



**Town of Surfside
Planning and Zoning Board Meeting
MINUTES
October 27, 2022
6:00 PM
Town Commission Chambers**

1. Call to Order/Roll Call

Chair Baumel called the meeting to order at 6:00 p.m.

Present: Chair Carolyn Baumel, Board Member Ruben Bravo, Alternate Board Member Michael Szafranski and Alternate Board Member Grace Rais (absent at roll call, she arrived at 6:05 p.m.)

Absent: Vice Chair David Forbes, and Board Member Jonathan Edderai.

Also Present: Town Manager Andy Hyatt, Town Attorney Tony Recio, Town Planner Judith Frankel, Consultant Town Planner Walter Keller, and Commission Liaison Commissioner Fred Landsman.

2. Town Commission Liaison Report

No Commission Liaison Report was provided.

3. Approval of Minutes

3.A September 29, 2022 Planning and Zoning Board Meeting Minutes - Deputy Town Clerk Evelyn Herbello

A motion was made by Board Member Lecour to approve the September 29, 2022 Planning and Zoning Board Meeting Minutes, seconded by Board Member Szafranski. The motion carried with a 4-0 vote with Alternate Board Member Rais absent.

[09-29-2022 Planning and Zoning Board Meeting Minutes.pdf](#)

4. Ordinances

4.A Planning and Zoning Ordinance Change - Membership qualification requirements. - Lilian Arango, Town Attorney

Consider for recommendation the attached Ordinance, prior to second reading by the Town Commission, to amend Section 90-15 of the Code to modify the Planning &

Zoning Board Membership qualification requirements.

Deputy Town Clerk Herbello read the title of the ordinance into the record.

Town Planner Frankel introduced the item and explained the changes to the ordinance.

Alternate Board Member Grace Rais arrived at 6:05 p.m.

Chair Baumel opened the floor to public comment.

The following individual from the public spoke:
George Kousoulas requested clarification.

Chair Baumel closed the floor to public comment.

Board Member Bravo agrees with the comments and would suggest rewording the sentence and spoke regarding the sustainability portion of the ordinance. He stated that at least 3 members are one of the following and stated to add the word "or" instead of "and". He commented on needing sustainability in Town.

Board Member Lecour spoke regarding the issues in the past in obtaining individuals that would apply.

Mr. Kousoulas stated that Board Member Bravo brings up a good point. He would suggest to modify the code and proposing and transmitting a request to the Commission to bolster the sustainability portion as it relates to the position of the Town Planner.

Board Member Bravo stated that he is pointing out that they should comply with green and sustainable construction.

Alternate Board Member Rais stated that what popped out was the real estate experience and would suggest for that experience to be in Surfside.

Chair Baumel stated that it should be anyone that is licensed in the State of Florida and that person must have an active license. She stated that means that in the past 3 years they had an active license. She stated that you cannot have them strictly in Surfside because they deal in different areas. She suggested to have it currently licensed and active in Miami Dade County.

Board Member Szafranski stated that there is a lot of competition, and it does not matter where you work.

Chair Baumel requested to recommend to the Commission to require that position have an active license. She stated that it is hard to get individuals to apply. She stated that the rest of the additions are good.

A motion was made by Board Member Szafranski to approve the ordinance as written. The motion died for lack of a second.

Board Member Lecour asked if they have to be one of each in any of those under section 1(a).

A motion was made by Board Member Rais to recommend to the Town Commission to approve the ordinance on second reading with the amendments: 1) add the word "active" to point number 10, and fix the language in 1(a) to state that 3 members have to fit these categories, seconded by Board Member Lecour. The motion carried with a 4-1 vote with Board Member Bravo voting in opposition.

[Ordinance-Amending Section 90-15 Planning and Zoning Board Membership.DOCX](#)

5. Applications

Town Attorney Recio read the quasi-judicial statement into the record.

Town Attorney Recio asked Deputy Town Clerk Herbello to confirm notice requirements.

Deputy Town Clerk Herbello confirmed proper notice requirements were met by all applicants.

Town Attorney Recio polled the Board Members.

No Board Members had any communication with any of the applicants.

Deputy Town Clerk Herbello swore in all the applicants.

