

December 7, 2025

VIA IN-PERSON & ELECTRONIC DELIVERY

City of Miami Beach Design Review Board

Rogelio Madan, Chief of Community Planning & Sustainability
City of Miami Beach Planning Department
1700 Convention Center Drive, 2nd Floor
Miami Beach, Florida 33139

Re: Final Submittal / Letter of Intent for Design Review Board Application DRB25-1148 (the “Application”) / Property Located at 727 Lehrman Drive (77 Street), 741 Lehrman Drive (77 Street), 7701 Tatum Waterway Drive, 7737 Tatum Waterway Drive, 7710 Dickens Avenue, 7720 Dickens Avenue (Folio Nos. 02-3202-002-0640; 02-3202-002-0670; 02-3202-002-0620; 02-3202-002-0610; 02-3202-007-2350; 02-3202-007-2360), Miami Beach, Florida (the “Property”)

Dear Chairperson and Design Review Board Members:

Our firm represents Lehrman Community Day School, Inc. (the “Applicant”) in connection with land use and zoning matters pertaining to the Property. The Property is comprised of the following parcels of land:

Property Address	Folio Number
727 Lehrman Drive (77 Street)	02-3202-002-0640
741 Lehrman Drive (77 Street)	02-3202-002-0670
7701 Tatum Waterway Drive	02-3202-002-0620
7737 Tatum Waterway Drive	02-3202-002-0610
7710 Dickens Avenue	02-3202-007-2360
7720 Dickens Avenue	02-3202-007-2350

Please accept this correspondence as the Applicant’s Letter of Intent in support of the Applicant’s requests for (i) a modification of the previously Approved Plans and Board Order, as defined below, to update rooftop floorplan and the exterior wall design of the North and East façades; and (ii) approval of two (2) non-use variances from the maximum permitted building height to accommodate an outdoor wash counter and sink, and an enclosed restroom at the rooftop level.

I. Background and Prior Approval

In 2020, the Design Review Board approved a comprehensive modernization program for the Lehrman Community Day School campus (the “Project”) under Board Order File No. DRB20-

0529 (the “**Board Order**”) pursuant to the plans entitled “Lehrman Community Day School,” as prepared by NC-office architecture / urbanism, dated, signed, and sealed May 11, 2020 (the “**Approved Plans**”). The Board Order authorized the approval of the design of a new multi-story educational building incorporating an indoor gymnasium, cafeteria, and security enhancements. The Project also included various site and traffic upgrades, particularly to improve student pick-up and drop-off operations. A copy of the previously approved and recorded Board Order is attached hereto as **Exhibit “A”**.

Following approval of the Board Order, the Applicant commenced the permitting and construction process consistent with the Approved Plans. During which, the Applicant’s engineering consultant identified potential waterproofing and long-term durability concerns with the proposed façade treatment for the sculptural, white pre-cast concrete panels and horizontal stucco bands on the North and East façades. Additionally, in order to enhance the educational experience and functionality of the rooftop learning spaces, the Applicant seeks to modify the Approved Plans and Board Order to permit an (i) outdoor wash counter and sink and an (ii) enclosed restroom at the rooftop level. To accommodate these improvements, the Applicant respectfully requests two (2) non-use variances to exceed the maximum permitted building height by three (3) feet, as detailed below.

II. Design Modification of North and East Façades

Pursuant to the Board Order, the Project is to provide the final design and details of the “sculptural, white pre-cast concrete panels” and “horizontal stucco bands” to be submitted, in a manner to be reviewed and approved by staff consistent with the Design Review Criteria and/or the directions from the Board.¹ After detailed review with the Applicant’s waterproofing engineer, it was determined that the previously approved design, with numerous panel separations, would allow excessive water intrusion, jeopardizing the structural integrity and energy efficiency of the building envelope. A copy of the Engineer’s Letter is attached hereto as **Exhibit “B”**. These conditions would accelerate façade deterioration and jeopardize long-term maintenance of the building, undermining the sustainability and longevity goals of the Project.

To address this, the Applicant proposes a modification to the Approved Plans by increasing the spacing between the stucco bands, thereby minimizing potential water infiltration due to fewer interruptions of the stucco system. Further, the Applicant proposes the use of varied paint tonalities along the North façade to maintain visual depth and articulation, despite the increased band spacing. This adjustment improves building performance and maintains aesthetic consistency with the Board Order, ensuring that the Project remains resilient.

III. Variances

Pursuant to the Board Order, the Project is to explore a green roof with gardens and landscaping atop the new addition, in a manner to be reviewed and approved by staff consistent with the Design Review Criteria and/or the directions from the Board.² The Approved Plans show a green roof incorporating gardens and landscaping for experiential learning opportunities for

¹ See Condition I.D.1.n and Condition I.D.1.r of the Board Order.

