



Town of Surfside
Planning and Zoning Board Meeting
MINUTES
May 24, 2023
6:00 PM
Town Commission Chambers

1. Call to Order/Roll Call

The meeting was called to order by Chair Baumel at 6:02 p.m.

Deputy Town Clerk Herbello called the roll with the following members present:

Present: Chair Carolyn Baumel, Vice Chair David Forbes, Board Member Ruben Bravo, Board Member Lindsey Lecour, Alternate Board Member Michael Szafranski and Alternative Board Member Grace Rais and Board Member Jonathan Edderai (arrived at 6:03 p.m.)

Also Present: Commission Liaison Commissioner Fred Landsman, Mayor Shlomo Danzinger, Town Manager Hector Gomez and Town Attorney Alex Uribe.

2. Town Commission Liaison Report

Commissioner Landsman provided a Commission Liaison Report and asked Town Planner Frankel regarding the status of the revision to the design review guidelines.

Town Planner Frankel stated they do not have an update at this time and will contact Consultant Town Planner Keller to provide an update at the next meeting.

Chair Baumel introduced Town Attorney Alex Uribe who is filling in for Town Attorney Tony Recio.

3. Approval of Minutes

3.A April 27, 2023 Planning and Zoning Board Meeting Minutes - Deputy Town Clerk Evelyn Herbello

A motion was made by Board Member Edderai to approve the April 27, 2023 Planning and Zoning Board Meeting Minutes, seconded by Chair Baumel. The motion carried with a 5-0 vote.

[April 27, 2023 Planning and Zoning Board Meeting Minutes.pdf](#)

4. Ordinances

4.A Zoning Code Correction - Balcony Projections - Town Planner Judith Frankel

Staff recommends approval of this ordinance to amend the zoning code by removing the balcony overhang provision (Sec. 90-47.7) and including the "modified side setback" in the balcony restrictions (Sec. 90-47.6).

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

Town Planner Frankel introduced the item. She stated this came up at the Joint Meeting the Commission had with the Planning and Zoning Board. She provided an overview of the item and the proposed modifications.

Chair Baumel opened the floor to public comments.

The following individual from the public spoke:

George Kousoulas stated precision in the code is very important. He stated this is a minor example of it and thankfully it was caught.

Chair Baumel closed the floor to public comments.

Chair Baumel stated they did a good job with these revisions.

A motion was made by Board Member Lecour to recommend to the Town Commission to approve the ordinance on second reading, seconded by Vice Chair Forbes. The motion carried with a 5-0 vote.

[Ordinance Re-Balcony Overhangs H120.docx](#)

4.B Zoning Code Correction - Design Requirements for Front Yard Fences and Gates - Town Planner Judith Frankel

Staff recommends approval of this ordinance in order to clarify the acceptable design of front yard fences and gates in single-family zoning districts and to allow for the compatibility of another ordinance removing front yard fences, gates and walls from Planning and Zoning Board review.

As this ordinance only applies to fences and gates in the single-family zoning districts, staff suggest that The Board consider the criteria for the review of fences and gates in other districts as well.

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

Town Planner Frankel introduced the item. She spoke regarding the changes that are being required.

Chair Baumel opened the floor to public comments.

There were no public speakers.

Chair Baumel closed the floor to public comments.

Alternate Board Member Rais asked if they also eliminated PVC material. She also asked regarding hedges and setbacks.

Town Planner Frankel stated the PVC material was removed and also responded to the comment made regarding the hedges and setbacks.

Board Member Lecour suggested if they could push it back if they would like to add hedges.

Chair Baumel stated that they cannot require that and what is significant is the design aesthetics is more important than what type of landscape they will be using.

Board Member Bravo asked if it is clear the type of design they are allowing.

Town Planner Frankel stated it is not specified and the direction she heard previously from the Board was that they would be fine with that but did not want to put a barrier. She stated it has to meet the character of the existing house.

Board Member Lecour asked if the design guidelines show more decorative measures.

