

**MEMORANDUM**

Agenda Item No. 7(C)

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

**DATE:** (Second Reading 9-2-08)  
June 17, 2008

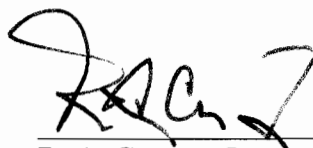
**FROM:** R. A. Cuevas, Jr.  
County Attorney

**SUBJECT:** Ordinance relating to zoning;  
amending Sec. 33-133 to  
eliminate the half-section line  
R-O-W width requirement for  
portion of N.E. 191 Street

**Ordinance No. 08-99**

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The accompanying ordinance was prepared and placed on the agenda at the request of Prime Sponsor Commissioner Sally A. Heyman.

  
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R. A. Cuevas, Jr.  
County Attorney

RAC/bw

# Memorandum

MIAMI-DADE  
COUNTY

**Date:** September 2, 2008

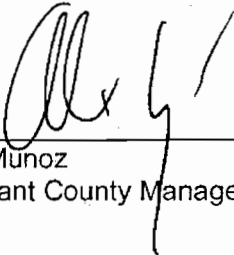
**To:** Honorable Chairman Bruno A. Barreiro  
and Members, Board of County Commissioners

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

**Subject:** Ordinance relating to zoning; amending Sec. 33-133 to eliminate the half-section line R-O-W width requirement for portion of N.E 191 Street

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The ordinance amending Sec. 33-133 to eliminate the half-section line R-O-W width requirement for portion of N.E 191 Street will not have a fiscal impact to Miami-Dade County.

  
\_\_\_\_\_  
Alex Muñoz  
Assistant County Manager

fis05208



# MEMORANDUM

(Revised)

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

DATE: September 2, 2008

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

SUBJECT: Agenda Item No. 7(C)

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. 7(C)  
9-2-08

Veto \_\_\_\_\_

Override \_\_\_\_\_

ORDINANCE NO.     08-99

ORDINANCE RELATING TO ZONING; AMENDING SECTION 33-133 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA ("CODE") TO ELIMINATE THE HALF-SECTION LINE RIGHT-OF-WAY WIDTH REQUIREMENT FOR THAT PORTION OF N.E. 191 STREET WHICH LIES BETWEEN N.E. 24 AVENUE AND N.E. 25 AVENUE; 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 33-133 of the Code of Miami-Dade County is hereby amended as follows:<sup>1</sup>

**Sec. 33-133. Right-of-way plan and minimum width of streets and ways.**

The minimum right-of-way widths for streets, roads and public ways for the unincorporated area of the County shall be as follows:

\* \* \*

(C) Except as may provided in Sections 33-133(A) and (B) hereof, on all section lines, eighty (80) feet shall be the minimum right-of-way width, and on all other half-section (also known as quarter-section) lines, seventy (70) feet shall be the minimum official right-of-way width. The provisions of this subsection shall not apply to those properties described in Section 33B-13(a) herein with the exceptions of S.W. 136 Street from S.W. 187 Avenue to S.W. 209 Avenue; S.W. 168 Street from Levee L-31N to S.W. 237 Avenue; S.W. 237 Avenue from S.W. 168 Street to S.W. 160 Street; Ingraham Highway (formerly S.R. 27); and that portion of N.W. 87 Avenue from N.W. 197 Terrace north to the north County line. Furthermore the provisions of this subsection shall not apply to that portion of S.W. 122 Avenue which lies within the S.E. 1/4 of the S.W. 1/4 of Section 36, Township 54, Range 39; nor shall

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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.

the provisions of this subsection apply to that portion of the South 40 feet of N.W. 106 Street which lies between N.W. 112 Avenue and N.W. 117 Avenue or that portion of N.W. 122 Avenue south of N.W. 25 Street to theoretical N.W. 21 Terrace; nor shall the provisions of this subsection apply to that portion of S.W. 102 Avenue which lies between Black Creek Canal and SW 232 Street; nor to the portion of Red Road (57 Avenue), north of Old Cutler Road to S.W. 74 Street (unincorporated area) >>; nor shall the provisions of this subsection apply to that portion of N.E. 191 Street which lies between N.E. 24 Avenue and N.E. 25 Avenue<<.

\* \* \*

**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.

PASSED AND ADOPTED: **September 2, 2008**

Approved by County Attorney as to form and legal sufficiency:



Prepared by:



Eduardo I. Sánchez

Sponsored by Commissioner Sally A. Heyman