5.A 9017 Garland Avenue - Single Family Home Addition, New 2nd Floor Addition and Comprehensive Renovations - Town Planner Judith Frankel

Staff Recommendation:

It is recommended the application be approved subject to the following comments:

Provide calculations and details on total pervious/landscape area (35% Sec. 90-49) without the synthetic turf, the front yard setback area (30% per Sec. 90-61) and the rear yard setback area (20% per Sec. 90-61).

Synthetic turf can only be utilized on areas when all pervious area requirements are met using natural materials and vegetation (per Sec. 90-87 (15)(b)). Replace with an approved sod if pervious area requirements are not met (see Sec. 90-89.1).

Verify the height of the home based on an averaged crown of road elevation.

Expand proposed driveway to provide for 2 on-site parking spaces (9 feet x 18 feet each per Sec. 90-81.1 (1)).

The covered BBQ is considered an accessory structure and cannot be directly attached to the residence except by a breezeway (per Sec. 90-54.1). The minimum

allowed set back is 20 feet and with the BBQ area the setback is only 12 feet 5 inches.

Per Sec. 90-55, Non-habitable structures, including but not limited to cabanas, pergolas, gazebos, and trellises shall have a maximum height of 12 feet. Provide the height of the outdoor BBQ porch as measured from the crown of the road.

Per Sec 90-89, street trees shall be required at one shade/palm tree per 20 linear feet of street frontage along all public or private rights-of-way. As this property is 50 feet in width, two street trees are required. Street trees should be native and mature to a height of at least 20 feet and planted along the swale or right-of-way.

Per Sec. 90-97, any tree removed or relocated will require a tree removal permit. The proposed plan shows the removal of four trees, no mitigation is proposed. Trees removed must be permitted and mitigated.

Provide additional information on materials used for the window trim, front door frame and shutters for the front storage area.

Town Planner Judith Frankel introduced the item and provided an overview of the application with staff recommendations and conditions.

Carlos German Brun, architect for the applicant and provided an overview of the project.

Chair Baumel opened the floor to public comment.

The following individual from the public spoke:
Colombia Clansey is the neighbor and would like to make sure that whatever is done will protect her foundation and have no negative impact to her home.

Chair Baumel closed the floor to public comment.

Board Member Rais is not crazy about the look of the house and does not see enough of the Miami modern in this design. She would like to see more Miami features in this project.

Board Member Lecour likes the idea of the landscaping and would like to make sure there is irrigation. She spoke regarding the greenery and asked if they could get planters on the second story and continue the motif on the second story.

Board Member Bravo likes the house and stated that this Board is not here to say what they like and what they do not like. He spoke regarding that in the past they were to provide input based on code and if they are still abiding by that.

Town Attorney Recio stated yes and the design guidelines as well.

Board Member Bravo spoke regarding the roof and color scheme. He spoke regarding the landscape drawings and the irrigation portion. He stated that he would appreciate for the survey to have a date because he will not know how old it is.

Town Planner Frankel stated that in the electronic version does have the survey and there is a signed and sealed version on file.

Chair Baumel stated that what they have done is lovely and does not matter what she likes or doesn't like because they meet code. She does like it because of the amount of landscape they have. She also appreciates the diversity of the project.

Town Planner Frankel stated that there are conditions that do not meet code and the applicant will have to correct.

Board Member Szafranski asked if they could approve with the rear porch. He loves the house.

Town Planner Frankel stated no they could not.

Jean Imberte stated that they are part of the board of the Historic Preservation Board in Washington and take it very seriously.

Board Member Rais stated that the front facade is dense.

A motion was made by Board Member Szafranski to approve the application with staff recommendations, seconded by Board Member Bravo. The motion carried with a 5-0 vote .

[9017_Garland_Ave-Table_1.pdf](#)

[9017 Garland Avenue Agenda Packet.pdf](#)

5.B 8818 Carlyle Avenue - Garage Conversion - Judith Frankel, Town Planner

Recommendation:

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

Condition of Approval:

- At the time of permitting it shall be verified that the Finished Floor Area for the converted garage space is level with the remainder of the home.
- Applicant should provide images of Window and frame styles to be used in the new window to confirm consistency throughout the home.