Town Planner Frankel stated yes it will.

Vice Chair Forbes stated he was in favor. He stated this is the one architectural feature you will look at. He stated that their job as board members is to keep the aesthetics of the house and it is a bit more and if they give that away it will be a mistake. He believes that all fences should come before the Board.

Town Planner Frankel stated the areas that it pertains to.

Further discussion took place among the Board members and the Town Planner as to the specifics of this ordinance and what would come back to the Board as well as possible changes and cleanups of the ordinance. They also provided examples of those new builds.

Chair Baumel would like to add to the ordinance allowing a fence that has to do with the safety of any kind of institution. She stated that she would never say no when it comes to the safety of children or people. She suggested adding something like that for special exceptions.

Town Planner Frankel stated as the code is written you cannot allow a variance for building higher.

Town Attorney Uribe stated you will need a totally different ordinance and that will need to be looked at and a rewrite of it which would change the structure of this ordinance. He suggested looking at what they have here right now and either vote in or down and have the Town Planner look at a code change that will be more flexible as to what they are looking to accomplish.

Chair Baumel stated she is looking at only the commercial section not the residential.

Town Attorney Uribe stated you are looking at two issues, the process (if it will go before this Board) and will you provide them with flexibility with height. He stated it is too different to discuss this with the scope they have in front of them.

Board Member Lecour suggested to keep having it come before the Board until they decide a different way.

Town Attorney Uribe stated that they can approve it with the caveat that it will continue to come before the Board.

After a lengthy discussion among the Board Members and Town Planner regarding the height of structures and the specifics of this ordinance, the following motion was made.

A motion was made by Board Member Lecour to recommend to the Town Commission to approve the ordinance on second reading with reverting from lines 47-51, seconded by Board Member Bravo. The motion carried with a 4-1 vote with Board Member Edderai voting in opposition.

Chair Baumel stated that it is their job that this community and people that come to these institutions are protected and it is important that the Commission put together an ordinance that piggybacks off of this one.

Town Attorney Uribe stated they can recommend to the Commission to consider that.

Board Member Lecour asked if they could bring it as a discussion item at a later meeting because she does not have enough information tonight to vote.

Chair Baumel stated that she is recommending for the Commission to discuss the possibility for them to consider the option.

[Sec. 90-56. Fences walls and hedges.docx](#)

[Ord Amend Section 90-56 Fences Walls and Gates.docx](#)

4.C Zoning Code Correction - Garage Conversion Criteria - Town Planner Judith Frankel

Staff recommends approval of this ordinance in order to clarify the acceptable design of garage conversions in single-family zoning districts and to allow for the compatibility of another ordinance removing front garage conversions from Planning and Zoning Board review.

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

Town Planner Frankel introduced the item and provided the changes that were made to the ordinance.

Chair Baumel opened the floor to public comments.

There were no public speakers.

Chair Baumel closed the floor to public comments.

Board Member Lecour asked that she was under the impression that they required planters.

Town Planner Frankel addressed the comments made.

Alternate Board Member Rais asked if there are any comments regarding the windows.

Town Planner Frankel addressed the comments made.

Board Member Lecour suggested adding a catch all phrase.

Town Planner Frankel addressed the comments made and explained what would usually happen.

A motion was made by Board Member Lecour to recommend to the Town Commission to approve the ordinance on second reading, seconded by Vice Chair Forbes. The motion carried with a 5-0 vote.

[Ordinance Re Garage Conversions.docx](#)

[Zoning Code with section highlighted](#)

4.D Zoning Code Correction - Applicability of Planning and Zoning Board Review

- Town Planner Judith Frankel

Staff recommends removing the following property alterations from Planning and Zoning Board review. If approved, these additional items would be added to Sec. 90-19.7 and reviewed for compatibility with the zoning code by staff only:

- Front Yard Fences and gates
- Garage Conversions
- Carports
- Window Signs in SD-B40
- Business District SD-B40 Awnings
- Wall Opening (window and door) changes on existing homes not visible from a public right-of-way
- Rear Yard Pools
- Rear Yard Decks
- Rooftop Mechanical Equipment
- Ground-level mechanical not visible from a public right-of-way

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

Town Planner Frankel introduced the item and provided an overview of the ordinance and the recommended changes.

