



Town of Surfside
Special Planning and Zoning Board Meeting
MINUTES
August 31, 2023
5:00 PM
Commission Chambers

1. Call to Order/Roll Call

The meeting was called to order by Chair Baumel at 5:00 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 Lindsay Lecour, Board Member Jonathan Edderai, Alternate Board Member Michael Szafranski and Alternate Board Member Andrew Bales.

Also Present: Town Attorney Tony Recio, Commission Liaison Commissioner Fred Landsman, Town Planner Judith Frankel, Consultant Town Planner Walter Keller, Building Official James McGuinness and Town Manager Hector Gomez.

Chair Baumel introduced new board member, Andrew Bales.

2. Ordinances

2.A Carport Allowances in H30A and H30B - Judith Frankel AICP, Town Planner

Town Administration recommends the consideration of this ordinance to allow additional material types for carport canopies. It is further recommended that the Town Planner have the ability to refer any design review of a carport to the Planning & Zoning Board for final review and approval in the case of uncertain compatibility.

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

Town Planner Frankel gave an overview of the ordinance as it pertains to carport canopies.

Chair Baumel asked Building Official McGuinness regarding compliance with wind load.

Building Official McGuinness addressed the comments and provided his recommendations.

Chair Baumel opened the floor to public comments.

The following individuals from the public spoke:
George Kousoulas

Chair Baumel closed the floor to public comments.

Chair Baumel addressed the comments made and provided her input regarding the different carport structures.

Town Planner Frankel responded to the comments made by Chair Baumel.

Town Attorney Recio stated the carports in this ordinance are the ones in the setback and is different from of an open garage that would not be in the setbacks.

Board Member Bravo asked on page 3 line 75 it should be Miami Dade County Notice of Acceptance and on page 4 are they eliminating Miami Dade Fire Marshal accountability and asked if they have any accountability.

Town Planner Frankel addressed the comments made and stated that the material has to be non flammable. She stated they can continue to have the language if they choose.

Board Member Bravo asked regarding making the change on line 75 and keep the fire marshal language.

Building Official McGuinness provided his language.

Town Attorney Recio stated the amendment to "pursuant to the Florida Building Code, Florida Product Approval and Miami Dade County Notice of Acceptance and will it loop in the fire marshal and put it back in and add "if applicable".

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

[Ordinance Carport Allowances.doc](#)

2.B Average Setbacks in H30A and H30B Zoning Districts - Judith Frankel AICP, Town Planner

Town Administration recommends consideration of this ordinance change to allow for additional options in the design of new single-family homes and the potential for increased ground floor setbacks.

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 she said it does not result in any larger homes. She provided a presentation with the proposed change: total structure average setbacks.

Board Member Lecour asked if it would not be counted as average setback.

Town Planner Frankel responded to her comment and it would count towards the square footage.

Chair Baumel likes the creativity and the options.

Chair Baumel opened the floor to public comments.

The following individuals from the public spoke:
George Kousoulas

Chair Baumel closed the floor to public comments.

Board Member Lecour asked regarding the covering and a possible loophole.

A motion was made by Board Member Bravo 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 Amending 90-45 H30 Average Setbacks FAR.doc](#)

2.C Harding Avenue Front Yard Paving Allowance - Judith Frankel AICP, Town Planner

Town Administration recommends consideration of this ordinance to allow Harding Avenue homeowners in H30B and H30C districts additional paved parking space to encourage the beautification of their front yards.

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.

Chair Baumel opened the floor to public comments.

There were no public speakers.

Chair Baumel closed the floor to public comments.

Chair Baumel believes this is an important piece for Harding Avenue.

Board Member Bravo asked what is going on with H30A on Harding Avenue and are these houses being affected by this.

Town Attorney Recio stated that they will not be affected.

Town Planner Frankel stated those houses do not face Harding Avenue.

Town Attorney Recio stated that there is a corridor of 3.

Board Member Lecour spoke regarding the design guidelines and one of the things identified is community priority lots on Harding Avenue and minimizing car garages and understands the need for additional parking but would like to see if they can ask for something in return to treat these community lots like an additional street tree.

Chair Baumel stated it could become an obstruction and the maintenance of that tree. She asked how many street trees are required on Harding.

