



**Town of Surfside
SPECIAL PLANNING & ZONING BOARD
AGENDA**

July 11, 2019 – 6:00 p.m.

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

Rule 7.05 Decorum. Any person making impertinent or slanderous remarks or who becomes boisterous while addressing the commission shall be barred from further appearance before the commission by the presiding officer, unless permission to continue or again address the commission is granted by the majority vote of the commission members present. No clapping, applauding, heckling or verbal outbursts in support or opposition to a speaker or his or her remarks shall be permitted. Signs or placards may be disallowed in the commission chamber by the presiding officer. Persons exiting the commission chambers shall do so quietly.

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 community-based organization for the purpose of requesting a grant without special compensation or reimbursement for the appearance; and any person who only appears as a representative of a neighborhood, homeowners or condominium association without compensation for the appearance, whether direct or indirect or contingent, to express support of 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.

1. Call to Order/Roll Call

2. Town Commission Liaison Report – Vice Mayor Gielchinsky

3. Approval of Minutes – May 23, 2019

4. Applications:

A. 9049 Froude Avenue – The applicant is requesting to repair and renovate the existing house along with converting the existing garage into a storage room

B. 9289 Emerson Avenue - The applicant is requesting to convert their garage to approximately 216 square feet of additional living space.

C. 9008 Byron Avenue - The applicant is requesting to convert their garage to approximately 251 square feet of additional living space.

D. 9538 Harding Avenue - The applicant is moving the business from 9471 Harding Avenue. The applicant is requesting a permanent channel letter sign.

E. 9000 Abbott Avenue - This application was heard by the Planning and Zoning Board in September 2017. At that time the applicant was proposing a two-story addition. The revised request is to keep the structure to a one-story building and to raise the roof above a newly reconfigured master suite.

F. 1001 88th Street - The applicant is requesting to build a 3,654 square foot two-story new home.

G. 9264 Bay Dive - The applicant is requesting to build a 7,243 square foot two-story new home

5. Local Planning Agency Items

A. 9264 Bay Drive Variance – The applicant is requesting two variances for side setbacks for the first floor and upper story level from the Town of Surfside Zoning Code.

B. Hotel prohibition south of 93rd Street

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA AMENDING THE TOWN OF SURFSIDE CODE OF ORDINANCES BY AMENDING SECTION 90-41, “REGULATED USES”, TO CHANGE THE LIST OF PERMITTED, CONDITIONAL, AND PROHIBITED USES TO PROHIBIT HOTELS IN THE H-40 ZONING DISTRICT SOUTH OF 93RD STREET AND ADDRESS HOTEL ACCESSORY USES; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; PROVIDING FOR CONFLICTS AND PROVIDING FOR AN EFFECTIVE DATE.

6. Discussion Items:

- A. Unlocking Height from the Charter - Verbal**
- B. Future Agenda Items**

7. Adjournment



**Town of Surfside
PLANNING & ZONING BOARD
MINUTES**

May 23 2019 – 6:00 p.m.

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

1. Call to Order/Roll Call

Vice Chair Judith Frankel called the meeting to order at 6:02 p.m.

Present: Vice Chair Judith Frankel, Board Member Peter Glynn, Board Member Jorge Garcia and Board Member Rochel Kramer

Vice Mayor Gielchinsky entered at 6:05 p.m.

Absent: Chair Lindsay Lecour, Board Member Brian Roller and Board Member Marina Gershanovich

2. Town Commission Liaison Report – Vice Mayor Gielchinsky

Vice Mayor Gilchensky gave his Liaison Report and updated the Board on the second reading of the Hotel Ordinance and since it was advertised

Town Planner Sarah Sinatra Gould since pz req a deferall but the commission wanted additional items for analysis and they will bring it to their next pz meeting

Vice Mayor Gilchensky also spoke regarding Florida Friendly Landscaping and the things involved, water, fertilizer and pesticides.

3. Approval of Minutes – April 30, 2019

A motion was made by Board Member Rochel Kramer to approve the April 30, 2019 minutes, motion received a second by Board Member Jorge Garcia. Motion passed with a 4-0 vote with Board Member Brian Roller, Board Member Marina Gershanovich and Chair Lindsay Lecour absent.

4. Applications:

- A. 9538 Harding Avenue** – The applicant is requesting three (3) Permanent Window Signs and one (1) television screen.

Town Planner Sarah Sinatra Gould introduced the item and staff recommendations that the applicant provide a signage and windows to be consistent with the code requirements.

A motion was made by Board Member Peter Glynn to approve the application with staff conditions, motion received a second by Board Member Jorge Garcia. Motion passed with a 4-0 vote with Board Member Brian Roller, Board Member Marina Gershanovich and Chair Lindsay Lecour absent.

Chair Lindsay Lecour entered the meeting at 6:06 p.m. after the item was approved and voted on.

- B. 524 92nd Street-** The applicant is requesting to convert their garage to approximately 286 square feet of additional living space.

Town Planner Sarah Sinatra Gould introduced the item and staff recommendations for the applicant to provide landscaping in front of the garage per the code.

A motion was made by Board Member Rochel Kramer to approve the application with staff conditions, motion received a second by Vice Chair Judith Frankel. Motion passed with a 5-0 vote with Board Member Brian Roller and Board Member Marina Gershanovich absent.

Board Member Marina Gershanovich entered at 6:10 p.m. after the item was approved and voted on.

- C. 8826 Froude Avenue** – The applicant is requesting to build a 2,247 square foot two-story new home.

Town Planner Sarah Sinatra Gould introduced the item and the applicant addressed all staff conditions.

Gerald Belgrave, applicant, spoke regarding the conditions set by the Town and how he has met all the requirements requested.

The following public speaker spoke on the item:
Florence Las

Town Planner Sarah Sinatra Gould addressed the speaker's comments and concerns.

Marci Varc, applicant, answered the questions and concerns of the speaker and the Board regarding the dust, construction, AC permit and pool pump permit.

Further discussion took place among the applicant, the Town Planner and the Board regarding the noise due to the construction, dust and recommendations suggested by the Board.

Board requested an enclosure around the air conditioning unit, and the air conditioning pump must be located 15 feet from the neighbor’s house, and it must meet code requirements.

A motion was made by Vice Chair Judith Frankel to approve the application with staff recommendations and conditions, motion received a second by Board Member Peter Glynn. Motion passed with a 6-0 vote with Board Member Brian Roller absent.

D. 9472 Harding Avenue – “Mesa” Bar-Fish-Meat - The applicant is requesting the change of face on one (1) existing illuminated Individually-Mounted Push Through Letter Sign for the Mesa Restaurant

Town Planner Sarah Sinatra Gould introduced the item and staff recommendations made to the applicant. The applicant has not submitted new documentation showing they met code requirements and therefore she is requesting denial of this application.

Carlos Blanco, representing the applicant, spoke regarding the signage.

Chair Lindsay Lecour questioned the window sign.

A motion was made by Board Member Peter Glynn to defer the item until the applicant returns with a new package, motion received a second by Board Member Jorge Garcia. Motion passed with a 6-0 vote with Board Member Brian Roller absent.

5. Local Planning Agency Items

A. Florida Friendly Landscape

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, AMENDING ARTICLE VIII, “LANDSCAPE REQUIREMENTS,” OF CHAPTER 90, “ZONING,” OF THE TOWN’S CODE OF ORDINANCES BY ESTABLISHING FLORIDA-FRIENDLY

LANDSCAPE REQUIREMENTS; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.

Town Clerk Sandra Novoa read the title into the record.

Town Planner Sarah Sinatra Gould introduced the item.

Further discussion took place among the Board and staff regarding the item and singling out certain landscape, pesticides and if additional staffing will be needed to enforce the Ordinance.

The following public speakers spoke on the item:

Sasha Plutno

Town Planner Sarah Sinatra Gould explained the item and being in accordance with Miami-Dade County Code.

Town Manager Guillermo Olmedillo answered the Board's question regarding additional staffing and the ordinance.

Discussion continued among staff and the Board regarding regulation, enforcement of the code, additional staffing and placing these changes in the Newsletter so the residents know of the changes to the code.

Chair Lindsay Lecour recommended possibly offering a free training to the one-man shop landscapers with the changes.

A motion was made by Board Member Peter Glynn to approve the Ordinance and recommends sending it back to the town Commission for their approval, motion received a second by Board Member Jorge Garcia Motion passed with a 6-0 vote with Board Member Brian Roller absent.

6. Discussion Items:

A. Freeboard, Base Flood Elevation and Finished Floor Elevation

Town Planner Sarah Sinatra Gould introduced the item and provided different flood elevation options comparing them with the different hurricanes in the past.

Further discussion among the Board and Town Planner Sarah Sinatra Gould regarding the elevation and pitched roof continued.

The following public speakers spoke on the item:

Jeff Rose
Sasha Plutno

Town Planner Sarah Sinatra Gould answered the questions the public speakers had regarding a flat room house and a pitched roof house and how the code treats them.

Board Member Peter Glynn spoke regarding the need of the need for the referendum and the changes are needed.

Discussion continued among the Board regarding the need of the elevation, what height is needed, and the event of a storm surge. The Board also questioned if a storm surge would hit the Town if the Town would rebuild, what those code requirements would be and having to wait for a referendum.

Be interested in exploring it as a referendum to help the residents.

Chair Lindsay Lecour and the Board continued discussion regarding the freeboard elevation, showing different visuals on a board for the public to see and attach the language to unlock the height with no height change.

Board recommends having two (2) information sessions/workshops in the summer with the ballot language and have a Liaison assigned taking it to the Commission for their approval.

B. Summer Meetings Schedule

Board requested to combine the June and July Board meeting and have that meeting July 11, 2019 and Town Planner Sarah Sinatra Gould will check with the Town to see availability of the chambers.

C. Future agenda items

Board Member Peter Glynn commented on the terrible sulfur smell off the storm sewer on 88th Street during low tide.

Discussion among Chair Lindsay Lecour and Town Planner Sarah Sinatra Gould regarding revisiting the 2nd story allowance. Chair Lindsay Lecour asked to have clarification of what has been done and have Town Planner Sarah Sinatra Gould present it at the next meeting.

7. Adjournment

A motion was made by Board Member Rochel Kramer to adjourn the meeting without objection at 7:49 p.m.

Respectfully submitted,

Accepted this ____ day of _____, 2019.

Lindsay Lecour, Chair

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: Lillian Arango, Town Attorney

Date: July 11, 2019

Re: 9049 Froude Avenue– Repair, Renovation, and Garage Conversion

The property is located at 9049 Froude Avenue, within the H30B zoning district. The applicant is requesting to repair and renovate the existing house along with converting the existing garage into a storage room. The proposed residence will be an 1,850 square foot structure including the new storage room.



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

- Applicable Zoning Code regulations, along with the results of the review
- Applicable Design Guideline standards, along with the results of the review
- Staff Findings

STANDARDS / RESULTS

Town of Surfside Zoning Code, Applicable Requirements

Sec. 90.43 Maximum building heights

Height	Required Maximum	Proposed
H30B	30 feet	Existing: 15'5" to ridge

Sec. 90-45. Setbacks

H30B UPPER STORY FLOOR AREA IS LESS THAN 50% OF FIRST STORY FLOOR AREA	Required	Proposed
Maximum Lot Coverage	40%	33%
FIRST STORY		
Primary Frontage	Minimum 20 feet	Existing: 19'8"
Interior side (lots equal to or less than 50 feet in width)	Minimum 5 feet	North side existing: 5' South side existing: 5'
Secondary Frontage	Minimum 10 feet	N/A
Rear	Minimum 20 feet	Existing 33'10"

Sec. 90.49 Lot standards

Lot Standards H30B	Required	Proposed
Minimum Lot width	50 feet	50.06 feet
Minimum lot area	5,600 square feet	5,631 square feet
Maximum lot coverage	40%	33%
Pervious area	35% (minimum)	55%

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 proposed home will feature different lengths, widths and massing, façade materials and roof style and pitch.

	(e)Number and location of doors and windows; and (f)Roof style and pitch.	
Wall openings	10% for all elevations	Demonstrate there is no net loss of windows.
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 Board; (d)Architecturally embellished metal if granted approval by the Board; or (e)Other Florida Building Code approved roof material(s) if granted approval by the Board.	Proposed Lomoti "Flat Bermuda" concrete tile

Sec. 90-50.1 (7) Garage Facades

Required	Proposed
1 window	2 windows are proposed (2 in the front).
If the garage entrance is located at the front or primary corner of the property, landscaping shall be provided along the base of the new exterior wall. When the installation of landscaping results in insufficient off-street parking, a landscaped planter shall be permitted in lieu of the required landscaping.	Provide landscaping along the base of the new exterior wall.

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	one
Curb Cut side set back	5 feet minimum	5'
Curb cut width	18 feet width maximum	18'

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.	New driveway and walkway material has not been provided.
--------------------	-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	----------------------------------------------------------

Sec. 90-77 Off-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

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
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.	4:12 pitched roof is proposed with Lomoti "Flat Bermuda" concrete tile

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.	Consistent
Window, door and eave trim should be consistent on all elevations of the house	Consistent

FINDINGS

Staff finds the application meets the Code subject to the following conditions:

1. Provide landscaping along the base of the new exterior wall. Per code section 90-50.1, If the garage entrance is located at the front or primary corner of the property, landscaping shall be provided along the base of the new exterior wall. When the installation of landscaping results in insufficient off-street parking, a landscaped planter shall be permitted in lieu of the required landscaping.
2. Provide details of the proposed driveway and walkway materials. The proposed driveway and walkway materials are not provided. Per code section 90-61(6), materials are limited to (a) pavers, (b) color and texture treated concrete, including stamped concrete as long as it is permeable, (c) painted concrete shall not be permitted, (d) asphalt shall not be permitted.
3. Provide calculation of each elevation to demonstrate there is no net loss of window openings.

TOWN OF SURFSIDE

MAKING IS LEGITIMATE



DRB Meeting	___/___/20__
Application / Plans Due	___/___/20__

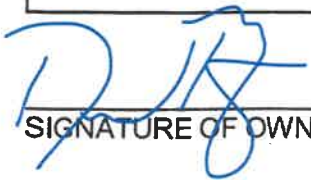
**TOWN OF SURFSIDE
SINGLE-FAMILY and TWO-FAMILY SITE PLAN APPLICATION**

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

PROJECT INFORMATION	
OWNER'S NAME	9049 JB LLC
PHONE / FAX	305-965-0262
AGENT'S NAME	David Burstyn / Leon Azicri
ADDRESS	9049 Froude Ave
PHONE / FAX	
PROPERTY ADDRESS	
ZONING CATEGORY	H 30B
DESCRIPTION OF PROPOSED WORK	Repair + Renovate Existing House. no addition. Garage conversion

INTERNAL USE ONLY	
Date Submitted	Project Number
Report Completed	Date
Fee Paid	\$

ZONING STANDARDS	Required	Provided
Plot Size	5,600 s.f. min.	5,631 sf
Setbacks (F/R/S)	20' 20' 5'	19.9' 33.9' 5'
Lot Coverage	40% MAX	33%
Height	30' MAX	15.5'
Pervious Area	40%	3082 sf. (55%)


SIGNATURE OF OWNER

05/05/19
DATE


SIGNATURE OF AGENT

5/2/19
DATE



TOWN OF SURFSIDE
SINGLE-FAMILY and TWO-FAMILY SITE PLAN APPLICATION
PLANNING AND ZONING BOARD Rules and Procedures (June 2002)

The Planning and Zoning Board shall generally meet the last **Thursday** of each month at 7:00 pm. at Town Hall.

Plans and completed applications (including all supporting documentation) must be submitted to the Building Department at least 21 days prior to the meeting, with the payment of applicable fees (example: \$200.00 for Plan Review for Zoning), at which time they will be considered. Incomplete plans and applications will not be processed.

The applicant or duly authorized agent (per ownership affidavit) must be present at the meeting. If there are no applications for consideration by the Planning and Zoning Board, the monthly meeting may be cancelled at the discretion of the Chairman of the Board.

Please advise the name of the Representative who will attend the hearing on behalf of this application:

NAME OF REPRESENTATIVE

DATE

DAVID BURSAN
05/05/19



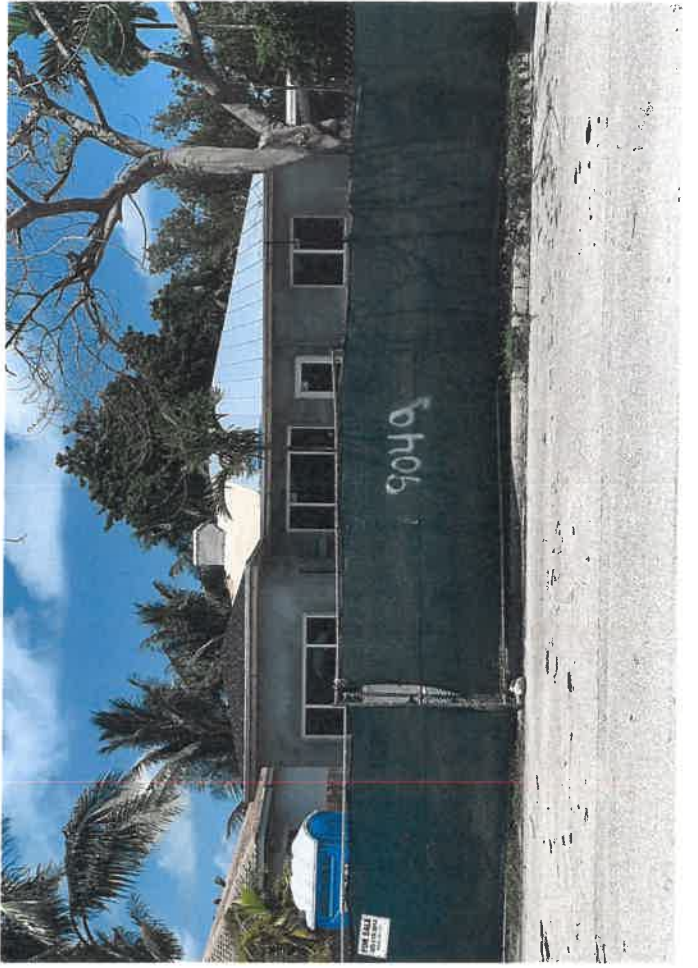
9057 Froude Ave.