Chair Baumel opened the floor to public comments.

There were no public speakers.

Chair Baumel closed the floor to public comments.

Board Member Bravo spoke regarding line 58 and what are they going to do with that application that is coming before the Board later tonight.

Chair Baumel stated they agreed that line 58 is off the list.

Board Member Lecour asked what the Board's thoughts are to add a catch all phrase.

Chair Baumel stated they already did that and explained what was mentioned before.

Town Planner Frankel stated that was as it relates to the fences.

Town Attorney Uribe stated that would be adding on another section. He also addressed the comment regarding adding a catch all phrase and an appeal in the situation that the applicant disagrees with the Town Planner and explained what would take place and possible factors. He stated he would recommend not disturbing this ordinance and that would be a separate discussion to be brought back.

Chair Baumel stated that the ordinance works well and manages well.

Board Member Lecour stated it would be a form of an appeal process.

Further discussion took place among the Board Members, Town Attorney and Town Planner regarding the ordinance and a possible appeal process, as well as stating that it would have to be a separate process and guideline.

A motion was made by Vice Chair Forbes to recommend to the Town Commission to approve the ordinance on second reading with the recommendation of removing line 58, seconded by Board Member Bravo. The motion carried with a 4-1 vote with Board Member Edderai voting in opposition.

[Ordinance Re Applicability of PZB Review.docx](#)

5. Applications

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

Town Attorney Uribe asked Deputy Town Clerk Herbello to confirm notice requirements were met.

Deputy Town Clerk Herbello confirmed notice requirements were met.

Town Attorney Uribe polled the members of the Board.

Vice Chair Forbes stated he spoke with Rabbi Zalman Lipskar regarding item 5D (9540 Collins Avenue).

No other members of the Board had any communication with any of the applicants.

Deputy Town Clerk Herbello swore in all the applicants and individuals from the public that would wish to speak.

5.A 9441 Harding Avenue - After-the-Fact Window Sign - Town Planner Judith Frankel

Suggested Action: Staff recommends approval subject to the following conditions:

- **Per zoning code section 90-73(3)c**, the height of the sign letters may be no more than 8 inches in height.
- Permitting must be completed for the window signs to be in compliance with the zoning code.

Town Planner Frankel introduced the item and provided a presentation with the site plan.

Chair Baumel opened the floor to public comments.

There were no public speakers.

Chair Baumel closed the floor to public comments.

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

[9441 Harding Avenue Agenda Packet.pdf](#)

5.B 9124 Byron Avenue - Front and Rear Wall Openings, Rear Trellis - Town Planner Judith Frankel

Suggested Action: Staff recommends approval of the proposed front and rear wall openings and the trellis addition to the rear of the home.

Town Planner Frankel introduced the item and provided a presentation with the site plan.

Johannie Noas and Manuel Castillo, applicants provided an overview of their project.

Chair Baumel opened the floor to public comments.

There were no public speakers.

Chair Baumel closed the floor to public comments.

Alternate Board Member Rais asked regarding the trellis mounted on the back as shown on the proposed site plan. She provided her recommendations.

Chair Baumel explained where in the plans it is shown.

Town Planner Frankel addressed the comment made and explained where she can find it.

Ms. Noas addressed the comments made by the Board Members.

