

MEMORANDUM

Agenda Item No. 6(F)

TO: Hon. Chairperson and Members
Board of County Commissioners

DATE: (Second Reading 6-3-03)
January 23, 2003

FROM: Robert A. Ginsburg
County Attorney

SUBJECT: Ordinance relating to zoning;
modifying lot coverage and
setback requirements in RU-1,
RU-1M(a) and RU-1M(b) zoning
districts

The accompanying ordinance was prepared and placed on the agenda at the request of
Commissioner Bruno A. Barreiro.


Robert A. Ginsburg
County Attorney

RAG/bw



MEMORANDUM

TO: Honorable Chairperson and Members
Board of County Commissioners

DATE: June 3, 2003

FROM: Steve Shiver
County Manager

SUBJECT: Ordinance relating to zoning;
modifying lot coverage and setback
requirements in RU-1, RU-1M(a)
and RU-1M(b) zoning districts

The proposed ordinance modifying lot coverage and setback requirements in RU-1, RU-1M(a) and RU-1M(b) zoning districts will have no fiscal impact on Miami-Dade County.



MEMORANDUM

(Revised)

TO: Honorable Chairperson and Members
Board of County Commissioners

DATE: June 3, 2003

FROM: Robert A. Ginsburg
County Attorney

SUBJECT: Agenda Item No. 6(F)

Please note any items checked.

- "4-Day Rule" ("3-Day Rule" for committees) applicable if raised
- 6 weeks required between first reading and public hearing
- 4 weeks notification to municipal officials required prior to public hearing
- Decreases revenues or increases expenditures without balancing budget
- Budget required
- Statement of fiscal impact required
- Bid waiver requiring County Manager's written recommendation
- Ordinance creating a new board requires detailed County Manager's report for public hearing
- Housekeeping item (no policy decision required)
- No committee review

Approved _____ Mayor

Agenda Item No. 6(F)
6-3-03

Veto _____

Override _____

ORDINANCE NO. _____

ORDINANCE RELATING TO ZONING; MODIFYING LOT COVERAGE AND SETBACK REQUIREMENTS IN RU-1, RU-1M(a) AND RU-1M(b) ZONING DISTRICTS; AMENDING SECTIONS 33-49 AND 33-50 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA; MODIFYING APPLICABILITY OF ORDINANCE 02-32; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE

WHEREAS, it is the intent of the Board of County Commissioners to direct the Department of Planning and Zoning to liberally encourage the application of the new lot coverage and setback requirements to new and pending zoning requests, as well as to previously approved zoning requests whenever the application of the new requirements is within substantial compliance of approved plans, where such requests are platted after March 8, 2002,

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA:

Section 1. The aforementioned recitation is incorporated herein by reference.

Section 2. Sections 33-49 and 33-50 of the Code of Miami-Dade County, Florida, are hereby amended to read as follows:¹

Sec. 33-49. Table of minimum widths, area of lots; maximum lot coverage, and minimum building sizes.

¹ Words stricken through and/or [[double bracketed]] shall be deleted. Words underscored and/or >>double arrowed<< constitute the amendment proposed. Remaining provisions are now in effect and remain unchanged.

The minimum width and area of lots, the maximum lot coverage, and minimum building sizes shall be in effect for the districts enumerated in the following table:

<i>District</i>	<i>Families</i>	<i>Min. Width</i>	<i>Min. Lot Area (Sq. Ft.)</i>	<i>Max. Lot Coverage (% of Lot Area)</i>	<i>Min. Bldg. Size (Cu. Ft.)</i>
RU-1	1	New sub. – 75'	7,500 5,000	>>35% for subdivisions platted on or before March 8, 2002;<< 40% >>for subdivisions platted after March 8, 2002;<<	8,500
		Old sub. – 50'		35%	
RU-1M(a)	1	50'	5,000	40% >>for subdivisions platted on or before March 8, 2002; 45% for subdivisions platted after March 8, 2002<<	8,500
RU-1M(b)	1	60'	6,000	40% >>for subdivisions platted on or before March 8, 2002; 45% for subdivisions platted after March 8, 2002<<	8,500
		*	*	*	

Sec. 33-50. Table of setback lines in residential and estate districts.