Town Planner Judith Frankel introduced the item and provided an overview of the application with staff recommendations.

Gael Espeche, applicant provided an overview of the project.

Board Member Lecour asked if they are required to have an extra spot.

Town Planner Frankel stated that they could have a smaller curb cut.

Chair Baumel opened the floor to public comment.

There were no public speakers.

Chair Baumel closed the floor to public comment.

Board Member Lecour asked regarding possibly doing a semi circular spot.

Mr. Espeche stated that he is unable to because they have two different grades and he has a carport. He stated this is the best way without impacting his trees.

Board Member Bravo asked if he is planning on raising the garage level.

Mr. Espeche stated that he will not be raising the outside but the inside floor will be raised.

Board Member Bravo suggested that if they raise the floor the window will be a bit low.

Mr. Espeche stated it is an egress for fire code.

Town Planner Frankel addressed the comments made.

Further discussion took place among the Board, staff and the applicant regarding the egress window, moving the window flushed with the other windows and the aesthetics of the window.

A motion was made by Board Member Szafranski to approve the application with staff recommendations, seconded by Board Member Lecour. The motion carried with a 4-1 vote with Board Member Rais voting in opposition.

[8818 Carlyle Avenue Table 1.docx](#)

[8818 Carlyle Ave survey.pdf](#)

[8818 Carlyle Avenue Agenda Packet.pdf](#)

5.C 8818 Hawthorne Avenue - Addition/Renovation - Judith Frankel, Town Planner

Staff Recommendation: It is recommended the application be approved subject to the following comments:

Verify the height of the new second story addition based on an averaged crown of road elevation.

Provide more detailed information on the color of the existing roof and the new roof to ensure consistency.

Provide additional detailed information on the color and material finishes of the second-floor addition and the residence.

Provide additional landscaping details to confirm compliance with the tree requirements

Town Planner Judith Frankel and Consultant Town Planner Walter Keller introduced the item and provided an overview of the application with staff recommendations.

Sarah Wilson, applicant answered any questions the Board might have.

Steven Fett, architect provided an overview of the project.

Chair Baumel asked if this house had a pool before in the front.

Mrs. Wilson stated it did in the past and she stated they would like to make this home a place to raise their family without making the home a monster house.

Chair Baumel opened the floor to public comment.

There were no public speakers.

Chair Baumel closed the floor to public comment.

Town Planner Frankel stated that the applicant agrees with the FEMA requirements.

Board Member Bravo thanked them for building just what they need and this was a very good presentation.

Board Member Rais commended them for their approach and likes the inset component. She asked regarding the vertical renderings and the tiles.

Mr. Fett addressed the comments made by Board Member Rais.

A motion was made by Board Member Rais to approve the application with staff recommendations, seconded by Board Member Lecour. The motion carried with a 5-0 vote.

[8818 Hawthorne Ave_Table.pdf](#)

[8818 Hawthorne Drive Agenda Packet.pdf](#)

5.D 9032 Garland Avenue - Addition - Judith Frankel, Town Planner

Recommendation

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

Conditions of Approval:

- Demonstration that the property meets 35% Total pervious requirement

(including 30% pervious in the front yard and 20% in the rear yard).

- Building height is to be measured from the Crown of the Road and must be less than 30 ft per Sec. 90-43 of the Town Code

Town Planner Judith Frankel introduced the item and provided an overview of the application with staff recommendations.

Zach Kwarta, applicant introduced his item.

Chair Baumel opened the floor to public comment.

There were no public speakers.

Chair Baumel closed the floor to public comment.

A motion was made by Board Member Lecour to approve the application with staff recommendations, seconded by Board Member Bravo. The motion carried with a 5-0 vote.

[9032 Garland Avenue Table 1.docx](#)

[9032 Garland Avenue Survey.pdf](#)

[9032 Garland Avenue Agenda Packet.pdf](#)

5.E 9480 Harding Avenue - Wall Sign - Judith Frankel, Town Planner

Staff Recommendation: It is recommended the application be approved as submitted.

Recommendation:

Staff finds the application meets the Code requirements.