² See Condition I.D.e of the Board Order.

students. Consistent with this vision, the Applicant seeks to modestly enhance the rooftop program by adding:

1. An outdoor wash counter and sink screen by an already approved parapet; and
2. A single enclosed restroom located within the footprint of an already approved vestibule.

These features are essential to realizing the educational potential of the rooftop, ensuring functionality, hygiene, and student safety. The outdoor wash counter and sink will serve as a sanitary and practical amenity for hands-on learning activities. The counter and sink will allow students to wash hands, tools, and materials before re-entering classrooms, reducing water transport through stairways and interior corridors. This improvement promotes hygiene, minimizes maintenance demands, and facilitates continued use of the rooftop for environmental and experiential learning.

The rooftop restroom will provide necessary convenience and supervision benefits for students and faculty. Without this facility, students would be required to travel down floors to access restrooms, interrupting class activities and creating logistical and safety concerns associated with unsupervised transitions between floors. Locating a single restroom within the existing vestibule ensures accessibility while maintaining the rooftop's limited and educationally focused use. The restroom enclosure will be screened, architecturally compatible, and fully integrated into the building's design. As a result, the Applicant is requesting the following variances:

- A variance from Section 7.2.4.5.b.2, Resiliency Code, to permit an outdoor wash counter and sink on the rooftop of the building 36 inches above the maximum permitted building height (the "**Outdoor Wash Counter Variance**"); and
- A variance from Section 7.2.4.5.b.2, Resiliency Code, to permit an enclosed restroom on the rooftop of the building 36 inches above the maximum permitted building height (the "**Rooftop Restroom Variance**") (collectively, the "**Height Variances**").

i. Hardship Criteria

Section 2.8.3.a of the Resiliency Code delineates the standards of review for a variance application. Specifically, a variance shall be approved upon demonstration of the following:

1. *Special conditions and circumstances exist which are peculiar to the land, structure, or building involved and which are not applicable to other lands, structures, or buildings in the same zoning district.*

Satisfied; The Lehrman Community Day School campus is a long-established educational use within a predominantly residential context, with limited available land area to accommodate educational facilities. The proposed rooftop improvements are uniquely tied to the physical layout of the existing campus, where maximizing usable outdoor learning space is critical. Unlike traditional campuses, Lehrman's

vertical construction limits the ability to distribute program elements horizontally. The campus's compact footprint necessitates vertical integration of certain facilities, including rooftop experiential learning areas that were explicitly encouraged in the Board Order to "activate the rooftop." As a result, the addition of the modest rooftop amenities requires a minimal height increase to functionally integrate into the existing building massing.

2. *The special conditions and circumstances do not result from the action of the applicant.*

Satisfied; The need for the rooftop improvements and the corresponding Height Variances arise from the unique physical and programmatic characteristics of the school's educational use, not from any self-created condition. The Project was designed and approved by the DRB in 2020, in full compliance with applicable height limitations. Only during construction coordination did it become evident that a small height exception was necessary to accommodate the rooftop wash counter, sink, and restroom, both of which are intended to meet basic health, safety, and hygiene standards for students. These refinements are a direct result of existing site conditions and educational programming needs.

3. *Granting the variance requested will not confer on the applicant any special privilege that is denied by these land development regulations to other lands, buildings, or structures in the same zoning district.*

Satisfied; Approval of the Height Variances would not confer any special privilege unavailable to others in the same zoning district. The Applicant merely seeks to provide basic, sanitary and functional amenities within a rooftop space already approved for use by students under the Board Order. The rooftop counter is completely screened by a 42-inch parapet wall, with the counter surface at 36 inches. As a result, the proposed counter is not visible from any public vantage point at street level. The counter is intentionally set back and separated from the parapet by a small gap, further ensuring invisibility from surrounding areas. The restroom will be located in an already approved vestibule and not visible from the street level. The minor height increase is functional and incidental to these improvements, not a request for additional intensity of use.

4. *Literal interpretation of the provisions of these land development regulations would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of these land development regulations and would work unnecessary and undue hardship on the applicant.*

Satisfied; Literal enforcement of the maximum height limitation would prevent the Applicant from completing the rooftop learning space as originally envisioned and encouraged under the Approved Plans. Denial of the Height Variances would effectively prohibit the inclusion of essential sanitary features necessary for safe student use of the rooftop. This would result in an unnecessary hardship by restricting the Applicant's ability to provide modern educational facilities comparable to other

schools and institutions that incorporate outdoor experiential learning areas. Because the DRB previously encouraged activation of the rooftop for student use, denying the limited Height Variances would contradict that intent and prevent the installation of essential hygiene and support features. Without the rooftop sink and counter, students who engage in gardening or science activities would have to descend to another floor to wash hands or tools, undermining safety and disrupting class supervision. The enclosed restroom, likewise, provides a supervised, sanitary facility immediately adjacent to the learning area, minimizing transitions through the building and maintaining student oversight.

