

MEMORANDUM

Agenda Item No. 7(A)

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

DATE:

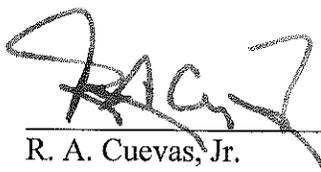
(Second Reading 2-4-14)
December 3, 2013

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

SUBJECT:

Ordinance amending Section
33-314 of Code; amending
procedure or zoning applications;
providing for jurisdiction to the
Board of County Commissioners
on zoning applications after
Community Zoning Appeals
Board had a lack of quorum
Ordinance No. 14-15

The accompanying ordinance was prepared and placed on the agenda at the request of Prime Sponsor Commissioner Dennis C. Moss and Co-Sponsors Vice Chair Lynda Bell and Commissioner Esteban L. Bovo, Jr.



R. A. Cuevas, Jr.
County Attorney

RAC/jls

Memorandum



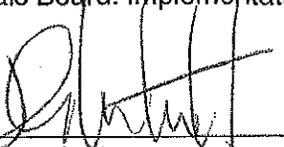
Date: February 4, 2014

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

From: Carlos A. Gimenez
Mayor 

Subject: Ordinance Amending Section 33-314 of the Code; Amending Procedure for Zoning Applications; Providing for Jurisdiction to the Board of County Commissioners on Zoning Applications after Community Zoning Appeals Board Had a Lack of Quorum

The proposed ordinance provides jurisdiction to the Board of County Commissioners to hear zoning applications that have been postponed due to a lack of quorum of the applicable Community Zoning Appeals Board. Implementation of this ordinance will not have a fiscal impact to the County.



Jack Osterholt
Deputy Mayor

Fis2414



MEMORANDUM

(Revised)

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

DATE: February 4, 2014

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 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(A)
2-4-14

ORDINANCE NO. 14-15

ORDINANCE AMENDING SECTION 33-314 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA; AMENDING PROCEDURE FOR ZONING APPLICATIONS; PROVIDING FOR JURISDICTION TO THE BOARD OF COUNTY COMMISSIONERS ON ZONING APPLICATIONS AFTER COMMUNITY ZONING APPEALS BOARD HAD A LACK OF QUORUM; 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 33-314 of the Code of Miami-Dade County, Florida, is hereby amended to read as follows:¹

Sec. 33-314. Direct applications and appeals to the County Commission.

(A) The County Commission shall have jurisdiction to directly hear the following applications:

* * *

>>(5) Applications which would normally be heard by a Community Zoning Appeals Board, but which have been postponed due to lack of quorum of the applicable Community Zoning Appeals Board on at least two consecutive occasions. Such jurisdiction by the County Commission shall be at the option of the applicant, and under these circumstances the cost of providing notice of an application before the County Commission shall be borne by the County.<<

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.

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: February 4, 2014

Approved by County Attorney as
to form and legal sufficiency:



Prepared by:



Abbie Schwaderer Raurell

Prime Sponsor: Commissioner Dennis C. Moss
Co-Sponsors: Vice Chair Lynda Bell
Commissioner Esteban L. Bovo, Jr.