

MIAMI BEACH

PLANNING DEPARTMENT

Staff Report & Recommendation

Design Review Board

TO: DRB Chairperson and Members

DATE: March 12, 2026

FROM: Thomas R. Mooney, AICP
Planning Director



SUBJECT: DRB25-1148 a.k.a. DRB20-0529

727-741 77 ST, 7701-7737 Tatum Waterway Drive, and 7710-7720 Dickens Avenue

An application has been filed requesting modifications to a previously approved 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. Specifically, the applicant is requesting modifications of materials for exterior walls and variances of the height regulation exceptions to provide an outdoor wash counter and sink, and a single enclosed restroom at the roof level.

RECOMMENDATION:

Approval with conditions.

HISTORY

On July 29, 2020, the City Commission approved the North Beach Private and Public Schools District Overlay, which modified development regulations for schools within the North Beach National Register Conservation District Overlay. The modified regulations pertain to building height, setbacks, lot width and minimum lot aggregation.

On July 7, 2020, the Design Review Board (DRB) reviewed and approved the construction of a new multistory addition to replace an existing one-story building and surface parking and other overall exterior site design modifications (File No. DRB20-0529).

The subject application was placed on the February 12, 2026, DRB meeting; this meeting was cancelled and the item was moved to the March 12, 2026 DRB meeting.

LEGAL DESCRIPTION:

See Exhibit 'A'

SITE DATA:

Zoning: RM-1
Future Land Use: RM-1
Lot Size: 64,006 (1.47 Acres)
Existing FAR: 38,344 SF / 0.60
Proposed FAR: 67,064 SF / 1.04
Permitted FAR: 89,692 SF / 1.4

*As represented by the applicant

Base Flood Elevation (BFE): +8' NGVD
Difference: 4.5' - 4.2' NGVD

Existing Building Finished Floor Elevation:
+6.21' NGVD

Proposed Finished Floor Elevation: 9'
NGVD

Student Occupancy: 548

Grade: +3.5' – +3.8' NGVD

SURROUNDING PROPERTIES:

East: 2-story 1950 multi-family residential
North: 2-story 1940's and 1950's multi-family residential buildings
South: Biscayne Elementary School / 1-story 1952 multi-family residential
West: 2-story 1947 multi-family residential

THE PROJECT:

The applicant has submitted plans entitled "Lehrman Community Day School", as prepared by **Corwil Architects**, signed, sealed and dated 10-17-2025.

The applicant is requesting the review and approval of modifications to a previously approved application (DRB20-0529). Specifically, the applicant is proposing modifications to exterior surface finishes on the north façade and a portion of the east façade. Additionally, the applicant is requesting variances from the allowable height exceptions to provide an outdoor wash counter and sink, as well as a single enclosed restroom at the roof level.

The applicant is requesting the following variance(s):

1. **(Outdoor Wash Counter Variance)** A variance from **Sec. 7.2.4.5.b.2.** to exceed the maximum permitted building height by 36" to allow for construction of an outdoor wash counter and sink on the rooftop.
2. **(Bathroom Variance)** A variance from **Sec. 7.2.4.5.b.2.** to exceed the maximum permitted building height by 36" to build an enclosed restroom on the rooftop.

PRACTICAL DIFFICULTY AND HARDSHIP CRITERIA

The applicant has submitted plans and documents with the application that partially satisfy Article 1, Section 2 of the Related Special Acts, allowing the granting of a variance if the Board finds that practical difficulties exist with respect to implementing the proposed project at the subject property.

Additionally, staff has concluded that the plans and documents submitted with the application comply with the following hardship criteria, as they relate to the requirements of Section 2.8.3 of the Land Development Regulations:

- That 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;
- That the special conditions and circumstances do not result from the action of the applicant;
- That granting the variance requested will not confer on the applicant any special privilege that is denied by this Ordinance to other lands, buildings, or structures in the same zoning district;
- That literal interpretation of the provisions of this Ordinance would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district under the

terms of this Ordinance and would work unnecessary and undue hardship on the applicant;

COMPLIANCE WITH ZONING CODE:

A preliminary review of the project indicates that the application, as proposed, appears to be consistent with the applicable requirements of the City Code with the exception of the variance(s) requested.