Town Planner Frankel stated the new homes would be required to have 2 trees.

Discussion took place among the Board Members and staff regarding the landscaping requirements, pick up and drop off of the vehicles traveling on Harding Avenue as well as the vehicular traffic.

A motion was made by Vice Chair Forbes to recommend to the Town Commission to approve the ordinance on second reading, seconded by Board Member Edderai. The motion failed with a 2-3 vote with Board Member Bravo, Board Member Lecour and Chair Baumel voting in opposition.

A motion was made by Board Member Bravo to recommend to the Town Commission to approve the ordinance on second reading as amended to include H30A on Harding Avenue, seconded by Vice Chair Forbes. The motion carried with a 4-1 vote with Board Member Lecour voting in opposition.

[Ordinance Amending 90-61 Harding Avenue Front Yard Paving Allowance .doc](#)

2.D Smoke Shops as Conditional Use in SD-B40 - Judith Frankel AICP, Town Planner

Town Administration recommends approval of the ordinance to grant the Town Commission the ability to review proposed "Smoke Shops" for compatibility with Town character as a conditional use in the SD-B40 district.

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

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

Chair Baumel opened the floor to public comments.

There were no public comments.

Chair Baumel closed the floor to public comments.

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

[Ordinance Amending 90-41 to Allow Smoke Shops in CU in SD-B40.doc](#)

3. Applications

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

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

Town Attorney Recio polled the Board Members.

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

3.A 9540 Harding Avenue - Wall Sign - Judith Frankel AICP, Town Planner

Town Administration finds that the application generally meets the Zoning Code requirements for wall signs and recommends approval with the condition that the rear property sign comply with the following code requirements:

1. Sign lettering must be individually-mounted utilizing one of the four options listed in Sec. 90-73.
2. Signs shall be off-set from the wall a minimum of one quarter inch to a maximum of two inches to permit rain water to flow down the face of the wall.
3. External Illumination must be directed solely at the sign.

Town Planner Frankel introduced the item, provided staff recommendations.

Chair Baumel opened the floor to public comments.

The following individuals from the public spoke:

There were no public comments.

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 Board Member Edderai. The motion carried with a 5-0 vote.

[Attachment A: Existing Conditions and Code Standards
9540 Harding Avenue Agenda Packet.pdf](#)

3.B 8949 Harding Avenue - Roof Materials - Judith Frankel AICP, Town Planner

Town Administration recommends review of the application by the Planning and Zoning Board for consistency with the character of Surfside.

Town Planner Frankel introduced the item, provided staff recommendations.

Chair Baumel opened the floor to public comments.

There were no public comments.

Chair Baumel closed the floor to public comments.

Angel Cisneros, contractor representing the applicant provided an overview of the application.

Chair Baumel asked if this was brought as a repair and not a reroof.

Mr. Cisneros stated they are removing the damaged shingles and replacing the damaged material.

Board Member Bravo asked if they are using the same materials and color.

Mr. Cisneros stated yes they would be.

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.

[8949 Harding Agenda Packet.pdf](#)

[8949 HARDING AVE. - Survey](#)

3.C 9431 Harding Avenue - Wall Sign - Judith Frankel AICP, Town Planner

Town Administration finds the proposed sign design meets the Zoning Code requirements subject to the following conditions:

1. Sign lettering must be individually-mounted utilizing one of the four options listed in Sec. 90-73
2. 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.
3. External Illumination must be directed solely at the sign.

Town Planner Frankel introduced the item, provided staff recommendations.

Chair Baumel opened the floor to public comments.

The following individuals from the public spoke:

There were no public comments.

Chair Baumel closed the floor to public comments.

Melissa Weatherwet, representing applicant provided an overview of the application.

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.

[Attachment A: Existing Conditions and Code Standards](#)

[9431 Harding Avenue Agenda Packet.pdf](#)

4. Adjournment

There being no further business to discuss before the Board, a motion was made by Vice Chair Forbes to adjourn the meeting at 5:55 p.m., seconded by Board Member Bravo. The motion carried with a 5-0 vote.

Accepted this ____ day of _____, 2023.

Carolyn Baumel, Chair

Attest:

Sandra N. McCready, MPA, MMC
Town Clerk