The minimum setback distances and spacing requirements in residential and estate district shall be as follows:

<i>District/ Families</i>	<i>Front (Ft.)</i>	<i>Rear (Ft.)</i>	<i>Between Buildings (Ft.)</i>	<i>Interior Side (Ft.)</i>	<i>Side Street (Ft.)</i>
RU-1: One	>>25 for subdivisions platted on or	>>25 for subdivisions platted on or		10% lot width Min. --5'	15

<i>District/ Families</i>	<i>Front (Ft.)</i>	<i>Rear (Ft.)</i>	<i>Between Buildings (Ft.)</i>	<i>Interior Side (Ft.)</i>	<i>Side Street (Ft.)</i>
	<u>before March 8, 2002;</u> <u>for subdivisions platted after March 8, 2002,</u> <<15 for 50% of the lineal footage of the width of the house and 25 for balance; except 20 for attached garages	<u>before March 8, 2002;</u> <u>for subdivisions platted after March 8, 2002,</u> << 15 for 50% of the lineal footage of the width of the house and 25 for balance		Max.--7 1/2	
Acc. bldg.	75	5	10	Same as RU-1 res.	equal to front set back requirements for principal structure on key lot, plus 5'; 20' where there is no key lot.
Canopy carport	5	5	--	2	5
RU-1M(a)	>>25 for <u>subdivisions platted on or before March 8, 2002;</u> <u>for subdivisions platted after March 8, 2002,</u> << 15 for 50% of	>>25 for <u>subdivisions platted on or before March 8, 2002;</u> <u>for subdivisions platted after March 8, 2002,</u> << 15 for 50% of the lineal footage of	--	5	10

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<i>District/ Families</i>	<i>Front (Ft.)</i>	<i>Rear (Ft.)</i>	<i>Between Buildings (Ft.)</i>	<i>Interior Side (Ft.)</i>	<i>Side Street (Ft.)</i>
	the lineal footage for the width of the house and 25 for balance; except 20 for attached garages	the width of the house and 25 for balance			
Acc. bldg.	75	55	10	5	15
Canopy carport	5	5	--	2	5
RU- 1M(b)	>> <u>25</u> for <u>subdivisions platted on or before March 8, 2002;</u> for <u>subdivisions platted after March 8, 2002,</u> << 15 for 50% of the lineal footage for the width of the house and 25 for balance; except 20 for attached garages	>> <u>25</u> for <u>subdivisions platted on or before March 8, 2002;</u> for subdivisions platted after <u>March 8, 2002,</u> << 15 for 50% of the lineal footage of the width of the house and 25 for balance	--	6	10
Acc. bldg.	75	5	10	6	15

<i>District/ Families</i>	<i>Front (Ft.)</i>	<i>Rear (Ft.)</i>	<i>Between Buildings (Ft.)</i>	<i>Interior Side (Ft.)</i>	<i>Side Street (Ft.)</i>
Canopy carport	5	5	--	2	5

* * *

Section 3. Section 3 of Ordinance No. 02-32 is hereby deleted as follows:

~~[[Section 3. This ordinance shall apply to all zoning actions rezoning property to RU-1, RU-1M(a) or RU-1M(b) after the effective date of this ordinance.]]~~

Section 4. If any section, subsection, sentence, clause or provision of this ordinance is held invalid, the remainder of this ordinance shall not be affected by such invalidity.

Section 5. It is the intention of the Board of County Commissioners, and it is hereby ordained that the provisions of this ordinance, including any sunset provision, shall become and be made a part of the Code of Miami-Dade County, Florida. The sections of this ordinance may be renumbered or relettered to accomplish such intention, and the word "ordinance" may be changed to "section," "article," or other appropriate word.

Section 6. This ordinance shall become effective ten (10) days after the date of enactment unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.

Section 7. This ordinance does not contain a sunset provision.

PASSED AND ADOPTED:

Approved by County Attorney as
to form and legal sufficiency:

RA6
CAK

Prepared by:

Craig H. Coller

Sponsored by Commissioner Bruno A. Barreiro