

MIAMI BEACH

PLANNING DEPARTMENT

City of Miami Beach, 1700 Convention Center Drive, Miami Beach, Florida 33139

File No:	_____
Date:	_____
MCR No:	_____
Amount:	_____
Zoning Classification	_____
(For Staff Use Only)	

STANDARD APPLICATION FORM DEVELOPMENT REVIEW BOARD HEARING

1. The below listed applicant wishes to appear before the following City Development Review Board for a scheduled public hearing: NOTE: This application form must be completed separately for each applicable Board hearing a matter.

- | | |
|-------------------------------------------------------|------------------------------------------------------|
| <input type="checkbox"/> BOARD OF ADJUSTMENT | <input type="checkbox"/> HISTORIC PRESERVATION BOARD |
| <input type="checkbox"/> DESIGN REVIEW BOARD | <input checked="" type="checkbox"/> PLANNING BOARD |
| <input type="checkbox"/> FLOOD PLAIN MANAGEMENT BOARD | |

NOTE: Applications to the Board of Adjustment will not be heard until such time as the Design Review Board, Historic Preservation Board and/or the Planning Board have rendered decisions on the subject project.

2. THIS REQUEST IS FOR:

- a. A VARIANCE TO A PROVISION(S) OF THE LAND DEVELOPMENT REGULATIONS (ZONING) OF THE CODE
- b. AN APPEAL FROM AN ADMINISTRATIVE DECISION
- c. DESIGN REVIEW APPROVAL
- d. A CERTIFICATE OF APPROPRIATENESS FOR DESIGN
- e. A CERTIFICATE OF APPROPRIATENESS TO DEMOLISH A STRUCTURE
- f. A CONDITIONAL USE PERMIT
- g. A LOT SPLIT APPROVAL
- h. AN HISTORIC DISTRICT/SITE DESIGNATION
- i. AN AMENDMENT TO THE LAND DEVELOPMENT REGULATIONS OR ZONING MAP
- j. AN AMENDMENT TO THE COMPREHENSIVE PLAN OR FUTURE LAND USE MAP
- k. TO REHAB, TO ADD TO AND / OR EXPAND A SINGLE FAMILY HOME
- l. OTHER: Relocation of previously approved conditional use permit by Planning Board

3. NAME & ADDRESS OF PROPERTY: Estrella & Elias Pasternak Montessori School at 1719 Lenox Ave. & 1700 Michigan Ave.

LEGAL DESCRIPTION: Lot 18, Block 19 and lots 19,20, and 1, Block 19, Palm view subdivision, Plat book 6, Page 29, Miami Dade County, FL

4. NAME OF APPLICANT: Temple Beth Shmuel/ Estrella & Elias Pasternak Montessori School/ Oscar Sklar

Note: If applicant is a corporation, partnership, limited partnership or trustee, a separate Disclosure of Interest Form (Pages 6-7) must be completed as part of this application.

1700 Michigan Ave	Miami Beach	FL	33139
ADDRESS OF APPLICANT	CITY	STATE	ZIP

BUSINESS PHONE # (305) 604-9101 CELL PHONE # (786) 344-8124

E-mail address: tbsmontessori@bellsouth.net / oscar@sklarchitect.com

5. NAME OF PROPERTY OWNER (IF DIFFERENT FROM #4, OTHERWISE, WRITE "SAME") SAME

If the owner of the property is not the applicant and will not be present at the hearing, the Owner/Power of Attorney Affidavit (Page 4) must be filled out and signed by the property owner. In addition, if the property owner is a corporation, partnership, limited partnership or trustee, a separate Disclosure of Interest Form (Pages 6 - 7) must be completed.

SAME
ADDRESS OF PROPERTY OWNER _____ CITY _____ STATE _____ ZIP _____
BUSINESS PHONE # SAME CELL PHONE # _____
E-mail address: SAME

6. NAME OF ARCHITECT, LANDSCAPE ARCHITECT, ENGINEER, CONTRACTOR OR OTHER PERSON RESPONSIBLE FOR PROJECT DESIGN
SKLARarchitecture c/o Oscar Sklar 2310 Hollywood Blvd. Hollywood FL 33020
NAME (please circle one of the above) ADDRESS CITY STATE ZIP
BUSINESS PHONE # (954) 925-9292 CELL PHONE # _____
E-mail address: oscar@sklarchitect.com

7. NAME OF AUTHORIZED REPRESENTATIVE(S), ATTORNEY(S), OR AGENT(S) AND/OR CONTACT PERSON:

a. _____
NAME ADDRESS CITY STATE ZIP
BUSINESS PHONE # _____ CELL PHONE # _____
E-mail address: _____

b. _____
NAME ADDRESS CITY STATE ZIP
BUSINESS PHONE # _____ CELL PHONE # _____
E-mail address: _____

c. _____
NAME ADDRESS CITY STATE ZIP
BUSINESS PHONE # _____ CELL PHONE # _____
E-mail address: _____

NOTE: ALL ARCHITECTS, LANDSCAPE ARCHITECTS, ENGINEERS, CONTRACTORS OR OTHER PERSONS RESPONSIBLE FOR PROJECT DESIGN, AS WELL AS AUTHORIZED REPRESENTATIVE(S), ATTORNEY(S), OR AGENT(S) AND/OR CONTACT PERSONS, WHO ARE REPRESENTING OR APPEARING ON BEHALF OF A THIRD PARTY, UNLESS SOLELY APPEARING AS AN EXPERT WITNESS, ARE REQUIRED TO REGISTER AS A LOBBYIST WITH THE CLERK, PRIOR TO THE SUBMISSION OF AN APPLICATION.