5. *The variance granted is the minimum variance that will make possible the reasonable use of the land, building or structure.*

Satisfied; The Applicant is requesting the minimum relief necessary to construct the proposed rooftop improvements. The requested Height Variances are limited solely to the areas required to house the restroom enclosure and screen the outdoor wash counter. No additional usable space or program area is being created. The parapet height (42 inches) already exceeds the height of the counter (36 inches), ensuring that neither the sink nor counter is visible from any public right-of-way. The restroom will be enclosed by a prior approved vestibule. The minimal dimensional relief sought represents the least intrusive means to achieve functional requirements while maintaining the approved architectural character.

6. *The granting of the variance will be in harmony with the general intent and purpose of these land development regulations and that such variance will not be injurious to the area involved or otherwise detrimental to the public welfare.*

Satisfied; The Height Variances are consistent with the intent of the Resiliency Code to encourage high-quality, context-sensitive design that supports sustainable use of the building. The minor height increase will not adversely impact surrounding properties, as the rooftop elements are screened from view, and architecturally integrated with the approved structure. They will have no visual or acoustic impact on adjacent residential properties. The improvements enhance public welfare by promoting student safety, wellness, and experiential learning.

7. *The granting of this request is consistent with the comprehensive plan and does not reduce the levels of service as set forth in the plan.*

Satisfied; The Height Variances are consistent with the goals, objectives, and policies of the City of Miami Beach Comprehensive Plan, specifically Policy RSE 1.1.3, which states that the City shall support and engage with educational institutions to foster innovation and promote the City as a living laboratory. The proposed improvements do not increase density or intensity and will not reduce established levels of service. Instead, they represent a modest enhancement to an already-approved educational facility in full harmony with the Comprehensive Plan's intent.

ii. Practical Difficulties Criteria

Pursuant to Article I, Section 2 of Subpart B of the City Charter, a variance may be granted where practical difficulties or unnecessary hardships exist. The term “practical difficulties” refers to conditions of the land in question.³ Though no one factor is determinative as to whether a variance should be granted⁴, relevant factors to be considered in determining whether sufficient practical difficulties exist include: (1) how substantial the requested variance is; (2) whether the variance will result in a substantial change to the character of the neighborhood or create a substantial detriment to adjoining properties; (3) whether the [condition] can be cured by some method other than the granting of a variance; and (4) whether, in light of the manner in which the [condition] arose and considering all relevant factors, the interests of justice will be served by granting the variance.⁵

Here, the relevant factors are present to determine that a practical difficulty exists. First, the Height Variances are limited. The requested height deviation is only 36 inches above the maximum permitted height, solely for a screened, low-profile outdoor wash counter and a small, enclosed restroom placed within the footprint of an already approved vestibule. The parapet itself is already 42 inches in height. Thus, the counter sits below the parapet line and is wholly concealed from public view, and the restroom enclosure is similarly shielded within the existing massing of the prior approved vestibule. The Application is not seeking additional program area, additional floors, or intensified use. It is purely functional, ancillary, and proportionally minimal relative to the overall building scale.

Second, the added amenities will have no discernible visual or functional impact on the surrounding neighborhood. The proposed outdoor wash counter, sink, and restroom are not visible from the street level, and no changes are being made to the massing or silhouette of the building when viewed from public rights-of-way or adjacent residential properties. The improvements neither introduce noise nor intensify use. They support an already approved educational rooftop program that the DRB previously encouraged. Third, there is no feasible alternative that eliminates the need for minimal height relief while still achieving a safe, functional rooftop learning area. Without a rooftop counter, sink, and restroom, students must descend internally through stairwells to wash hands or tools, which is impractical, disrupts instruction, and raises supervision and safety concerns. Relocating these amenities off the rooftop would defeat the educational purpose of the green roof and undermine the DRB’s earlier direction to activate the rooftop for student use.

Last, granting the Height Variances serves the interests of justice and educational quality. The rooftop improvements enable modern, experiential learning without requiring disruptive student transitions. The amenities enhance student supervision, hygiene, and safety, which are core public welfare considerations. Denial of the Height Variances would prevent reasonable completion of the rooftop program that the DRB expressly supported, resulting in unnecessary hardship without any corresponding public benefit. In light of these circumstances, we respectfully

³ See State ex rel. Branum v. Bd. of Zoning Adjustment of City of Kansas City, Mo., 85 S.W.3d 35, 41 (Mo. Ct. App. 2002).

⁴ See Duncan v. Vill. of Middlefield, 491 N.E.2d 692, 695 (1986).

⁵ See again State ex rel. Branum.

request favorable consideration for the Height Variances to permit an outdoor wash counter and sink and restroom on the rooftop level.

