



**Town of Surfside**  
**Planning and Zoning Board Meeting**  
**AGENDA**  
**Thursday, March 30, 2023**  
**6:00 PM**  
Town Commission Chambers

***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.***

***Rule 6.06 (a)3 Agenda. The good and welfare portion of the agenda set for 8:15 p.m. shall be restricted to discussion on subjects not already specifically scheduled on the agenda for discussion and debate. In no event shall this portion of the agenda be allotted more than 45 minutes with each speaker to be given no more than three minutes, unless by vote of a majority of the members of the commission present, it is agreed to extend the time frames. Likewise, commission members shall be restricted to speaking three minutes each unless an extension is granted in the same manner as set forth in the prior sentence.***

***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 this capacity has been reached, people will be asked to watch the meeting from the first floor.***

1. Call to Order/Roll Call
2. Town Commission Liaison Report
3. Approval of Minutes
  - 3.A February 23, 2023 Planning and Zoning Board Meeting Minutes - Deputy Town Clerk Evelyn Herbello  
[February 23, 2023 Planning and Zoning Board Meeting Minutes.pdf](#)

4. Ordinances

- 4.A Accessory Structures in Waterfront Lots in the H30A Zoning District - Town Planner Judith Frankel

**AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA AMENDING THE TOWN OF SURFSIDE CODE OF ORDINANCES BY AMENDING SECTION 90-48.3 OF SECTION 90-48. -- "MODIFICATION OF SIDE AND REAR YARD REGULATIONS" TO CLARIFY APPLICABILITY OF WATERFRONT SETBACKS; AND SECTION 90-54.1 OF SECTION 90-54. -- "MODIFICATION OF SIDE AND REAR YARD REGULATIONS" TO ADDRESS BUILDINGS AND STRUCTURES WITHIN THE WATERFRONT SETBACK AREA FOR H30A PROPERTIES; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.**

[Ordinance Amending 90-48.3 and 90-54.1 Accessory Structures Waterfront Lots H30A.DOCX](#)

- 4.B Zoning Code Correction: Definitions of "*Setback*" and "*Yard*" - Town Planner Judith Frankel

**AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA AMENDING THE TOWN OF SURFSIDE CODE OF ORDINANCES BY AMENDING SECTION 90-2. - "DEFINITIONS", BY AMENDING THE DEFINITIONS OF "SETBACK" AND "YARD" TO REFLECT THAT THEY ARE SYNONYMOUS AND EQUIVALENT TERMS; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.**

[Ordinance Amend 90-2 \(Defintions\) Setback and Yard.DOCX](#)

- 4.C Zoning Code Correction: Deletion of references to Gross Density and Gross Lot Area. - Town Planner Judith Frankel

**AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA AMENDING THE TOWN OF SURFSIDE CODE OF ORDINANCES BY AMENDING SECTION 90-2. - "DEFINITIONS" BY AMENDING THE DEFINITION OF "DENSITY" TO DELETE THE REFERENCE TO "GROSS" ACRE; AMENDING SECTION 90-45.1. - "AGGREGATION OF LOTS" TO DELETE THE REFERENCE TO "GROSS" DENSITY; AND AMENDING SECTION 90-86.2 OF SECTION 90-86. -- "LANDSCAPE PERMIT PLANS" TO DELETE THE REFERENCE TO "GROSS" ACREAGE; PROVIDING FOR SEVERABILITY;**

**PROVIDING FOR INCLUSION IN THE CODE; PROVIDING FOR CONFLICTS;  
AND PROVIDING FOR AN EFFECTIVE DATE.**

[Attachment A: Gross Acre in the Zoning Code Ordinance to Amend Delete reference to Gross](#)

**5. Applications**

**5.A 516 Surfside Blvd. - Fence and Gate** - Town Planner Judith Frankel

[Attachment A: Site Condition Images](#)  
[516 Surfside Blvd Agenda Packet.pdf](#)

**5.B 9433 Byron Avenue - New 2-Story Single Family Home** - Town Planner Judith Frankel

[Attachment A: Tables 1 2 and 3.pdf](#)  
[9433 Byron Avenue-Proof of Notice Requirement.pdf](#)  
[9433 Byron Ave Agenda Packet.pdf](#)

**5.C 9490 Harding Avenue - Wall Sign** - Town Planner Judith Frankel

[Attachment A: Tables and Images](#)  
[9490 Harding Avenue Agenda Packet.pdf](#)