8. SUMMARY OF PROPOSAL: Modification of previously approved conditional use permit.
Addition of one classroom of approximately 754 sqft.

9. IS THERE AN EXISTING BUILDING(S) ON THE SITE? YES (✓) NO ()

10. WILL ALL OR ANY PORTION OF THE BUILDING(S) INTERIOR AND/OR EXTERIOR, BE DEMOLISHED? [✓] YES [] NO

11. TOTAL FLOOR AREA (FAR) OF BUILDING (if applicable): To be renovated 754 SQ. FT.

12. TOTAL GROSS FLOOR AREA OF NEW BUILDING (including required parking and all usable floor space) _____ SQ. FT.

13. TOTAL FEE: (to be completed by staff) \$ _____

PLEASE NOTE THE FOLLOWING:

- *Applications for any Board hearing(s) will not be accepted without payment of the required fee. All checks are to be made payable to: "City of Miami Beach."*
- *Public records notice: all documentation, application forms, maps, drawings, photographs, letters and exhibits will become a part of the public record maintained by the City of Miami Beach Planning Department and shall under Florida Statute, be disclosed upon proper request to any person or entity.*
- *In accordance with the requirements of Section 2-482 of the Code of the City of Miami Beach, any individual or group (Lobbyist) that has been, or will be, compensated to either speak in favor or against a project being presented before any of the City's Development Review Boards, shall be fully disclosed prior to the public hearing. All such individuals and/or groups must register with the City Clerk prior to the hearing.*
- *In accordance with Section 118-31 of the Code of the City of Miami Beach, all applicants shall, prior to the public hearing, fully disclose any consideration provided or committed, directly or on its behalf, for an agreement to support or withhold objection to the requested approval, relief or action (exclusive of all legal or professional design services). Such disclosure shall:*
 1. *Be in writing.*
 2. *Indicate to whom the consideration has been provided or committed.*
 3. *Generally describe the nature of the consideration.*
 4. *Be read into the record by the requesting person or entity prior to submission to the secretary/clerk of the respective board.*

In the event the applicable development review board determines that the foregoing disclosure requirement was not timely satisfied by the person or entity requesting approval, relief or other action as provided above, then the application or order, as applicable, shall immediately be deemed null and void without further force or effect, and no application from said person or entity for the subject property shall be reviewed or considered by the applicable board(s) until expiration of a period of one year after the nullification of the application or order. It shall be unlawful to employ any device, scheme or artifice to circumvent the disclosure requirements of this section and such circumvention shall be deemed a violation of the disclosure requirements of this section.

- *When the applicable Boards reach a decision, a Final Order will be issued stating the Board's decision and any conditions imposed therein. The Final Order must be recorded in the Office of the Recorder of Miami-Dade County; the original shall remain on file with the board clerk/secretary. Under no circumstances will a building permit be issued by the City of Miami Beach without a copy of the recorded Final Order being tendered along with the construction plans.*

To request this material in accessible format, sign language interpreters, information on access for persons with disabilities, and/or any accommodation to review any document or participate in any city-sponsored proceeding, please contact 305-604-2489 (voice) or 305-673-7218 (TTY) five days in advance to initiate your request. TTY users may also call 711 (Florida Relay Service).

PLEASE COMPLETE ONE OR MORE OF THE FOLLOWING THREE AFFIDAVITS, AS APPLICABLE. **NOTE: THE PROPERTY OWNER MUST FILL OUT AND SIGN THE "POWER OF ATTORNEY" PORTION IF THEY WILL NOT BE PRESENT AT THE HEARING, OR IS HAVING OTHER PERSONS SPEAK ON THEIR BEHALF.**

OWNER AFFIDAVIT FOR INDIVIDUAL OWNER

STATE OF _____

COUNTY OF _____

I, _____, being first duly sworn, depose and say that I am the owner of the property described and which is the subject matter of the proposed hearing; that all the answers to the questions in this application and all sketches data and other supplementary matter attached to and made a part of the application are true and correct to the best of my knowledge and belief. I understand this application must be completed and accurate before a hearing can be advertised. I also hereby authorize the City of Miami Beach to enter my property for the sole purpose of posting a NOTICE OF PUBLIC HEARING on my property as required by law and I take the responsibility of removing this notice after the date of hearing.

PRINT NAME

SIGNATURE

Sworn to and subscribed before me this _____ day of _____, 20____. The foregoing instrument was acknowledged before me by _____, who has produced _____ as identification and/or is personally known to me and who did/did not take an oath.

