Bay Drive off 96 th Street	Staff will research	Police and Building to research	No change. Police Chief cited safety concerns COMPLETE
Sign/awning code	Discussed at Joint Meeting	Staff beginning to work on draft	Work Authorization approved	July Commission August Commission COMPLETE
As-built reviews for residential projects	Discuss increasing canopy in town, street trees, what can be planted in	Research and prepare report for	In-contract	March PZ COMPLETE Added a

	ROW	discussion and possible code amendment			program modification to FY2015 budget
Interpretation of base flood elevation for the H120 district	No change	No further action needed			COMPLETE
Solar panel regulations	Prepare ordinance regulating solar panels	Draft code amendment	In contract	March PZ	COMPLETE
Car charging station regulations	Prepare ordinance regulating car charging stations requiring them in new multi-family, research what other communities are doing	Draft code amendment	In contract	December PZ	COMPLETE
Pyramiding effects of setbacks in the H120 district	No action necessary since Planning and Zoning Board currently reviewing setbacks as part of wall frontage modifications			N/A	
Garage door clarification	Modify code to remove requirement for two separate garage doors	Draft code amendment	In contract	November PZ	COMPLETE
10% window opening requirement per story	Discussion with the Planning & Zoning Board	Prepare ordinance for commission	In contract	June PZ	November Commission for first reading
Landscaping in front of converted garage	Determine if landscaping planter is sufficient versus requiring landscaping.	Reviewed code and determined that planter is only permitted in cases where the driveway would be too short.	In contract	No further modification necessary	Yes
Sheds	Modify ordinance to increase square footage, but reduce height and add landscape requirements.	Draft code amendment	In contract	Discussed at March meeting.	Commission 1st reading in May. PZ in May