IV. Sea Level Rise and Resiliency Review Waiver

Section 7.1.2.4.a of the Resiliency Code provides review criteria for compliance with the City's sea level rise and resiliency criteria.

- i. A recycling or salvage plan for partial or total demolition shall be provided.**

The Applicant will provide a recycling or salvage plan, as may be necessary.

- ii. *Windows that are proposed to be replaced shall be hurricane proof impact windows.***

All windows for the Project will be hurricane proof resistant.

- iii. *Where feasible and appropriate, passive cooling systems, such as operable windows, shall be provided.***

Passive cooling systems, such as operable windows, may be installed as appropriate.

- iv. *Resilient landscaping (salt tolerant, highly water-absorbent, native, or Florida-friendly plants) shall be provided, in accordance with Chapter 4 of the Resiliency Code.***

The Project will include resilient landscaping, in accordance with Chapter 4 of the Resiliency Code.

- v. *The project applicant shall consider the adopted sea level rise projections in the Southeast Florida Regional Climate Action Plan, as may be revised from time-to-time by the Southeast Florida Regional Climate Change Compact. The applicant shall also specifically study the land elevation of the subject property and the elevation of surrounding properties.***

Project will evaluate Southeast Florida Regional Climate Action Plan.

- vi. *The ground floor, driveways, and garage ramping for new construction shall be adaptable to the raising of public rights-of-way and adjacent land, and shall provide sufficient height and space to ensure that the entry ways and exits can be modified to accommodate a higher street height of up to three additional feet in height.***

The Project is designed to provide sufficient height and space adaptable to the raising of public rights-of-way.

- vii. *As applicable to all new construction, all critical mechanical and electrical systems shall be located above base flood elevation. All redevelopment projects shall, whenever***

practicable and economically reasonable, include the relocation of all critical mechanical and electrical systems to a location above base flood elevation.

The critical mechanical systems will be screened, concealing the equipment from view.

- viii. *Existing buildings shall, wherever reasonably feasible and economically appropriate, be elevated up to base flood elevation, plus City of Miami Beach Freeboard.*

The existing structures will remain as-is, with no plans to be demolished or altered.

- ix. *When habitable space is located below the base flood elevation plus City of Miami Beach Freeboard, wet or dry flood proofing systems will be provided in accordance with chapter 54 in General Ordinances.*

Habitable spaces located below BFE plus City of Miami Beach Freeboard will be wet or dry flood proofed in accordance with Chapter 54 in General Ordinances.

- x. *As applicable to all new construction, stormwater retention systems shall be provided.*

Applicant will work with staff on appropriate water retention systems as applicable and appropriate for the Project.

- xi. *Cool pavement materials or porous pavement materials shall be utilized.*

Cool pavement materials will be utilized wherever applicable.

- xii. *The design of each project shall minimize the potential for heat island effects on-site.*

One of the Project's essential design features is landscaping consisting of various vegetation. The vegetation and green areas serve as a natural cooling agent that will help reduce the urban heat island effect.

V. Project Cost Estimates

Based on current market evaluations, the Project's construction costs are estimated at approximately \$18,508,800.00. The estimated construction costs provided may be subject to change based on pending entitlement approvals, construction documents, proposals from contractors/subcontractors, etc.

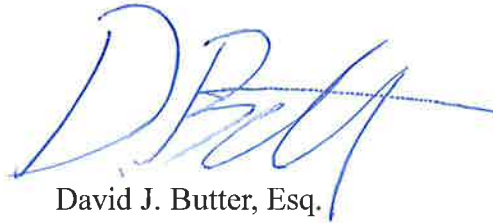
VI. Conclusion

The Applicant respectfully requests approval of the proposed modifications to the Board Order and Approved Plans to modify (i) the façade design along portions of the North and East elevations of the new educational building to address waterproofing and long-term durability concerns identified by the Applicant's engineering consultant, and (ii) approval of two (2) non-use

variances to allow the installation of an outdoor wash counter and an enclosed restroom on the rooftop level.

These limited rooftop improvements will support supervised, hands-on learning in the school's rooftop gardens, provide essential hygiene and safety amenities for students, and remain fully screened from public view by existing parapet walls. The requested modifications and Height Variances represent the minimum relief necessary to achieve a functional, resilient, and educationally enriching design consistent with the intent of the City's design review and resiliency goals. Accordingly, based on the foregoing, the Applicant respectfully requests the Design Review Board's favorable consideration and approval of this Application.

Sincerely,

A handwritten signature in blue ink, appearing to read "D. Butter", with a long horizontal flourish extending to the right.

David J. Butter, Esq.

for

Alfredo J. Gonzalez, Esq.

