

**ORDINANCE NO. 1082 – 2015**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MIAMI SPRINGS AMENDING CODE OF ORDINANCE SECTION 150-009, CONSTRUCTION MATERIALS; BY PROVIDING AN EXCEPTION FOR ALUMINUM “FLORIDA OR SUN ROOMS” THAT COMPLY WITH CERTAIN CONSTRUCTION CONDITIONS; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT; EFFECTIVE DATE**

**WHEREAS**, the City has been approached by residents seeking to construct aluminum “Florida or Sun Rooms” attached to their homes; and,

**WHEREAS**, the City Planner has conducted meetings and discussions with residents, Miami-Dade County Building Department representatives, and the company wishing to construct the proposed “Florida or Sun Rooms” in the City; and,

**WHEREAS**, the City Council has reviewed the documentation describing the proposed construction and the City Planner’s recommendations for permitting the conditional construction of the proposed structures; and,

**WHEREAS**, the City Council has conducted debate in regard to the proposed Code of Ordinance amendment during a regular City Council meeting; and,

**WHEREAS**, the City Council has determined that permitting the conditional construction of the proposed “Florida or Sun Rooms” is in the best interests of the City and its citizens; and,

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

**Section 1:** That Code of Ordinance Section, 150-009, Construction Materials, is hereby amended as follows:

**Sec. 105-009. Construction materials.**

(A) All buildings shall be of masonry construction, ~~except that aluminum siding may be used in renovating nonconforming structures, and~~ except that open, semi-open, or screened enclosures, including porches, patios, carports, or utility sheds may be constructed of aluminum or some similar fireproof material.

(B) Additionally, enclosed "Florida Room" or "Sun Room" structures may also be constructed of aluminum or other similar fireproof material, so long as such structures are in compliance with the following conditions; to wit,

- (1) Must be "product approved" by Miami-Dade County.
- (2) Must be attached to a concrete slab and the main structure on the \_\_\_\_\_ property; not permitted as a free standing accessory structure.
- (3) May only be located in the rear yard area in compliance with all rear and side yard setback requirements for the main structure.
- (4) May not be larger than four hundred (400) square feet with a maximum height of fifteen (15) feet to the peak of the roof.
- (5) Must include a gabled style roof with a minimum pitch of 2 ½ inches in 12 inches unless determined to be impractical by the City Planner due to the location of the attachment to the main structure.
- (6) The solid walls of the building shall not exceed fifty (50%) percent of \_\_\_\_\_ structure.
- (7) Any utilities to be included must comply with all City, County, and \_\_\_\_\_ State building codes, rules and regulations.

(B)(C) In all cases of difficulty in the approval of construction materials, the South Florida Building Code and current test reports made by the official material control section of Dade County will be considered as final.

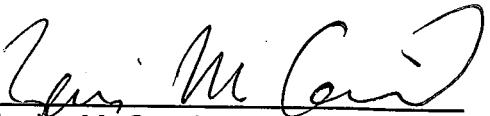
**Section 2: Repeal of Conflicting Provisions.** That all Ordinances or parts of Ordinances in conflict herewith are hereby repealed insofar as they are in conflict.

**Section 3: Effective Date.** That this Ordinance shall take effect immediately upon adoption.

**PASSED ON FIRST READING** this 12<sup>th</sup> day of October, 2015, on a motion made by Vice Mayor Bain and seconded by Councilman Petralanda.

**PASSED AND ADOPTED ON SECOND READING** this 26<sup>th</sup> day of October 2015, on a motion made by Vice Mayor Bain and seconded by Councilman Petralanda.

Vice Mayor Best	<u>YES</u>
Councilman Bain	<u>YES</u>
Councilwoman Buckner	<u>YES</u>
Councilman Petralanda	<u>YES</u>
Mayor Garcia	<u>YES</u>

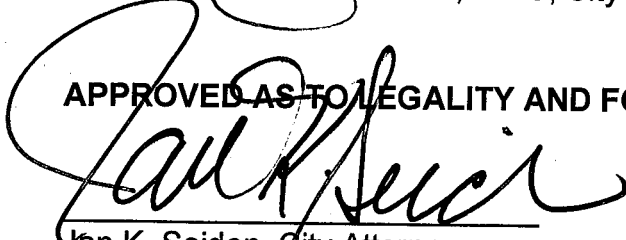
  
Zayler M. Garcia, Mayor

**ATTEST:**

  
Erika Gonzalez-Santamaria, MMC, City Clerk



**APPROVED AS TO LEGALITY AND FORM:**

  
Jan K. Seiden, City Attorney

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