9041 Froude Ave.



9049 Froude Ave.



4206 North



4206 South

**COPIES OF SITE
PLANS ARE
AVAILABLE AT THE
CLERKS OFFICE.**

PLEASE CALL 305-861-4863 FOR MORE
INFORMATION OR EMAIL TOWN CLERK
SANDRA NOVOA AT
SNOVOA@TOWNOFSURFSIDEFL.GOV



MEMORANDUM

To: Planning & Zoning Board

Thru: Guillermo Olmedillo, Town Manager

From: Sarah Sinatra Gould, AICP, Town Planner

CC: Lillian Arango, Town Attorney

Date: July 11, 2019

Re: 9289 Emerson Avenue – Garage Conversion

The property is located at 9289 Emerson Avenue, within the H30B zoning district. The applicant is requesting to convert their garage to approximately 216 square feet of additional living space. Other renovations are being proposed in the interior and new windows and doors are proposed on the front, side and rear of the residence.



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

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

STANDARDS / RESULTS

Town of Surfside Zoning Code, Applicable Requirements

Sec. 90-50.1 (5) Garage Facades

Required	Proposed
1 window	New window is proposed
If the garage entrance is located at the front or primary corner of the property, landscaping shall be provided along the base of the new exterior wall. When the installation of landscaping results in insufficient off-street parking, a landscaped planter shall be permitted in lieu of the required landscaping.	Landscaping has not been provided

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 proposed home will feature different lengths, widths and massing, façade materials and roof style and pitch.
Wall openings	10% for all elevations	1) No net loss of wall openings on the east elevation (front) 2) North elevation results in a net loss of wall openings with the removal and fill of the door and window 3) No net loss of wall openings on the west elevation (rear) 4) No net loss of wall openings on the south elevation (side)

		All elevations shall result in a zero percent net loss of wall openings.
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 Board; (d) Architecturally embellished metal if granted approval by the Board; or (e) Other Florida Building Code approved roof material(s) if granted approval by the Board.	Existing Roof Material to remain

Sec. 90-77 Off-street Parking Requirements

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

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 finds the application does not meet the Code subject to the following;

1. Provide landscaping or a planter in front of the converted garage. Per **code section 90-50.1**, the installation of planter is only permitted when the landscaping will result in insufficient off-street parking. There is sufficient space in the front yard for a landscaped strip which will not impede off-street parking.
2. The north elevation results in a net loss of wall openings with the removal and fill of the existing door and window. Adjust accordingly so that there is 0 net loss of wall openings. **Per code section 90-50.1**

Affidavit of Ownership

State of Florida
County of Miami Dade

I Max Aquinin, residing at 9289 Emerson Ave, Surfside, FL, 33154, being of legal age, depose and say that:

Description Property

I am presently the owner of real property situated at 9289 Emerson Ave, Surfside, FL, 33154 and legally described as folio 14-2235-006-2495 in Sub-Division Altos Del Mar No 5 on the Miami Dade Property Register.

Ownership

I acquired ownership of the above property by deed dated July 31, 2009, recorded in the Miami Dade County Clerk's Office on August 17, 2009, in Book 8 of Deeds at Page 920.

Possession

I personally took possession of the property from the date of purchase and I have remained in continuous open, peaceful and notorious possession of the Property since that date.

I have no knowledge of any facts which would indicate that my title or possession of the subject real property would be called into question or dispute.

To my knowledge, my title to the subject premises has never been disputed, rejected or questioned.

Lien and Encumbrances

No claim or action has been brought to my attention which questions my title or right to possession of the property and, to my knowledge, no actions are pending against me in any court.

There are no judgments against me which are unpaid in any court of Florida or of the U.S., and the subject premises are free from all liens and encumbrances.

No Proceedings in bankruptcy have been brought by or against me in any court, nor have I made an assignment for the benefit of creditors, nor have I made any other type of creditor arrangements.

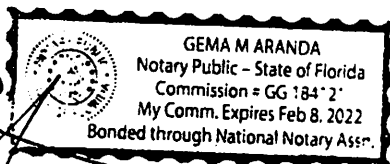
Oath or Affirmation

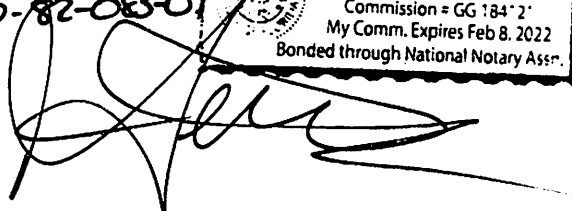
I certify under penalty of perjury under Florida law that I know the contents of this Affidavit signed by me and that the statements are true and correct.



MAX AQUININ

A255-546-82-083-U





6/13/2019

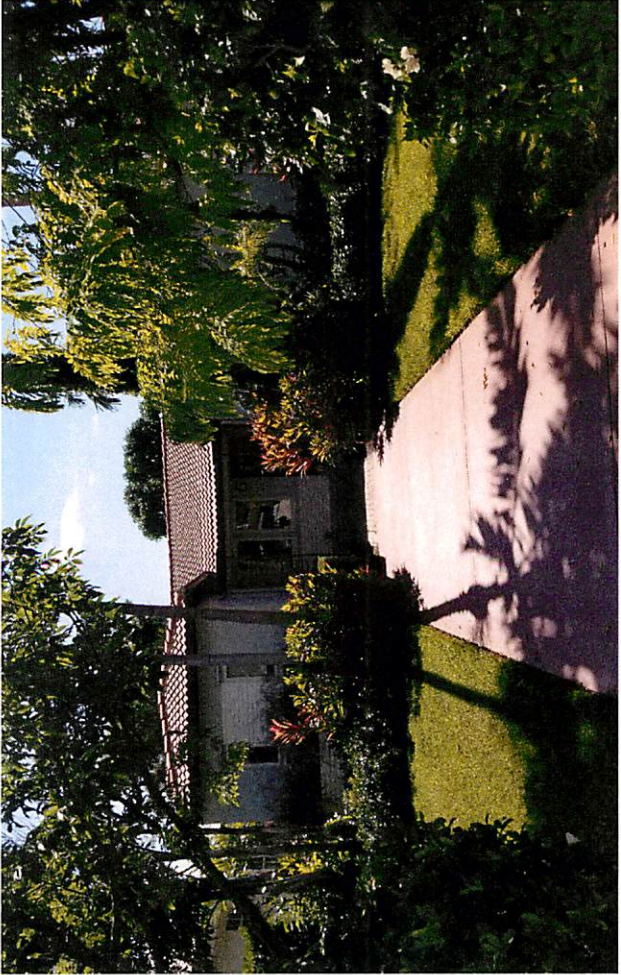
Date



SUBJECT PROPERTY
9289 EMERSON AVE.



PROPERTY ADJACENT 9273 EMERSON



PROPERTY ADJACENT 9281 EMERSON

**COPIES OF SITE
PLANS ARE
AVAILABLE AT THE
CLERKS OFFICE.**

PLEASE CALL 305-861-4863 FOR MORE
INFORMATION OR EMAIL TOWN CLERK
SANDRA NOVOA AT
SNOVOA@TOWNOFSURFSIDEFL.GOV



MEMORANDUM

To: Design Review Board

Thru: Guillermo Olmedillo, Town Manager

From: Sarah Sinatra Gould, AICP, Town Planner

CC: Lillian Arango, Town Attorney

Date: July 11, 2019

Re: 9008 Byron Avenue – Garage Conversion and Driveway Addition

The property is located at 9008 Byron Avenue, within the H30B zoning. The applicant is requesting to convert their garage to approximately 251 square feet of additional living space. Furthermore, the applicant is proposing a new driveway addition. Other renovations are being proposed in the interior and new windows and doors are proposed on the front, side and rear of the residence.



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

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

STANDARDS / RESULTS

Town of Surfside Zoning Code, Applicable Requirements

Sec. 90-50.1 (5) Garage Facades

Required	Proposed
1 window	New window is proposed
If the garage entrance is located at the front or primary corner of the property, landscaping shall be provided along the base of the new exterior wall. When the installation of landscaping results in insufficient off-street parking, a landscaped planter shall be permitted in lieu of the required landscaping.	Landscaping shall be provided along the base of the new exterior wall. Currently, the proposed plans show the addition of a landscape planter. A landscape planter shall only be permitted when landscaping results in insufficient off-street parking. In this case, landscaping would not impact the off-street parking.

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 proposed home will feature different lengths, widths and massing, façade materials and roof style and pitch.
Wall openings	10% for all elevations	<ol style="list-style-type: none"> 1) No net loss of wall openings on the east elevation (front) 2) North elevation results in a net loss of wall openings with the removal and fill of the door (side). 3) No net loss of wall openings on the west elevation (rear)

		4) No net loss of wall openings on the south elevation (side) All elevations shall result in a zero percent net loss of wall openings.
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 Board; (d) Architecturally embellished metal if granted approval by the Board; or (e) Other Florida Building Code approved roof material(s) if granted approval by the Board.	Existing Spanish tile

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

Paving Yards	Required	Proposed
Front setback permeability	50% minimum	Provide additional information showing that 50% of the front setback is permeable.
Front yard landscaped	30% minimum	>30%
Rear yard landscaped	20% minimum	>20%
Number of Curb Cuts	One minimum	1
Curb Cut side set back	5 feet minimum	+5'
Curb cut width	18 feet maximum	16'9"
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 pad with grass

Sec. 90-77 Off-street Parking Requirements

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

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 finds the application meets the Code subject to the following;

1. Provide landscaping or a planter in front of the converted garage. Per Code Section 90-50.1, the installation of planter is only permitted when the landscaping will result in insufficient off-street parking. There is sufficient space in the front yard for a landscaped strip which will not impede off-street parking.
2. The north elevation (side) results in a net loss of wall openings with the removal and fill of the existing door. Per Code Section 90-50.1
3. Provide additional information showing that the 50% front setback permeability is being met Per Code Section 90.61.1



DRB Meeting	___/___/20__
Application / Plans Due	___/___/20__

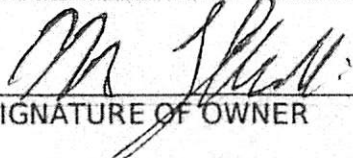

TOWN OF SURFSIDE
SINGLE-FAMILY and TWO-FAMILY SITE PLAN APPLICATION

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

PROJECT INFORMATION	
OWNER'S NAME	Marco Tagliati
PHONE / FAX	754-232-5112
AGENT'S NAME	Jeffrey Rose
ADDRESS	9851 Foyde Ave, Surfside, FL 33154
PHONE / FAX	305-733-2485
PROPERTY ADDRESS	9008 Byron Ave, Surfside, FL 33154
ZONING CATEGORY	H30B
DESCRIPTION OF PROPOSED WORK	garage conversion into den & new driveway for 2 plus cars

INTERNAL USE ONLY			
Date Submitted	6/18/19	Project Number	19-622
Report Completed	6/18/19	Date	6/18/19
Fee Paid	\$ 200		

ZONING STANDARDS	Required	Provided
Plot Size	5,600	5,600
Setbacks (F/R/S)	20 20 5	24'7" 34'9" 5'0"
Lot Coverage	40%	33.67%
Height	30'	Existing 14'
Pervious Area	35%	45%


6/17/19
DATE

6/17/19
DATE

**COPIES OF SITE
PLANS ARE
AVAILABLE AT THE
CLERKS OFFICE.**

PLEASE CALL 305-861-4863 FOR MORE
INFORMATION OR EMAIL TOWN CLERK
SANDRA NOVOA AT
SNOVOA@TOWNOFSURFSIDEFL.GOV



MEMORANDUM

To: Plannign & Zoning Board
 Thru: Guillermo Olmedillo, Town Manager
 From: Sarah Sinatra Gould, AICP, Town Planner
 CC: Lillian Arango, Town Attorney
 Date: July 11, 2019
 Re: 9538 Harding Avenue – Lemel Spa

The subject property is located at 9538 Harding Avenue and is within the SD-B40 zoning district. The applicant is moving the business from 9471 Harding Avenue. The applicant is requesting a permanent channel letter sign.

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 Findings

STANDARDS / RESULTS

Town of Surfside Zoning Code, Applicable Requirements

Sec. 90-73

Signs	Permitted	Proposed
Area of Individually Mounted Letter Sign	25 square feet	16 square feet
Location	With the exception of theater marquees and V-box signs, no sign shall be erected so that any portion thereof shall project over a dedicated street or sidewalk or so that any portion thereof shall project more than five feet from any main building wall.	Sign does not project over the sidewalk or street.



Illumination	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.	Illuminated channel letters
---------------------	------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	-----------------------------

FINDINGS:

Staff finds that the application meets the code requirements with the following condition:

1. Any existing or proposed electrical boxes shall be concealed.

JUN 19 11:56 AM
TOWN OF SURFSIDE



DRB Meeting	___/___/20__
Application / Plans Due	___/___/20__

**TOWN OF SURFSIDE
SINGLE-FAMILY and TWO-FAMILY SITE PLAN APPLICATION**

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

PROJECT INFORMATION	
OWNER'S NAME	Donald J. Kahn Trs
PHONE / FAX	305 810 5811
AGENT'S NAME	Advanced Multi Sign
ADDRESS	
PHONE / FAX	
PROPERTY ADDRESS	9533 Harding Ave
ZONING CATEGORY	
DESCRIPTION OF PROPOSED WORK	New illuminated teal sign

INTERNAL USE ONLY			
Date Submitted	6.4.19	Project Number	19-387
Report Completed	yes	Date	6.4.19
Fee Paid	\$ 200.00		

ZONING STANDARDS	Required	Provided
Plot Size	_____	_____
Setbacks (F/R/S)	_____ _____ _____	_____ _____ _____
Lot Coverage	_____	_____
Height	_____	_____
Pervious Area	_____	_____


5/21/19

5/30/19
 SIGNATURE OF OWNER DATE SIGNATURE OF AGENT DATE



TOWN OF SURFSIDE
SINGLE-FAMILY and TWO-FAMILY SITE PLAN APPLICATION
PLANNING AND ZONING BOARD Rules and Procedures (June 2002)

The Planning and Zoning Board shall generally meet the last Thursday of each month at 7:00 pm. at Town Hall.

Plans and completed applications (including all supporting documentation) must be submitted to the Building Department at least 21 days prior to the meeting, with the payment of applicable fees (example: \$200.00 for Plan Review for Zoning), at which time they will be considered. Incomplete plans and applications will not be processed.

The applicant or duly authorized agent (per ownership affidavit) must be present at the meeting. If there are no applications for consideration by the Planning and Zoning Board, the monthly meeting may be cancelled at the discretion of the Chairman of the Board.

Please advise the name of the Representative who will attend the hearing on behalf of this application:

Sandra Abner
NAME OF REPRESENTATIVE

6/14/19
DATE

20612 -

Company Letter head

LETTER OF AUTHORIZATION

May, 23rd 2019

Attn: Town of surfside

Ref: Sign permit

Property Address: 9538 Harding Ave

To whom it may concern:

I Donald Kahn (Owner of Property) hereby authorize Advanced Multi Sign (Contractor/ Qualifier) and any of its agents to obtain all necessary permits and documentation needed to manufacture and install any sign/s needed for the above address. If you have any further questions, please feel free to contact me at: 305-8654311. Thank you.

Regards

Donald Kahn
(Owner/Authorized Agent)

Before me, this 21 day of May, 2019, by Donald Kahn who is personally known/ provided the following identification _____ and, having first been sworn, hereby swears that the statements contained in the foregoing document are true and correct.

Natalia Solar

Notary Signature

Notary Seal



**COPIES OF SITE
PLANS ARE
AVAILABLE AT THE
CLERKS OFFICE.**

PLEASE CALL 305-861-4863 FOR MORE
INFORMATION OR EMAIL TOWN CLERK
SANDRA NOVOA AT
SNOVOA@TOWNOFSURFSIDEFL.GOV



MEMORANDUM

To: Design Review Board

Thru: Guillermo Olmedillo, Town Manager

From: Sarah Sinatra Gould, AICP, Town Planner

CC: Lillian Arango, Town Attorney

Date: July 11, 2019

Re: 9000 Abbott Avenue– Renovation and Addition

The property is located at 9000 Abbott Avenue, within the H30B zoning district. This application was heard by the Planning and Zoning Board in September 2017. At that time the applicant was proposing a two story addition. The revised request is to keep the structure to a one story building and to raise the roof above a newly reconfigured master suite. Furthermore, the applicant is also proposing a 26 square foot addition to a storage room, a terrace, a pool, and reconfiguration of interior partitions.



