



## MEMORANDUM

Substitute  
Agenda Item No. 3 (U)

**To:** Honorable Chairperson and Members  
Board of County Commissioners

**Date:** July 15, 2003

**From:** George M. Burgess  
County Manager

**Subject:** Second Substitute to Proposed  
Ordinance Establishing  
Requirement of Zoning  
Improvement Permit

This substitute clarifies that a Zoning Improvement Permit (ZIP) is only reviewed by those Departments having regulatory jurisdiction over the subject matter of the application.

### RECOMMENDATION

It is recommended that the proposed ordinance establishing the requirement for obtaining a Zoning Improvement Permit (ZIP) from the Department of Planning and Zoning be adopted.

### BACKGROUND

Currently, certain structures, land improvements and installations are exempt from building permit requirements pursuant to the Florida Building Code, and non-habitable farm structures are exempt from building permit requirements by the State of Florida. This ordinance was prepared to ensure that such exempt proposed improvements meet the permitted use, setback, parking, landscaping requirements, etc., of the underlying zoning district, as well as the requirements of the Department of Environmental Resources Management and the Public Works Department.

The ZIP permit procedure will require (i) the applicant's submittal of plans showing the intended improvement(s); (ii) departmental plan review for compliance with all zoning, environmental, right-of-way and platting regulations; and (iii) site inspection(s) to confirm that the improvements comply with the approved plans.

The ordinance also gives the director of the Department of Planning and Zoning the authority to require a permit for zoning improvements and installations that are newly created or come about by changes in the state or local building codes.

### FISCAL IMPACT

The proposed ordinance creates no fiscal impact on Miami-Dade County.



# MEMORANDUM

(Revised)

**TO:** Honorable Chairperson and Members  
Board of County Commissioners

**DATE:** September 9, 2003

**FROM:** Robert A. Ginsburg  
County Attorney

**SUBJECT:** Agenda Item No.

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  
Veto \_\_\_\_\_  
Override \_\_\_\_\_

Agenda Item No.

ORDINANCE NO. \_\_\_\_\_

ORDINANCE PERTAINING TO ZONING;  
CREATING SECTION 33-8.1 OF THE CODE OF  
MIAMI-DADE COUNTY, FLORIDA;  
ESTABLISHING ZONING IMPROVEMENT  
PERMIT SPECIFICATIONS; PROVIDING  
SEVERABILITY, INCLUSION IN THE CODE  
AND AN EFFECTIVE DATE

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

**Section 1.** Section 33-8.1 of the Code of Miami-Dade County, Florida is hereby created as follows:<sup>1</sup>

**>>Sec. 33-8.1. Zoning Improvement Permit (ZIP).**

Certain buildings, structures, improvements and installations are exempted by the Florida Building Code from building permit issuance, but must otherwise comply with the minimum requirements of this chapter. Therefore, such buildings, structures, improvements and installations shall be subject to review under the Zoning Improvement Permit (ZIP) standards contained in this section, as well as the regulations of the underlying zoning district.

The following buildings, structures, improvements and installations shall require a ZIP from the Department of Planning and Zoning:

Above ground pools that contain water over 24 inches deep;

Agricultural/farm buildings and non-habitable structures on bona fide farms;

Canopy carports, canopy and other fabric-covered framework installed on residential properties;

Chickee huts constructed by Miccosukee or Seminole Indians;

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<sup>1</sup> 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.

Chain link fences, picket fences, ornamental iron fences and other fences installed on residential property that are deemed non-wind resistant; provided, however, any pool safety barrier fence and any fence with concrete columns shall require a building permit;

Decorative reflective pools and fishponds that contain water less than 24 inches deep, that contain less than 250 square feet in area, and contain less than 2,250 gallons in volume;

Decorative garden-type water fountains;

Parking lot refurbishing - resurfacing, re-striping or seal coating, and paving and drainage of existing parking lots;

Signs - balloon type

Signs - painted wall type;

Signs - stick on letter type.

The director of the Department shall have the authority to require ZIP review for other buildings, structures, improvements and installations that are newly created or come about by changes in the state or local building codes.

In the event any portion of the subject property is contiguous to or across the street from a municipal boundary, applicant shall submit a boundary survey performed in accordance with Chapter 61G17-6.0031, Florida Administration Code.

The submittal of plans shall be necessary to fully advise and acquaint the issuing Department, and those other Departments having regulatory jurisdiction over the subject matter of the application, with the location and use of the buildings, structures, improvements and installations, and such plans must accompany the application for a ZIP. In the event there is a question as to the legality of a use, the Director may require affidavits and such other information as may be deemed appropriate or necessary to establish the legality of the use, before a ZIP permit is issued.<<

**Section 2.** 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 3.** 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 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 4.** 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 5.** This ordinance does not contain a sunset provision.

PASSED AND ADOPTED:

Approved by County Attorney as  
to form and legal sufficiency:

RAG

Prepared by:

CAC

Craig H. Coller