**5.D 9501 Harding Avenue - Wall Sign** - Town Planner Judith Frankel

[Attachment A: Table and Image.pdf](#)  
[9501 Harding Avenue Agenda Package.pdf](#)

**5.E 1400 Biscaya Drive- Alterations of Window Openings** - Judith Frankel, Town Planner

[1400 Biscaya Drive Application.pdf](#)  
[1400 Biscaya Agenda package 3.30.23.pdf](#)

**5.F 9456 Abbott Avenue - Addition** - Town Planner Judith Frankel

[Attachment A: Images and Tables.pdf](#)  
[9456 Abbott Avenue Agenda Packet.pdf](#)

**5.G 9064 Harding Avenue - 2nd Floor Addition** - Town Planner Judith Frankel

[Attachment A: Images and Table.pdf](#)  
[9064 Harding Avenue Agenda Packet.pdf](#)

**5.H 9332 Bay Drive - New 2-Story Single Family Home** - Town Planner Judith Frankel

[Attachment A: images and tables](#)  
[9332 Bay Drive-Proof of Notice Requirement.pdf](#)  
[9332 Bay Agenda Package.pdf](#)

**6. Discussion Items**

**6.A Zoning Code Review and Design Guidelines Timeline** - Consultant Town Planner Walter Keller, AICP

**6.B Comprehensive Plan and Evaluation and Appraisal Report (EAR) Timeline** - Consultant Town Planner Walter Keller, AICP

- 6.C Zoning Code Correction - Rooftop Elements** - Acting Town Manager Hector Gomez  
[Attachment A-Roof Stair-Stairs Limitations.docx](#)  
[Attachment B: Ordinance-Re Roof Deck Railings.docx](#)  
[Attachment C: Rooftop Code Change suggestions.](#)

**7. Next Meeting Date**

- 7.A Next Meeting Date: April 27, 2023 at 6:00 p.m.** - Deputy Town Clerk Evelyn Herbello

**8. Adjournment**

Respectfully submitted,

Hector R. Gomez  
Acting Town Manager

---

THIS MEETING IS OPEN TO THE PUBLIC. IN ACCORDANCE WITH THE AMERICANS WITH DISABILITIES ACT OF 1990, ALL PERSONS THAT ARE DISABLED; WHO NEED SPECIAL ACCOMMODATIONS TO PARTICIPATE IN THIS MEETING BECAUSE OF THAT DISABILITY SHOULD CONTACT THE OFFICE OF THE TOWN CLERK AT 305-861-4863 EXT. 226 NO LATER THAN FOUR DAYS PRIOR TO SUCH PROCEEDING.

IN ACCORDANCE WITH THE PROVISIONS OF SECTION 286.0105, FLORIDA STATUTES, ANYONE WISHING TO APPEAL ANY DECISION MADE BY THE TOWN OF SURFSIDE COMMISSION, WITH RESPECT TO ANY MATTER CONSIDERED AT THIS MEETING OR HEARING, WILL NEED A RECORD OF THE PROCEEDINGS AND FOR SUCH PURPOSE, MAY NEED TO ENSURE THAT A VERBATIM RECORD OF THE PROCEEDINGS IS MADE WHICH RECORD SHALL INCLUDE THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED.

AGENDA ITEMS MAY BE VIEWED AT THE OFFICE OF THE TOWN CLERK, TOWN OF SURFSIDE TOWN HALL, 9293 HARDING AVENUE. ANYONE WISHING TO OBTAIN A COPY OF ANY AGENDA ITEM SHOULD CONTACT THE TOWN CLERK AT 305-861-4863. A COMPLETE AGENDA PACKET IS ALSO AVAILABLE ON THE TOWN WEBSITE AT [www.townofsurfsidefl.gov](http://www.townofsurfsidefl.gov).

TWO OR MORE MEMBERS OF THE TOWN COMMISSION AND/OR TOWN BOARDS MAY ATTEND THIS MEETING.

THESE MEETINGS MAY BE CONDUCTED BY MEANS OF OR IN CONJUNCTION WITH COMMUNICATIONS MEDIA TECHNOLOGY, SPECIFICALLY, A TELEPHONE CONFERENCE CALL. THE LOCATION 9293 HARDING AVENUE, SURFSIDE, FL 33154, WHICH IS OPEN TO THE PUBLIC, SHALL SERVE AS AN ACCESS POINT FOR SUCH COMMUNICATION.