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. 90.43 Maximum building heights

Height	Required Maximum	Proposed
H30B	30 feet	Less than 30 feet (14' 11")

Sec. 90-45. Setbacks

Setbacks	Required	Proposed
Primary Frontage	Minimum 20 feet	27' 11"
Secondary Frontage	Minimum 10 Feet	17' 5"
Interior side (lots over 50 feet in width)	10% of frontage (5' 6" feet minimum)	5' 4" (north side)
Rear	Minimum 20 feet	20' 2"

Sec. 90.49 Lot standards

Lot Standards H30B	Required	Proposed
Minimum Lot width	50 feet	55.07 feet
Minimum lot area	5,600 feet	6,160 square feet
Maximum lot coverage	40%	25.8%
Pervious area	35% (minimum)	>35% (50.3%)

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 addition to the house will utilize different materials as the existing house; new roof material is proposed for the entire roof, new doors and windows are proposed for the home, and a pitched roof is proposed for the addition on the primary frontage and secondary frontage.
Wall openings	10% for all elevations	Proposed addition includes windows and doors. All elevations are 10% or greater for wall openings.

Roof Material	<p>(a) Clay Tile;</p> <p>(b) White concrete tile;</p> <p>(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;</p> <p>(d) Architecturally embellished metal if granted approval by the Design Review Board; or</p> <p>(e) Other Florida Building Code approved roof material(s) if granted approval by the Design Review Board.</p>	The proposed standing seam grey metal roof material is considered an architecturally embellished metal and requires approval by the Design Review Board.
---------------	----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	----------------------------------------------------------------------------------------------------------------------------------------------------------

Sec. 90-50.1 (7) Garage Facades

Required	Proposed
1 window	2 windows are proposed (2 in the front).
If the garage entrance is located at the front or primary corner of the property, landscaping shall be provided along the base of the new exterior wall. When the installation of landscaping results in insufficient off-street parking, a landscaped planter shall be permitted in lieu of the required landscaping.	Landscaping is shown on the site plan.

Sec. 90.54.2 Accessory swimming pools and decks

Setbacks	Required	Proposed
Primary Frontage	Minimum 10 feet	12' 6"
Secondary Frontage	Minimum 10 Feet	>10'
Interior Side	Minimum 5 Feet	7' 0"
Rear	Minimum 5 Feet	>5'

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.	A fence with white-enamel finish is proposed along the front and secondary front property lines.

90-56.2

Required	Proposed
<p>Fences or ornamental walls within the front yard or primary corner yard shall have a continuous hedge of a minimum height of three feet at the time of planting and shall thereafter be maintained a maximum height equal to the top of the fence or wall. The hedge shall be planted between the right-of-way and the fence or ornamental wall. The hedge shall be planted contemporaneously with the erection of the fence or wall.</p>	<p>Not provided</p>

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

Frontage	Maximum Height (Feet)	Maximum Opacity (Percent)	Proposed
<p>55.07 feet</p>	<p>4 feet</p>	<p>All wall and fence surfaces above two (2) feet measured from grade shall maintain a maximum opacity of fifty (50) percent</p>	<p>A 4' tall fence (2' of solid fence and 2' of opaque fence) is proposed along the front corner clearance area in conformance with Sec 90-52. Maximum opacity proposed is 50%.</p>

90-56.5 Modification of secondary frontage fence and ornamental wall regulations

	Required	Proposed
<p>Fence</p>	<p>A fence or ornamental wall that has a maximum opacity of 100 percent and a maximum height of six feet, as measured from grade, may project into or enclose the street side yard of a corner lot, provided:</p> <ol style="list-style-type: none"> a. The fence or wall is not placed in front of the front facade of the primary residential structure and extends beyond the plane of the front facade on only one side of the primary residential structure; b. The fence or wall is setback three feet from any property line; c. Shrubs shall be installed at the time the fence or wall is installed; and 	<p>A solid vehicular gate is proposed to be located behind the front plane of the home. Height of this gate/fence has not been provided.</p>

	d. The shrubs shall be planted a minimum of 36 inches in height, shall be placed a maximum of 24 inches on center and shall cover the exterior of the fence or wall within one year after the final inspection of the fence.	
--	------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	--

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	2
Curb Cut side set back	5 feet minimum	8' (From rear)
Curb cut width	18 feet width maximum	18 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.	New reinforced concrete driveway

Sec. 90-77 Off-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

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
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.	Pitched metal roof is proposed for the newly configured master bedroom

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.

FINDINGS

Staff finds the application meets the Code subject to the following conditions:

1. Provide height of vehicular gate and fence.
2. Fences or ornamental walls within the front yard or primary corner yard shall have a continuous hedge of a minimum height of three feet at the time of planting and shall thereafter be maintained a maximum height equal to the top of the fence or wall. The hedge shall be planted between the right-of-way and the fence or ornamental wall. The hedge shall be planted contemporaneously with the erection of the fence or wall. Per Code Section 90-56.2

19-544



TOWN OF SURFSIDE
JUN 12 10 12:00PM

DRB Meeting	___/___/20__
Application / Plans Due	___/___/20__



TOWN OF SURFSIDE
SINGLE-FAMILY and TWO-FAMILY SITE PLAN APPLICATION

A complete submittal includes all items on the "Single-Family and Two-Family Site Plan Application Submission Checklist" document as well as completing this application in full. The owner and a gent must sign the application with the appropriate supplemental documentation attached. Please print legibly in ink or type on this application form.

PROJECT INFORMATION	
OWNER'S NAME	Karen Sandler
PHONE / FAX	(310)451-0375
AGENT'S NAME	Douglas West
ADDRESS	780 Tamiami Canal Road Miami, FL 33144
PHONE / FAX	(305)799-3592 / (305)359-3863
PROPERTY ADDRESS	9000 Abbott Avenue
ZONING CATEGORY	H30B
DESCRIPTION OF PROPOSED WORK	Raising the roof above a newly reconfigured master suite, addition of a 26 sq.ft. storage room, terrace and swimming pool. Reconfiguration of interior partitions.

INTERNAL USE ONLY	
Date Submitted	_____ Project Number _____
Report Completed	_____ Date _____
Fee Paid	\$ _____

ZONING STANDARDS	Required	Provided
Plot Size	6,160 sq.ft.	6,160 sq.ft.
Setbacks (F/R/S)	20'-0" 20'-0" 5'-6" & 10'-0"	27'-11" 20'-2" 5'-4" & 17'-5"
Lot Coverage	40% max.	25.8%
Height	30'-0"	14'-11"
Pervious Area	2,156 sq.ft.	3,100 sq.ft.

	6-7-2019		6-4-2019
SIGNATURE OF OWNER	DATE	SIGNATURE OF AGENT	DATE



TOWN OF SURFSIDE
SINGLE-FAMILY and TWO-FAMILY SITE PLAN APPLICATION
PLANNING AND ZONING BOARD Rules and Procedures (June 2002)

The Planning and Zoning Board shall generally meet the last Thursday of each month at 7:00 pm. at Town Hall.

Plans and completed applications (including all supporting documentation) must be submitted to the Building Department at least 21 days prior to the meeting, with the payment of applicable fees (example: \$200.00 for Plan Review for Zoning), at which time they will be considered. Incomplete plans and applications will not be processed.

The applicant or duly authorized agent (per ownership affidavit) must be present at the meeting. If there are no applications for consideration by the Planning and Zoning Board, the monthly meeting may be cancelled at the discretion of the Chairman of the Board.

Please advise the name of the Representative who will attend the hearing on behalf of this application:

Douglas West

6-4-2019

NAME OF REPRESENTATIVE

DATE

**COPIES OF SITE
PLANS ARE
AVAILABLE AT THE
CLERKS OFFICE.**

PLEASE CALL 305-861-4863 FOR MORE
INFORMATION OR EMAIL TOWN CLERK
SANDRA NOVOA AT
SNOVOA@TOWNOFSURFSIDEFL.GOV



MEMORANDUM

To: Planning and Zoning Board

Thru: Guillermo Olmedillo, Town Manager

From: Sarah Sinatra Gould, AICP, Town Planner

CC: Lillian Arango, Town Attorney

Date: July 11, 2019

Re: 1001 88th Street– New 2 Story Home

The property is located at 1001 88th Street, within the H30B zoning district. The applicant is requesting to build a 3,654 square foot two-story new home. The plans include new driveway, walkways, pool, deck and covered terrace.

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 Guideline standards, along with the results of the review
- Staff Findings

STANDARDS / RESULTS

Town of Surfside Zoning Code, Applicable Requirements

Sec. 42.92 Lowest Floor Elevation

Residential	Lowest Floor	Proposed
Single-Family Residential	Base Flood +2	10 feet

Sec. 90.43 Maximum building heights

Height	Required Maximum	Proposed
H30B	30 feet	30 feet

Sec. 90-44. - Modifications of height regulations.

90-44.1 Architectural Elements

Height	Required Maximum	Proposed
H30B	3 feet	1 ½ feet

Sec. 90-45. Setbacks

H30A AND H30B UPPER STORY FLOOR AREA IS 50% TO 64% OF FIRST STORY AREA	Required	Proposed
<i>Maximum Lot Coverage</i>	40%	37.9%
FIRST STORY (UP TO 15 FT IN HEIGHT)		
Primary frontage	Minimum 20 FT	20'
Interior side (Minimum 10% of the frontage)	Minimum 6' 1½"	6' 1½"
Secondary Frontage (corner only)	Minimum 10 ft.	10'
Rear	Minimum 20 FT	20'
UPPER STORY OR WALL PLANES GREATER THAN 15 FT IN HEIGHT		
Primary frontage	Minimum 20 FT / Average 22.5	25'
Interior side (lots greater than 50 feet in width)	Wall Length is greater than 25% of the lot depth – Minimum 10% of the lot frontage (6'1") / Average 15% of the frontage (9'1")	Provide dimensions to demonstrate the average setback of the second floor.
Rear	Minimum 20 FT / Average n/a	20'
Secondary frontage (corner only)	Minimum 10 ft / average 15 ft	Exceeds the secondary frontage average setback.

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

	Required	Proposed
Every part of a required yard shall be open to the sky, except ordinary projections of sills, cornices, roof eaves and ornamental features	May project not more than 24 inches into any required yard	Front yard: 2' (Roof Eave) Side Yard: 2' (Roof Eave) Rear Yard: 2' (Roof Eave)
Air conditioning equipment, pool pump or other mechanical equipment may be located in a required rear setback	<ul style="list-style-type: none"> a) Such equipment is at least 15 feet from any other single-family or two-family residence b) Maintain at least a five-foot setback from the rear and side yards and is not visible from any street or waterway 	<ul style="list-style-type: none"> a) The equipment (located in the rear) is at least 15 feet from neighboring residences b) Mechanical equipment is setback at least 5 feet from the rear and side yard property lines.

Open, unenclosed building entrance porches, platforms, stairs or paved terraces, not covered by a roof or canopy, and which do not extend above the level of the grade or entrance floor of the building	<p>a) May extend or project into the required front or side yard no more than six feet</p> <p>b) and the encroachments shall not provide less than a 24-inch setback to the property line.</p>	Elevated deck at rear of property. Stairs do not extend above the grade of entrance floor of the building.
----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	------------------------------------------------------------------------------------------------------------

Sec. 90.49 Lot standards

Lot Standards H30B	Required	Proposed
Minimum Lot width	50 feet	61' 3"
Minimum lot area	5,600 feet	6,842 SF
Maximum lot coverage	40%	37.9%
Pervious area	35% (minimum)	43.14%

Sec. 90.50 Architecture and roof decks

	Required	Proposed
Unique Elevation	<p>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:</p> <p>(a) Length, width and massing of the structure;</p> <p>(b) Number of stories;</p> <p>(c) Façade materials;</p> <p>(d) Porches and other similar articulation of the front façade;</p> <p>(e) Number and location of doors and windows; and</p> <p>(f) Roof style and pitch.</p>	<p>A unique elevation from the main buildings of the adjacent two (2) homes is created through; (1) length, width and massing of the structure; (2) number of stories; and (3) façade materials</p>
Wall openings	10% for all elevations	<p>North Elevation: +10%</p> <p>East Elevation: +10%</p> <p>South Elevation: +10%</p> <p>West Elevation: +10%</p>
Roof Material	<p>(a) Clay Tile;</p> <p>(b) White concrete tile;</p> <p>(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;</p> <p>(d) Architecturally embellished metal if granted approval by the Design Review Board; or</p>	Flat roof with parapet

	(e)Other Florida Building Code approved roof material(s) if granted approval by the Design Review Board.	
--	----------------------------------------------------------------------------------------------------------	--

Sec. 90.54 Accessory Structures

	Required	Proposed
Accessory buildings	<p>90-54.2 Accessory swimming pools and decks, open and unenclosed, or covered by a screen enclosure, may occupy a required rear, front, or side setback, subject to the following minimum setbacks:</p> <p>(a) Rear: Five feet.</p> <p>(b) Interior side: Five feet.</p> <p>(c) Primary (front) and secondary (Corner): Ten feet.</p>	<p>(a) +5' 0"</p> <p>(b) +5' 0",</p> <p>(c) 10' 0"</p>

Sec. 90.56 Fences, walls and hedges

	Required	Proposed
Fence	<p>90-56.1.A A fence or ornamental wall not more than six feet in height, as measured from grade, may project into or enclose an interior side or rear yard only.</p>	No details have been provided relating to fencing.
	<p>90-56.2 A fence or ornamental wall may be placed within the front yard or primary corner yard if granted design review approval by the planning and zoning board</p>	It appears that the proposed gate and hedge in the primary frontage is positioned in the right-of-way

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

Frontage	Maximum Height (Feet)	Maximum Opacity (Percent)	Proposed
55.07 feet	4 feet	All wall and fence surfaces above two (2) feet measured from grade shall maintain a maximum opacity of fifty (50) percent	No details provided.

Sec. 90.61 - 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	1
Curb Cut side set back	5 feet minimum	Exceeds 5 feet

Curb cut width	18 feet maximum	Reduce curb cut to 18 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.	Driveway materials have not been provided.
Curb Cut for Corner Lots	No curb cut shall be located within 25 feet of the intersection of the front and secondary frontage lot lines.	24'8" has been provided.

Sec. 90-77 Off-Street Parking Requirements

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

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
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

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

FINDINGS

Staff finds the application meets the Code subject to the following:

- 1) Provide a professional survey of the property.
- 2) The proposed gate and landscaping in the primary frontage are positioned in the right-of-way. Please adjust so the gate and landscaping is within the property boundaries.
- 3) Reduce the width of the driveway curb cut to meet the 18' maximum requirement as per **code section 90.61.1**
- 4) Provide the required curb cut distance for corner lots. For corner lots, no curb cut shall be located within 25 feet of the intersection of the front and secondary frontage lines, per **code section 90.61.1**. Currently, the driveway is setback 24' 8".
- 5) Correctly label the side setback property line on the site plan Page A.002. The side setback is being identified as the property line.
- 6) Provide additional details as it relates to the gates and fences if proposed.
- 7) Provide the material type for both the driveway and the pathway.

19-615

19-615



DRB Meeting	7/11/2019
Application / Plans Due	___/___/20__

**TOWN OF SURFSIDE
SINGLE-FAMILY and TWO-FAMILY SITE PLAN APPLICATION**

A complete submittal includes all items on the "Single-Family and Two-Family Site Plan Application Submission Checklist" 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	SURFSIDE 1001 LLC / MARCI VARCA
PHONE / FAX	786.338.8377
AGENT'S NAME	MARCI VARCA
ADDRESS	280 W. HILLSBORO BLVD. DEERFIELD BEACH FL
PHONE / FAX	954.530.4370 / 954.530.1905 33441
PROPERTY ADDRESS	1001 88th ST. SURFSIDE, FL 33154
ZONING CATEGORY	RS-2
DESCRIPTION OF PROPOSED WORK	NEW HOME SINGLE FAMILY 2 STORY

<u>INTERNAL USE ONLY</u>			
Date Submitted	_____	Project Number	_____
Report Completed	_____	Date	_____
Fee Paid	\$ _____		

<u>ZONING STANDARDS</u>	Required	Provided
Plot Size	6842.34 sq ft	
Setbacks (F/R/S)	20' 20' 6'-1/2"	20' 20' 0'-1/2"
Lot Coverage	40%	37.9%
Height	30' HIGHEST CROWN RD.	30' HIGHEST CROWN RD.
Pervious Area		2951.58 sq ft (43.14%)

	6-11-19		6-11-19
SIGNATURE OF OWNER	DATE	SIGNATURE OF AGENT	DATE

**COPIES OF SITE
PLANS ARE
AVAILABLE AT THE
CLERKS OFFICE.**

PLEASE CALL 305-861-4863 FOR MORE
INFORMATION OR EMAIL TOWN CLERK
SANDRA NOVOA AT
SNOVOA@TOWNOFSURFSIDEFL.GOV



MEMORANDUM

To: Planning and Zoning Board

Thru: Guillermo Olmedillo, Town Manager

From: Sarah Sinatra Gould, AICP, Town Planner

CC: Lillian Arango, Town Attorney

Date: July 11, 2019

Re: 9264 Bay Drive – New 2-Story Home

The property is located at 9264 Bay Drive, within the H30A zoning district. The applicant is requesting to build a 7,243 square foot two-story new home. The square footage includes a covered terrace and entranceway of 836 square feet. Although this is not enclosed areas, the Town's code counts porches and patios that are open on only one side as part of the square footage. The plans include a 2-car garage, swimming pool and pool deck. The applicant is also requesting 2 variances for this proposed development.