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

[9124 Byron Avenue Images and Tables.pdf](#)

[9124 Bryon Agenda Packet.pdf](#)

5.C 9208 Bay Drive - Rooftop Deck with Railing and Stairs, Rooftop Mechanical Equipment and Screen and Side Yard steps with Wall Opening change. -

Town Planner Judith Frankel

Suggested Action: If design approval is granted by the Planning and Zoning Board, staff recommends approval of this application with the following conditions:

- **Per Section 90-67.3a**, All equipment and enclosures shall be set back from the roof perimeter so that it is not visible from eye-level view from grade at a distance of 75 feet from any property line of the subject lot. This shall be demonstrated by line-of-sight drawings submitted as part of a zoning approval or design review package.
- **Per Section 90-67.3c**, the footprint area of the equipment, as defined by the perimeter of the decorative and acoustic screen enclosure, shall not exceed seven and one-half percent of the total area of the roof upon which it is placed.
- **Per Section 90-67.3d**, rooftop equipment and all screening elements shall not exceed six feet above the roof slab for a flat roof. The screening should be no higher than the equipment.
- Rooftop deck guardrails must comply with the 2020 Florida Building Code for safety.
- The proposed fence and gates may not be approved until the Town has determined an agreement for the use of the space in front of the subject property.

Town Planner Frankel introduced the item and provided a presentation with the site plan.

Reuven Herssein, applicant provided an overview of the project.

Chair Baumel opened the floor to public comments.

There were no public speakers.

Chair Baumel closed the floor to public comments.

Chair Baumel spoke regarding the project.

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.

[9208 Bay Drive Images and Tables.pdf](#)

[9208 Bay Drive Agenda Packet.pdf](#)

[9208 Bay Drive Property Survey](#)

5.D 9540 Collins Avenue - The Shul - Signs and Fence - Town Planner Judith Frankel

Suggested Action: Staff finds the application meets the zoning code regarding signs with the exception of one sign that exceeds the maximum size of 45 SF. If the Planning and Zoning Board determines the design is appropriate, staff recommends approval of the sign portion of the application with the condition that no signs exceed 45 SF.

Staff finds that the proposed fence extension to the existing wall does not meet the zoning code. The applicant may extend the fence to a maximum height of 6-feet under the current zoning code. If the Planning and Zoning Board determines the glass fence design is appropriate, staff recommends approval of the fence with the condition that it be no more than 6-feet in total height.

Town Planner Frankel introduced the item and provided a presentation with the site plan.

Jaime Shapiro, architect of the project spoke regarding the application and what they are looking at doing is to extend it for security purposes.

Chair Baumel opened the floor to public comments.

There were no public speakers.

Chair Baumel closed the floor to public comments.

Vice Chair Forbes asked if they are willing to get approval based on the fact that they were going to use bullet proof glass.

Mr. Shapiro stated yes that they were going to use bullet proof glass.

Vice Chair Forbes stated that he spoke with the Rabbi and the Rabbi stated he was not sure what material they were planning on using.

Mr. Shapiro stated even if it is not bullet proof it will be security glass.

Vice Chair Forbes asked the Town Planner if they can have as many signs as long as it is under 150 square feet.

Town Planner Frankel stated it is limited by the width of the façade and the maximum square footage is under 150 square feet.

Alternate Board Member Szafranski stated that it is clear because it is what the ordinance states.

Mr. Shapiro stated that height provides them with the security they need.

Alternate Board Member Szafranski stated he would want it to bulletproof glass and that is something that cannot be compromised which is the safety of the children.

Town Attorney Uribe stated that they can make their approval with the height not to exceed 6 feet but above that the Charter prevents it.

Board Member Bravo asked regarding the glass and provided suggestions.

Board Member Lecour spoke regarding the signage, and it is one sign and that should together be within the 45 feet and there is a lot of signage on that building. She also spoke regarding the fence and what is the code permitting them to do.

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

Alternate Board Member Rais provided her recommendations.

Further discussion took place among the Board Members regarding recommendations on approval of the project and the wall.

Town Attorney Uribe stated that this Board does not have the authority to approve higher than a 6-foot wall based on the code.

Chair Baumel suggested that they have the ability to make the masonry wall to 6 feet tall and should it come to the Commission as a discussion item to then bring back as an ordinance. She also provided a suggestion that they could add a 2 foot bulletproof glass above the 6 foot masonry wall.