NOTARY SEAL OR STAMP

NOTARY PUBLIC

PRINT NAME

My Commission Expires:

ALTERNATE OWNER AFFIDAVIT FOR CORPORATION or PARTNERSHIP

(Circle one)

STATE OF Florida

COUNTY OF Miami Dade

I, Marcos A. Kerbel being duly sworn, depose and say that I am the President of Cuban Hebrew Congregation of Miami INC. and as such, have been authorized by such entity to file this application that all answers to the questions in the application and all sketches, data and other supplementary matter attached to and made a part of the application are true and correct to the best of our knowledge and belief; that the corporation is the owner/tenant of the property described herein and is the subject matter of the proposed hearing. We understand this application must be completed and accurate before a hearing can be advertised. I also hereby authorize the City of Miami Beach to enter the subject property for the sole purpose of posting a NOTICE OF PUBLIC HEARING on the property as required by law and I take the responsibility of removing this notice after the date of hearing.

Marcos A. Kerbel

PRINT NAME

Marcos A. Kerbel
SIGNATURE

Sworn to and subscribed before me this _____ day of _____, 20____. The foregoing instrument was acknowledged before me by _____ of _____, on behalf of such entity, who has produced _____ as identification and/or is personally known to me and who did/did not take an oath.

NOTARY SEAL OR STAMP:

NOTARY PUBLIC

PRINT NAME

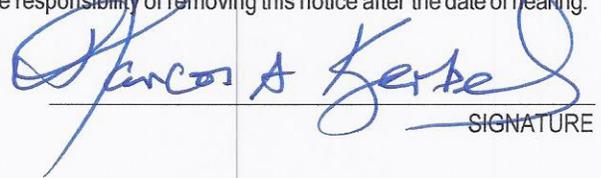
My Commission Expires:

POWER OF ATTORNEY AFFIDAVIT

STATE OF FLORIDA
COUNTY OF MIAMI-DADE

I, Marcos A. Kerbel, being duly sworn and deposed say that I am the owner or representative of the owner of the described real property and that I am aware of the nature and effect of the request for relocation of conditional use relative to the subject property, which request is hereby made by me OR I am hereby authorizing Oscar Sklar of SKLArchitecture to be my representative before the Planning Board. I also hereby authorize the City of Miami Beach to enter the subject property for the sole purpose of posting a NOTICE OF PUBLIC HEARING on the property as required by law and I take the responsibility of removing this notice after the date of hearing.

Marcos A. Kerbel, President
PRINT NAME (and Title, if applicable)


SIGNATURE

Sworn to and subscribed before me this _____ day of _____, 20____. The foregoing instrument was acknowledged before me by _____ of _____ who has produced _____ as identification and/or is personally known to me and who did/did not take an oath.

NOTARY SEAL OR STAMP

NOTARY PUBLIC

PRINT NAME

My Commission Expires:

CONTRACT FOR PURCHASE

If there is a CONTRACT FOR PURCHASE, whether contingent on this application or not, and whether the purchaser is a corporation, trustee or partnership, list the names of the contract purchasers below, including the principal officers, stockholders, beneficiaries or partners. Where the principal officers, stockholders, beneficiaries or partners consist of another corporation, trust, partnership or other similar entity, further disclosure shall be required which discloses the identity of the individual(s) (natural persons) having the ultimate ownership interest in the entity. If any contingency clause or contract terms involve additional individuals, corporations, partnerships or trusts, list all individuals and/or complete the appropriate disclosure clause above.*

NAME	DATE OF CONTRACT
NAME, ADDRESS, AND OFFICE	% OF STOCK
_____	_____
_____	_____
_____	_____

For any changes of ownership or changes in contracts for purchase subsequent to the date of the application, but prior to the dates of final public hearing, a supplemental disclosure of interest shall be filed.

**CITY OF MIAMI BEACH
DEVELOPMENT REVIEW BOARD APPLICATION**

DISCLOSURE OF INTEREST

1. CORPORATION

If the property which is the subject of the application is owned or leased by a CORPORATION, list ALL of the stockholders, and the percentage of stock owned by each. Where the stockholders consist of another corporation(s), trustee(s), partnership(s) or other similar entity, further disclosure shall be required which discloses the identity of the individual(s) (natural persons) having the ultimate ownership interest in the entity.*

Cuban Hebrew Congregation of Miami, INC. _____

CORPORATION NAME

NAME AND ADDRESS

% OF STOCK

Marcus A. Kerbel President, Treasurer, Vice President, Secretary

Not for profit

_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

CORPORATION NAME

NAME AND ADDRESS

% OF STOCK

_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

IF THERE ARE ADDITIONAL CORPORATIONS, LIST OTHERS, INCLUDING CORP. NAME(S) AND EACH INDIVIDUAL STOCKHOLDER'S NAME, ADDRESS, OFFICE AND PERCENTAGE OF STOCK, ON A SEPARATE PAGE.

NOTE: Notarized signature required on page 8

**CITY OF MIAMI BEACH
DEVELOPMENT REVIEW BOARD APPLICATION**

DISCLOSURE OF INTEREST

2. TRUSTEE

If the property which is the subject of the application is owned or leased by a TRUSTEE, list the beneficiaries of the trust and the percentage of interest held by each. Where the beneficiary/beneficiaries consist of corporations(s), another trust(s), partnership(s) or other similar entity, further disclosure shall be required which discloses the identity of the individual(s) (natural persons) having the ultimate ownership interest in the entity.*

TRUST NAME	
NAME AND ADDRESS	% OF STOCK
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

3. PARTNERSHIP/LIMITED PARTNERSHIP

If the property which is the subject of the application is owned or leased by a PARTNERSHIP or LIMITED PARTNERSHIP, list the principals of the partnership, including general and limited partners. Where the partner(s) consist of another partnership(s), corporation(s), trust(s) or other similar entity, further disclosure shall be required which discloses the identity of the individual(s) (natural persons) having the ultimate ownership interest in the entity.*

PARTNERSHIP or LIMITED PARTNERSHIP NAME	
NAME AND ADDRESS	% OF STOCK
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

NOTE: Notarized signature required on page 8

4. COMPENSATED LOBBYIST:

The City of Miami Beach Code sub-section 118-31 requires the disclosure of any individual or group which has been, or will be, compensated to either speak in favor of or against a project being presented before any of the City's Development Review Boards, or not to speak at all. Please list below all persons or entities encompassed by this section.

