

MEMORANDUM

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

DATE: September 4, 2012

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

SUBJECT: Ordinance pertaining to
Zoning modifying regulations
on boat storage amending
Section 33-20 of the Code
Ordinance No. 12-93

The accompanying ordinance was placed on the agenda at the request of Prime Sponsor Commissioner Lynda Bell.



R. A. Cuevas, Jr.
County Attorney

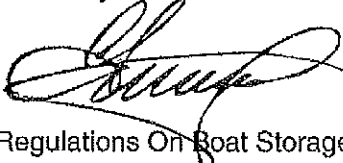
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Memorandum



Date: November 8, 2012

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

From: Carlos A. Gimenez
Mayor 

Subject: Ordinance Modifying Regulations On Boat Storage In Certain Zoning Districts

The proposed ordinance modifies the regulations on boat storages in certain zoning districts. The implementation of this ordinance will not have a fiscal impact to the County.



Jack Osterholt
Deputy Mayor

Fis9812



MEMORANDUM

(Revised)

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

DATE: November 8, 2012

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

SUBJECT: Agenda Item No. 7(A)

Please note any items checked.

- "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
- Ordinance creating a new board requires detailed County Manager's report for public hearing
- No committee review
- Applicable legislation requires more than a majority vote (i.e., 2/3's ____, 3/5's ____, unanimous ____) to approve
- Current information regarding funding source, index code and available balance, and available capacity (if debt is contemplated) required

Approved _____ Mayor
Veto _____
Override _____

Agenda Item No. 7(A)

11-8-12

ORDINANCE NO. 12-93

ORDINANCE PERTAINING TO ZONING; MODIFYING REGULATIONS ON BOAT STORAGE IN CERTAIN ZONING DISTRICTS; REQUIRING ADDITIONAL BUFFERING; LIMITING NUMBER OF BOATS; PROHIBITING COMMERCIAL BOAT PARKING; AMENDING SECTION 33-20 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA; 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 33-20 of the Code of Miami-Dade County, Florida, is hereby amended to read as follows:¹

Sec. 33-20. Accessory buildings; utility sheds; swimming pools; fallout shelters; boat storage.

* * *

(e) *Boat storage.* Boats of less than thirty (30) feet in length, not more than one hundred and two (102) inches in width and thirteen (13) feet six (6) inches in height >> above grade <<, may be stored or temporarily parked in the RU, EU, AU and GU Zoning Districts >> on lots developed with a residential structure << subject to the following conditions:

(1) >> Sites with less than one-half (0.5) acre of lot area shall be permitted to store up to one (1) boat. << The place of storage shall be to the rear of the front building line >> of the residential structure <<. Where the boat storage area is located between the

¹ 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.

residence and a side street property line, the boat shall be visually buffered by a >>minimum<< six-foot ~~wood~~ >>high<< privacy fence, masonry wall, >>or<< trees or shrubs maintained to a >>minimum<< height of six feet. The front building line referred to shall be that portion furthest from the street.

(2) ~~[[No more than one (1) boat may be stored or parked on any one (1) premise.]]~~ >>Sites containing a minimum of one-half (0.5) acre of lot area shall be permitted to store up to two (2) boats. Sites containing a minimum of five (5) acres of lot area shall be permitted to store up to three (3) boats. The place of storage shall be to the rear of the front building line of the residential structure, and such front building line shall be that portion furthest from the street. Where two or more boats are located on a site, the boat storage area shall meet the rear and side setback requirements for the principal structure and be visually buffered from the adjacent property and right-of-way by a minimum six-foot high privacy fence, masonry wall or trees or shrubs maintained to a minimum height of six feet, provided however, if a permit was approved for a five-foot high privacy fence or masonry wall prior to the effective date of this ordinance and thereafter constructed, such a fence or wall shall be acceptable in lieu of one that is six-feet high.

(3) Up to two (2) personal watercrafts not exceeding five (5) feet in width by twelve (12) feet in length may be stored or parked in lieu of a boat authorized by this section. Such watercraft shall be visually buffered in accordance with Section 33-20(e)(2) or (3), as applicable.<<

~~[[3]]~~>>(4)<< Boats and place of storage or temporary parking shall be kept in a clean, neat and presentable condition.

~~[[4]]~~>>(5)<< No major repairs or overhaul work shall be made or performed on the premises.

~~[(5)]~~>>(6)<<The boats shall not be used for living or sleeping quarters, and shall be placed on and secured to a transporting trailer.

~~[(6)]~~>>(7)<< The temporary parking of a boat in front of the front building line or in front of the side street building line for no more than 2 hours in any 24-hour period, while the boat is hitched to an operable motor vehicle with a valid permanent license tag, for the purposes of loading and unloading equipment and supplies shall be permitted, but under no circumstances shall a boat be parked in the public right-of-way, including the swale area of a right-of-way.

>>(8) Commercial boat parking shall be prohibited. All boats stored on the property must be registered to the property owner or authorized residential tenant.<<

* * *

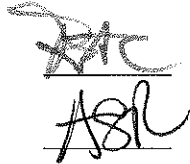
Section 2. If any section, subsection, sentence, clause or provision of this ordinance is held invalid, the remainder of this ordinance shall not be affected by such invalidity.

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 a 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: November 8, 2012

Approved by County Attorney as
to form and legal sufficiency:

Handwritten signature of the County Attorney, appearing to be "ATC" with a flourish above it.

Prepared by:

Abbie Schwaderer-Raurell

Prime Sponsor: Commissioner Lynda Bell