Town Attorney Uribe stated it is too speculative and they have to deal with what is in front of them.

A motion was made by Board Member Lecour to approve the application with staff recommendations plus each sign at 45 square feet including the sign that is being brought forward plus a 6-foot masonry wall, seconded by Board Member Bravo. The motion carried with a 5-0 vote.

[9540 Collins Avenue Images and Tables.pdf](#)

[9540 Collins Agenda Packet for Sign and fence.pdf](#)

[9540 Collins Avenue Survey.pdf](#)

5.E 8801 Emerson Avenue - New Two-Story Single-Family Residence - Town
Planner Judith Frankel

Staff Recommendation: Staff finds this application generally meets the zoning code. The Planning and Zoning Board should determine whether the new home's design is "consistent with and in conformance with the design guidelines set forth in the Town Code". The general design for the property in this application appears to be well formulated in consideration of the zoning code. If the Planning and Zoning Board determines the design to be appropriate, staff recommends approval with the following conditions:

- **Per Sec. 90-47.1** Every part of a required yard shall be open to the sky. A portion of the second floor on the north side of the home is fully covered by a solid roof and should be counted in the square footage of that floor. This may not be an issue as the second floor is below the 80% maximum. However, that area cannot be counted as part of the required average setback for the second floor.
- **Per Sec. 90-49**, the minimum pervious area for properties in H30B is 35%. **Per Sec. 90-2**, Pervious area is area maintained in its natural condition, or covered by a material that permits infiltration or percolation of water directly into the ground. Pavers or pervious hard materials, including pervious concrete, may not be utilized for the calculation of pervious area. The steps on the south side of the home should be excluded from the pervious area calculation if hard materials are being utilized.
- **Per Sec. 90-56.4**, a 4-foot-high front yard (Emerson Avenue) fence with surfaces above 2 feet having a maximum opacity of 50% may be permitted if granted design review and approval from the Planning and Zoning Board. Secondary frontage (88th Street) fence must adhere to the same requirements unless the option presented in 90-56.5 is utilized.
- **Per Sec. 90-56.5**, fences and ornamental wall on secondary frontages may have 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:
 1. The fence or wall is not placed in front of the front façade of the primary residential structure and extends beyond the plane of the front façade on only one side of the primary residential structure;
 2. The fence or wall is setback three feet from any property line;
 3. Shrubs shall be installed at the time the fence or wall is installed; and
 4. 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.
 - If this option is chosen, the retaining wall must be set back 3 feet
- **Per Sec. 90-56**, 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. As a retaining wall will be necessary for raising the grade of the rear yard, installation information must be provided for the retaining wall. Applicant is advised that the 6 ft maximum height for rear yard fences/walls is measured from the grade of the neighboring yards.
- **Per Sec. 90-86.1**, All buildings, structures, new developments, redevelopment and changes of use requiring a permit shall require submittal of a landscape

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and irrigation plan. Landscape plans for H30A and H30B may be prepared by the owner of the property or a representative thereof, provided it meets the requirements per this Code. The use of a landscape architect is encouraged. A complete and zoning compliant landscape plan will be required for zoning approval prior to the issuance of a building permit.

Town Planner Frankel introduced the item and provided a presentation with the site plan. She stated that there is a rooftop jacuzzi being proposed.

Jose Sanchez Reyes, architect provided an overview of the project.

Chair Baumel opened the floor to public comments.

The following individual from the public spoke:

Yadira Santos, a neighbor, stated it is a very nice design and was not expecting to have construction next door since they purchased her home 6 months ago. She stated she has issues with flooding in her front and back yard. She is concerned about the conversations of raising the grade in the front and back yard and how it would affect her property. She also spoke regarding the wall on the setback.

Chair Baumel closed the floor to public comments.

Town Planner Frankel addressed the comments made by Ms. Santos. She stated that they will work with the applicant and neighbor. She will relay that message to the Building Official. She suggested doing hedging for privacy and it will not be a retaining wall and the rain water that falls on the property is most likely to stay there.

