

MEMORANDUM

Agenda Item No. 7(F)

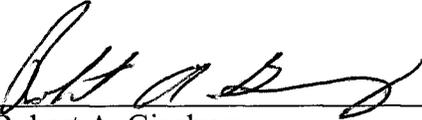
TO: Honorable Chairman Joe A. Martinez
and Members, Board of County Commissioners

(Second Reading 04-19-05)
DATE: January 20, 2005

FROM: Robert A. Ginsburg
County Attorney

SUBJECT: Ordinance relating to
height of hedges in
residential zoning
districts

The accompanying ordinance was prepared and placed on the agenda at the request of Chairman Joe A. Martinez.


Robert A. Ginsburg
County Attorney

RAG/bw

Memorandum



Date: April 19, 2005

To: Honorable Chairman Joe A. Martinez
and Members Board of County Commissioners

From: George M. Burgess
County Manager

A handwritten signature in black ink, appearing to read "Burgess", written over the printed name of the County Manager.

Subject: Ordinance pertaining to zoning; amending Section 33-11 of the Code; relating to height of hedges in residential zoning districts

This ordinance pertaining to zoning amending Section 33-11 of the Code of Miami-Dade County pertaining to height of hedges in residential zoned districts will have no fiscal impact to Miami-Dade County.

Fiscal02005

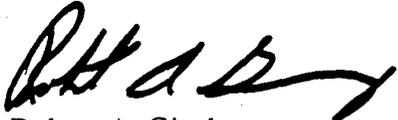


MEMORANDUM

(Revised)

TO: Honorable Chairman Joe A. Martinez
and Members, Board of County Commissioners

DATE: April 19, 2005

FROM: 
Robert A. Ginsburg
County Attorney

SUBJECT: Agenda Item No. 7(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
Veto _____
Override _____

Agenda Item No. 7(F)
04-19-05

ORDINANCE NO. _____

ORDINANCE PERTAINING TO ZONING;
AMENDING SECTION 33-11 OF THE CODE OF
MIAMI-DADE COUNTY, FLORIDA PERTAINING TO
HEIGHT OF HEDGES IN RESIDENTIAL ZONING
DISTRICTS; PROVIDING FOR SEVERABILITY,
INCLUSION IN THE CODE AND AN EFFECTIVE
DATE

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

Section 1. Section 33-11 of the Code of Miami-Dade County, Florida is hereby
amended as follows:¹

Sec. 33-11. Fences, walls, bus shelters and hedges.

- (a) *Permits; conformance to requirements; erection on property lines.* Permits shall be required for all walls and fences, and except as may be approved as a result of public hearings, walls, fences, which obscure or obstruct vision, and hedges shall be restricted to the height, location and type as indicated hereinafter, and except when a higher wall, fence or hedge is required as a visual screening buffer at the rear of double frontage lots under Chapter 28 of this Code. Except as hereinafter restricted, all walls, fences and hedges may be placed on the property lines. This section, however, shall not be construed to permit such walls, fences and hedges to extend beyond the official right-of-way lines or property lines. Notwithstanding anything in the code to the contrary, chain link fences in residential zoning districts shall be permitted only behind the front building line. It is provided, however, that the aforementioned restriction on chain link fences shall not apply in AU and GU zoning districts trended agricultural. It is further provided that the aforementioned restriction shall not apply to chain link fences surrounding a residential community maintained by a condominium or homeowners association or by a special taxing district. Chain link fences lawfully existing prior to the effective

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

date of this ordinance which as a result of this ordinance become nonconforming shall be exempt from Section 33-35(c).

* * *

- (h) *Heights in RU and EU-M Districts.* In the RU and EU-M Districts, the height of any fence >>or<< wall [~~or hedge~~] shall not exceed six (6) feet. >>In the RU and EU-M Districts, the height of any hedge shall not exceed seven (7) feet.<< In the RU-5 and RU-5A Districts, fences, walls and hedges shall conform to these regulations, except as may otherwise specifically be required by the District regulations.
- (i) *Height in other EU, AU and GU Districts.* In EU Districts other than EU-M, and in AU and GU Districts, the height of any fence >>or<< wall [~~or hedge~~] shall not exceed six (6) feet when located within the required front or side street setback areas. >>In EU Districts other than EU-M, and in AU and GU Districts, the height of any hedge shall not exceed seven (7) feet when located within the required front or side street setback areas.<< At other points in such districts, fences, walls or hedges shall not exceed eight (8) feet in height. The Director may authorize hedges of a greater height for windbreaks for groves when necessary to protect same.

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.