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

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

STANDARDS / RESULTS

Town of Surfside Zoning Code, Applicable Requirements

Sec. 42.92 Lowest Floor Elevation

Residential	Lowest Floor	Proposed
Single-Family Residential	Base Flood +2	10 NVGD

Sec. 90.43 Maximum building heights

Height	Required Maximum	Proposed
H30A	30 feet	30 feet

Sec. 90-44. - Modifications of height regulations.

90-44.1 Architectural Elements

Height	Required Maximum	Proposed
H30A	3 feet	3 feet

Sec. 90-45. Setbacks

H30A AND H30B UPPER STORY FLOOR AREA IS 50% TO 64% OF FIRST STORY AREA	Required	Proposed
<i>Maximum Lot Coverage</i>	40%	34%
FIRST STORY (UP TO 15 FT IN HEIGHT)		
Primary frontage	Minimum 20 FT	30 feet
Interior side (when the site consists of more than one lot of record, as shown on plats in effect on November 13, 2018)	Minimum: 20 ft or 20% of the frontage whichever is greater	6 feet, 9 inches Variance Requested
Rear	Minimum 20 FT	48'3"
UPPER STORY OR WALL PLANES GREATER THAN 15 FT IN HEIGHT		
Primary frontage	Minimum 20 FT / Average 25 FT	29'6"
Interior sides (when the site consists of more than one lot of record, as shown on plats in effect on November 13, 2018)	20 FT or 20% of the front whichever is greater Average 20 FT or 20% of the frontage whichever is greater, plus FT	10'2" Variance Requested
Rear	Minimum 20 FT / Average n/a	48' 3"

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

	Required	Proposed
Every part of a required yard shall be open to the sky, except ordinary projections of sills, cornices, roof eaves and ornamental features	May project not more than 24 inches into any required yard	Where applicable provide the dimensions for projections that go into the required yards (sills, cornices, eaves and other ornamental features)
Air conditioning equipment, pool pump or other mechanical equipment may be located in a required rear setback	a) Such equipment is at least 15 feet from any other single-family or two-family residence b) Maintain at least a five-foot setback from the rear and side yards and is not visible from any street or waterway	Pool equipment has a 5 foot setback and is 16 feet from the neighbor's house.
Open, unenclosed building entrance porches, platforms, stairs	a) May extend or project into the required front or side yard no more than six feet	Entry stairs in the side (south setback) extend into the side yard six feet

or paved terraces, not covered by a roof or canopy, and which do not extend above the level of the grade or entrance floor of the building	b) and the encroachments shall not provide less than a 24-inch setback to the property line.	
--------------------------------------------------------------------------------------------------------------------------------------------	----------------------------------------------------------------------------------------------	--

Sec. 90.49 Lot standards

Lot Standards H30B	Required	Proposed
Minimum Lot width	50 feet	67.44'
Minimum lot area	5,600 feet	12,900 SF
Maximum lot coverage	40%	34%
Pervious area	35% (minimum)	40% (5,231SF)

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.	A unique elevation from the main buildings of the adjacent two (2) homes is created through; (1) length, width and massing of the structure; (2) number of stories; and (3) façade materials
Wall openings	10% for all elevations	Demonstrate there are 10% wall openings per elevation
Roof Material	(a) Clay Tile; (b) White concrete tile; (c) Solid color cement tile which color is impregnated with the same color intensity throughout, provided said color if granted approval by the Design Review Board; (d)Architecturally embellished metal if granted approval by the Design Review Board; or (e)Other Florida Building Code approved roof material(s) if granted approval by the Design Review Board.	Flat Roof

Sec. 90.50.2 Roof decks

	Required	Proposed
For properties in the H30A District	b) No extension of stairs over 30-foot height limitation; c) 10-foot setbacks on sides and rear of building	Future deck demonstrated on plans. Note that stairs cannot exceed 30 foot height limitation.

Sec. 90.54 Accessory Structures

	Required	Proposed
Accessory buildings	90-54.2 Accessory swimming pools and decks, open and unenclosed, or covered by a screen enclosure, may occupy a required rear, front, or side setback, subject to the following minimum setbacks: (a) Rear: Five feet. (b) Interior side: Five feet. (c) Primary (front) and secondary (Corner): Ten feet.	Exceeds 5 feet on the interior side.

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

	Required	Proposed
Indian Creek bulkhead lines	A swimming pool construction landward of less than 20 feet of the Indian Creek bulkhead line shall be thoroughly investigated by a registered structural engineer known to the building official to be qualified to evaluate retaining walls, seawalls, bulkhead or other shore protective structures. The structural engineer shall certify that said construction will not compromise the structural capacity of the adjacent retaining wall...	23 feet, nine inches provided.

Sec. 90.56 Fences, walls and hedges

	Required	Proposed
Fence	90-56.1.A A fence or ornamental wall not more than six feet in height, as measured from grade, may project into or enclose an interior side or rear yard only.	Fencing details not provided. Can be provided at permitting as the fence is not in the front of the structure.
	90-56.2 A fence or ornamental wall may be placed within the front yard or primary	N/A

	corner yard if granted design review approval by the planning and zoning board	
--	--------------------------------------------------------------------------------	--

Sec. 90.61 Paving in front and rear yards in H30 and H40 Districts

Paving Yards	Required	Proposed
Front setback permeability	50% minimum	35%
Front yard landscaped	30% minimum	35%
Rear yard landscaped	20% minimum	Exceeds 20%
Number of Curb Cuts	One minimum	2
Curb Cut side set back	5 feet minimum	Provide dimension
Curb cut width	18 feet maximum or two 12 foot aisles	Two 12 foot drive aisles
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.	Limestone pavers on sand over well compacted limerock base

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.	3 trees (67' frontage)	+3 trees

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, + 25 shrubs

Sec. 90-77 Off-Street Parking Requirements

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

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
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 with parapet

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

FINDINGS

Staff finds the application does not meet the Code:

- 1) The interior side and upper story side setbacks do not conform. ***THE APPLICANT IS PROPOSING VARIANCES FROM THE CURRENT CODE REQUIRED SETBACKS.*** Further, the setbacks are being measured incorrectly. The code requires the primary frontage width measured from where the lot is coincident with the street. This is 67.44 feet, not a midpoint at the lot.
- 2) Provide the required 50% minimum front setback permeability. Currently, the plans provide for 35% permeability. The applicant indicates that the required permeability is 30%, however per **Code Section 90.61** the required minimum front setback permeability is 50% minimum.
- 3) Provide additional details to the elevation sheets showing that each elevation meets the 10% wall opening requirement. **Per Code Section 90.50**
- 4) Provide additional details as it relates to the proposed gates and fences.
- 5) Provide the curb cut setbacks showing that the 5-foot minimum curb cut side setback is being met. **Per Code Section 90.61**
- 6) Note: the stairs for the roof cannot exceed the 30 foot height limitation.

**COPIES OF SITE
PLANS ARE
AVAILABLE AT THE
CLERKS OFFICE.**

PLEASE CALL 305-861-4863 FOR MORE
INFORMATION OR EMAIL TOWN CLERK
SANDRA NOVOA AT
SNOVOA@TOWNOFSURFSIDEFL.GOV



MEMORANDUM

To: Planning and Zoning Board
 Thru: Guillermo Olmedillo, Town Manager
 From: Sarah Sinatra Gould, AICP, Town Planner
 CC: Lillian Arango, Town Attorney
 Date: July 11, 2019
 Re: Krieger Variance
 Project #: 19-612

The architect, Daniel Sorogon, on behalf of the owners Dr. David Krieger and Bella Tendler Krieger, is requesting two variances for side setbacks for the first floor and upper story level from the Town of Surfside Zoning Code. The property owners are proposing a new two-story single family home. The property is located at 9264 Bay Drive within the H30A zoning district. The code requires the first-floor side setbacks for a site that consists of more than one lot of record to be 20 feet or 20% of the frontage, whichever is greater. The frontage of the subject lot is 67.44 feet; therefore, the required first-floor side setback is 20 feet. The applicant is proposing a first-floor side setback of six feet, nine inches, a difference of 13 feet, three inches for each side of the first floor. The Code requires the upper story setback for a site that consists of more than one lot of record to be an average of 20 feet or 20% of the frontage, whichever is greater, plus an additional five feet. The applicant is proposing a 10 foot, two inch average setback on either side of the second story, a difference of 14 feet, 10 inches per the code requirements.

Location Map



Request

Section 90-45 of the Town's Zoning Code requires a minimum side setback of 10 percent of the frontage of the lot within the H30A zoning district for one lot of record. For more than one lot of record, the code requires the first-floor side setbacks for a site that consists of more than one lot of record to be 20 feet or 20% of the frontage, whichever is greater. The frontage of the subject lot is 67.44 feet; therefore, the required first-floor side setback is 20 feet. The applicant is currently proposing a first-floor side setback of six feet, 9 inches; therefore, the applicant is requesting a variance of 13 feet, three inches for the first-floor side setbacks.

The code requires the upper story setback for a site that consists of more than one lot of record to be an average of 20 feet or 20% of the frontage, whichever is greater, plus five feet. The applicant is currently proposing a 10 feet, two inches on average setback on either side of the property, a difference of 14 feet, 10 inches on either side; therefore, the applicant is requesting a variance of 14 feet, 10 inches for the upper story side setback.

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;

The property is a parallelogram-shaped lot which is similar to other properties along Bay Drive, many of which are located on parcels with more than one lot of record. The property has 67.44 feet of frontage along the street which extends to 71.45 feet in the rear of the property at Indian Creek. There are other lands, structures, or buildings that would be required to meet the Code-required setbacks.

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

The applicant is requesting the variances in order to construct a new structure. If the structure was not built, the variances would not be required.

(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 literal interpretation of the provisions of the Town Code will create a residence that is only 27 feet wide on the first floor and 17 feet wide on the second floor. The intent of this provision of the Code was to provide additional separation between existing structures and new structures constructed on parcels with more than one lot of record. The request for six foot, nine inch setbacks on the side setback does not meet the intent of this code requirement and as proposed will replace the existing structure onsite with a structure that is wider with less side 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 hardship is a result of a new home being constructed/consisting of more than one lot of record, which requires the property to provide larger setbacks.

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

It appears the applicant's desire is to construct the structure for their occupancy and it is not known if the intent is for financial gain.

(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;

As there are similar parcels within this zoning district with more than one lot of record, other property owners will need to meet this requirement.

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

As proposed the applicant is requesting a setback of six feet, nine inches. The applicant is requesting to build a 7,243 square foot two-story new home. The square footage includes a covered terrace and entranceway of 836 square feet. Although this is not enclosed areas, the Town's code counts porches and patios that are open on only one side as part of the square footage. This request is not the minimum variance necessary for the reasonable use of the land. The applicant could propose a home and/or a variance that is the minimum needed to make reasonable use of the land.

(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 proposed new home is injurious to the neighborhood by not providing adequate separation between the proposed new structure and the surrounding homes. The intent of the regulations was to develop new structures in the district more in keeping with the scale of the existing fabric of the zoning district and neighborhood. The applicant is requesting to build a 7,243 square foot two-story new home on a 12,900 square foot site. The additional setback requirements adopted by the Town Commission were intended to reduce the mass of buildings. This application is not in line with the Town Code requirements.

Results

Staff recommends denial of the side setback variances for the first floor and upper story level.

Exhibits

1. Application
2. Site Plan



TOWN OF SURFSIDE
SINGLE-FAMILY and TWO-FAMILY SITE PLAN APPLICATION

A complete submittal includes all items on the "Single-Family and Two-Family Site Plan Application Submission Checklist" 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	DR DAVID KRIEGER & BELLA TENDLER KRIEGER
PHONE / FAX	PHONE 610-613-0460
AGENT'S NAME	DANIEL SOROGON
ADDRESS	34 N.W. 168 TH STREET, NORTH MIAMI BEACH, FLA
PHONE / FAX	305-970-1235
PROPERTY ADDRESS	9264 BAY DRIVE, SURFSIDE, FLA. 33154
ZONING CATEGORY	H30A
DESCRIPTION OF PROPOSED WORK	EXISTING HOME TO BE DEMOLISHED. CONSTRUCTION OF NEW 2 STORY RESIDENCE, 2 CAR GARAGE, SWIMMING POOL, APPROX. 5,547 S.F. UNDER A/C

<u>INTERNAL USE ONLY</u>			
Date Submitted	_____	Project Number	_____
Report Completed	_____	Date	_____
Fee Paid	\$ _____		

<u>ZONING STANDARDS</u>	Required	Provided
Plot Size	8,000 S.F.	12,900 S.F.
Setbacks (F/R/S)	25 FT 25 FT 25 FT	30 FT 48.7 FT 9'6" / 10' FT
Lot Coverage	5,160 S.F.	4,418 S.F.
Height	30 FT FROM CROWN OF	30 FT FROM CROWN OF ROAD
Pervious Area	35% 4,515 S.F.	40% 5,231 S.F.



 SIGNATURE OF OWNER

6/12/19

 DATE

 JUN 12 / 2019

 SIGNATURE OF AGENT DATE





**TOWN OF SURFSIDE
SUBMISSION CHECKLIST
SINGLE-FAMILY and TWO-FAMILY SITE PLAN APPLICATION**

Project Name KRIEGER RESIDENCE Project Number _____

SUBMITTAL REQUIREMENTS FOR REVIEW:

- Completed "Single-Family and Two-Family Site Plan Application" form
- Application fee: \$ 1,500⁰⁰ made out to "Town of Surfside"
- Ownership Affidavit
- Survey less than one (1) year old. 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 have occurred since the date of the survey.
- Recent photographs, as visible from the street, of the subject property and of the adjacent two (2) homes on each side of the subject property on the same side of street. If the adjacent lot(s) are vacant then the next adjacent home(s) shall be utilized.

FOR THE FOLLOWING PLEASE PROVIDE:

- Two (2) full sized sets (24" x 36" sheets) of complete design development drawings signed and sealed
- One (1) CD, with site plan in PDF format, or other common windows based format.
- Provided prior to Design Review Board Meeting – Fifteen (15) reduced sized sets (11" x 17" sheets) of the complete design development drawings

- Site Plan (Minimum scale of 1" = 20').
Please show / provide the following:
 - Tabulations of total square footage, lot coverage, setbacks and acreage
 - Entire parcel(s) with dimensions and lot size in square feet
 - Existing and proposed buildings with square footage
 - Buildings to be removed
 - Setbacks
 - Dimensions and locations of all existing and proposed right-of-ways, easements and street frontage, including sidewalks, curb and gutter and planting strips
 - All existing and proposed site improvements, including, but not limited to, all utilities, retaining walls, fences, decks and patios, driveways and sidewalks, signs, parking areas, and erosion control features
 - Location of all existing and proposed trees, vegetation, palms and note tree species
 - Locations and dimensions of parking spaces and lot layout
 - Driveway entrance width and setbacks from property line

- Architectural Elevations (Minimum scale of 1/8" = 1'):
Please show / provide the following:
 - Provide color elevations, showing all material finishes, textures and landscaping for all elevations of the proposed building(s). They should include, at a minimum:
 - All exterior materials, colors and finishes, keyed to samples provided

Cont.



- Roof slopes and materials and color
 - Detail of doors, windows, garage doors
 - Lighting locations and details
 - Dimensions of structure(s) – height, width, and length
 - Deck, railing, stairs details including materials, colors, finishes, and decorative details
 - Exposed foundation treatment
 - Gutters and eaves
 - Abutting structure heights
- Provide samples of colors and/or materials mounted on a display board (to be provided prior to Design Review Board Meeting)
- Such additional data, maps, plans, or statements as the Town may require to fully describe and evaluate the particular proposed plan



TOWN OF SURFSIDE
SINGLE-FAMILY and TWO-FAMILY SITE PLAN APPLICATION
PLANNING AND ZONING BOARD Rules and Procedures (June 2002)

The Planning and Zoning Board shall generally meet the last Thursday of each month at 7:00 pm. at Town Hall.

Plans and completed applications (including all supporting documentation) must be submitted to the Building Department at least 21 days prior to the meeting, with the payment of applicable fees (example: \$200.00 for Plan Review for Zoning), at which time they will be considered. Incomplete plans and applications will not be processed.

The applicant or duly authorized agent (per ownership affidavit) must be present at the meeting. If there are no applications for consideration by the Planning and Zoning Board, the monthly meeting may be cancelled at the discretion of the Chairman of the Board.