The above noted comments shall not be considered final zoning review or approval. These and all zoning matters shall require final review and verification by the Zoning Administrator prior to the issuance of a Building Permit.

COMPLIANCE WITH DESIGN REVIEW CRITERIA, SECTION 2.5.3.1:

Design review encompasses the examination of architectural drawings for consistency with the criteria stated below, with regard to the aesthetics, appearance, safety, and function of any new or existing structure and physical attributes of the project in relation to the site, adjacent structures and surrounding community. The design review board and the planning department shall review plans based upon the below stated criteria, criteria listed in neighborhood plans, if applicable, and applicable design guidelines. Recommendations of the planning department may include, but not be limited to, comments from the building department and the public works department.

- a. The existing and proposed conditions of the lot, including but not necessarily limited to topography, vegetation, trees, drainage, and waterways.
Satisfied.
- b. The location of all existing and proposed buildings, drives, parking spaces, walkways, means of ingress and egress, drainage facilities, utility services, landscaping structures, signs, and lighting and screening devices.
Not Applicable
- c. The dimensions of all buildings, structures, setbacks, parking spaces, floor area ratio, height, lot coverage and any other information that may be reasonably necessary to determine compliance with the requirements of the underlying zoning district, and any applicable overlays, for a particular application or project.
Satisfied; however, the applicant is requesting variances to allow rooftop elements to exceed the maximum allowable height.
- d. The color, design, selection of landscape materials and architectural elements of exterior building surfaces and primary public interior areas for developments requiring a building permit in areas of the city identified in section 2.5.3.2.
Satisfied. The applicant is proposing material modifications.
- e. The proposed site plan, and the location, appearance and design of new and existing buildings and structures are in conformity with the standards of this article and other applicable ordinances, architectural and design guidelines as adopted and amended periodically by the design review board and historic preservation board and all pertinent master plans.
Satisfied.

- f. The proposed structure, or additions or modifications to an existing structure, indicates a sensitivity to and is compatible with the environment and adjacent structures, and enhances the appearance of the surrounding properties.
Satisfied; however, the applicant is requesting variances to allow rooftop elements to exceed the maximum allowable height.
- g. The design and layout of the proposed site plan, as well as all new and existing buildings shall be reviewed so as to provide an efficient arrangement of land uses. Particular attention shall be given to safety, crime prevention and fire protection, relationship to the surrounding neighborhood, impact on contiguous and adjacent buildings and lands, pedestrian sight lines and view corridors.
Satisfied; however, the applicant is requesting variances to allow rooftop elements to exceed the maximum allowable height.
- h. Pedestrian and vehicular traffic movement within and adjacent to the site shall be reviewed to ensure that clearly defined, segregated pedestrian access to the site and all buildings is provided for and that all parking spaces are usable and are safety and conveniently arranged; pedestrian furniture and bike racks shall be considered. Access to the site from adjacent roads shall be designed so as to interfere as little as possible with traffic flow on these roads and to permit vehicles a rapid and safe ingress and egress to the site.
Not Applicable.
- i. Lighting shall be reviewed to ensure safe movement of persons and vehicles and reflection on public property for security purposes and to minimize glare and reflection on adjacent properties. Lighting shall be reviewed to assure that it enhances the appearance of structures at night.
Not Applicable.
- j. Landscape and paving materials shall be reviewed to ensure an adequate relationship with and enhancement of the overall site plan design.
Not Applicable.
- k. Buffering materials shall be reviewed to ensure that headlights of vehicles, noise, and light from structures are adequately shielded from public view, adjacent properties and pedestrian areas.
Not Applicable.
- l. The proposed structure has an orientation and massing which is sensitive to and compatible with the building site and surrounding area and which creates or maintains important view corridor(s).
Satisfied; however, the applicant is requesting variances to allow rooftop elements to exceed the maximum allowable height.
- m. The building has, where feasible, space in that part of the ground floor fronting a street or streets which is to be occupied for residential or commercial uses; likewise, the upper floors of the pedestal portion of the proposed building fronting a street, or streets shall have residential or commercial spaces, shall have the appearance of being a residential or commercial space or shall have an architectural treatment which shall buffer the