DESIGN REVIEW BOARD
City of Miami Beach, Florida

MEETING DATE: July 22, 2020

PROPERTY/FOLIO: 727 77th Street 02-3202-002-0640
741 77th Street 02-3202-002-0670
7701 Tatum Waterway Drive 02-3202-002-0620
7737 Tatum Waterway Drive 02-3202-002-0610
7720 Dickens Avenue 02-3202-007-2350
7710 Dickens Avenue 02-3202-007-2360

FILE NO: DRB20-0529

IN RE: An application has been filed requesting Design Review Approval for the construction of a new multistory addition to replace an existing one-story building and surface parking and other overall exterior site design modifications

LEGAL: See attached Exhibit 'A'

ORDER


The City of Miami Beach Design Review Board makes the following FINDINGS OF FACT, based upon the evidence, information, testimony and materials presented at the public hearing and which are part of the record for this matter:

I. Design Review

- A. The Board has jurisdiction pursuant to Section 118-252(a) of the Miami Beach Code. The property is not located within a designated local historic district and is not an individually designated historic site.
- B. Based on the plans and documents submitted with the application, testimony and information provided by the applicant, and the reasons set forth in the Planning Department Staff Report, the project as submitted is inconsistent with Design Review Criteria 9 and 19 in Section 118-251 of the Miami Beach Code.
- C. Based on the plans and documents submitted with the application, testimony and information provided by the applicant, and the reasons set forth in the Planning Department Staff Report, the project as submitted is inconsistent with Sea Level Rise Criteria 1, 8, 9, 10, 11 and 12 in Section 133-50(a) of the Miami Beach Code.
- D. The project would be consistent with the criteria and requirements of Section 118-251 and/ or Section 133-50(a) if the following conditions are met:
 1. Revised elevation, site plan, and floor plan drawings for the proposed addition at 727-747 77th Street, 7710-7720 Dickens Avenue and 7701-7707 Tatum Waterway Drive shall be submitted, at a minimum, such drawings shall incorporate the following:



- a. URBAN HEAT ISLAND ORDINANCE Sec. 142- 1132. g) Driveways. (4) Driveways and parking areas that are open to the sky within any required yard shall be composed of porous pavement or shall have a high albedo surface consisting of a durable material or sealant, as defined in section 114- 1 of this Code. (5) Driveways and parking areas composed of asphalt that does not have a high albedo surface, as defined in section 114- 1 of this Code, shall be prohibited.
- b. Proposed lightpoles shall be of a high quality design and higher quality lighting specification and shall be submitted, in a manner to be reviewed and approved by staff consistent with the Design Review Criteria and/or the directions from the Board.
- c. The proposed ramps and decks in the front yard facing Dickens Avenue shall comply with section 142-1132(o) *Projections*.
- d. The proposed porte-cochere at the end of the carpool lane shall comply with section 142-1132(n) *Porte-cochere*.
- e. The architect shall explore a green roof with gardens and landscaping atop of the new addition, in a manner to be reviewed and approved by staff consistent with the Design Review Criteria and/or the directions from the Board.
- f. The architect shall work with staff to further refine the exterior design elements of the existing school buildings' Dickens Avenue elevation to better assimilate to the design of the new addition, in a manner to be reviewed and approved by staff consistent with the Design Review Criteria and/or the directions from the Board.
- g. All exterior handrails and support posts shall incorporate a flat profile. The final design details, dimensions material and color of all exterior handrails shall be made part of the building permit plans and shall be subject to the review and approval of staff consistent with the Design Review Criteria and/or the directions from the Board.
- h. The coral stone wall on Dickens Avenue shall be buffered by landscaping in order to soften its appearance within the pedestrian realm, in a manner to be reviewed and approved by staff consistent with the Design Review Criteria and/or the directions from the Board.
- i. The final design details of the white metal fence along the perimeter of the site shall be submitted, in a manner to be reviewed and approved by staff consistent with the Design Review Criteria and/or the directions from the Board.
- j. The final color and design details of the screen and associated operable 'colored louvers' flanking the playground and covered walkway shall be