Please advise the name of the Representative who will attend the hearing on behalf of this application:

Dail

JUNE 12 / 2019

NAME OF REPRESENTATIVE

DATE



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

Project Name KRIEGER RESIDENCE Project Number _____
Review Date _____

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

- Fee
 - Residential \$1,500
 - Non-Residential \$5,000
 - 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.
 - 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').
 - ✓ Two (2) full sized sets of complete design development drawings (24" x 36" sheets) signed and sealed
 - ✓ Fifteen (15) reduced sized copies of the plans (11" x 17" sheets) (to be provided prior to Design Review Board Meeting)
- Please show / provide the following (if applicable):
- 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.

ONE OF 2



- Written Narrative of request that addresses each of the following standards of review:**
- 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 special conditions and circumstances do not result from the actions of the applicant or a prior owner of the property;
 - 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 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;
 - An applicant's desire or ability to achieve greater financial return or maximum financial return from his property does not constitute hardship;
 - 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 requested variance is the minimum variance that makes possible the reasonable use of the land, building, or structure; and
 - 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.

2052

We certify that the property located at 9264 Bay Drive, Surfside is 100% owned by us and has no renters.

David Krieger, Co-owner



6/11/19

Bella Tendler Krieger, Co-owner



6/11/19

DANNYSOROGON
ARCHITECTURE | CONSTRUCTION | MANAGEMENT
Florida Contracting & Construction Services Inc.
Florida Architectural Services
www.dannysorogon.com

June 18, 2019

Ms. Sarah Sinatra Gould, AICP
Town of Surfside
Director, Planning Dept

Re: Krieger residence / 9264 Bay Dr

Narrative:

1. Due to the fact that the property is only 60 Ft wide and the new ordinance (No.18-1694, amending section 90-45 "setbacks") requires 20 Ft + 5 Ft side setbacks on each side , it creates a special condition and circumstance which is peculiar to the land, structure and building which is not applicable to other lands, structures and buildings in the same zoning district.

We are providing a side setback of 6'-9" on either side, this is what the old code required, which is 10% of the lot width (67.44') the new code requires a setback of 25'-0" on each side, we are seeking a variance of 18'-3" for each side which is the difference between the new code & the old code.

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 will create a residence that is only 10 ft wide! This 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.

DANNYSOROGON

ARCHITECTURE | CONSTRUCTION | MANAGEMENT

Florida Contracting & Construction Services Inc.

Florida Architectural Services

www.dannysorogon.com

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. The applicant, Dr David Krieger, does not desire to achieve greater financial return as this project is intended to be his family's main residence. Therefore, the financial implications of this request do not constitute a hardship.

6. The applicant, Dr David Krieger, agrees that granting the variance application conveys the same treatment to the applicant as to the owner of other lands, buildings, and 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.

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.

In conclusion, the applicant is seeking a variance in order to maintain the old setback standards and not to apply the new ordinance(18-1964) as this will create a very narrow residence (10 ft wide) which is not rational. This lot is 60 ft wide. The new ordinance requires 25 ft setbacks on each side of the property. Therefore, the allowable construction width will be only 10 ft wide.

c. 305.970.1235 o. 305.653.0212 f. 305.653.0232

34 NW 168th Street North Miami Beach, FL. 33169

dansorogon@aol.com

~~Residential~~

DANNY SOROGON

ARCHITECTURE | CONSTRUCTION | MANAGEMENT

Florida Contracting & Construction Services Inc.

Florida Architectural Services

www.dannysorogon.com

June 25, 2019

Ms. Sarah Sinatra Gould, AICP/ Daniel Mantell/James Hickey
Town of Surfside
Director, Planning Dept

Re: Krieger residence / 9264 Bay Dr

Narrative:

1. Requiring variances from Code Section 90-45 as it relates to:

First floor interior side setbacks for a site that consists of more than one lot of record – 20 ft or 20% of frontage, whichever is greater.

Upper story interior setbacks for a site that consists of more than one lot of record – Average 20 ft or 20% of the frontage whichever is greater, plus 5 ft.

Due to the fact that the property is only 60 Ft wide and the new ordinance (No.18-1694, amending section 90-45 "setbacks") creates a special condition and circumstance which is peculiar to the land, structure and building which is not applicable to other lands, structures and buildings in the same zoning district.

The new ordinance requires the first-floor setback for a site that consists of more than one lot of record to be 20 ft or 20% of frontage, whichever is greater. We are currently providing a setback of 6'9" on either side of the property, this is what the old code required, which is 10% of the lot frontage (67.44'). The new code requires a setback of 20' on each side, therefore, we are seeking a variance of 13'3" for each side which is the difference between the new code & the old code requirement. (20' - 6'9" = 13'3").

The new ordinance requires the upper story setback for a site that consists of more than one lot of record to be an average 20 ft or 20% of frontage, whichever is greater, plus 5 ft. We are currently providing a setback of 10'2" on average on either side of the property, this is what the old code required, which is 15% of the frontage, 67.44' . The new code requires a setback of 20' or 20% of the frontage on each side, whichever is greater, plus 5 ft. Therefore, we are seeking a variance of 14'10". (25' - 10'.2" = 14'10").

c. 305.970.1235 o. 305.653.0212 f. 305.653.0232
34 NW 168th Street North Miami Beach, FL. 33169
dansorogon@aol.com

DANNYSOROGON
ARCHITECTURE | CONSTRUCTION | MANAGEMENT
Florida Contracting & Construction Services Inc.
Florida Architectural Services
www.dannysorogon.com

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 will create a residence that is only 10 ft wide! This 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. The applicant, Dr David Krieger, does not desire to achieve greater financial return as this project is intended to be his family's main residence. Therefore, the financial implications of this request do not constitute a hardship.

6. The applicant, Dr David Krieger, agrees that granting the variance application conveys the same treatment to the applicant as to the owner of other lands, buildings, and 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.

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.

In conclusion, the applicant is seeking a variance in order to maintain the old setback standards for the first floor and the upper story. We request not to apply the new ordinance(18-1964) as this will create an allowable construction width which is very narrow. This lot is 60 ft wide. The new ordinance requires 20 ft setbacks on each side of the property. Therefore, the allowable construction width will be only 20 ft wide for the first floor. For the upper story the new setback is 25 ft from either side, therefore the upper story would an allowable construction width of only 10 ft wide.



MEMORANDUM

To: Planning & Zoning Board

From: Sarah Sinatra Gould, AICP, Town Planner

Date: July 11, 2019

Subject: Prohibiting Hotels in H40

The Planning and Zoning Board analyzed the proposed ordinance to prohibit hotels south of 93rd Street in the H40 district at their April 30, 2019 meeting. They were also presented with the options discussed at the Commission meeting, including limiting the prohibition to south of 90th Street, limiting the size of hotels from 90th to 93rd to 100 feet in length, and grandfathering existing hotels. Staff prepared an analysis to show impacts of hotels versus multifamily relating to density, water consumption, parking requirements and trips generated per use. After much public comment and discussion by the Board, the request was to defer the request for further analysis.

The Board requested crime statistics, consequences of grandfathering hotels for the hotel owner and to confirm if the impacts are related to use and to evaluate creating development criteria in lieu of the complete prohibition. The Town Commission granted the deferral requesting that staff analyze the following: the impacts of boutique hotels, short term rentals, limiting aggregation and allowing office space.

Crime Statistics

Attachment A is a crime statistical analysis provided by the Town's Police Department.

Grandfathering

In the past, the Planning and Zoning Board has not been amenable to implementing grandfathering of structures when prior ordinances have been adopted. However, those ordinances impacted the design of a proposed structure. In those instances, if an existing hotel was destroyed due to force majeure, the use would still be permissible with the opportunity for the structure to be developed, although it would need to follow revised design standards, such as limitations on building length. The Board heard from property owners who indicated their concerns that if the use of a hotel is prohibited and there is no opportunity to rebuild an existing facility, an operator would have serious consequences. The Board asked staff to identify these potential issues.

If a use is no longer permitted, the existing facility will become non-conforming. Therefore, they may have challenges getting approved for loans or refinancing, and for insurance. They may also have difficulties selling the property as a new owner would have no choice but to demolish the building or partake in comprehensive improvements to convert the structure to a conforming use, which may be too cost prohibitive. By designating a structure non-conforming, it would not only affect future sales, financing and insurance, but would limit improvements. Less than 50% of the cost of value could be completed, otherwise the use would need to be abandoned.

Impacts of the Use

The Board also requested Staff to evaluate if the impacts are related to the use. Staff found that the most significant impacts relating to traffic and parking is hotels with ballrooms. However, it is clear that the impacts of tourism hinge on scale. "Boutique" style hotels can be more representative of a residential community with reduced amenities and impacts. This is present in many historic towns, such as Key West, where Boutique style hotels are located along Duval Street and resort-type hotels are located along the beach. This is also the case in Naples. The downtown and areas off the beach have smaller scale facilities, while the resorts are typically concentrated on the beach or golf courses.

Boutique Hotels

As it was stated under the impacts of the use, Boutique style hotels with limited amenities are more consistent with a residential neighborhood. Sarasota County recently adopted a Boutique Hotel District which allows hotels limited to 75 rooms. St. Pete Beach has a Boutique Hotel/Condo District. There is a limitation of 50 units per acre for hotels and full-service restaurants are only permitted as conditional uses.

Short Term Rentals

The code currently permits short term rentals limited to three times per year. Concerns with short term rentals are often the lack of regulation and responsiveness due to no staffing on site relating to the use. If a unit is rented out with the owner off-site, management of the condominium is often not equipped to deal with issues. Therefore, the police would be called, causing a strain on this department. A hotel has more staffing and structure to deal with issues. If an expansion of short term rentals were to be considered, it would be suggested that the building be staffed appropriately, such as a hotel. While the expansion of short term rentals may be something to consider, it does not appear to be an alternative to prohibiting hotels.

Limiting Aggregation

Limiting aggregation for the purposes of hotel development would be a way to control the size and scale of a hotel. If a hotel was limited to 100 feet in length, the following should be included to further control the massing: no more than one hotel per lot, increase the side setbacks for hotels to 15% of the lot width and to require a 25% reduction of allowable density.

Attachment B is a graphic demonstrating the following:

1. A 100-foot wide lot with proposed setbacks of 15 feet (15%) on either side.
2. A 150-foot wide lot with proposed setbacks of 22.5 feet (15%) on either side.

Office Space

Staff performed an analysis based on the International Traffic Engineering (ITE) Standards for trip generation. Office space needs to be broken down by business office versus medical office. Medical office generates more daily trips at peak hour than all uses including hotels with ballrooms. Business office generates a slightly higher amount of peak hour trips than both hotels without a ballroom and multifamily residential.

If office is use that the Town wishes to allow, a Comprehensive Plan amendment as well as a rezoning would be required. If this is solely for office, additional legal analysis must be performed to determine if a referendum will be required as the only land use category that currently permits office requires an FAR, which is an intensity standard. Intensity can only be increased through a referendum. Staff would suggest that this becomes a mixed use category for residential/hotel and office so that it is regulated through density with a percentage of office permitted.

Options

Based on the analysis, the following are options for development standards or criteria that would continue to allow the use, but would offer additional limitations:

1. Grandfather the existing developed hotels relating solely to the use of a hotel and not development standards.
2. Prohibit or restrict ballrooms, hotel amenities and accessories. For example, Board room space could be limited to an occupancy of no greater than 40 people.
3. Limit building of hotels to 100 feet in length. No aggregation of lots permitted with the intention to develop more than one hotel per lot.
4. Any aggregation of lots for hotel use will require a 25% reduction of allowable density.
5. Side setbacks of 15%.
6. Prepare a land use & zoning map and text amendment creating a mixed use residential/hotel and office or residential/office (excluding hotel) category allowing office as an accessory use.

Reviewed by: GO

Prepared by: SSG

Town of Surfside Police Department



Crime Data - Dispatch Events Report



For Calendar Years 2014-2018
and January-April 2019

SURFSIDE

JULIO YERO
CHIEF OF POLICE

POLICE

Providing the highest level of police service to the community we serve in a professional, courteous, ethical and judicious manner

REPORT OVERVIEW

Please find below a crime analysis report for Part I Crimes, Part II Crimes, and Dispatch Events/Incidents for the Town of Surfside for calendar years 2014-2018, and the time period January 2019 through April 2019. The request for this information was from the Surfside Planning and Zoning (PZ) Board through Surfside Town Manager Olmedillo. The PZ Board requested information specific to the impact that the hotels in Surfside have on crime. For the purposes of this report five (5) hotels in Surfside were selected for comparison purposes as follows:

- Grand Beach Hotel West - 9418 Collins Ave, Surfside, FL 33154
- Grand Beach Hotel East - 9449 Collins Ave, Surfside, FL 33154
- Residence Inn by Marriott - 9200 Collins Ave, Surfside, FL 33154
- Four Seasons Hotel at The Surf Club - 9011 Collins Ave, Surfside, FL 33154
- Bluegreen Vacations Solara - 8801 Collins Ave, Surfside, FL 33154

The report also reflects crime data for other business types (Condominium, Retail Store, Restaurant, Restaurant-Bar) so the PZ Board may compare the data sets regarding impact on crime statistics/rates in Surfside. The business locations selected for comparison are:

- Condominium - Fendi Chateau Residences - 9349 Collins Ave, Surfside, FL 33154
- Retail Store - CVS - 9578 Harding Ave, Surfside, FL 33154
- Retail Store - Publix - 9400 Harding Ave, Surfside, FL 33154
- Restaurant - Backyard BBQ & Brew - 9460 Harding Ave, Surfside, FL 33154
- Restaurant - Flanigan's Seafood Bar and Grill - 9516 Harding Ave, Surfside, FL 33154

CRIME RATES

A brief explanation of crime rates and crime data is provided below to familiarize members of the PZ Board with the manner and type of crime information that is collected, retained, and reported by the Surfside Police Department.

Crime Rate - is a count of crimes compiled to assess the effectiveness of a crime control policy, and the impact of the policy on the risk of crime victimization.

The Federal Bureau of Investigation (FBI) is the central repository for crime data in the United States. The Surfside Police Department submits crime information to the Florida Department of Law Enforcement (FDLE) on an established schedule and the information is then compiled and submitted by FDLE to the FBI. The Surfside Police Department submits this information through the Uniform Crime Reporting System (UCR) established by the FBI. The UCR Program's primary objective is to generate reliable information for use in law enforcement administration, operation, and management; over the years, however, the data has become one of the country's leading social indicators. The Program has been the starting place for law enforcement executives, students of criminal justice, researchers, members of the media, and the public at large seeking information on crime in the nation. The Program was conceived in 1929 by the International Association of Chiefs of Police to meet the need for reliable uniform crime statistics for the nation. In 1930, the FBI was tasked with collecting, publishing, and archiving those statistics.

Today the FBI receives data from more than 18,000 city, university and college, county, state, tribal, and federal law enforcement agencies that voluntarily participate in the UCR Program. The crime data are submitted either through a state UCR Program or directly to the FBI's UCR Program. The UCR Program publishes annual reports based on the crime data collection that enable law enforcement and the general public to more easily use and understand the massive amounts of UCR crime data. The UCR data goes through a stringent validation process prior to inclusion in the FBI reporting system. The FBI stresses that each local law enforcement jurisdiction has unique conditions affecting crime rates and comparison of UCR crime rates between jurisdictions is not the purpose of the UCR system.

CRIME FACTORS

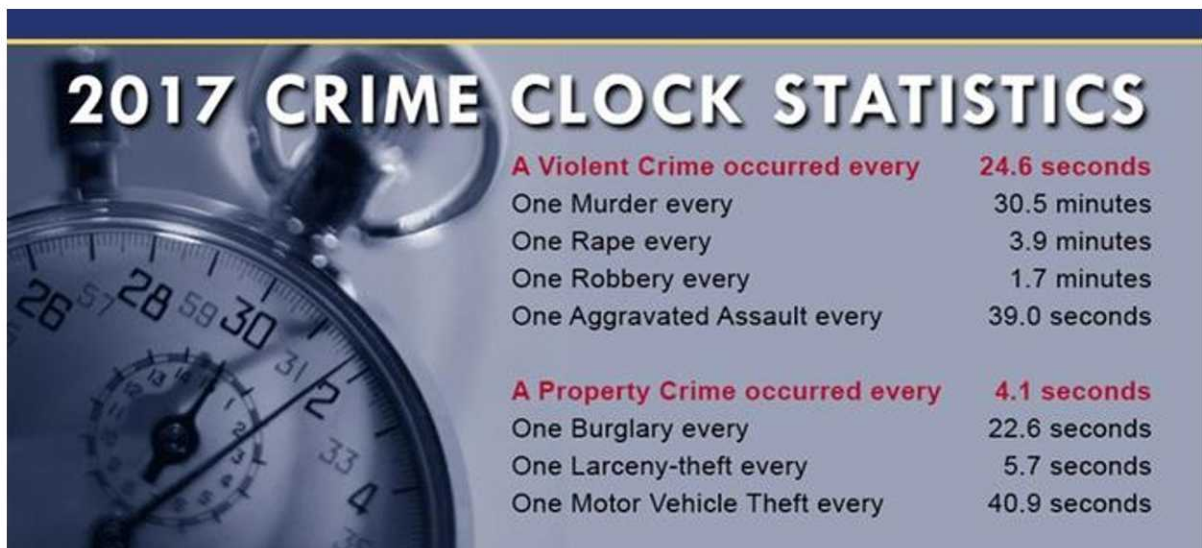
It is incumbent upon all crime data users to become as well educated as possible about how to understand and quantify the nature and extent of crime in the United States, and in any of the more than 18,000 jurisdictions represented by law enforcement contributors to the Uniform Crime Reporting (UCR) Program.

