

ORDINANCE NO. 1017-2011

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MIAMI SPRINGS AMENDING CODE OF ORDINANCE SECTION 150-046, HOME/BUSINESS OCCUPATIONAL USE, ESTABLISHING CONDITIONS OF ELIGIBILITY; SPECIFYING OPERATORS; PERMITTING LIMITED SIGNAGE, STORAGE AND PARKING; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT; EFFECTIVE DATE.

WHEREAS, in 2003, the City enacted Code of Ordinance Section 150-046 to permit the operation of small businesses from residential properties by homeowners; and,

WHEREAS, this type of Ordinance has been used and expanded in many ways by other municipalities in Miami-Dade County; and,

WHEREAS, although many of the Ordinance expansions enacted by other Miami-Dade County municipalities would be inappropriate for Miami Springs, it is believed that a limited expansion of the intent and impact of this subject code section would be beneficial to the City; and,

WHEREAS, the City Council of the City of Miami Springs has determined that it is in the best interests of the City and its citizens to authorize the expansion of the use permitted by Code Sections 150-046:

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MIAMI SPRINGS, FLORIDA:

Section 1: That Code of Ordinance Section 150-046, Home/Business Occupational Use, is hereby amended as follows:

Section 150-046. Home/Business Occupational Use.

- (A) ...
- (B) ...
- (C) ...
- (D) ...
- (E) ...
- (F) ...
- (G) ...

(H) Business Occupation Use. The business use of residential properties provided in the foregoing provisions is hereby expanded to permit a Business Occupation Use that is in compliance with the provisions of this Ordinance, except as provided below:

1. To be eligible for a Business Occupation Use, any property line of the subject property must directly adjoin a substantial portion of a property line of a property in a commercial district of the City.
2. The operator of the business would not need to reside in the dwelling unit.
3. One double-faced business wall sign of 6 square feet may be attached to the residential structure and one double-faced business monument sign of 6 square feet may be located in the front yard set-back area of the subject property.
4. There may only be incidental and limited storage of supplies, goods or products in the premises.
5. Business parking is permitted to the same extent that parking for the residential use is allowed.

Section 2: That all Ordinances or parts of Ordinances in conflict herewith are hereby repealed insofar as they are in conflict.

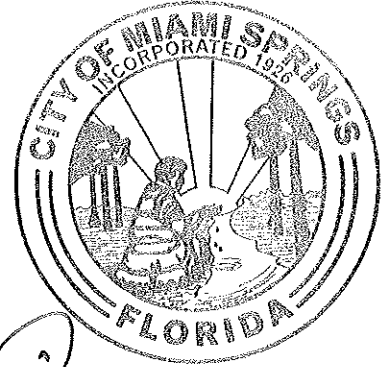
Section 3: That the provisions of this Ordinance shall be effective immediately upon adoption by the City Council.

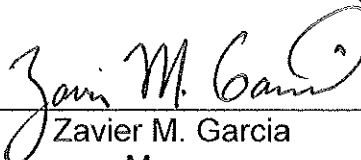
PASSED AND ADOPTED by the City Council of the City of Miami Springs,

Florida this 9th day of May, 2011.


The motion to adopt the foregoing ordinance was offered on second reading by Vice Mayor Best, seconded by Councilman Espino, and on roll call the following vote ensued:

Vice Mayor Best	"aye"
Councilman Espino	"aye"
Councilman Lob	"aye"
Councilwoman Ator	"abstained"
Mayor Garcia	"aye"





Zavier M. Garcia
Mayor

ATTEST:


Magali Valls, CMC
City Clerk

APPROVED AS TO FORM AND LEGAL SUFFICIENCY


Jan K. Seiden, Esquire
City Attorney

First reading: 04/25/2011
Second reading: 05/09/2011

Words ~~-stricken through-~~ shall be deleted. Underscored words constitute the amendment proposed. Words remaining are now in effect and remain unchanged.