Chair Baumel stated that it is very important, and the architect and owners are here, and Ms. Santos can communicate with them. She stated that the Building Official will be discussing the fact that any rainwater has to be filtered properly on the applicant's side of the property.

Board Member Lecour suggested for Ms. Santos to video tape the existing conditions of her home prior to construction that way she could have the documentation for her records. She also stated that by code they have to maintain their water on their side of the property.

Town Planner Frankel read Building Official McGuinness' recommendations into the record.

Alternate Board Member Rais provided her suggestions.

Mr. Sanchez Reyes addressed the comments made by Alternate Board Member Rais.

Board Member Lecour thanked Alternate Board Member Rais for her comments.

Chair Baumel spoke regarding the FEMA guidelines.

Vice Chair Forbes asked to get back on topic and speak on the property and not

what the code should read.

Vice Chair Forbes stated that he is their neighbor and welcomed them to the neighborhood. He stated it is a nice addition to what they are already building on that street.

Board Member Bravo asked regarding the roof deck material.

Mr. Sanchez Reyes addressed the comments made and the intent is to have a layer of 4-6 inches of sodded roof with the appropriate drainage and that will help with the insulation.

Board Member Bravo appreciates the articulation and materials of the house. He stated they need to abide by the code, and he thinks it is a beautiful house and it is the way this town is moving towards.

Board Member Lecour stated it is a beautiful design and thank you for preserving the large tree on the property. She stated it would have been helpful to have some landscape plans. She asked regarding the south façade on the wall as to what form of greenery will be on that side of the wall.

Mr. Sanchez Reyes stated the proposal is to have hedges in front of the wall.

Town Planner Frankel stated they can put shade trees and not hedges.

Board Member Lecour asked if they would be fine planting street trees.

Mr. Sanchez Perez stated that they are in agreement and are showing street and shade trees.

Board Member Lecour asked regarding the perforated roof and does that count as a roof for setback.

Town Planner Frankel stated they are not counting it.

Board Member Lecour stated that they are over the square footage and spoke regarding the massing of that roof and how it should count and does not believe the house meets code on the second floor.

Town Planner Frankel stated the second floor is less than the 80% allowed and stated she is working with the applicant with the recalculations.

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

[8801 Emerson Avenue Images and Tables.pdf](#)

[8801 Emerson Ave Agenda Packet.pdf](#)

[8801 Emerson Avenue Survey](#)

5.F 9064 Bay Drive - New Two-Story Single-Family Home - Town Planner Judith Frankel

Suggested Action: Staff finds this application generally meets the zoning code. The Planning and Zoning Board should determine whether the new home's design is "consistent with and in conformance with the design guidelines set forth in the Town Code". The general design for the property in this application appears to be well formulated in consideration of the zoning code.

The Board should consider the Design Guidelines regarding entryways. From the Guidelines "Entries should be prominent and oriented to the street. Voids should be distributed throughout all facades facing a public right-of-way so as to create balance in the facades mass-void proportions and relationships." The entry door is proposed to be entirely glass. Without the contrast of the glass door feature the 1st floor could appear completely solid due to the waterfall feature that covers the only other window on that level.

If the Planning and Zoning Board determine the design to be appropriate, staff recommends approval with the following conditions:

