

**CITY OF MIAMI
OFFICE OF ZONING
MEMORANDUM**

TO: Francisco Garcia, Director of Planning & Zoning Department
FROM: Irene S. Hegedus, Zoning Administrator
DATE: March 10, 2014
RE: Zoning Interpretation
14-001

This zoning interpretation is issued to clarify the provisions of Article 5.5.1(e) and 5.6.1(e) which state the following:

“ For the minimum height, facades shall be built parallel to the Principal Frontage Line along a minimum of seventy (70%) of its length on the Setback Line as shown in Illustrations 5.5 and 5.6 respectively. In the absence of a Building along the remainder of the Frontage Line, a street screen shall be built co-planar with the Façade to conceal parking and service areas”

The clarification is required to determine if “70% of its length” refers to the length of the Principal Frontage line or the length of the façade. To illustrate this issue consider a property with a typical lot size of 50’x100’ where the 70% of the lot frontage is 35’. In an interior lot without an Alley, ingress/ egress are allowed at the Primary Frontage and setbacks could be 0’ or 5’ depending on the abutting property conditions. Assuming the best case scenario, there will be 15’-0” left for an ingress /egress driveway and therefore not meeting other requirements of the code; however, the second sentence states *“In the absence of a Building along the remainder of the Frontage line, a street screen shall be built co-planar with the Façade to conceal parking and service areas.”* When this is the case a Waiver could be obtained for a 10% deviation of the standard. Another illustration to consider would be a larger lot size with 300’ in length along the Primary Frontage line. In this scenario there is a proposal for a small retail building. In consideration of a larger lot, an Owner could place a small retail store building of about 3,000 sf. If one is to consider the length of the property then the building would have to comply with 210’ along the principal frontage setback line. The actual structure would have a depth of 14.28’ which is unfeasible. In this case, once again, we need to apply the portion of the code that allows for a street screen in the absence of a building.

In conclusion, the 70% of its length applies to the length of the Principal Frontage line. In the absence of a façade, a street screen is to be provided to comply with the requirement.

This interpretation shall be final unless appealed to the Planning, Zoning, and Appeals Board within 15 days of the date of its issuance.

Cc: Francisco Garcia, Director of Planning & Zoning
Victoria Mendez, City Attorney
Office of Zoning
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