- submitted, in a manner to be reviewed and approved by staff consistent with the Design Review Criteria and/or the directions from the Board.
- k. The final design and details of the canopy covering the walkway and entrance to the building on 77th Street shall be submitted, in a manner to be reviewed and approved by staff consistent with the Design Review Criteria and/or the directions from the Board.
 - l. The final design and details of the porte-cochere shall be submitted, in a manner to be reviewed and approved by staff consistent with the Design Review Criteria and/or the directions from the Board.
 - m. The final design, color and details of the semi-pervious, pre-cast pavers shall be submitted, in a manner to be reviewed and approved by staff consistent with the Design Review Criteria and/or the directions from the Board.
 - n. The final design and details of the "sculptural, white pre-cast concrete panels" shall be submitted, in a manner to be reviewed and approved by staff consistent with the Design Review Criteria and/or the directions from the Board.
 - o. The final design and details of the concrete fins with 'sides colored' shall be submitted, in a manner to be reviewed and approved by staff consistent with the Design Review Criteria and/or the directions from the Board.
 - p. The final design and details of the concrete fins 'painted gray' shall be submitted, in a manner to be reviewed and approved by staff consistent with the Design Review Criteria and/or the directions from the Board.
 - q. The final design and details of the "coral stone wall" shall be submitted, in a manner to be reviewed and approved by staff consistent with the Design Review Criteria and/or the directions from the Board.
 - r. The final design and details of the "horizontal stucco bands" shall be submitted, in a manner to be reviewed and approved by staff consistent with the Design Review Criteria and/or the directions from the Board.
 - s. The final design and details of the "white metal" screening proposed on the rooftop shall be submitted, in a manner to be reviewed and approved by staff consistent with the Design Review Criteria and/or the directions from the Board.
 - t. The final design and details of all exterior material finishes shall be submitted, in a manner to be reviewed and approved by staff consistent with the Design Review Criteria and/or the directions from the Board.
 - u. A copy of all pages of the recorded Final Order shall be scanned into the plans submitted for building permit, and shall be located immediately after the front cover page of the permit plans.



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- v. Prior to the issuance of a Certificate of Occupancy, the project Architect shall verify, in writing, that the subject project has been constructed in accordance with the plans approved by the Planning Department for Building Permit.
2. A revised landscape plan, prepared by a Professional Landscape Architect, registered in the State of Florida, and corresponding plans shall be submitted to and approved by staff. The species, type, quantity, dimensions, spacing, location and overall height of all plant material shall be clearly delineated and subject to the review and approval of staff. At a minimum, such plans shall comply with Chapter 26-Landscape Requirements of the Miami Beach Code and shall incorporate the following:
- a. Prior to the issuance of a building permit, the applicant shall submit a tree protection plan for all trees to be retained on site. Such plan shall be subject to the review and approval of staff, and shall include, but not be limited to a sturdy tree protection fence installed at the dripline of the trees prior to any construction.
 - b. In order to identify, protect and preserve mature trees on site, which are suitable for retention and relocation, a Tree Report prepared by a Certified Tree Arborist shall be submitted for the mature trees on site.
 - c. Prior to any site demolition work, a tree protection fence following the City standard shall be installed for trees scheduled to remain subject to the review and approval of the City Urban Forester.
 - d. Any necessary root and tree branch pruning with a diameter at breast height (DBH) of 2" or greater shall be approved by the City Urban Forester prior to any tree work.
 - e. Any tree identified to be in good overall condition shall be retained, and protected in their current location if they are not in conflict with the proposed project, or they shall be relocated on site, if determined feasible, subject to the review and approval of staff. A tree care and watering plan also prepared by a Certified Arborist shall be submitted prior to the issuance of a Building Permit or Tree Removal/Relocation Permit. Subsequent to any approved relocation, a monthly report prepared by a Certified Arborist shall be provided to staff describing the overall tree performance and adjustments to the maintenance plan in order to ensure survivability, such report shall continue for a period of 18 months unless determined otherwise by staff.
 - f. Existing trees to be retained on site shall be protected from all types of construction disturbance. Root cutting, storage of soil or construction materials, movement of heavy vehicles, change in drainage patterns, and wash of concrete or other materials shall be prohibited.
 - g. The proposed and existing trees located within the swale shall be subject to the review and approval of Green Space and CIP.



- h. Street trees shall be required within the swale at the front of the property if not in conflict with existing utilities, in a manner to be reviewed and approved by the Public Works Department.
- i. Any proposed new street trees shall be of a planting species consistent or similar with existing street trees in the immediate area or consistent with any master street tree plan for the area, subject to the review and approval of the City Urban Forester.
- j. Any existing plant material within the public right-of-way may be required to be removed, as the discretion of the Public Works Department.
- k. A fully automatic irrigation system with 100% coverage and an automatic rain sensor in order to render the system inoperative in the event of rain. Right-of-way areas shall also be incorporated as part of the irrigation system.
- l. The utilization of root barriers and Silva Cells, as applicable, shall be clearly delineated on the revised landscape plan.
- m. The applicant shall verify, prior to the issuance of a Building Permit, the exact location of all backflow preventors and all other related devices and fixtures. The location of backflow preventors, Siamese pipes or other related devices and fixtures, if any, and how they are screened with landscape material from the right-of-way, shall be clearly indicated on the site and landscape plans, and shall be subject to the review and approval of staff.
- n. The applicant shall verify, prior to the issuance of a Building Permit, the exact location of all applicable FPL transformers or vault rooms. The location of any exterior transformers and how they are screened with landscape material from the right-of-way shall be clearly indicated on the site and landscape plans and shall be subject to the review and approval of staff.
- o. Prior to the issuance of a Certificate of Occupancy, the Landscape Architect or the project architect shall verify, in writing, that the project is consistent with the site and landscape plans approved by the Planning Department for Building Permit.