- **Per 90-49**, Minimum pervious area in the H30A zoning district is 35%. The applicant listed the pervious area as 3,432 SF; or 35%. However, there are steps along the seawall at the west side of the property that were included in the pervious area total and should not have been if there is concrete or cement providing the step structure. With this reduction the pervious may be less than 35%. However, the seawall could be raised to meet the current minimum height of 8 ft NGVD which would negate the need for steps in this area.
- **Per Sec. 90-67.3**, Installation of rooftop mechanical equipment requires a line-of-sight drawing showing that the equipment and screening will not be visible from 75 feet at eye level. The maximum footprint of the equipment may be not greater than 7.5% of the roof or about 225.6 SF in this case.
- **Per Sec. 90-48.6**, new balconies or decks located more than five feet above grade on new or existing single-family homes shall not encroach into any setbacks. Sheets A3.03 and A3.04 appear to show the balcony in the required setback whereas Sheet A1.03 shows the rear balcony as outside of the setback area. The balcony at the rear of the home may not extend into the required 50-foot setback.
- **Per Sec. 90-95 (3) a**, A minimum of 5 trees of two different species and 25 shrubs shall be planted per lot. On corner lots an additional 1 tree and ten shrubs shall be required. For all lots larger than 8,000 square feet in area, additional shrubs and trees shall be provided at the rate of one tree and ten shrubs per 2,000 square feet of lot area; however, there shall be no more than 15 trees and 100 shrubs required per acre. For this lot a minimum of 9 trees (5+4) and 65 shrubs (25+40) must be provided.
- **Per Ordinance No. 22-1729**, 40% of required pervious/landscaping must be a Florida Friendly Landscaping (FFL) species as identifies By the University of Florida. In this case 40% of the 9 required trees and 65 required shrubs must

be FFL.

- **Per Sec. 90-95 (3) d**, street trees are required. These should be located closer to the front property line.
- **Per Sec. 90-97**, a tree removed or relocated will require a tree removal permit from Miami-Dade County

Town Planner Frankel introduced the item and provided a presentation with the site plan.

Town Planner Frankel read into the record Building Official McGuinness' staff recommendations.

Eli Tourgeman, applicant provided an overview of the project.

Kirk Weng, architect also provided an overview of the project and addressed the recommendations and questions regarding the setbacks.

Board Member Lecour asked regarding the setbacks as it relates to the balcony and that has to be revised to meet code.

Chair Baumel opened the floor to public comments.

The following individual from the public spoke:

George Kousoulas stated this is a unique project and does a good job facing forward and opening up to the North.

Chair Baumel closed the floor to public comments.

Alternate Board Member Rais provided her recommendations.

Board Member Lecour likes the volumes and design of the project. The articulation and use of materials is interesting. She provided her suggestions.

Board Member Bravo stated it is a smart and beautiful design with different elements. He asked regarding the height shown and the height elevation.

Mr. Weng addressed the comments made by Board Member Bravo and stated that they do not go over 34 NGVD. He stated they are not proposing a parapet and the roof is flat.

Town Planner Frankel addressed the comments made regarding the elevation.

Further discussion took place among the Board Members, applicant and Town Planner Frankel regarding the elevation and to make sure the plans are submitted with the corrections.

Chair Baumel reminded everyone that there are a new set of design guidelines being developed. She spoke regarding the back balcony.

A motion was made by Board Member Edderai to approve the application with staff

recommendations, seconded by Vice Chair Forbes. The motion carried with a 4-1 vote with Board Member Lecour voting in opposition.

[9064 Bay Drive Images and Tables.pdf](#)

[9064 Bay Drive Agenda Packet.pdf](#)

[9064 Bay Drive - Signed Survey.pdf](#)

6. Next Meeting Date

6.A Next Meeting Date: June 29, 2023 at 6:00 p.m. - Deputy Town Clerk Evelyn Herbello

Deputy Town Clerk Herbello confirmed the next meeting being June 29, 2023 at 6:00 p.m.

Consensus was reached to hold the next meeting on June 29, 2023 at 6:00 p.m. Board Member Lecour will not be available on June 29, 2023.

7. Discussion Items

Consensus was reached to add to the June agenda for discussion fences and gates.

8. Adjournment

A motion was made by Board Member Edderai to adjourn the meeting at 8:45 p.m., seconded by Vice Chair Forbes. The motion carried with a 5-0 vote.

Accepted this _____ day of _____, 2023.

Carolyn Baumel, Chair

Attest:

Sandra N. McCready, MPA, MMC
Town Clerk