Historically, the causes and origins of crime have been the subjects of investigation by many disciplines. The FBI has provided a list of crime factors that are known to affect the volume and type of crime occurring from place to place.

Crime Factors:

- Population density and degree of urbanization.
- Variations in composition of the population, particularly youth concentration.
- Stability of the population with respect to residents' mobility, commuting patterns, and transient factors.
- Modes of transportation and highway system.

- Economic conditions, including median income, poverty level, and job availability.
- Cultural factors and educational, recreational, and religious characteristics.
- Family conditions with respect to divorce and family cohesiveness.
- Climate.
- Effective strength of law enforcement agencies.
- Administrative and investigative emphases of law enforcement.
- Policies of other components of the criminal justice system (i.e., prosecutorial, judicial, correctional, and probational).
- Citizens' attitudes toward crime.
- Crime reporting practices of the citizenry.



This is on databases
 statistics
 crime about crime
 information Statistics
 crimes provides
 research
 to
 page
 to



SURFSIDE CRIME DATA AND DISPATCH EVENTS DATA

The Total Crime Statistics for the Town of Surfside for calendar years 2014-2018, and for the period January 2019 through April 2019 are provided below as a reference point:

Crime Statistics 2014-2019						
Classification	2014	2015	2016	2017	2018	2019*
Homicide	0	0	0	0	0	0
Sexual Battery	0	0	1	0	1	1
Aggravated Assault - Battery	2	5	10	4	5	1
Burglary Structure	10	8	14	8	10	8
Grand Theft	60	41	70	38	37	17
Robbery	3	3	2	2	0	0
Auto Theft	8	8	5	7	3	1
Total Part I Crimes	81	65	102	59	56	28
Battery	14	13	11	15	14	11
Domestic Violence	8	9	8	8	15	6
Theft	39	53	47	19	34	20
Lewd / lascivious	1	0	3	1	2	0
Burglary Conveyance	24	20	27	29	18	5
Fraud	70	49	55	32	26	12
Criminal Mischief	25	10	15	6	10	3
Driving Under Influence	1	4	2	2	2	0
Total Part II Crimes	182	158	168	111	121	57
Traffic Citations	4311	4686	4901	3413	4801	1143
Traffic Warnings	3235	3825	3360	3205	3139	824
Arrests	142	151	198	116	207	46
Parking Citations	13963	13816	13916	10658	8582	2916
Red Light Review	4903	6854	10208	11533	0	0
* 2019 Data is for 01-01-2019 through 04-30-19						

The below table depicts the Town of Surfside Dispatched Events, Incident-Crime Reports, Arrests, Traffic Crashes, and Investigation data:

Dispatched Calls-Arrests-Citations-Investigations 2014-2019						
Classification	2014	2015	2016	2017	2018	2019
Dispatch Events	22800	23216	19939	20789	22305	6708
Incident/Crime Reports	1231	1256	1430	1047	892	324
Felony Arrests	31	41	48	42	53	8
Misdemeanor Arrests	99	98	134	62	140	32
Warrant Arrests	12	12	16	12	14	6
Suspicious Person Checks	436	336	316	435	342	108
Crime Prevention/Community Events	113	190	164	170	122	43
Traffic Crashes	246	267	269	215	226	90
Investigations Assigned	241	208	239	141	127	53
Investigations Closed	205	90	206	80	161	69
Investigations Cleared by Arrest	19	18	18	24	13	3
* 2019 Data is for 01-01-2019 through 04-30-19						

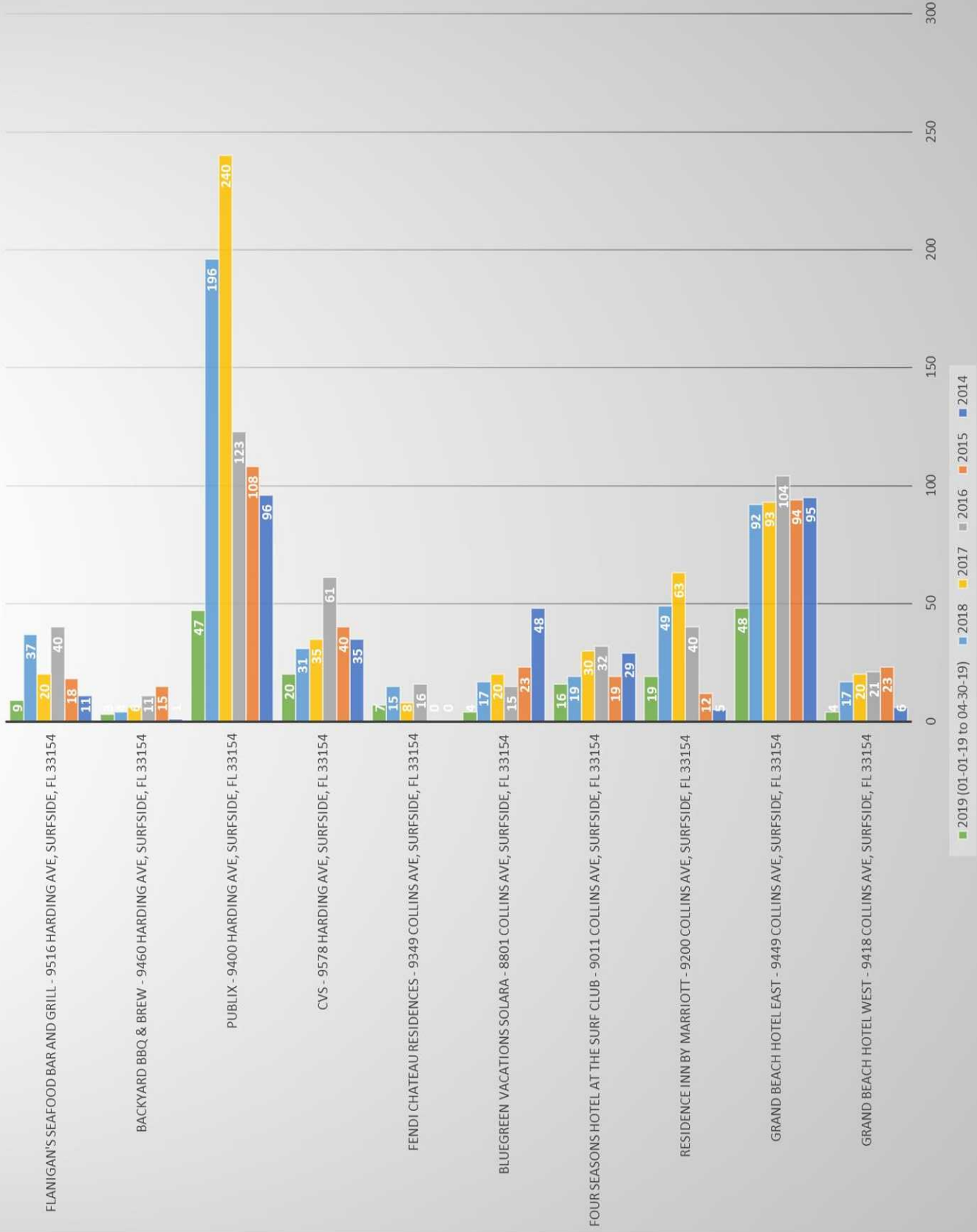
The Surfside businesses selected for comparison have differing operational start dates that are reflected in the below table:

BUSINESS OPERATIONAL DATES										
Business / Location	Grand Beach Hotel West - 9418 Collins Ave, Surfside, FL 33154	Grand Beach Hotel East - 9449 Collins Ave, Surfside, FL 33154	Residence Inn by Marriott - 9200 Collins Ave, Surfside, FL 33154	Four Seasons Hotel at The Surf Club - 9011 Collins Ave, Surfside, FL 33154	Bluegreen Vacations Solara - 8801 Collins Ave, Surfside, FL 33154	Fendi Chateau Residences - 9349 Collins Ave, Surfside, FL 33154	CVS - 9578 Harding Ave, Surfside, FL 33154	Publix - 9400 Harding Ave, Surfside, FL 33154	Backyard BBQ & Brew - 9460 Harding Ave, Surfside, FL 33154	Flanigan's Seafood Bar and Grill - 9516 Harding Ave, Surfside, FL 33154
Operational Date or Temporary Certificate of Occupancy (TCO) Issue Date	12/19/2014	12/19/2014	05/12/2016	05/12/2016	03/01/2003	05/12/2016	07/26/2012	08/28/2003	11/03/2014	03/13/1998

The total number of Dispatched Events for police and/or fire department services or actions are reflected in the below tables:

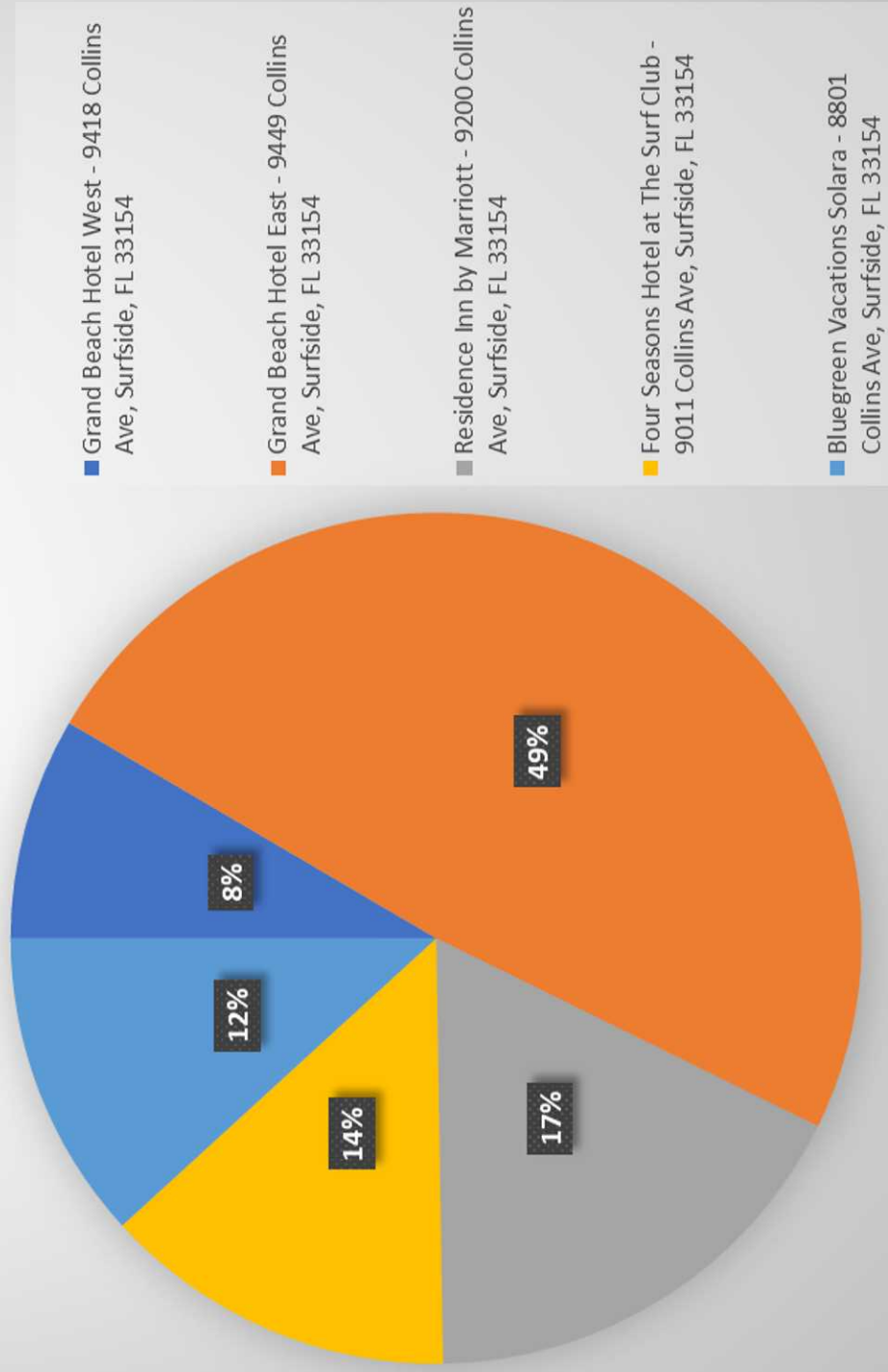
DISPATCH EVENTS										
Calendar Year (January 1st - December 31)	Grand Beach Hotel West - 9418 Collins Ave, Surfside, FL 33154	Grand Beach Hotel East - 9449 Collins Ave, Surfside, FL 33154	Residence Inn by Marriott - 9200 Collins Ave, Surfside, FL 33154	Four Seasons Hotel at The Surf Club - 9011 Collins Ave, Surfside, FL 33154	Bluegreen Vacations Solara - 8801 Collins Ave, Surfside, FL 33154	Fendi Chateau Residences - 9349 Collins Ave, Surfside, FL 33154	CVS - 9578 Harding Ave, Surfside, FL 33154	Publix - 9400 Harding Ave, Surfside, FL 33154	Backyard BBQ & Brew - 9460 Harding Ave, Surfside, FL 33154	Flanigan's Seafood Bar and Grill - 9516 Harding Ave, Surfside, FL 33154
2014	14	121	5	29	48	0	41	96	1	12
2015	24	103	12	19	23	0	57	108	15	21
2016	23	118	40	32	15	16	66	123	12	45
2017	21	97	63	30	20	8	39	240	6	22
2018	17	104	49	19	17	15	32	196	5	40
2019	4	52	19	16	4	7	22	47	4	12
(01-01-19 to 04-30-19)	103	595	188	145	127	46	257	810	43	152

Dispatch Events by Location and Year



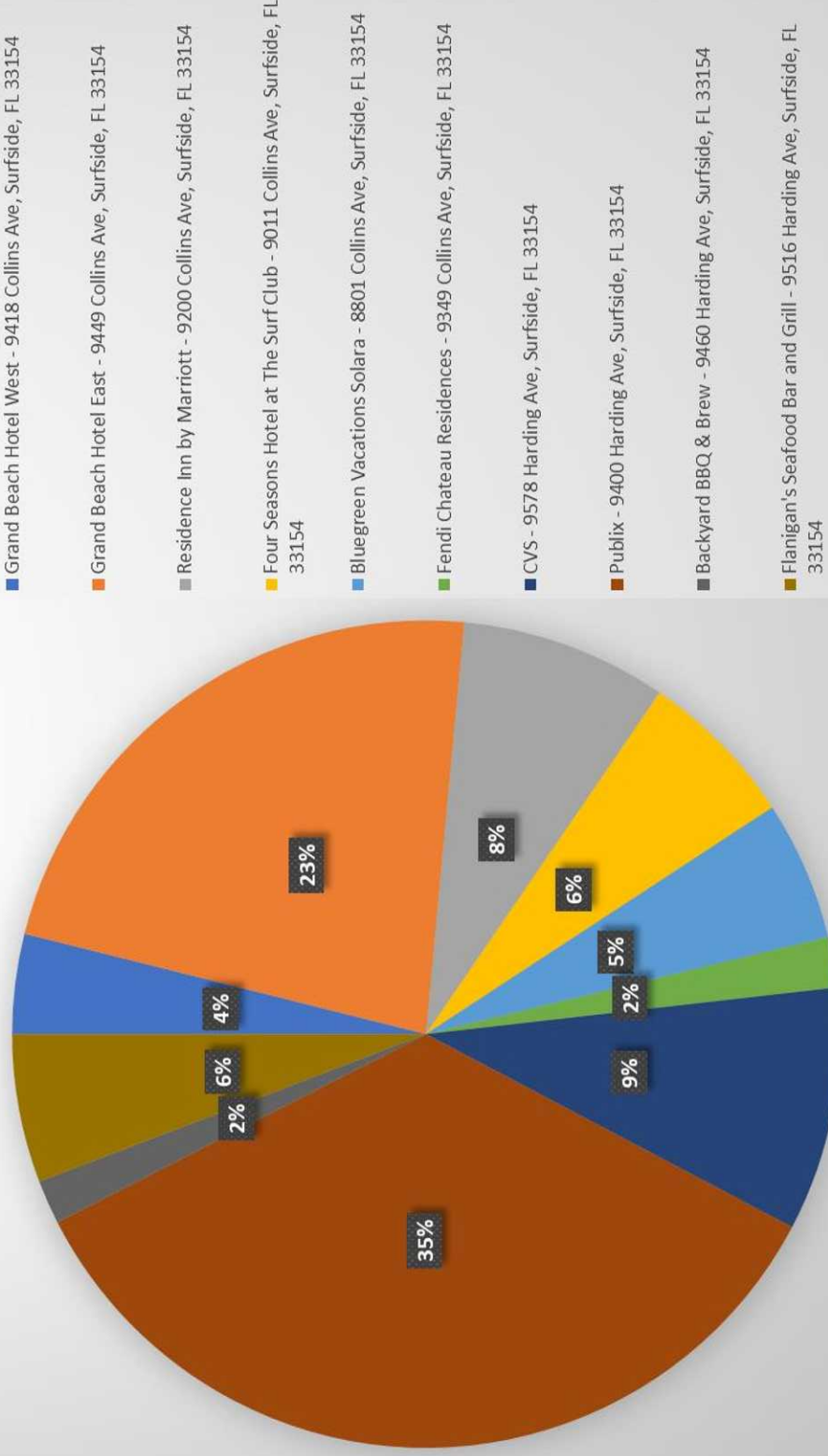
The following pie chart depicts the Police Dispatch Events for just the five Hotels:

