



# MIAMI BEACH

City of Miami Beach, 1700 Convention Center Drive, Miami Beach, Florida 33139, www.miamibeachfl.gov

## COMMITTEE MEMORANDUM

TO: Land Use and Development Committee

FROM: Jorge M. Gonzalez, City Manager 

DATE: May 16, 2012

**SUBJECT: Discussion Regarding Not Charging Double Permit Fees For People Who Come Forward And Request Permits For Work Done Without a Permit.**

### BACKGROUND

This item was referred to the Land Use and Development Committee by the City Commission on December 14, 2011 at the request of Commissioner Jonah Wolfson.

### ANALYSIS

The Building Department, as required by the Florida Building Code, charges double fees for work performed without a permit, which in most cases is discovered during routine inspections or in response to complaints from citizens.

Section 109.4 of the Florida Building Code states in relevant part (emphasis added): "Any person who commences any work on a building, structure, electrical, gas, mechanical or plumbing system before obtaining the building official's approval or the necessary permits **shall** be subject to a penalty of 100% of the usual permit fee in addition to the required permit fees."

In the rare instance that someone comes forward to report their own unpermitted work, the Department tries to be as flexible as possible in addressing those situations. Because the double fees are mandated by state law, the City Attorney's Office has advised that an official amnesty provision would not be feasible.

### CONCLUSION

The Administration recommends that the Building Department be encouraged to continue to exercise flexibility when an owner initiates attempts to correct work done without permits.

 SS/JGG/JMG



City of Miami Beach, 1700 Convention Center Drive, Miami Beach, Florida 33139, [www.miamibeachfl.gov](http://www.miamibeachfl.gov)

## COMMITTEE MEMORANDUM

TO: Land Use and Development Committee

FROM: Jorge M. Gonzalez, City Manager

DATE: May 16, 2012

SUBJECT: General Improvements to Terminal Island Traffic Congestion

### BACKGROUND

At the March 28, 2012 meeting of the Land Use and Development Committee (LUDC), staff was directed to bring back discussion of general improvements to Terminal Island traffic congestion to the Committee's April 25 meeting. The attached draft report has been prepared to summarize the alternatives for intersection improvements at Terminal Island and the MacArthur Causeway. These alternatives were reviewed as part of the ATKINS Draft Traffic Impact Study for the proposed relocation of towing facilities to Terminal Island (August 22, 2011). Attached is a copy of the ATKINS report.

Following the completion of the ATKINS report, a meeting took place on September 8, 2011, with representatives of the Coast Guard, Fisher Island, City staff and ATKINS to discuss the findings of the study and to request that they be taken into consideration as part of the development of the scope of work for the proposed parking garage on Terminal Island. Alternatives to improve the operation of the intersection of Terminal Island at the MacArthur Causeway were also part of the discussion.

### ANALYSIS

The attached draft report provides analyses of the current conditions of the adjacent transportation system.

There are several private sector changes currently being considered at Terminal Island. These include a newly proposed garage (Sun Terminal) to be located where a parking lot currently exists east of the City's property along with a new ferry terminal that will be dedicated for the service personnel and employees to Fisher Island. The ferry terminal currently operational west of Terminal Island is proposed to be maintained but to be used solely by residents and guests to Fisher Island. It is anticipated that there will be additional vehicular traffic due to this proposed new development at Fisher Island.

Currently the intersection of Terminal Island and MacArthur Causeway has a complex geometry and inefficient signal operation. With three independent approaches at Terminal Island at this intersection, multiple signal phases are needed. Whenever there is a signal call on the Terminal Island side, it stops all the traffic movements at the intersection including the very heavy traffic going eastbound and westbound on the MacArthur Causeway to clear the three phases one at a time. The driver's sight distance is poor and the grade separation between the entrance to Terminal Island and the McArthur Causeway further forces the drivers to move slowly as they negotiate this intersection. This leads to heavy intersection delays especially during the AM and PM peak periods. If the geometry of this intersection is simplified it is expected to operate under acceptable levels of service.