- appearance of the parking structure from the surrounding area and is integrated with the overall appearance of the project.
Not Applicable.
- n. The building shall have an appropriate and fully integrated rooftop architectural treatment which substantially screens all mechanical equipment, stairs and elevator towers.
Not Applicable.
- o. An addition on a building site shall be designed, sited and massed in a manner which is sensitive to and compatible with the existing improvement(s).
Not Applicable.
- p. All portions of a project fronting a street or sidewalk shall incorporate an architecturally appropriate amount of transparency at the first level in order to achieve pedestrian compatibility and adequate visual interest.
Not Applicable.
- q. The location, design, screening and buffering of all required service bays, delivery bays, trash and refuse receptacles, as well as trash rooms shall be arranged so as to have a minimal impact on adjacent properties.
Not Applicable.
- r. In addition to the foregoing criteria, subsection 118-104-6(t) of the General Ordinances shall apply to the design review board's review of any proposal to place, construct, modify or maintain a wireless communications facility or other over the air radio transmission or radio reception facility in the public rights- of-way.
Not Applicable.
- s. The structure and site comply with the sea level rise and resiliency review criteria in chapter 7, article I, as applicable.
Not Satisfied; see below.

COMPLIANCE WITH SEA LEVEL RISE AND RESILIENCY REVIEW CRITERIA

Section 7.1.2.4(a)(i) of the Land Development Regulations establishes review criteria for sea level rise and resiliency that must be considered as part of the review process for board orders.

The following is an analysis of the request based upon these criteria:

1. A recycling or salvage plan for partial or total demolition shall be provided.
Not Applicable
2. Windows that are proposed to be replaced shall be hurricane proof impact windows.
Not Applicable
3. Where feasible and appropriate, passive cooling systems, such as operable windows, shall be provided.
Not Applicable

4. Resilient landscaping (salt tolerant, highly water-absorbent, native or Florida friendly plants) shall be provided, in accordance with Chapter 4 of the Land Development Regulations.
Not Applicable
5. 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.
Not Applicable
6. The ground floor, driveways, and garage ramping for new construction shall be adaptable to the raising of public rights-of-ways 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 (3) additional feet in height.
Not Applicable
7. In all new projects, all critical mechanical and electrical systems shall be located above base flood elevation. Due to flooding concerns, all redevelopment projects shall, whenever practicable, and economically reasonable, move all critical mechanical and electrical systems to a location above base flood elevation.
Not Applicable
8. Existing buildings shall be, where reasonably feasible and economically appropriate, elevated up to base flood elevation, plus City of Miami Beach Freeboard.
Not Applicable
9. 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 of 54 of the City Code.
Not Applicable
10. In all new projects, water retention systems shall be provided.
Not Applicable
11. Cool pavement materials or porous pavement materials shall be utilized.
Not Applicable
12. The project design shall minimize the potential for a project causing a heat island effect on site.
Not Applicable

ANALYSIS:
DESIGN REVIEW

Located in the North Beach National Register Conservation District, the subject site is an amalgamation of parcels along the southern end of a block, fronting the entirety of 77th Street and wrapping north to Dickens Avenue and Tatum Waterway Drive. The approved addition, which is under construction, consists of a new five-story structure designed in a neo brutalist

style facing Dickens Avenue, including exterior modifications to the existing building at the carpool lane /drop-off area facing 77th Street. The applicant is returning to the Board to request modifications to exterior surface materials. Specifically, the applicant is requesting to revise the material finishes on a portion of the east elevation and on the north elevation. Due to maintenance and water penetration issues, the applicant has sought alternatives to the approved exterior finishes.

On the east façade (Dickens Avenue elevation), the applicant has revised the design of the horizontal stucco banding to have greater spacing between rows, minimizing potential water infiltration. On the north elevation, the applicant is proposing widely separated, gridded stucco joints coupled with a tri-color gray paint scheme. The applicant presents two potential color patterns of which staff recommends “Option 1”. Furthermore, staff recommends that the color palette be composed of light gray tones so as not to deflect attention from the main, east façade.