NAME	ADDRESS	PHONE #
a. _____		
b. _____		
c. _____		

Additional names can be placed on a separate page attached to this form.

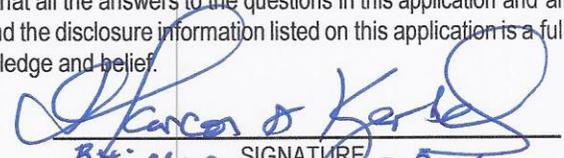
* Disclosure shall not be required of any entity, the equity interest in which are regularly traded on an established securities market in the United States or other country, or of any entity, the ownership interests of which are held in a limited partnership or other entity consisting of more than 5,000 separate interests and where no one person or entity holds more than a total of 5% of the ownership interests in the limited partnership or other entity.

APPLICANT HEREBY ACKNOWLEDGES THAT ANY APPROVAL GRANTED BY THE BOARD SO APPLIED TO, SHALL BE SUBJECT TO ANY AND ALL CONDITIONS IMPOSED BY SUCH BOARD AND BY ANY OTHER BOARD HAVING JURISDICTION, AND THAT THE PROJECT MUST ALSO COMPLY WITH THE CODE OF THE CITY OF MIAMI BEACH AND ALL OTHER APPLICABLE LAW.

APPLICANT AFFIDAVIT

STATE OF FLORIDA _____
COUNTY OF MIAMI DADE _____

I, Marcos A. Kerbel, (list name of corporation and office designation as applicable) being first duly sworn, depose and say that I am the applicant, or the representative of the applicant, for the subject matter of the proposed hearing; that all the answers to the questions in this application and all sketches, data and other supplementary matter attached to and made a part of the application and the disclosure information listed on this application is a full disclosure of all parties of interest in this application are true and correct to the best of my knowledge and belief.


By: MARCOS KERBEL SIGNATURE
PRESIDENT

Sworn to and subscribed before me this _____ day of _____, 20____. The foregoing instrument was acknowledged before me by _____, who has produced _____ as identification and/or is personally known to me and who did/did not take an oath.

NOTARY SEAL OR STAMP

NOTARY PUBLIC

PRINT NAME

My Commission Expires:

CITY OF MIAMI BEACH
CERTIFICATE OF USE, ANNUAL FIRE FEE, AND BUSINESS TAX RECEIPT

1700 Convention Center Drive
 Miami Beach, Florida 33139-1819

TRADE NAME: TEMPLE BETH SHMUEL MONTESSORI SCHOOL
 IN CARE OF: THE CUBAN HEBREW
 ADDRESS: 1700 MICHIGAN AVE
 MIAMI BEACH, FL 33139-2417

RECEIPT NUMBER: RL-05000106
 Beginning: 10/01/2014
 Expires: 09/30/2015
 Parcel No: 0232340040420

A penalty is imposed for failure to keep this Business Tax Receipt exhibited conspicuously at your place of business.

A certificate of Use / Business Tax Receipt issued under this article does not waive or supersede other City laws, does not constitute City approval of a particular business activity and does not excuse the licensee from all other laws applicable to the licensee's business.

This Receipt may be transferred:

A. Within 30 days of a bonafide sale, otherwise a complete annual payment is due.

B. To another location within the City if proper approvals and the Receipt are obtained prior to the opening of the new location.

Additional Information

Storage Locations

TRADE ADDRESS: 1719 LENOX AVE

Code 015701	Certificate of Use/Occupation DAY CARE CENTER, NURSERY SCHOOL HRS
-----------------------	-----------------------------------------------------------------------------

CERTIFICATE OF USE	1100
PREVIOUS BALANCE	\$ 0.00
C_U # OF UNITS	1365
Day Care Center FF	Y

FROM: CITY OF MIAMI BEACH
 1700 CONVENTION CENTER DRIVE
 MIAMI BEACH, FL 33139-1819

PRESORTED
 FIRST CLASS
 U.S. POSTAGE
 PAID
 MIAMI BEACH, FL
 PERMIT No 1525

TEMPLE BETH SHMUEL MONTESSORI
 1719 LENOX AVE
 MIAMI BEACH, FL 33139-2414





Temple Beth Shmuel

Estrella and Elias Pasternack Montessori School

1719 Lenox Avenue, Miami Beach, FL 33139. Phone: (305) 604-9101 / Fax: (305) 604-9023
e-mail: tbsmontessori@bellsouth.net <http://www.tbsmontessori.com>



February 1st, 2016

City of Miami Beach
Planning Department
1700 Convention Center Drive
Miami Beach, FL 33139

Re: Letter of intent for a minor Amendment to a previously approved Conditional Use permit in order to accommodate additional student enrollment at TBS Montessori School.

