

MEMORANDUM

Agenda Item No. 10(A)(3)

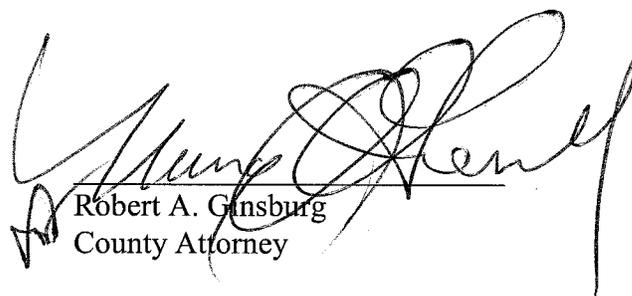
TO: Hon. Chairperson and Members
Board of County Commissioners

DATE: July 8, 2003

FROM: Robert A. Ginsburg
County Attorney

SUBJECT: Resolution relating to used
car lots as a permitted use
within the boundaries of
District 2

The accompanying resolution was prepared and placed on the agenda at the request of Commissioner Dorrin D. Rolle.


Robert A. Ginsburg
County Attorney

RAG/jls



MEMORANDUM

(Revised)

TO: Honorable Chairperson and Members
Board of County Commissioners

DATE: July 8, 2003

FROM: Robert A. Ginsburg
County Attorney

SUBJECT: Agenda Item No. 10(A)(3)

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. 10(A)(3)

Veto _____

7-8-03

Override _____

RESOLUTION NO. _____

RESOLUTION DIRECTING THE COUNTY MANAGER TO PREPARE A REPORT ADDRESSING WHETHER THE PUBLIC INTEREST IS SERVED BY A COMPREHENSIVE ANALYSIS TO DETERMINE WHETHER EXISTING COUNTY ZONING DISTRICTS ALLOWING USED CAR LOTS AS A PERMITTED USE WITHIN THE BOUNDARIES OF COMMISSION DISTRICT 2 ARE APPROPRIATE, TO DETERMINE IF CONTINUATION OF SUCH EXISTING ZONING DISTRICTS MAY BE DETRIMENTAL TO RESIDENTS OR PROPERTY OWNERS IN DISTRICT 2 AND TO DETERMINE WHETHER CONTINUATION OF SUCH EXISTING ZONING DISTRICTS MAY ADVERSELY AFFECT THE QUALITY OF LIFE OR HEALTH AND SAFETY OF PERSONS IN DISTRICT 2

WHEREAS, this Board finds that a significant number of used car lots have been developed within the geographic boundaries of Commission District 2; and

WHEREAS, this Board determines it is appropriate to have the County Manager prepare a report addressing whether it would serve the public interest to have a comprehensive determination as to whether existing county zoning districts allowing the development of additional used car lots as a permitted use within the boundaries of Commission District 2 are appropriate, and to determine whether continuation of such zoning districts may be detrimental to residents and property owners in District 2 as provided in §33-319, Code of Miami-Dade County, and

WHEREAS, this Board determines it is important to have the County Manager's report also address whether it is in the public interest to make a comprehensive determination as to whether the existing County master plan as it applies to a the geographic area of Commission District 2 is outdated and of little or no use in formulating correct zoning patterns in relation

thereto, or as to whether existing zoning districts in District 2 are compatible with existing or proposed growth patterns and land uses as provided in §33-323, Code of Miami-Dade County,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that this Board instructs the County Manager to prepare the report contemplated by §33-319, Code of Miami-Dade County, to determine whether it is in the public interest to make a comprehensive determination as to whether existing County zoning districts permitting the continued development of used car lots within the geographic boundaries of Commission District 2 are appropriate, and to determine whether said existing zoning districts may be detrimental to the area should they continue to remain applicable and building permits be issued predicated thereon. As provided in §33-323, Code of Miami-Dade County, the County Manager's report shall also address whether it is in the public interest to make a comprehensive determination as to whether the existing County master plan as it applies to the geographic area of Commission District 2 is outdated and of little or no use in formulating correct zoning patterns in relation thereto, or as to whether existing zoning districts are compatible with existing or proposed growth patterns and land uses shall be prepared within 60 days and presented to this Board or an appropriate committee thereof for its consideration at the first available meeting thereafter.

The foregoing resolution was sponsored by Commissioner Dorrin D. Rolle, and was offered by Commissioner _____, who moved its adoption. The motion was seconded by Commissioner _____ and upon being put to a vote, the vote was as follows:

Dr. Barbara Carey-Shuler, Chairperson
Katy Sorenson, Vice-Chairperson

Bruno A. Barreiro
Betty T. Ferguson
Joe A. Martinez
Dennis C. Moss
Natacha Seijas
Sen. Javier D. Souto

Jose "Pepe" Diaz
Sally A. Heyman
Jimmy L. Morales
Dorrin D. Rolle
Rebeca Sosa

The Chairperson thereupon declared the resolution duly passed and adopted this 8th day of July, 2003. This resolution shall become effective ten (10) days after the date of its adoption unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.

MIAMI-DADE COUNTY, FLORIDA
BY ITS BOARD OF
COUNTY COMMISSIONERS

HARVEY RUVIN, CLERK

By: _____
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency. TM

John D. McInnis

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