In accordance with Section 118-262, the applicant, or the city manager on behalf of the City Administration, or an affected person, Miami Design Preservation League or Dade Heritage Trust may seek review of any order of the Design Review Board by the City Commission, except that orders granting or denying a request for rehearing shall not be reviewed by the Commission.

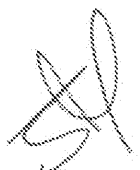
II. Variance(s)

- A. No variance(s) were filed as part of this application.

III. General Terms and Conditions applying to both 'I. Design Review Approval and 'II.

VariANCES' noted above.

- A. Where one or more parcels are unified for a single development, the property owner shall execute and record an unity of title or a covenant in lieu of unity of title, as may be applicable, in a form acceptable to the City Attorney.
- B. Upon the issuance of a final Certificate of Occupancy or Certificate of Completion, as applicable, the project approved herein shall be maintained in accordance with the plans approved by the board, and shall be subject to all conditions of approval herein, unless otherwise modified by the Board. Failure to maintain shall result in the issuance of a Code Compliance citation, and continued failure to comply may result in revocation of the Certificate of Occupancy, Completion and Business Tax Receipt.
- C. All construction materials, including dumpsters and portable toilets, shall be located behind the construction fence and not visible from the right-of-way. All construction vehicles shall either park on the private property or at alternate overflow parking sites with a shuttle service to and from the property. The applicant shall ensure that the contractor(s) observe good construction practices and prevent construction materials and debris from impacting the right-of-way.
- D. If applicable, a Construction Parking and Traffic Management Plan (CPTMP) shall be approved by the Parking Director pursuant to Chapter 106, Article II, Division 3 of the City Code, prior to the issuance of a Building Permit.
- E. A recycling/salvage plan shall be provided as part of the submittal for a demolition/building permit, in a manner to be reviewed and approved by staff.
- F. All applicable FPL transformers or vault rooms and backflow prevention devices shall be located within the building envelope with the exception of the valve (PIV) which may be visible and accessible from the street.
- G. A copy of all pages of the recorded Final Order shall be scanned into the plans submitted for building permit, and shall be located immediately after the front cover page of the permit plans.
- H. The Final Order shall be recorded in the Public Records of Miami-Dade County, prior to the issuance of a Building Permit.
- I. Satisfaction of all conditions is required for the Planning Department to give its approval on a Certificate of Occupancy; a Temporary Certificate of Occupancy or Partial Certificate of Occupancy may also be conditionally granted Planning Departmental approval.
- J. The Final Order is not severable, and if any provision or condition hereof is held void or unconstitutional in a final decision by a court of competent jurisdiction, the order shall be returned to the Board for reconsideration as to whether the order meets the criteria for approval absent the stricken provision or condition, and/or it is appropriate to modify the remaining conditions or impose new conditions.



- K. The conditions of approval herein are binding on the applicant, the property's owners, operators, and all successors in interest and assigns.
- L. Nothing in this order authorizes a violation of the City Code or other applicable law, nor allows a relaxation of any requirement or standard set forth in the City Code.

IT IS HEREBY ORDERED, based upon the foregoing findings of fact, the evidence, information testimony and materials presented at the public hearing, which are part of the record for this matter, and the staff report and analysis, which are adopted herein, including the staff recommendations, which were amended and adopted by the Board, that the **application** is GRANTED for the above-referenced project subject to those certain conditions specified in Paragraph I, II, III of the Finding of Fact, to which the applicant has agreed.

PROVIDED, the applicant shall build substantially in accordance with the plans, entitled "Lehrman Community Day School", as prepared by **NC-office architecture / urbanism** dated, signed, and sealed May 11, 2020, and as approved by the Design Review Board, as determined by staff.

When requesting a building permit, the plans submitted to the Building Department for permit shall be consistent with the plans approved by the Board, modified in accordance with the conditions of approval that must be satisfied prior to permit issuance, as set forth in this Order, have been met.

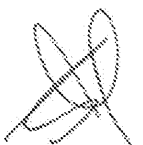
The issuance of the approval does not relieve the applicant from obtaining all other required Municipal, County and/or State reviews and permits, including final zoning approval. If adequate handicapped access is not provided on the Board approved plans, this approval does not mean that such handicapped access is not required. When requesting Building permit, the plans submitted to the Building Department for permit shall be consistent with the plans approved by the Board, modified in accordance with the conditions set forth in this Order.

If the Full Building Permit for the project is not issued within eighteen (18) months of the meeting date at which the original approval was granted, the application will expire and become null and void, unless the applicant makes an application to the Board for an extension of time, in accordance with the requirements and procedures of Chapter 118 of the City Code, the granting of any such extension of time shall be at the discretion of the Board. If the Full Building Permit for the project shall expire for any reason (including but not limited to construction not commencing and continuing, with required inspections, in accordance with the applicable Building Code), the application will expire and become null and void.