Town Planner Judith Frankel introduced the item and provided an overview of the application with staff recommendations.

Carlos Blanco, representing the applicant introduced the item.

Chair Baumel opened the floor to public comment.

There were no public speakers.

Chair Baumel closed the floor to public comment.

A motion was made by Board Member Szafranski to approve the application with staff recommendations, seconded by Board Member Lecour. The motion carried with a 4-1 vote with Board Member Rais voting in opposition.

[9480 harding Ave Table 1.docx](#)

[9480 Harding Avenue Agenda Packet.pdf](#)

5.F 9501 Harding Avenue - Wall Sign - Judith Frankel, Town Planner

Staff Recommendation: It is recommended the application be approved subject to conditions.

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

Condition of Approval

1. Per Code section 90-73, signs shall be off set from the wall a minimum of one quarter inch to a maximum of two inches to permit rainwater to flow down the face of the wall.

Town Planner Judith Frankel introduced the item and provided an overview of the application with staff recommendations.

Shaun Grenald, applicant introduced the item.

Chair Baumel opened the floor to public comment.

There were no public speakers.

Chair Baumel closed the floor to public comment.

Board Member Szafranski asked if a vape shop is a permitted use.

Town Planner Frankel stated yes it is as long as it is not a marijuana store.

Board Member Rais asked regarding another sign being installed.

Mr. Grenald stated it will be a dual space and two stores and explained the dominoes sign.

Board Member Lecour asked if there will be two different stores for those signs.

Mr. Grenald stated that there will be two different doors.

Chair Baumel asked if there will be one sign on top of the other sign.

Mr. Grenald stated yes.

Board Member Lecour asked again regarding the location of the signs.

Town Planner Frankel stated that to have both signs the signs have to be half the size.

Chair Baumel asked if they could make a suggestion regarding the signs.

Town Attorney Recio stated that they could make a suggestion that if a second sign comes up it must be reduced and meet code.

Further discussion took place regarding the placing of both signs and the maxing out of the space.

Mr. Grenald stated that if they could agree to just go with one sign.

A motion was made by Board Member Lecour to approve the application with staff recommendations, seconded by Board Member Bravo. The motion carried with a 4-1 vote with Board Member Szafranski voting in opposition.

[9501 Harding Avenue Table 1.docx](#)

[9501 Harding Avenue Agenda Packet.pdf](#)

5.G 9555 Harding Avenue - Wall Sign - Judith Frankel, Town Planner

Recommendation:

The proposed signage exceeds the square footage limitations for the amount of street frontage of the store. A maximum of 25 SF of signage is allowed for this storefront. The applicant has agreed to reduce the sign to 25 SF.

Conditions for Approval:

- Reduce sign size from 193" x 27" and 36 SF to 150"x24" and 25 SF
- Off-set sign from wall face a distance of 0.25" to 2"

Town Planner Judith Frankel introduced the item and provided an overview of the application with staff recommendations.

Carlos Blanco introduced the item.

Chair Baumel opened the floor to public comment.

There were no public speakers.

Chair Baumel closed the floor to public comment.

Board Member Rais asked if it will be scaled down.

Mr. Castillo stated yes.

Board Member Lecour asked if there is a requirement of having the same type of stores in Town.

Town Attorney Recio stated that there is not that specific restriction as it pertains to tobacco.

Town Planner Frankel stated that there are other types of restrictions.

A motion was made by Board Member Szafranski to approve the application with staff recommendations, seconded by Board Member Bravo. The motion carried with a 5-0 vote.

[9555 Harding Avenue wall sign tables.pdf](#)

[9555 Harding Avenue wall sign Agenda Packet.pdf](#)

5.H 8951 Froude Avenue - Garage Conversion - Judith Frankel, Town Planner

Recommendation:

Staff finds the application meets the Town of Surfside Zoning Code requirements and may be approved subject to review by the Planning and Zoning Board.

Town Planner Judith Frankel introduced the item and provided an overview of the application with staff recommendations.

Eli Andposier representing the applicant provided an overview of the project.

Chair Baumel opened the floor to public comment.

There were no public speakers.

Chair Baumel closed the floor to public comment.