Overall, staff is supportive of the proposed material changes with the noted recommendations.

VARIANCE REVIEW

The applicant is requesting the following variances:

1. **(Outdoor Wash Counter Variance)** A variance from **Sec. 7.2.4.5.b.2.** to exceed the maximum permitted building height by 36” to allow for construction of an outdoor wash counter and sink on the rooftop.
2. **(Bathroom Variance)** A variance from **Sec. 7.2.4.5.b.2.** to exceed the maximum permitted building height by 36” to build an enclosed restroom on the rooftop.
 - Both variances requested from **Sec. 7.2.4.5.b.2.:**
2. *The height requirements for RM-1 properties within the North Beach Private and Public School Overlay District are as follows:*
 - A. *The maximum building height for new construction shall be 32 feet for the first 10 feet of building depth as measured from the minimum required front setback, and a maximum of 60 feet for the remainder of the building depth when the building includes a gymnasium; otherwise. The maximum building height shall be 45 feet.*

On July 7, 2020, the DRB approved the condition below as part of the original development approval:

- 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.

In the 2020 approval, the DRB requested that the applicant explore activating the rooftop with gardens and landscaping. The applicant is complying with DRB’s request by creating gardens and green spaces that allow for additional learning opportunities for students. The gardens will

be located in raised planters that are consistent with the allowable height exceptions, and the planters will be surrounded by terraces where students can gather. The applicant is seeking the subject variances to facilitate the design of the garden area as proposed.

(Washroom Variance): To support a safe and sanitary environment for students working in the rooftop gardens, the school must provide a wash counter with sinks for handwashing after completing their tasks. The applicant proposes locating the counters adjacent to the eastern stairwell, where they will be fully screened by the approved parapet and not visible from the building's exterior. Because wash counters and sinks are not an allowable rooftop height exception, a variance is being sought to place these elements on the roof. The requested variance will not create any adverse impacts on neighboring properties, and the need to install wash stations as part of the rooftop activation constitutes a practical difficulty and hardship. For these reasons, staff is supportive of the variance request.

(Bathroom Variance): To ensure a safe and functional rooftop environment for students, the school must provide access to a restroom. The applicant proposes locating the restroom within an existing unused space that is part of the stair and elevator vestibule. Because bathrooms are only exempt from height limits when required by the Florida Building Code—and such requirements typically apply only to rooftop areas containing pools or similar water features—the bathroom is not an allowable height exception.

As the proposed rooftop activation creates a practical difficulty and hardship, to accommodate the restroom within the existing vestibule, the applicant is requesting a 36-inch height variance to allow for the fixtures. The restroom enclosure will not alter the building's exterior appearance and will not create adverse impacts on neighboring properties. Given the operational need created by the roof-top activation and the minimal nature of the request, staff is not opposed to granting the variance.

RECOMMENDATION:

In view of the foregoing analysis, staff recommends the application be **approved**, subject to the conditions enumerated in the attached Draft Order, which address the inconsistencies with the aforementioned Design Review, Sea Level Rise criteria, as applicable.

Exhibit 'A'

LAND DESCRIPTION:

LOTS 7, 8, 10, 11, 12 AND 13, BLOCK 6, "TATUM WATERWAY SUBDIVISION", ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 46, PAGE 2, OF THE PUBLIC RECORDS OF MIAMI/DADE COUNTY, FLORIDA;

TOGETHER WITH:

LOTS 5 AND 6, BLOCK 28, LESS THE EAST 2.5 FEET THEREOF, "ALTOS DEL MAR NO. 3", "TATUM WATERWAY SUBDIVISION", ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 8, PAGE 41, OF THE PUBLIC RECORDS OF MIAMI/DADE COUNTY, FLORIDA;

TOGETHER WITH:

LOTS 4, BLOCK 28, LESS THE EAST 2.5 FEET THEREOF, "ALTOS DEL MAR NO. 3", "TATUM WATERWAY SUBDIVISION", ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 8, PAGE 41, OF THE PUBLIC RECORDS OF MIAMI/DADE COUNTY, FLORIDA.

