

MEMORANDUM

Agenda Item No. 7(B)

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

DATE: (Second Reading 12-3-13)
October 22, 2013

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

SUBJECT: Ordinance relating to zoning
regulations; amending standards
for certain administrative
modifications; amending Section
33-310.1 of the Code
Ordinance No. 13-114

The accompanying ordinance was prepared and placed on the agenda at the request of Prime Sponsor Commissioner Jose "Pepe" Diaz and Co-Sponsor Commissioner Esteban L. Bovo, Jr.



R. A. Cuevas, Jr.
County Attorney

RAC/smm

Memorandum



Date: December 3, 2013

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

From: Carlos A. Gimenez
Mayor

A handwritten signature in black ink, appearing to read "Carlos A. Gimenez". The signature is fluid and cursive, written over the printed name.

Subject: Ordinance Relating to Zoning Regulations; Amending Standards for Certain
Administrative Modifications; Amending Section 33-310.1 of the Code

The proposed ordinance relates to zoning regulations; amends standards for certain administrative modifications; and amends Section 33-310.1 of the Code. Implementation of this ordinance will not have a fiscal impact to the County.

A handwritten signature in black ink, appearing to read "Jack Osterholt". The signature is fluid and cursive, written over a horizontal line.

Jack Osterholt
Deputy Mayor

Fis0814



MEMORANDUM

(Revised)

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

DATE: December 3, 2013

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

SUBJECT: Agenda Item No. 7(B)

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(B)
12-3-13

ORDINANCE NO. 13-114

ORDINANCE RELATING TO ZONING REGULATIONS;
AMENDING STANDARDS FOR CERTAIN
ADMINISTRATIVE MODIFICATIONS; AMENDING
SECTION 33-310.1 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 33-310.1 of the Code of Miami-Dade County, Florida, is hereby
amended to read as follows:¹

**Sec. 33-310.1. Administrative modification or elimination of
conditions and restrictive covenants.**

A. *Standards.* The Director is authorized to consider and
approve applications to modify or eliminate any condition
or part thereof which has been imposed by any final
decision adopted by resolution, and to modify or eliminate
any restrictive covenant, or part thereof, accepted at public
hearing, where the requirements of at least one of the
following subsections have been demonstrated:

* * *

I. *Substantial Compliance With Previous Approval.*
The Director shall approve an application to modify
or eliminate a condition or part thereof, or a
restrictive covenant or part thereof, where it is
demonstrated that the proposed modification or
elimination will result in substantial compliance
with the previous zoning action regarding a site
plan, as demonstrated by all of the following:

* * *

(B) design has not materially changed, in that:

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.