Hotel - Dispatch Events 2014 through April 2019



The following pie chart depicts the Police Dispatch Events for the five Hotels, the Condominium, the Retail Stores, and the Restaurants:

Dispatch Events 2014 through April 2019



The Hotels crime incident data is depicted below:

Grand Beach Hotel (West)							
Year	Signals						
	Stolen Vehicle - 22	Burglary - 26	Theft - 27	Robbery - 29	Homicide - 31	Battery - 32	Sex Offense - 33
2014	0	0	0	0	0	0	0
2015	0	1	2	0	0	0	0
2016	0	0	2	0	0	0	0
2017	0	0	0	0	0	0	0
2018	0	0	1	0	0	0	0
2019	0	0	1	0	0	0	0
Yearly Total	0	1	6	0	0	0	0

Grand Beach Hotel (East)							
Year	Signals						
	Stolen Vehicle - 22	Burglary - 26	Theft - 27	Robbery - 29	Homicide - 31	Battery - 32	Sex Offense - 33
2014	0	1	11	0	0	1	0
2015	0	0	15	0	0	0	0
2016	0	1	13	0	0	1	0
2017	1	0	7	0	0	1	0
2018	0	0	12	0	0	0	0
2019	0	0	5	0	0	0	0
Yearly Total	1	2	63	0	0	3	0

Marriott Residence Inn							
Year	Signals						
	Stolen Vehicle - 22	Burglary - 26	Theft - 27	Robbery - 29	Homicide - 31	Battery - 32	Sex Offense - 33
2014	0	0	0	0	0	0	0
2015	0	1	0	0	0	0	0
2016	0	0	1	0	0	0	0
2017	0	0	3	0	0	0	0
2018	0	0	2	0	0	2	0
2019	0	0	0	0	0	1	0
Yearly Total	0	1	6	0	0	3	0

Four Seasons at The Surf Club							
Year	Signals						
	Stolen Vehicle - 22	Burglary - 26	Theft - 27	Robbery - 29	Homicide - 31	Battery - 32	Sex Offense - 33
2014	0	0	3	0	0	1	1
2015	0	1	1	0	0	0	0
2016	0	1	2	0	0	1	0
2017	0	0	4	0	0	0	0
2018	0	0	1	0	0	0	0
2019	0	0	1	0	0	1	0
Yearly Total	0	2	12	0	0	3	1

The Hotels crime incident data is depicted below (continued):

Bluegreen Vacations Solara							
Year	Signals						
	Stolen Vehicle - 22	Burglary - 26	Theft - 27	Robbery - 29	Homicide - 31	Battery - 32	Sex Offense - 33
2014	0	1	1	0	0	0	1
2015	0	0	0	0	0	1	0
2016	0	0	0	0	0	0	0
2017	0	0	1	0	0	0	0
2018	0	0	0	0	0	0	0
2019	0	0	0	0	0	1	0
Yearly Total	0	1	2	0	0	2	1

The Retail Store crime incident data is depicted below:

CVS							
Year	Signals						
	Stolen Vehicle - 22	Burglary - 26	Theft - 27	Robbery - 29	Homicide - 31	Battery - 32	Sex Offense - 33
2014	0	0	10	0	0	0	0
2015	0	0	8	0	0	0	0
2016	0	0	11	1	0	1	0
2017	0	0	10	1	0	0	0
2018	0	1	8	0	0	0	0
2019	0	0	6	0	0	0	0
Yearly Total	0	1	53	2	0	1	0

Publix							
Year	Signals						
	Stolen Vehicle - 22	Burglary - 26	Theft - 27	Robbery - 29	Homicide - 31	Battery - 32	Sex Offense - 33
2014	0	0	13	0	0	2	0
2015	0	0	7	0	0	0	0
2016	0	0	10	0	0	0	0
2017	0	0	3	1	0	1	0
2018	0	0	6	0	0	2	0
2019	0	0	5	0	0	0	0
Yearly Total	0	0	44	1	0	5	0

The Restaurant crime incident data is depicted below:

Backyard BBQ & Brew							
Year	Signals						
	Stolen Vehicle - 22	Burglary - 26	Theft - 27	Robbery - 29	Homicide - 31	Battery - 32	Sex Offense - 33
2014	0	0	0	0	0	0	0
2015	0	0	1	0	0	0	0
2016	0	0	1	0	0	1	0
2017	0	0	0	0	0	0	0
2018	0	0	0	0	0	0	0
2019	0	0	0	0	0	0	0
Yearly Total	0	0	2	0	0	1	0

The Condominium crime incident data

is depicted below:

Fendi Chateau							
Year	Signals						
	Stolen Vehicle - 22	Burglary - 26	Theft - 27	Robbery - 29	Homicide - 31	Battery - 32	Sex Offense - 33
2014	0	0	0	0	0	0	0
2015	0	0	0	0	0	0	0
2016	0	0	0	0	0	0	0
2017	0	0	0	0	0	1	0
2018	0	0	0	0	0	0	0
2019	0	0	1	0	0	0	0
Yearly Total	0	0	1	0	0	1	0

Flanigan's Seafood Bar and Grill							
Year	Signals						
	Stolen Vehicle - 22	Burglary - 26	Theft - 27	Robbery - 29	Homicide - 31	Battery - 32	Sex Offense - 33
2014	0	0	0	0	0	1	0
2015	0	0	3	0	0	1	0
2016	0	0	2	0	0	0	0
2017	0	0	0	0	0	0	0
2018	0	0	2	0	0	0	0
2019	0	0	0	0	0	1	0
Yearly Total	0	0	7	0	0	3	0

The Beach Area crime incident data

is depicted below:

Beach							
Year	Signals						
	Stolen Vehicle - 22	Burglary - 26	Theft - 27	Robbery - 29	Homicide - 31	Battery - 32	Sex Offense - 33
2014	1	0	1	0	0	0	0
2015	0	0	0	0	0	0	1
2016	0	0	5	0	0	2	1
2017	0	0	7	1	0	1	0
2018	0	0	0	0	0	1	0
2019	0	0	0	0	0	0	0
Yearly Total	1	0	13	1	0	4	2

ARREST DATA PER BUSINESS (2015-2019):

Hotels:

Grand Beach Hotel (West)					
05/21/2015	151701	F	W	GRAND THEFT 3RD DEG	9418 COLLINS AVE
05/21/2015	151701	F	W	GRAND THEFT/MV/I/DAM	9418 COLLINS AVE
05/25/2015	151747	M	W	DEFRAUD INN/300+	9418 COLLINS AVE
05/16/2016	161538	F	B	BATTERY	9418 COLLINS AVE

Grand Beach Hotel (East)					
04/13/2015	151270	M	W	TRES PROP/AFTER WARN	9449 COLLINS AVE
11/07/2015	153607	M	W	CONT SUBS/POSS	9449 COLLINS AVE
11/07/2015	153607	F	W	CONT SUBS/POSS	9449 COLLINS AVE
08/31/2016	162930	M	B	CREDIT CARD/100+	9449 COLLINS AVE
11/03/2017	173500	M	B	LOITERING OR PROWL	9449 COLLINS AVE
05/24/2018	181559	M	B	CRIM MIS/1000+	9449 COLLINS AVE
04/18/2019	191277	F	W	GRAND THEFT 3RD DEG	9449 COLLINS AVE

Marriott Residence Inn					
08/29/2015	152886	M	W	GRD THEFT/3D/VEHICLE	9200 BLOCK COLLINS AVE
11/21/2015	153758	M	W	DISORDERLY INTOX	9200 BLOCK COLLINS AVE
03/05/2016	160668B	F	W	CANNABIS/POSN/0-20	9200 BLK COLLINS AVE
03/05/2016	160668A	M	W	CANNABIS/POSN/0-20	9200 BLK COLLINS AVE
03/28/2016	160966	M	W	CANNABIS/POSN/0-20	9200 BLK COLLINS AVE
06/18/2016	162029A	M	W	COCAINE/POSSESSION	9200 BLOCK COLLINS AVENUE
06/15/2018	181801	M	B	CONT SUB/SELL/DEL	9200 BLK COLLINS AVE
07/01/2018	181981	M	W	CANNABIS/POSN/0-20	9200 BLK COLLINS AVE
10/19/2018	183040	M	W	THREATEN/LEO/ASA/FIR	9200 COLLINS AVE
11/02/2018	183177	M	B	CANN/SELL/DEL/PSNW/I	9200 BLOCK OF COLLINS AVE

Hotels (continued):

Four Seasons at The Surf Club				
06/11/2016	161920B	M	B	BATTERY/AGGRAVATED 9011 COLLINS AVE
06/11/2016	161920A	M	B	BATT/AGG/PREJ/WEA/HR 9011 COLLINS AVENUE
02/02/2017	170389	M	B	BURGLARY/OCC CONVEY 9011 COLLINS AVE

Bluegreen Vacations Solara				
07/04/2015	152212	M	W	BATTERY 8801 COLLINS AVE
01/01/2019	190004	M	W	BATTERY 8801 COLLINS AVE

Condominium:

Fendi Chateau Residences				
No Arrest Data				

Retail Stores:

CVS				
09/15/2015	153055	M	W	RETAIL THEFT/MERCHAN 9578 HARDING AVENUE
11/25/2015	153804	M	B	PETIT THEFT 9578 HARDING AVE
06/14/2016	161969	F	W	PETIT THEFT 9578 HARDING AVE
10/30/2016	163569	M	W	TRESP/STRUC/OCC/WARN 9578 HARDING AVENUE
10/30/2016	163432	M	W	GRAND THEFT 3RD DEG 9578 HARDING AVENUE
03/16/2018	180758	F	B	OBSTRT/DISGUISE PERS 9578 HARDING AVE

Retail Stores (continued):

Publix						
08/03/2015	152570	M	W	RE/TH/MER/100+/-300/	9400 HARDING AVE	
09/28/2015	153193	M	B	UTTER/FRG/CHECK/ATTP	9400 HARDING AVE	
10/15/2015	153398	M	W	DRUG PARAPHERNA/POSN	9400 HARDING AVE	
10/26/2015	153497	F	B	PETIT THEFT/SOLICIT	9400 HARDING AVE	
10/29/2015	153520	F	W	FLEE/ELUDE PO	9400 BLK HARDING AVE	
03/15/2016	160802	M	W	DISORDERLY CONDUCT	9400 BLOCK HARDING AVE	
04/23/2016	16299	M	W	BATTERY/ELDERLY	9400 HARDING AVE	
05/06/2016	161444	M	W	BURGLARY/OCC/STRUCT	9400 HARDING AVE	
08/19/2016	162769B	M	W	PETIT THEFT	9400 HARDING AVE	
08/19/2016	162769A	M	W	PETIT THEFT	9400 HARDING AVE	
12/23/2016	164175	M	B	DISORDERLY CONDUCT	9400 HARDING AVE	
03/09/2017	170796	M	W	POSN FA/AMMO/DV INJN	9400 HARDING AVE	
04/22/2017	171308C	M	W	CANNABIS/POSN/20+	9400 BLK HARDING AVE	
04/22/2017	171308A	M	W	CANNABIS/POSN/20+	9400 BLOCK HARDING AVENUE	
04/22/2017	171308B	M	W	CANNABIS/POSN/20+	9400 BLOCK HARDING AVENUE	
09/13/2017	172979	M	W	BATTERY	9400 HARDING AVE	
05/11/2018	181410	F	B	PETIT THEFT	9400 HARDING AVE	
06/01/2018	181647	F	W	BATTERY/LEO/COR/FIRE	9400 HARDING AVE	
06/10/2018	181728	M	W	PETIT THEFT 1D	9400 BLOCK OF HARDING AVENUE	
01/30/2019	190333B	M	B	LOITERING OR PROWL	9400 BLK HARDING AVE	
01/30/2019	190333A	M	B	LOITERING OR PROWL	9400 BLK HARDING AVE	
02/09/2019	190446	M	W	RETAIL THEFT/300>	9400 HARDING AVE	
04/30/2019	191431	M	W	PETIT THEFT	9400 BLOCK OF HARDING AVE	

Restaurants:

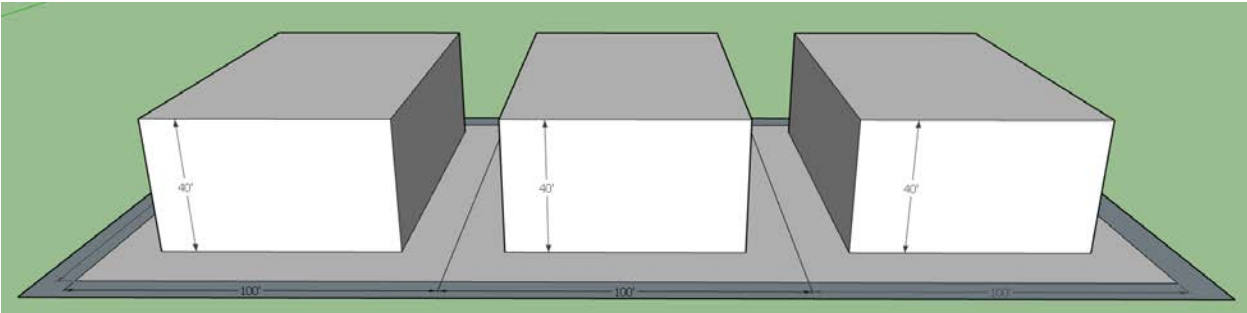
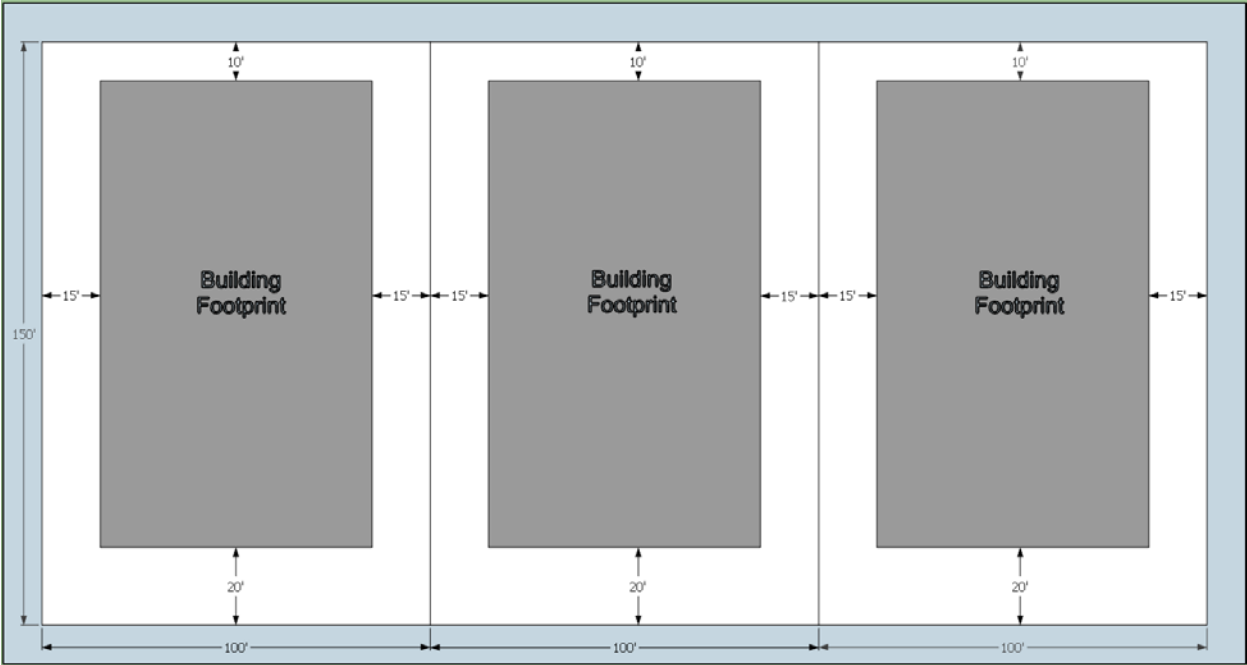
Backyard BBQ & Brew				
07/05/2016	162237	F	W BATTERY	9460 HARDING AVE (WEST ALLEY)
08/24/2018	182543	M	W BATTERY	9460 HARDING AVE

Flanigan's Seafood Bar and Grill				
07/18/2015	152366	M	W DEFRAUD INN/0-300	9516 HARDING AVE
01/08/2016	160066	M	W DISORDERLY INTOX	9516 HARDING AVE
09/21/2016	163145	M	W SCN DEV/REENC/UNLWF	9516 HARDING AVE
07/01/2018	181982	F	W DISORDERLY INTOX	9516 HARDING AVE
09/07/2018	182669	M	W DISORDERLY INTOX	9516 HARDING AVE
10/20/2018	183044	F	W BATTERY/LEO/COR/FIRE	9516 HARDING AVE