DESIGN REVIEW BOARD
City of Miami Beach, Florida

MEETING DATE: March 12, 2026

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

FILE NO: DRB25-1148 a.k.a. DRB20-0529

IN RE: An application has been filed requesting modifications to a previously approved 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. Specifically, the applicant is requesting modifications of materials for exterior walls and variances of the height regulation exceptions to provide an outdoor wash counter and sink, and a single enclosed restroom at the roof level.

LEGAL: See Exhibit 'A'

APPLICANT: Lehrman Community Day School

S U P P L E M E N T A L O R D E R

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 2.1.3.1 of the Land Development Regulations. 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 consistent with Design Review Criteria in Section 2.5.3.1 of the Land Development Regulations.
- 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 consistent with Sea Level Rise Criteria in Section 7.1.2.4(a)(i) of the Land Development Regulations.

- D. The project would be consistent with the criteria and requirements 2.5.3.1 and/ or Section 7.1.2.4(a)(i) if the following conditions are met:
1. The property shall comply with all of the conditions of the previous approvals enumerated in the Final Order for DRB20-0529, dated July 7, 2020, for the proposed development, except where inconsistent with this Order.
 2. 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 shall be submitted, at a minimum, such drawings shall incorporate the following:
 - a. The modified design of the “horizontal stucco bands” material located on the east elevation shall be approved as proposed.
 - b. The modified material cladding on the north elevation of “stucco with control joints” in gridded pattern shall be approved as proposed.
 - c. The “tri-colored” paint scheme for the north elevation shall be in a varied pattern, “Option 1” as presented on sheet A3.6, 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.
 - d. The final colors of “tri-colored” paint scheme shall consist of light tones of gray, 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.
 - e. The final design details of the exterior materials and 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.
 - f. 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.

In accordance with section 2.2.4.8 of the Land Development Regulations, the applicant, the City Manager, Miami Design Preservation League, Dade Heritage Trust, or an affected person may appeal a decision of the design review board for design review approval only to the city commission, except that orders granting or denying a request for rehearing shall not be reviewed by the commission.

II. Variance(s)

- A. The applicant filed an application with the Planning Department for the following variance(s), which were either approved by the Board or Denied:
1. **(Outdoor Wash Counter Variance)** A variance from **Sec. 7.2.4.5.b.2.** to exceed the maximum permitted building height by 36” to allow for construction of an outdoor wash counter and sink on the rooftop.

2. **(Outdoor Wash Counter Variance)** A variance from **Sec. 7.2.4.5.b.2.** to exceed the maximum permitted building height by 36” to allow for construction of an outdoor wash counter and sink on the rooftop.
- B. The applicant has submitted plans and documents with the application that satisfy Article 1, Section 2 of the Related Special Acts, as noted above allowing the granting of a variance if the Board finds that practical difficulties exist with respect to implementing the proposed project at the subject property.

Additionally, the Board has concluded that the plans and documents submitted with the application comply with the following hardship criteria, as they relate to the requirements of Section 2.8.3 of the Land Development Regulations:

- i. 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;
 - ii. The special conditions and circumstances do not result from the action of the applicant;
 - iii. 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;
 - iv. 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;
 - v. The variance granted is the minimum variance that will make possible the reasonable use of the land, building or structure;
 - vi. 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;
 - vii. 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; and
 - viii. The granting of the variance will result in a structure and site that complies with the sea level rise and resiliency review criteria in chapter 7, article I, as applicable.
- C. The Board hereby **Approves the variance request**, and imposes the following condition based on its authority in Section 2.8.4 of the Land Development Regulations:
1. Substantial modifications to the plans submitted and approved as part of the application, as determined by the Planning Director or designee, may require the applicant to return to the Board for approval of the modified plans, even if the modifications do not affect variances approved by the Board.

The decision of the Board regarding variances shall be final and there shall be no further

review thereof except by resort to a court of competent jurisdiction by petition for writ of certiorari.

