

## MEMORANDUM

Agenda Item No. 7(F)

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

**DATE:**

(Second Reading 7-1-08)  
May 6, 2008

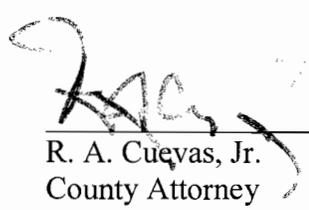
**FROM:** R. A. Cuevas, Jr.  
County Attorney

**SUBJECT:**

Ordinance relating to  
zoning; modifying  
regulations relating to  
setbacks in the RU-TH  
(Townhouse) Zoning  
District

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The accompanying ordinance was prepared and placed on the agenda at the request of Prime Sponsor Commissioner Dennis C. Moss.

  
\_\_\_\_\_  
R. A. Cuevas, Jr.  
County Attorney

RAC/bw

# Memorandum



**Date:** July 1, 2008

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

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

**Subject:** Ordinance relating to Zoning; modifying regulations relating to setbacks in the RU-TH  
(Townhouse) Zoning District

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The ordinance relating to setbacks in the Townhouse Zoning District will not have a fiscal impact to Miami-Dade County.

A handwritten signature in black ink, appearing to read "Alex Munoz". The signature is written in a cursive style with a long, sweeping tail that extends downwards and to the right.

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Alex Munoz  
Assistant County Manager

fis04308



# MEMORANDUM

(Revised)

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

**DATE:** July 1, 2008

**FROM:**   
R. A. Cuevas, Jr.  
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)  
7-1-08

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

ORDINANCE RELATING TO ZONING; MODIFYING REGULATIONS RELATING TO SETBACKS IN THE RU-TH (TOWNHOUSE) ZONING DISTRICT; AMENDING SECTION 33-202.3 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA (“CODE”); 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 33-202.3 of the Code of Miami-Dade County is hereby amended as follows:<sup>1</sup>

**Sec. 33-202.3. Permitted uses.**

No land, body of water or structure shall be used or permitted to be used, and no structure shall be hereafter erected, constructed, moved, or reconstructed, structurally altered or maintained for any purpose in a townhouse district (RU-TH) which is designed, arranged or intended to be used or occupied for any reason or purpose, except for one (1) of the following uses:

\* \* \*

- (i) *Rear yard requirements.* The minimum rear building setback >>for the principal building and any enclosed additions<< shall be ten (10) feet. ~~[[A minimum greenbelt of ten (10) feet shall be provided between rear lot lines; provided however, that rear lines may abut without a greenbelt if a rear building setback of fifteen (15) is provided.]]~~ >>The minimum rear setback for a cantilevered terrace roof or a terrace roof with pole or column supports shall be five (5)

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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.

feet. The minimum rear setback for screen enclosures without a solid roof shall be zero (0) feet.<<

\* \* \*

- (p) *Patios and service areas.* There shall be provided on each townhouse site at least four hundred (400) square feet of patio living area exclusive of parking and service areas for each townhouse; such footage may consist of one (1) or more patio areas. Open roof areas>>,<< ~~[[and]]~~ balconies designed and planned for patio purposes >>, cantilevered terrace roofs, and terrace roofs with pole or column supports,<< may be credited toward patio area. The following features may also be included: Screen enclosures, patio slabs, jacuzzis, swimming pools, decks, garden features and hot tubs. Said features must be either shown on the approved site plan or approved pursuant to the provisions of Section 33-202.3(2)(t).

\* \* \*

**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.

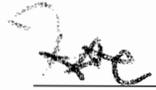
**Section 3.** It is the intention of the Board of County Commissioners, and it is hereby ordained that the provisions of this ordinance, including any sunset provision, shall become and be made part of the Code of Miami-Dade County, Florida. The sections of this ordinance may be renumbered or relettered to accomplish such intention, and the word “ordinance” may be changed to “section,” “article,” or other appropriate word.

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**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.

PASSED AND ADOPTED:

Approved by County Attorney as  
to form and legal sufficiency:

A handwritten signature in black ink, appearing to be "JAC", written over a horizontal line.

Prepared by:

A handwritten signature in black ink, appearing to be "JAC", written over a horizontal line.

Joni Armstrong Coffey

Prime Sponsor: Commissioner Dennis C. Moss