In accordance with Chapter 118 of the City Code, the violation of any conditions and safeguards that are a part of this Order shall be deemed a violation of the land development regulations of the City Code. Failure to comply with this Order shall subject the application to Chapter 118 of the City Code, for revocation or modification of the application.

Dated this 08 day of August, 2020.

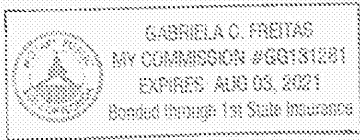
DESIGN REVIEW BOARD
THE CITY OF MIAMI BEACH, FLORIDA



BY: *James G. Murphy*
JAMES G. MURPHY
CHIEF OF URBAN DESIGN
FOR THE CHAIR

STATE OF FLORIDA)
)SS
COUNTY OF MIAMI-DADE)

The foregoing instrument was acknowledged before me this 8th day of August 2020 by James G. Murphy, Chief of Urban Design, Planning Department, City of Miami Beach, Florida, a Florida Municipal Corporation, on behalf of the Corporation. He is personally known to me.



Gabriela C. Freitas
NOTARY PUBLIC
Miami-Dade County, Florida
My commission expires: Aug. 3, 2021

Approved As To Form: _____
City Attorney's Office: *[Signature]* (8/7/2020 | 6:16 PM EDT
808CB98CCAB8460
Filed with the Clerk of the Design Review Board on *Jesus G. G. [Signature]* (9/3/20)

[Handwritten mark]

EXHIBIT 'A'

LEGAL DESCRIPTION:

SUBJECT: 727 Lehrman Drive (77 Street), Miami Beach, FL 33141

FOLIO NUMBER: 02-3202-002-0640

LEGAL DESCRIPTION: 2 53 42 TATUM WATERWAY SUB PB 46-2 LOTS 10-11 & 12 BLK 6
& LOT 6 LESS E2.5FT BLK 28 OF ALTOS DEL MAR NO 3 PB 8-41

SUBJECT: 741 Lehrman Drive (77 Street), Miami Beach, FL 33141

FOLIO NUMBER: 02-3202-002-0670

LEGAL DESCRIPTION: TATUM WATERWAY SUB PB 46-2 LOT 13 BLK 6

SUBJECT: 7701 Tatum Waterway Drive, Miami Beach, FL 33141

FOLIO NUMBER: 02-3202-002-0620

LEGAL DESCRIPTION: TATUM WATERWAY SUB PB 46-2 LOT 8 BLK 6

SUBJECT: 7737 Tatum Waterway Drive, Miami Beach, FL 33141

FOLIO NUMBER: 02-3202-002-0610

LEGAL DESCRIPTION: TATUM WATERWAY SUB PB 46-2 LOT 7 BLK 6

SUBJECT: 7710 Dickens Avenue, Miami Beach, FL 33141

FOLIO NUMBER: 02-3202-007-2360

LEGAL DESCRIPTION: ALTOS DEL MAR NO 3 PB 8-41 LOT 5 LESS E2.5FT BLK 28

SUBJECT: 7720 Dickens Avenue, Miami Beach, FL 33141

FOLIO NUMBER: 02-3202-007-2350

LEGAL DESCRIPTION: 2 53 42 ALTOS DEL MAR NO 3 PB 8-41 LOT 4 LESS E2.5FT BLK 28

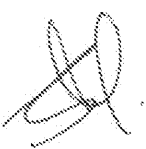


EXHIBIT B



November 19, 2025

c/o Erick Medina
Development Manager
Fortis Design + Build
2601 NE 2nd Avenue
Miami, Florida 33137
Telephone: 954 297 3803
Email: pierina@fortisdesign.build

Subject: REVIEW OF NORTH FAÇADE SCORELINES
Lehrman Community Day School
7710 Dickens Avenue
Miami Beach, Florida 33141
Telephone: 305 866 271

At the request of Fortis Design + Build, SOCOTEC Consulting, Inc. (SOCOTEC) has reviewed the revised design for the north façade, which proposes a reduction in the number of decorative scorelines within the exterior stucco system. Based on our professional experience in building envelope performance and waterproofing, we offer the following opinion.

Reducing and simplifying the decorative scoreline layout is expected to enhance the long-term performance and durability of the façade. Each scoreline introduces discontinuity in the stucco surface, which may increase the potential for cracking, stress concentrations, and water intrusion over time. By minimizing these discontinuities and promoting a more continuous exterior finish, the revised design reduces potential vulnerabilities and strengthens the overall resilience.

In our professional opinion, the proposed reduction of the unnecessary scorelines will better support the long-term waterproofing integrity of the building envelope and help mitigate future maintenance concerns.

Please do not hesitate to contact us should you need additional information or wish to discuss this assessment further.

Socotec Consulting, Inc.

