



## Town of Miami Lakes Memorandum

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**To:** Honorable Mayor and Honorable Councilmembers

**From:** Edward Pidermann, Town Manager

**Subject:** Driveways and Curb Cuts in Lots Less Than 50 Feet Wide

**Date:** April 21, 2020

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### **Recommendation:**

Staff recommends approval of the ordinance permitting driveways and continuous curb cuts up to 60% of the lot width in single-family lots less than 50 feet in width.

### **Background:**

At the January 21, 2020, Town Council meeting, a New Business item was introduced directing staff to explore the width of curb cuts in properties within the RU1-Z districts, also known as Zero Lot Properties. The current Town code allows either a single 20-foot curb cut or a circular driveway with two curb cuts that add up to a maximum of 30 feet, with no single curb cut wider than 20 feet. The code also provides that a maximum 60% of the required front yard may be paved (including pavers set in sand).

On March 3, 2020, the Planning Board in their capacity as the Local Planning Agency, recommended to approve the ordinance as presented.

On March 9, 2020 The Town Council moved the item on first reading.

Zero-lot properties, have the distinction of allowing one side of the home to have a zero "0" or no setback, provided the other side of the home maintains a four-foot maintenance and drainage easement, upon which no structure or paving may be built. With respect to all zero lot properties, the aforementioned 4-foot drainage easement was created and designated during the Plat Process and cannot be modified by Town Ordinance. Of significance, the lots are rather narrow (as narrow as 45 feet) which makes circular driveways impractical.

It is important to note that a few residents residing in the Zero-Lot Properties have expressed concerns regarding existing driveways that are larger than allowed by current code. Some neighbors have attempted to obtain building permits for new driveways, after improvements to the sidewalks in the area made new curb cuts necessary. During

the permitting process they have learned that their configuration does not conform to our Code. When an existing structure (such as a paved area) is found to be non-conforming, an attempt is made to establish whether the structure was allowed via site-plan, via a permit under a different code (like Miami-Dade County) or via a variance. Unfortunately, the legality of these paved areas cannot be established.

The attached report and ordinance reflect Town Council direction to staff to provide some regulatory relief to zero-lot line properties regarding driveways. Staff recommends expanding the regulation to all single-family properties with lots less than 50 feet in width.

Attachments:

Ordinance

Staff Report