On behalf of the Cuban Hebrew Congregation d/b/a TBS Montessori School, located at 1719 Lenox Ave, we would like to submit the attached Application to the Planning Board. In essence this Application is for a Classroom Addition within the Temple main building, which is a modification to the previously approved Conditional Use permits on April 23, 2002, April 22, 2008 and October 14, 2014.

The previously approved addition is not going to be done. The current proposed classroom addition for this modification of the Conditional Use Permit, is going to take place inside the Main Temple Building located at 1700 Michigan Ave, which is next door to the Main TBS Montessori school building. The new classroom is going to be achieved by renovating existing offices that are not going to be in use.

The following information is relative to this application:

Our school is located about one block from Lincoln Road and within the Palm View district. Our property contains its own parking lot and is completely enclosed with a gate. The actual school building is set back from the street and appears to be a residence.

The proposed project will be a remodeling of the existing main temple building adjacent to the school property which cannot be seen from the street or any of the other residences. It will be within the existing temple building.

Construction Schedule:

The goal is for construction to start in the summer of 2016 with building completion and use in early September.

Enrollment of children:

The Department of Children and Family Services has determined that the maximum capacity of students in our school is ninety-eight (98), forty-five (45) children in the upstairs class (located at the Synagogue) and fifty-three (53) children in the existing school & the new renovated area in the main temple building. In the 2014-2015 school year, we have a total of 78 kids enrolled, with 47 of them in

the main building. Although we have 78 kids enrolled, there are only 65 families because many are siblings. We have children on the waiting list that we would like to be able to accommodate once the expansion is complete. We cannot place any of the children from the main building in the upstairs classroom because they are under four years old. The state of Florida does not allow children under 4 to be in an upstairs classroom. Our children range in age from 2-6.

Drop Off/Pick Up Plan:

DROP OFF: The parents enter the private parking lot, located on Michigan Avenue, through the guarded gate. Drop off is done with the teachers at the gated entrance to the main building and the synagogue. The stream of traffic is kept off the street by the security guard located by the entrance gate of the parking lot. Some parents choose to park and walk their children into the school. There is sufficient parking within our private lot to accommodate all the parents. Drop off begins at 8:30AM and ends around 9:10AM.

PICK UP: There are two pick up times. The first pick up only affects about 12 children. They are picked up between 12:15-12:45PM. Those parents park in our private parking lot and come inside the building to pick up their children. The guard is manning the parking lot gate for the parents. The second pick up time is between 2:45-3:10PM. The majority of kids are picked up by their parents at this time. The parents must park in the parking lot and walk to the playground to pick up their children. If it is raining, the children are kept in the main building and the parents come into the building to retrieve their children.

AFTERSCHOOL ACTIVITIES OR AFTERCARE: There is afterschool activities located in the main building beginning at 3:00PM and ending by 4:45PM. There are two classes for each activity with scattered pick up times. The younger groups end their classes by 3:30-3:45 and are then picked up. The older groups end their classes by 4:30-4:45PM and are then picked up. The parents park in the parking lot and enter the playground or main building for pick up. Aftercare remains open until 5:00PM. The parents must park in the parking lot and come into the main building or playground to pick up their children. There are always scattered pick up and drop off times to prevent traffic congestion outside of the school and within the parking lot. The guard takes care of ensuring the safety of the kids and the cars.

FUTURE PLAN: We plan to begin staggering the drop off times for the youngest group of kids (2 year olds) to prevent additional cars from entering the school parking lot in the mornings. We plan to begin drop off at 8:30AM and end at 9:30AM.

SECURITY PLAN: The entire premises are enclosed by a fence with electronic gates for the entrance and exit to the parking lot. The school property is being guarded by an armed security guard we hired through a security company on all school days. The guard is at the school from 8:00AM until 5:00PM. The front of the main building on Lenox Avenue is not open to the parents for drop off or pick up. The traffic for the school is contained in the parking lot on Michigan Avenue. The armed security guard is always in the parking lot and we have an additional trained security guard walking around the premises of the main building and synagogue. There is a call box at the gate to call the synagogue, caterer or the school. If the security guard steps away from the parking lot gate, the parents could call



the school directly and we can open the gate. Traffic does not stop outside of the parking lot. We are also adding a camera to the gate so we could see who is waiting to enter the parking lot. The exit side of the parking lot opens automatically. All the cars belonging to the school, the synagogue or the caterer will be required to have a TBS sticker decal placed on their front windshield.

School Staff: The TBS Montessori has a full time staff of 11 teachers. In addition to the full time teachers, there is an art teacher that comes once a week, a gardening teacher once a week, a Hebrew teacher that comes twice a week, a music teacher that comes twice a week and various afterschool teachers that come on Monday, Wednesday, and Friday. The school has also hired a full time armed security guard that remains on the property during all school hours and an unarmed personnel that walks the premises during school hours. The office staff consists of the school director and two office managers. The office managers job share so they are not in the office on the same days.

SYNAGOGUE STAFF: The synagogue has a staff of six, including maintenance and janitorial workers that are shared by the school.

CATERING STAFF: The caterers do not use the synagogue as an office so they are only on the premises when they have an event. Their staff varies but is primarily on the premises on the weekends.

