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OF COUNTY COMMISSIONERS
MIAMI-DADE COUNTY, FLORIDA

MEMORANDUM

Agenda Item No. 7(E)

(Second Reading 9-4-13)

TO: Honorable Chairwoman Rebeca Sosa
and Members, Board of County Commissioners

DATE: June 18, 2013

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

SUBJECT: Ordinance relating to zoning; pertaining to portable-mini storage units; amending Section 33-20 of the Code
Ordinance No. 13-80

The accompanying ordinance was prepared and placed on the agenda at the request of Prime Sponsor Chairwoman Rebeca Sosa.

R. A. Cuevas, Jr.
County Attorney

RAC/jls

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Memorandum

MIAMI-DADE COUNTY

Date: September 4, 2013

To: Honorable Chairwoman Rebeca Sosa
and Members, Board of County Commissioners

From: Carlos A. Gimenez
Mayor

Subject: Ordinance Relating to Zoning; Pertaining to Portable-Mini Storage Units; Amending Section 33-20 of the Code

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The proposed ordinance pertains to portable-mini storage units and amends Section 33-20 of the Code. Implementation of this ordinance will not have a fiscal impact to the County.

Jack Osterholt
Deputy Mayor

Fis7713

MEMORANDUM
(Revised)

TO: Honorable Chairwoman Rebeca Sosa
and Members, Board of County Commissioners

DATE: September 4, 2013

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

SUBJECT: Agenda Item No. 7(E)

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 Mayor'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(E)
9-4-13

ORDINANCE NO. 13-80

ORDINANCE RELATING TO ZONING; PERTAINING TO PORTABLE-MINI STORAGE UNITS; 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 and pergolas; swimming pools; fallout shelters; boat storage >>; portable mini-storage units.<<
>
> * * *
>
> (i) Portable mini-storage unit. For the purpose of this section, the term portable mini-storage unit shall mean a portable container designed for the storage of personal property that is placed on a homeowner's lot, parcel or tract and is designed to be delivered to and/or removed from the homeowner's site by a truck or other street-legal vehicle.
>
> One temporary portable mini-storage unit may be placed on a fee simple lot, parcel or tract containing a single-family residence, subject to the following conditions and limitations:
>
> (1) The homeowner>>:

[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.

(a) has a valid building permit [[~~: (i)~~]] for the major remodeling of, or [[~~(ii)~~]] for a significant addition to, or [[~~(iii)~~]] for damage repair to the single-family residence on the lot, parcel, or tract whereon the portable mini-storage unit is requested to be placed>>; or

(b) is conducting work involving interior improvements that do not require a building permit; or

(c) is using the portable mini-storage unit to move personal items or furnishings to another location<<; and

(2) The portable mini-storage unit, shall not exceed 8 feet in width, 16 feet in length, and 8 feet in height; and

(3) The portable mini-storage unit shall be placed at ground level, shall be setback a minimum of ten (10) feet from the front property line and a minimum of five (5) feet from all other property lines, and shall comply with the safe sight distance triangle regulations; and

(4) In no instance shall hazardous material be placed in the portable mini-storage unit; and

(5) [[~~Prior to placement of the portable mini-storage unit on the lot, the~~]] >>The<< property owner shall apply for and obtain a Zoning Improvement Permit (ZIP) pursuant to Section 33-8.1 for [[~~the~~]] >>a<< portable mini-storage unit >>that will be kept on the lot/parcel for more than 15 days<<.

(6) The ZIP for the portable mini-storage unit shall be a conditional permit and shall be issued for a period not to exceed 90 days. [[~~Upon showing of just cause by the homeowner, the Director may approve the homeowner's written request to renew the ZIP for additional 90 days, not to exceed a total of 180 days overall; provided, however, the portable mini-storage unit shall be removed from the premises when a hurricane watch is issued for Miami-Dade~~

~~County. No renewal fee of the ZIP shall be charged where, after inspection by the Department of Planning and Zoning, the use of the mini-storage unit is to facilitate repair of damage caused by a hurricane.~~]]

(7) No mechanical, plumbing or electrical installations or connections are made to the portable mini-storage unit.

(8) The portable mini-storage unit shall have clearly posted on the exterior of the unit, the name, current phone number and address of the company providing the portable mini-storage unit, a copy of the current ZIP permit issued for the mini-storage unit, and the date the portable mini-storage unit was placed at the site.

(9) The conditional ZIP approval may be revoked by the Director at any time should the homeowner's utilization of such temporary portable mini-storage unit result in unsafe or unsanitary conditions on the site or upon violation of any of the conditions or limitations stated herein.

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: September 4, 2013

Approved by County Attorney as
to form and legal sufficiency: APW

Prepared by: JEM

Lauren E. Morse

Prime Sponsor: Chairwoman Rebeca Sosa