

MEMORANDUM

GOE
Agenda Item No. 3J

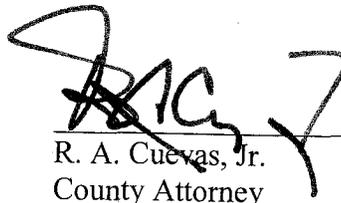
TO: Honorable Chairman Bruno A. Barreiro
and Members, Board of County Commissioners

DATE: September 11, 2007

FROM: R. A. Cuevas, Jr.
County Attorney

SUBJECT: Resolution requesting the
County Manager to issue an
Administrative Building
Moratorium for a certain
mobile home park

The accompanying resolution was prepared and placed on the agenda at the request of
Commissioner Jose "Pepe" Diaz.



R. A. Cuevas, Jr.
County Attorney

RAC/jls

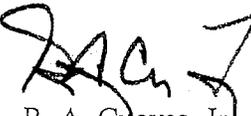


MEMORANDUM

(Revised)

TO: Honorable Chairman Bruno A. Barreiro
and Members, Board of County Commissioners

DATE: October 2, 2007

FROM: 
R. A. Cuevas, Jr.
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

Agenda Item No.

Veto _____

10-02-07

Override _____

RESOLUTION NO. _____

RESOLUTION REQUESTING THE COUNTY MANAGER TO
ISSUE AN ADMINISTRATIVE BUILDING MORATORIUM
PURSUANT TO SECTION 33-319 OF THE CODE OF MIAMI-
DADE COUNTY FOR A CERTAIN MOBILE HOME PARK
LOCATED IN NORTHWEST MIAMI-DADE COUNTY

WHEREAS, a mobile home park approved for over 908 mobile homes lies between Northwest Flagler Street and 7th Street and Northwest 112th Avenue and the Florida Turnpike, on a parcel of land lying in part in unincorporated Miami-Dade County and in part within the municipal boundaries of the City of Sweetwater; and

WHEREAS, the unincorporated land on which mobile home park lies is zoned GU (Interim Use), but has received various approvals beginning in the 1960s for a mobile home park, and is presently approved for a residential density of approximately 8.83 dwelling units per acre; and

WHEREAS, at such density the mobile home park presently houses hundreds of residents at costs that are affordable for working and retired people; and

WHEREAS, the unincorporated parcel on which the mobile home park lies is designated under the Comprehensive Development Master Plan (CDMP) for medium high residential density (13 to 25 dwelling units per acre); and

WHEREAS, the area surrounding the mobile home park is densely populated, creating very substantial demands on the schools and roads serving the area; and

WHEREAS, any rezoning of the mobile home park parcel would be subject to the CDMP minimum density of 13 dwelling units per acre, resulting in very substantial additional

impacts on schools and roads in the area, as well as redevelopment with potential loss of hundreds of affordable homes for the residents who live there today; and

WHEREAS, section 723.083, Florida Statutes, provides that “[n]o agency of government shall approve any application for rezoning, or take any other official action, which would result in the removal or relocation of mobile home owners residing in a mobile home park without first determining that adequate mobile home parks or other suitable facilities exist for the relocation of the mobile home owners”; and

WHEREAS, this Board wishes to consider the merits of imposing a moratorium on the unincorporated area of the above-described mobile home park to afford the County Manager and staff an opportunity to study and make a recommendation as to whether changes should be made to the zoning district for the parcel on which the unincorporated portion of the mobile home park lies, taking into account the surrounding development, the availability of public facilities and resources, and the availability or lack of alternative mobile home parks or affordable housing for the residents of the mobile home park, should an application for rezoning be filed or other changes to the zoning district be made,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that pursuant to Section 33-320 of the Code of Miami-Dade County this Board hereby requests and makes application to the County Manager to issue an administrative building moratorium pursuant to Section 33-319 of the Code of Miami-Dade County for the unincorporated area of the above-described mobile home park.

The foregoing resolution was sponsored by Commissioner Jose "Pepe" Diaz and 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:

	Bruno A. Barreiro, Chairman
	Barbara J. Jordan, Vice-Chairwoman
Jose "Pepe" Diaz	Audrey M. Edmonson
Carlos A. Gimenez	Sally A. Heyman
Joe A. Martinez	Dennis C. Moss
Dorrin D. Rolle	Natacha Seijas
Katy Sorenson	Rebeca Sosa
Sen. Javier D. Souto	

The Chairperson thereupon declared the resolution duly passed and adopted this 2nd day of October, 2007. 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.



Jay W. Williams

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