SANITATION PLAN: The garbage bin for the school and the synagogue is located at the far back end of the parking lot in an enclosed fenced in area. The pick-up is done by the City of Miami Beach on Tuesdays, and Fridays around 11:00AM.

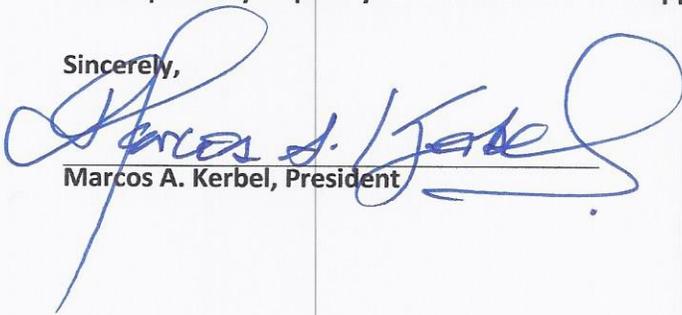
PARKING LOT: The existing parking lot will remain the same. It is already gated and manned by the security guard. The construction will not affect the use of the parking lot but may be used to park the trucks so it will not interfere with the Palm View neighborhood. The parking lot can accommodate as originally approved a total of 47 cars.

LANDSCAPING: The existing landscaping will not be affected by the construction. Additional shrubbery will be installed between the main building and the adjacent property, which is part of the Cuban Hebrew Congregation/Temple Beth Shmuel property, to ensure more privacy and additional sound barriers.

PLAY AREA: The existing playground area will remain as is.

We respectfully request your consideration and approval of this Application.

Sincerely,



Marcos A. Kerbel, President

20466PG4904

**PLANNING BOARD
CITY OF MIAMI BEACH, FLORIDA**

02R370585 2002 JUN 14 15:30

PROPERTY: 1719 LENOX AVENUE **FILE NO:** 1563

IN RE: The application by Cuban Hebrew Congregation of Miami requesting Conditional Use approval to operate a day care center in a residential property adjacent to the Synagogue of Temple Beth Schmuel

LEGAL DESCRIPTION: Lot 18, Block 19 Palm View subdivision, as recorded in Plat Book 6, page 29, of the Public Records of Miami-Dade County, Florida.

MEETING DATE: April 23, 2002

CONDITIONAL USE PERMIT

The applicant, Cuban Hebrew Congregation of Miami, filed an application with the Planning Director for a Conditional Use Permit pursuant to Section 142-213 of the Land Development Regulations of the Code of the City of Miami Beach, Florida. Notice of the request for Conditional Use was given as required by law and mailed out to owners of property within a distance of 375 feet of the exterior limits of the property, upon which the application was made.

The Planning Board of the City of Miami Beach 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:

RECEIVED
2002 MAR 24 11:11 AM
CITY OF MIAMI BEACH
PLANNING DEPARTMENT

- That the property in question is located in the RM-1, Residential Multi-Family low intensity zoning district
- That the intended Use or construction will not result in an impact that will exceed the thresholds for the levels of service as set forth in the Comprehensive Plan;
- That structures and Uses associated with the request are consistent with the City Code;
- That the public health, safety, morals, and general welfare will not be adversely affected;
- That necessary safeguards will be provided for the protection of surrounding property, persons, and neighborhood values if the following conditions are met.

IT IS THEREFORE 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 is adopted herein, including the staff recommendations which were amended by the Board, that a Conditional Use Permit as requested and set forth above be GRANTED, subject to the following conditions to which the applicant has agreed:

20466PG4905

1. The Planning Board shall maintain jurisdiction of this Conditional Use Permit. At the request of the Planning Director, if deemed necessary, the applicant shall give a written progress report to the Board. The Board reserves the right to modify the Conditional Use approval at the time of a progress report in a non-substantive manner, to impose additional conditions to address possible problems and to determine the timing and need for future progress reports. This Conditional Use is also subject to modification or revocation under City Code Sec. 118-194 (c).
2. The maximum number of children in the facility shall be limited in accordance with the licensing requirements of the Department of Children and Families.
3. The subject building and site shall be rehabilitated as indicated on the plans, and as may be required for review and approval. All exterior modifications shall require a Certificate of Appropriateness from the Historic Preservation Board under separate application.
4. The applicant shall comply with the following requirements:
 - a) NFPA 101, Section 10-7 "Day Care Centers";
 - b) The "Uniform Fire Safety Standard for Child Care Facilities (4A-36)";
 - c) All kitchen, bathroom, and square footage requirements of the Child Care Licensing section of the Division of Children and Families;
 - d) Florida Building Code; and,
 - e) Approval by the Miami Beach Fire Department prior to the issuance of a Building Permit for the Day Care facility.
5. The applicant shall receive an HRS license for the new facility prior to, or in conjunction with, the issuance of a City Occupational License.
6. All outstanding City liens or bills related to the subject property and all outstanding City Code violations, if any, shall be satisfied prior to the issuance of a Certificate of Use.
7. The front porch and front yard shall not be used for recreational use. No fencing, additional paving or parking shall be permitted in the front yard. A hedge shall be allowed subject to the review and approval of staff.
8. No exterior signage for the project shall be permitted on the front (west) elevation of the subject property. A sign at the rear of the property, indicating the entrance to the center shall be allowed subject to staff review and approval.
9. The existing garage door shall be retained. Any necessary work inside the house in order to convert the garage to usable classroom space shall not alter the exterior of the subject structure.
10. School buses shall not be parked in the street area adjacent to the site. School buses shall only be permitted to stand in the temple parking lot to the rear of the site for loading and unloading of children. All loading and unloading of children from private vehicles

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shall also be from the parking lot; no loading/unloading shall occur on either Lenox or Michigan Avenues. Service deliveries shall only be permitted from the rear of the site, from the temple parking lot.