III. General Terms and Conditions applying to both 'I. *Design Review Approval* and 'II. *VariANCES*' noted above.

- A. Site plan approval is contingent upon meeting Public School Concurrency requirements. Applicant shall obtain a valid School Concurrency Determination Certificate (Certificate) issued by the Miami-Dade County Public Schools. The Certificate shall state the number of seats reserved at each school level. In the event sufficient seats are not available, a proportionate share mitigation plan shall be incorporated into a tri-party development agreement and duly executed prior to the issuance of a Building Permit
- B. All new construction over 7,000 square feet shall be required to be, at a minimum, certified as LEED Gold by USGBC. In lieu of achieving LEED Gold certification, properties can elect to pay a sustainability fee, pursuant Section 7.1.3.2 of the Land Development Regulations. This fee is set as a percentage of the cost of construction.
- C. 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.
- D. During construction work, the applicant shall maintain gravel at the front of the construction site within the first 15'-0" of the required front yard and including the swale (subject to the review and approval of Public Works), to mitigate disturbance of soil and mud by related personal vehicles exiting and entering the site. All construction materials, including dumpsters and portable toilets, shall be located behind the construction fence and not visible from the right-of-way.
- E. During the course of construction, all vehicles, including, but not limited to all personal vehicles, shall park within the confines of the private property, the swale directly abutting the construction site, or at alternate overflow parking sites that are not on-street metered spaces and not zoned RS. Additionally, parking of any vehicles shall be prohibited in the travel lanes of all streets.
- F. The building and parking departments shall approve a construction parking plan prior to the issuance of any building permit, including applicable demolition permits for the project.
- G. The applicant shall ensure that the contractor(s) observe good construction practices and prevent construction materials and debris from impacting the right-of-way.
- H. The contractor(s) shall ensure that the street and the swale directly abutting the construction site remains free of debris and refuse at all times; at a minimum, the contractor(s) shall inspect and clear the street and swale areas before leaving at the end of each day.

- I. This order shall be enforced by the Building, Planning, Parking and Code Compliance Departments.
- J. 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.
- K. 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.
- L. The Final Order shall be recorded in the Public Records of Miami-Dade County, prior to the issuance of a Building Permit.
- M. 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.
- N. 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.
- O. The conditions of approval herein are binding on the applicant, the property's owners, operators, and all successors in interest and assigns.
- P. 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 revised plans, entitled "Lehrman Community Day School", as prepared by **Corwil Architects**, signed, sealed and dated 10-17-2025, 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 Section 2.2.4.6 of the Land Development Regulations; 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 2 of the Land Development Regulations, 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 2 of the Land Development Regulations, for revocation or modification of the application.

Dated _____.

DESIGN REVIEW BOARD
THE CITY OF MIAMI BEACH, FLORIDA

BY: _____
Rogelio A. Madan, AICP
Development & Resiliency Officer
For the Chair

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

The foregoing instrument was acknowledged before me this _____ day of _____ 20__ by Rogelio A. Madan, AICP, Development & Resiliency Officer of the City of Miami Beach, Florida, a Florida Municipal Corporation, on behalf of the Corporation. He is personally known to me.

Notary:
Print Name
Notary Public, State of Florida

{NOTARIAL SEAL}

My Commission Expires:
Commission Number:

Approved As To Form:
City Attorney's Office: _____ ()

Filed with the Clerk of the
Design Review Board on _____ ()

Exhibit 'A'

LAND DESCRIPTION:

LOTS 7, 8, 10, 11, 12 AND 13, BLOCK 6, "TATUM WATERWAY SUBDIVISION", ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 46, PAGE 2, OF THE PUBLIC RECORDS OF MIAMI/DADE COUNTY, FLORIDA;

TOGETHER WITH:

LOTS 5 AND 6, BLOCK 28, LESS THE EAST 2.5 FEET THEREOF, "ALTOS DEL MAR NO. 3", "TATUM WATERWAY SUBDIVISION", ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 8, PAGE 41, OF THE PUBLIC RECORDS OF MIAMI/DADE COUNTY, FLORIDA;

TOGETHER WITH:

LOTS 4, BLOCK 28, LESS THE EAST 2.5 FEET THEREOF, "ALTOS DEL MAR NO. 3", "TATUM WATERWAY SUBDIVISION", ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 8, PAGE 41, OF THE PUBLIC RECORDS OF MIAMI/DADE COUNTY, FLORIDA.