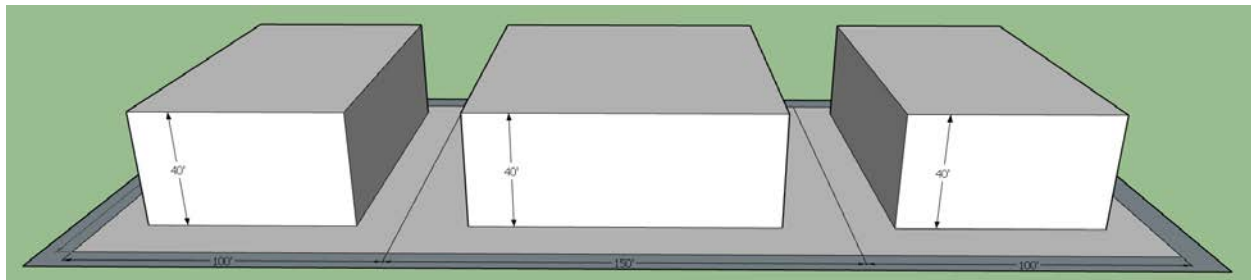
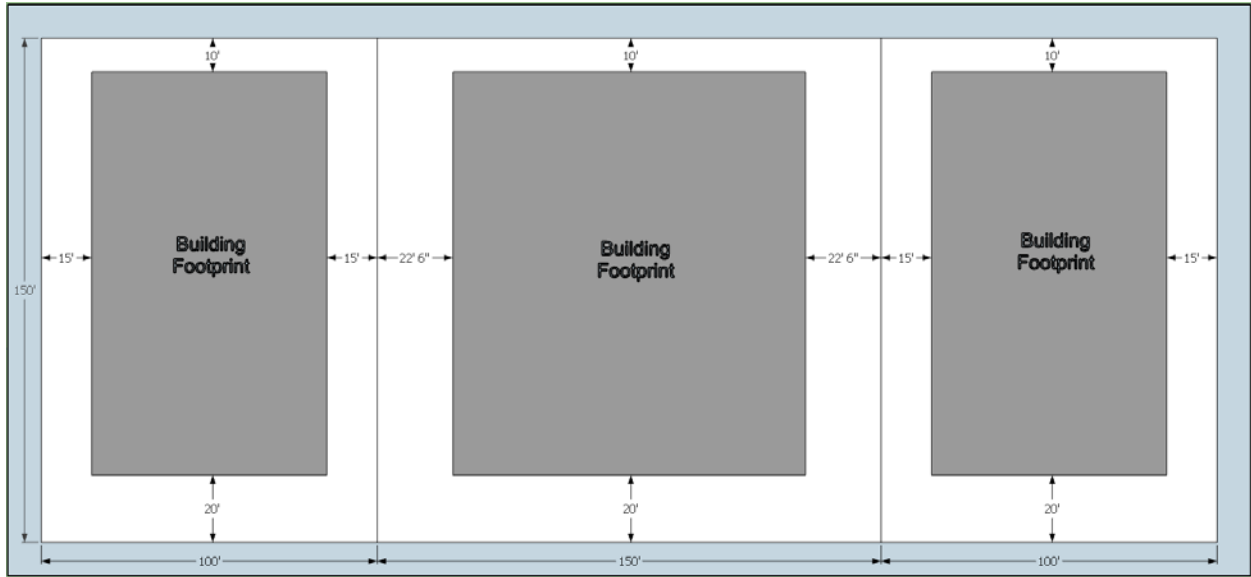
CRIME DATA INTERPRETATION

Data interpretation is simply the ability to interpret, or in other words, to visualize data and make sense of the information given. The PZ Board members, residents, or other concerned persons that brought forward the request for this information may each interpret the information differently. From a police perspective the overall crime rate in the Town of Surfside is low and Surfside is an extremely safe jurisdiction within Miami-Dade County.

Each of the businesses that are listed in this report have cooperated with the Surfside Police Department when asked to do so regarding crime reduction initiatives and criminal investigations. The hotels in particular each have security personnel on site at all times and they have alerted the Surfside Police Department to issues of concern. Overall the Surfside Police Department has partnered with the residential community and business community to reduce crime and make the Town of Surfside a safe place to live, work, and play.



H40 Zoning Designation	Lots wider than 50 feet in width
Lot Length	150 feet
Lot Width	100 feet
Lot Area	15,000 square feet
Building Height	40 feet
Setbacks	
Front	20 feet
Rear	10 feet
Side	15 feet (15% of lot width)



H40 Zoning Designation	Lots wider than 50 feet in width Subject Property	Lots wider than 50 feet in width Neighboring Properties
Lot Length	150 feet	150 feet
Lot Width	150 feet	100 feet
Lot Area	22,500 square feet	15,000 square feet
Building Height	40 feet	40 feet
Setbacks		
Front	20 feet	20 feet
Rear	10 feet	10 feet
Side	22.5 feet (15% of lot width)	15 feet (15% of lot width)

ORDINANCE NO. 19 - _____

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA AMENDING THE TOWN OF SURFSIDE CODE OF ORDINANCES BY AMENDING SECTION 90-41, "REGULATED USES", TO CHANGE THE LIST OF PERMITTED, CONDITIONAL, AND PROHIBITED USES TO PROHIBIT HOTELS IN THE H-40 ZONING DISTRICT SOUTH OF 93RD STREET AND ADDRESS HOTEL ACCESSORY USES; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; PROVIDING FOR CONFLICTS AND PROVIDING FOR AN EFFECTIVE DATE.

1 **WHEREAS**, Article VIII, Section 2 of the Florida Constitution, and Chapter 166, Florida
2 Statutes, provide municipalities the authority to exercise any power for municipal purposes,
3 except where prohibited by law, and to adopt ordinances in furtherance of such authority; and

4 **WHEREAS**, the Town Commission of the Town of Surfside ("Town Commission") finds it
5 periodically necessary to amend its Code of Ordinances and Land Development Code ("Code") in
6 order to update regulations and procedures for maintain consistency with state law and to
7 implement municipal goals and objectives; and

8 **WHEREAS**, on February 12, 2019, the Town Commission directed staff to evaluate and
9 prepare an ordinance prohibiting hotel use within the H40 zoning district south of 93rd Street; and

10 **WHEREAS**, the Planning and Zoning Board, as the local planning agency for the Town,
11 held its hearing on the proposed amendment on _____, 2019 with due public notice and
12 input; and

13 **WHEREAS**, the Town Commission held its first public hearing on March 12, 2019 and
14 recommended _____ of the proposed amendments to the Code of Ordinances having
15 complied with the notice requirements by the Florida Statutes; and

16 **WHEREAS**, the Town Commission has conducted a second duly noticed public hearing on
17 these regulations as required by law on _____, 2019 and further finds the proposed
18 change to the Code necessary and in the best interest of the community.

19

¹Additions to the text are shown in underline. Deletions are shown in ~~strikethrough~~.

20 **NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COMMISSION OF**
 21 **THE TOWN OF SURFSIDE, FLORIDA¹:**

22
 23 **Section 1. Recitals.** The above Recitals are true and correct and are incorporated herein by
 24 this reference:

25
 26 **Section 2. Town Code Amended.** Section 90-41. – “Regulated Uses” of the Surfside
 27 Town Code of Ordinances is hereby amended and shall read as follows¹:

28 **Sec. 90-41. Regulated uses.**

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

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

38 (c) Table—Regulated uses.

39 * * *

40

	H30A	H30B	H30C	H40	H-120	SD-B40
Lodging Uses						
Hotel	-	-	-	P(7) (31)	P(7)	-
<u>Hotel Accessory Uses</u>	-	-	-	<u>P(7)</u>	<u>P(7)</u>	<u>:</u>
Suite Hotel	-	-	-	P(7)	P(7)	-

41 Key: P: Permitted Blank: Not Permitted (#): Refer to Notes CU: Conditional Use

42 * * *

43 (d) *Uses table notes.*

44 * * *

¹ Additions to the text are shown in underline. Deletions to the text are shown in ~~strike through~~.

45
46
47
48
49
50
51
52
53
54
55
56
57
58
59
60
61
62
63
64
65
66
67
68
69
70
71
72
73
74
75
76
77
78
79
80
81
82

(7) May provide a beauty/personal services, dining room, and coffee shop, bar or cocktail lounge, telegraph office, tobacco, candy, and newsstand, automobile rentals where rental vehicles are not kept on premises, ready to wear shops, travel agencies, gift and sundry shops, coin operated machines, washing machines, and marble, coin or amusement machines (other than gambling devices), and diet and health spas providing services solely to guests; provided, however, that such facilities may be entered only from the inside of the structure and there shall be no window or evidence of such facilities from outside the hotel or motel.

* * *

(31) Hotels must be located north of 93rd Street. Hotels are prohibited south of 93rd Street.

* * *

Section 4. Severability. If any section, sentence, clause or phrase of this ordinance is held to be invalid or unconstitutional by any court of competent jurisdiction, then said holding shall in no way affect the validity of the remaining portions of this ordinance.

Section 5. Inclusion in the Code. It is the intention of the Town Commission, and it is hereby ordained that the provisions of this Ordinance shall become and made a part of the Town of Surfside Code of Ordinances, that the sections of this Ordinance may be renumbered or re-lettered to accomplish such intentions; and the word "Ordinance" may be changed to "Section" or other appropriate word.

Section 6. Conflicts. Any and all Ordinances and Resolutions or parts of Ordinances or Resolutions in conflict herewith are hereby repealed.

Section 7. Effective Date. This ordinance shall become effective upon adoption.

PASSED and ADOPTED on first reading this 12th day of March, 2019.

PASSED and ADOPTED on second reading this _____ day of _____, 2019.

On Final Reading Moved by: _____

On Final Reading Second by: _____

FINAL VOTE ON ADOPTION:

83 Commissioner Barry Cohen _____
84 Commissioner Michael Karukin _____
85 Commissioner Tina Paul _____
86 Vice Mayor Daniel Gielchinsky _____
87 Mayor Daniel Dietch _____

88
89
90

Daniel Dietch, Mayor

91
92 **ATTEST:**

93
94
95 _____
96 Sandra Novoa, MMC, Town Clerk

97

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

100

101 _____
102 Weiss Serota Helfman Cole and Bierman, P.A.
103 Town Attorney

ITEM	OUTCOME	NEXT STEPS	TENTATIVE SCHEDULE	COMPLETE
FUTURE PZ DISCUSSION ITEMS				
Freeboard & Height	PZ requests discussion on additional freeboard & height	Provide prior information to the board to discuss additional freeboard requirements.	Waiting feedback from Commission on PZ requested workshops specific to unlocking the height from the charter	
Impact fee discussion		Town is requesting a proposal from a consultant to do the impact fee analysis.	Working with consultant on proposal	
Update to sign code	Need to make revisions to the sign code including limiting the overall allowances for window signage to one window or door rather than multiple	Staff to prepare	Future PZ	
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	
Reduce the allowable area of a 2 nd story to no greater than 65% of the 1 st story	PZ Requests discussion including side setbacks	Provide text to PZ	August PZ	
ON FUTURE COMMISSION AGENDA				
Landscaping in front of fences	PZ requested fences along a ROW to have landscaping	Propose code amendment to propose landscaping	July Commission	
Circulation pattern	PZ discussion on pedestrian safety and walkability	Pilot project	Ongoing	Ongoing
COMPLETED				
Parking needs	Evaluate if parking code requirements are expected to be status quo based on current ride	Commission gave direction not to move		No action

Fences & Hedges in the front of single family residences	Sharing trends or if the need will be reduced Discussion on hedge height in the front		forward with any action December Commission — 2 nd reading	Fences & Hedges in the front of single family residences	Approved
Landscape Plans	Require landscape plans for large scale renovations (renovations affecting more than 50% of the square footage of the house)	Requested Ross to attend meeting to discuss requirements for landscape plans as well as the drainage review process	November PZ		Ross provided details. — No further action requested.
Sidewalk aesthetics	Prepare discussion item to determine if walkability can be improved.	Prepare graphics depicting 8 ft wide sidewalk & landscape buffer	November PZ	Sidewalk aesthetics	No action
Aggregation of Single Family	Requested by the Town Commission	Discuss limitations on building length relating to single family	August Commission — First Reading, November second reading		Adopted

Resiliency Strategy	PZ has requested staff to prepare a discussion item was to improve sustainability	lots, if aggregated. Invite Betsy Wheaton from Miami Beach to discuss what improvements Miami Beach has implemented	Future PZ or Sustainability Committee	Move to sustainability
Parking in Single-Family	In order to increase pervious areas, evaluate if two vehicles on a driveway are needed.		October PZ	No action
Update on business district	Follow up with PZ to notify the board of who is working on strategies & any improvements to the business district	Discussion of reinstating DVAC on October 9 th commission agenda	October PZ	Completed
Ways to increase pervious area of lots	Place on PZ agenda for discussion. Provide PZ with current standards		September PZ	No action
Limitation on building length in H40 & H30C	Revisit building limitations as well as green walls to soften the breaks in the building.	PZ Review. Commission heard on first reading, March 13	April PZ	Completed
H40, H30 & SDB40 Architecturally Significant ordinance	Review with PZ options for architecturally significant ordinance for other zoning districts.	PZ discussion	March PZ	No action
Green Roofs	Requested by the Town Commission		February PZ	No action
Photovoltaic Incentives	Requested by the Town Commission	Discuss requiring	February PZ	No action

			solar panels for all residential properties.				
Driveway	Prepare code modification that limits a driveway so that it does not exceed the front plane of the home.			January Commission		Complete	
Give a foot, get a foot relating Sea Level Rise - Flat Roof vs. Pitch roof	Place on agenda for discussion on referendum	Prepare visuals, timeline and cross-section.		February Commission 2 nd reading		Complete	
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.		February Commission 2 nd reading		Complete	
Trellis	Review if a trellis attached to the house is considered an accessory structure.	This has not been a reoccurring issue. Provide direction if this is necessary.		Trellis	Review if a trellis attached to the house is considered an accessory structure.	This has not been a reoccurring issue. P	

Average side setback /Massing	Modify ordinance for additional side setbacks on upper floors for single family homes	Direction if this is necessary. The Town has already modified the code to prohibit covered balconies counted towards setbacks.	Average side setback /Massing	Modify ordinance for additional side setbacks on upper floors for single family homes	The Town has already modified the code to prohibit covered balconies counted towards setbacks.
Satellite dishes	Further review by staff	Direction if this is necessary. This issue has not come up as a problem and it is not clear if this is still desired to be regulated.	Satellite dishes	Further review by staff	This issue has not come up as a problem and it is not clear if this is still desired to be regulated.
Commercial waste and recycling container screening	Screening for containers, green screen, vegetation, include pictures from Commissioner Kligman	Draft code amendment			Did not move forward
Driveway material regulations	Modify code to allow stamped concrete and concrete slabs with decorative rock or grass in between	Draft code amendment			Did not move forward
Painting of commercial structures	Town Staff to prepare ordinance	Prepare ordinance for commission			Did not move forward

<p>Residential or commercial wind turbine regulations</p>	<p>Prepare ordinance regulating wind turbines including hurricane precautions, noise regulations, insurance considerations</p>	<p>Residential or commercial wind turbine regulations</p>	<p>Prepare ordinance regulating wind turbines including hurricane precautions, noise regulations, insurance considerations</p>	<p>Direction if this is necessary: This issue has not come up as a problem and it is not clear if this is still desired to be regulated.</p>	<p>This issue has not come up as a problem and it is not clear if this is still desired to be regulated.</p>
<p>Setback for parapet above 30 feet on single family homes</p>	<p>Prepare ordinance to require additional setback</p>	<p>Setback for parapet above 30 feet on single family homes</p>	<p>Prepare ordinance to require additional setback</p>	<p>Direction if this is still necessary as the code could be modified to encourage pitched roofs.</p>	<p>Direction if this is still necessary as the code could be modified to encourage pitched roofs.</p>
<p>Final Zoning Inspections</p>	<p>Town Manager will analyze</p>	<p>Final Zoning Inspections</p>	<p>Town Manager will analyze</p>	<p>Building performs inspections based on conditions on the plans. Need direction if anything further is necessary</p>	<p>Building performs inspections based on conditions on the plans.</p>
<p>Requiring noticing for demolition of houses</p>	<p>Research option and place on agenda for discussion</p>		<p>Research option and place on agenda for discussion</p>		<p>Yes</p>

Sign-Definitions	Modify sign definitions for monument and sign area	Drafted code amendment			
Carpets	Require improved surface on frame	Addressed in Code		September PZ	Yes
Provide summary on construction hours and noise ordinance	Place update on PZ agenda.			September PZ	Yes
Workforce housing update				September PZ	Yes
Add requirement for licensed architect for DRB submittals	Reviewing entire section relating to DRB	Draft code amendment			May Commission Agenda
Corridor Analysis	Study corridor between Collins & Harding	Prepare code amendments	Work authorization to be approved in NOVEMBER	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 ROW	Research and prepare report for discussion and possible code amendment	In contract	March PZ	COMPLETE Added a program modification to FY2015 budget
Interpretation of base flood elevation for the H120 district	No change	No further action needed		N/A	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 stepbacks in the H120 district	No action necessary since Planning and Zoning Board currently reviewing stepbacks 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