- 11. A building permit or Occupational License shall be obtained within one (1) year of this public hearing and the project shall comply with the Florida Building Code and any other codes that may apply, including licensure from the State of Florida.
- 12. A Conditional Use Permit, which lists the aforementioned conditions, shall be recorded in the Public Records of Miami-Dade County, at the expense of the applicant, within 90 days of approval. Failure to complete the recordation shall require the applicant to return for modification of the conditional use.
- 13. This 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.
- 14. The establishment and operation of this Conditional Use shall comply with all the aforementioned conditions of approval; non-compliance shall constitute a violation of the Code of the City of Miami Beach, Florida, and shall be subject to enforcement procedures set forth in Section 114-8 of said Code and such enforcement procedures as are otherwise available. Failure by the applicant to comply with the conditions of this Order shall also constitute a basis for consideration by the Planning Board for a revocation of this Conditional Use permit.

Dated this 20TH day of MAY, 2002

PLANNING BOARD OF THE
CITY OF MIAMI BEACH, FLORIDA

BY: [Signature]
Jorge G. Gomez, AICP, Planning Director
FOR THE CHAIRMAN

STATE OF FLORIDA)
COUNTY OF MIAMI-DADE)

The foregoing instrument was acknowledged before me this 20TH day of MAY, 2002, by Jorge G. Gomez, AICP, Planning Director of the City of Miami Beach, Florida, a Florida Municipal Corporation, on behalf of the corporation. He is personally known to me.

{NOTARIAL SEAL}



[Signature]

Notary: CHARLES A. TAFF
Print Name
Notary Public, State of Florida
My Commission Expires:
Commission Number:

Approved As To Form:
Legal Department (9/24/02 5-17-02)

RECORDED IN OFFICIAL RECORDS BOOK
OF DADE COUNTY, FLORIDA
RECORD VERIFIED
HARVEY RUBIN
CLERK CIRCUIT COURT



CFN 2008R0436848
 DR Bk 26400 Pgs 3433 - 3436; (4pgs)
 RECORDED 05/28/2008 15:45:26
 HARVEY RUVIN, CLERK OF COURT
 MIAMI-DADE COUNTY, FLORIDA

33-63-83^r

**PLANNING BOARD
 CITY OF MIAMI BEACH, FLORIDA**

PROPERTY: 1719 LENOX AVENUE

FILE NO: 1563

IN RE: The application by Cuban Hebrew Congregation of Miami requesting a Modification to an existing Conditional Use permit to expand the existing daycare facility into an existing meeting space in the synagogue, which will not require any exterior modifications, in order to accommodate additional student enrollment.

LEGAL DESCRIPTION: Lot 18, Block 19 Palm View subdivision, as recorded in Plat Book 6, page 29, of the Public Records of Miami-Dade County, Florida..

MEETING DATE: April 22, 2008

MODIFIED CONDITIONAL USE PERMIT

The applicant, Cuban Hebrew Congregation of Miami, filed an application with the Planning Director to modify a previously approved Conditional Use Permit pursuant to Section 118-195 of the Land Development Regulations of the Code of the City of Miami Beach, Florida. Notice of the request for Conditional Use was given as required by law and mailed out to owners of property within a distance of 375 feet of the exterior limits of the property, upon which the application was made.

The Planning Board of the City of Miami Beach 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:

That the property in question is located in the RM-1, Residential Multi-Family low intensity zoning district

That the intended Use or construction will not result in an impact that will exceed the thresholds for the levels of service as set forth in the Comprehensive Plan;

That structures and Uses associated with the request are consistent with the City Code;

That the public health, safety, morals, and general welfare will not be adversely affected;

That necessary safeguards will be provided for the protection of surrounding property, persons, and neighborhood values if the following conditions are met.

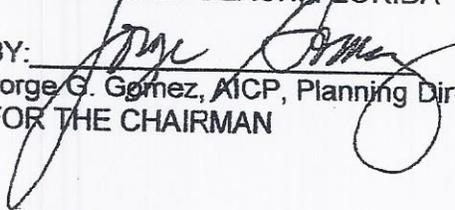
IT IS THEREFORE ORDERED, based upon the foregoing findings of fact, the evidence, information, testimony and materials presented at the public hearing, which are part of the record for this matter, and the staff report and analysis, which is adopted herein, including the staff recommendations which were amended by the Board, that the modification to the existing Conditional Use Permit as requested and set forth above be GRANTED, subject to the following conditions to which the applicant has agreed: (Underline denotes new language; ~~Strikethrough~~ denotes deleted language)