Board Member Lecour asked regarding the location of the air conditioning unit.

Chair Baumel likes the architectural detail of the windows and it matched the house.

Board Member Bravo spoke regarding the survey.

A motion was made by Board Member Bravo to approve the application with staff recommendations, seconded by Board Member Rais. The motion carried with a 5-0 vote.

[8951 Froude Ave Table.pdf](#)

[8951 Froude Avenue Agenda Packet.pdf](#)

[8951 Froude survey.pdf](#)

6. Next Meeting Date

6.A Combining the November and December meetings to be held on December 15, 2022 at 6:00 p.m. due to the Thanksgiving, Christmas and New Years Holidays. - Deputy Town Clerk Evelyn Herbello

Deputy Town Clerk Herbello introduced the item.

A motion was made by Board Member Lecour to combine the November 24, 2022 meeting with the December 15, 2022 meeting to be held on December 15, 2022 at 6:00 p.m., seconded by Board Member Bravo. The motion carried with a 5-0 vote.

7. Discussion Items

7.A Discussion on Various Zoning Code Matters - Judith Frankel, Town Planner

Town Planner Judith Frankel introduced the item and spoke regarding how they can improve the code to make it better. She stated that Commissioner Landsman would like to see a more active Board. She would like to bring some of the items to them for discussion. She spoke regarding bringing to the next Commission meeting a resolution to begin the work with redoing the design review guidelines. She spoke regarding some sustainability portions of the code.

Board Member Rais asked if it would make sense to encourage people to plant closer to the curb or wait until the undergrounding takes place.

Town Planner Frankel stated that they could add something to do with trees to future agendas. She spoke regarding doing a better work in landscape requirements.

Board Member Lecour stated that the canopy is not large enough to create shade in the streets. She stated that if there is a way to help address the shade that would be a good discussion item.

Town Planner Frankel addressed the comments made regarding the trees and the undergrounding.

Chair Baumel thanked Town Planner Frankel for adding this to the agenda.

Chair Baumel opened the floor to public comment.

The following individual from the public spoke:

George Kousoulas stated that the design guidelines are important and take the time to do it correctly. He also spoke regarding the corridor study.

Chair Baumel closed the floor to public comment.

Chair Baumel stated that the one thing they see going on in Surfside are the sales and renovations of new properties which have exploded. She stated that the existing design guidelines do need a revamp.

Town Planner Frankel stated that what she would like to see is a usable design and review guideline that individuals can understand and use.

Chair Baumel stated that it is important what Commissioner Landsman stated that the design guidelines go through this Board and come up with a better suggestion or voice.

Chair Baumel spoke regarding different suggestions she has requested and gave the suggestions she had provided which is to accommodate two cars.

Town Attorney Recio stated that this is a discussion item before them. He stated that it was to come back to them and make an official recommendation.

Chair Baumel stated that they need to make the cut bigger than 18 foot and it should be at least 22 foot to accommodate two cars.

Town Planner Frankel stated what the current limitation is in the code.

Chair Baumel would like to recommend making it 22 feet to accommodate two vehicles.

Board Member Rais spoke regarding the ramifications.

Town Planner Frankel explained the percentage of minimum landscaping and the paving requirements.

Board Member Lecour asked if there is a reason why the code did not allow that.

Town Planner Frankel addressed the comments made by Board Member Lecour.

Chair Baumel stated that the car sizes have changed since this code was written.

Further discussion took place among the Board regarding parking and making the cut bigger to accommodate two vehicles.

Town Attorney Recio spoke regarding the process of them making a recommendation to the Commission in expanding the single-family curb cut and he explained the process.

A motion was made by Board Member Szafranski to recommend to the Commission to increase the curb cut from 18 feet to 25 feet without adversely impacting the pervious area, seconded by Board Member Lecour. The motion carried with a 5-0 vote.

8. Adjournment

There being no further business to discuss before the Planning and Zoning Board, a motion was made by Board Member Bravo to adjourn the meeting at 7:58 p.m.

Respectfully submitted,

Accepted this _____ day of _____, 2022.

Carolyn Baumel, Chair

Attest:

Sandra N. McCready, MPA, MMC
Town Clerk