1. The Planning Board shall maintain jurisdiction of this Conditional Use Permit. At the request of the Planning Director, if deemed necessary, the applicant shall give a written progress report to the Board. The Board reserves the right to modify the Conditional Use approval at the time of a progress report in a non-substantive manner, to impose additional conditions to address possible problems and to determine the timing and need for future progress reports. This Conditional Use is also subject to modification or revocation under City Code Sec. 118-194 (c).
2. The maximum number of children in the facility shall be limited in accordance with the licensing requirements of the Department of Children and Families.
- ~~3. The subject building and site shall be rehabilitated as indicated on the plans, and as may be required for review and approval. All exterior modifications shall require a Certificate of Appropriateness from the Historic Preservation Board under separate application.~~
- ~~4. The applicant shall comply with the following requirements:
 - ~~a) NFPA 101, Section 10-7 "Day Care Centers";~~
 - ~~b) The "Uniform Fire Safety Standard for Child Care Facilities (4A-36)";~~
 - ~~c) All kitchen, bathroom, and square footage requirements of the Child Care Licensing section of the Division of Children and Families;~~
 - ~~d) Florida Building Code; and,~~
 - ~~e) Approval by the Miami Beach Fire Department prior to the issuance of a Building Permit for the Day Care facility.~~~~
3. The applicant shall receive all necessary approvals and licenses from all applicable local, county and state government agencies for this facility prior to the issuance of a Certificate of Occupancy, Certificate of Use or an Occupational license whichever may apply.
- ~~4. The applicant shall receive an HRS license for the new facility prior to, or in conjunction with, the issuance of a City Occupational License.~~
4. The hours of operation of the school facility shall be as requested by the applicant, from 8:00 AM to 6:00 PM, except for the administrative staff and in cases of emergency and late pick ups.
5. All outstanding City liens or bills related to the subject property and all outstanding City Code violations, if any, shall be satisfied prior to the issuance of a Certificate of Use.
6. The front porch and front yard shall **not** be used for recreational use. No fencing, additional paving or parking shall be permitted in the front yard. A hedge shall be allowed subject to the review and approval of staff.

7. No exterior signage for the project shall be permitted on the front (west) elevation of the subject property. A sign at the rear of the property, indicating the entrance to the center shall be allowed subject to staff review and approval.
8. School security and administrative staff shall ensure that student or parent behavior (noise or loitering) does not become a nuisance to residents in the area.
9. The applicant shall be responsible for maintaining the areas adjacent to the facility, such as the sidewalk and the areas of the street adjacent to and around the property on all sides.
10. School buses shall not be parked in the street area adjacent to the site. School buses and private vehicles shall only be permitted to stand in the temple parking lot to the rear of the site for loading and unloading of children; no loading/unloading shall occur on either Lenox or Michigan Avenues.
11. A building permit or an Occupational License shall be obtained within one (1) year of this public hearing and the project shall comply with the Florida Building Code and any other codes that may apply, including licensure from the State of Florida.
12. The existing garage door shall be retained. Any necessary work inside the house in order to convert the garage to usable classroom space shall not alter the exterior of the subject structure.
13. A Modified Conditional Use Permit, which lists the aforementioned conditions, shall be recorded in the Public Records of Miami-Dade County, at the expense of the applicant, within 90 days of approval prior to the issuance of a Modified Certificate of Use. ~~Failure to complete the recordation shall require the applicant to return for modification of the conditional use.~~
14. This 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.
15. The establishment and operation of this Conditional Use shall comply with all the aforementioned conditions of approval; non-compliance shall constitute a violation of the Code of the City of Miami Beach, Florida, and shall be subject to enforcement procedures set forth in Section 114-8 of said Code and such enforcement procedures as are otherwise available. Failure by the applicant to comply with the conditions of this Order shall also constitute a basis for consideration by the Planning Board for a revocation of this Conditional Use permit.

Dated this 28 day of May, 2008.

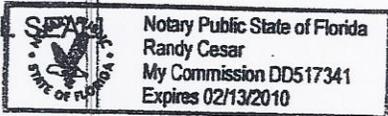
PLANNING BOARD OF THE
CITY OF MIAMI BEACH, FLORIDA

BY: 
Jorge G. Gomez, AICP, Planning Director
FOR THE CHAIRMAN

STATE OF FLORIDA)
COUNTY OF MIAMI-DADE)

The foregoing instrument was acknowledged before me this 28 day of May, 2008, by Jorge G. Gomez, AICP, Planning Director of the City of Miami Beach, Florida, a Florida Municipal Corporation, on behalf of the corporation. He is personally known to me.

{NOTARIAL



Randy Cesar

Notary:

Print Name *Randy Cesar*
Notary Public, State of Florida
My Commission Expires:
Commission Number:

Approved As To Form:

Legal Department (*File 15-27-08*)

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CHECKLIST FOR PLANNING BOARD APPLICATION

- / Letter of application (original & ~~12~~ copies)
- / Application, Affidavit & Disclosure of Interest (original & 12 copies)
- / Site/Preliminary plan (original & ~~12~~ copies)
- / Copy of Building Card (1)
- / Survey (original & 12 copies one original signed & sealed)
- / Mailing Labels - two (2) sets including:
Property owner's list - two (2) sets
Map of notification area
Original certified letter from real estate research company
- / Color photographs (one original set and 12 laser color copies)
- / Traffic study (when applicable - see Dept. staff) 1 original and 12 copies and four (4) CDs, including calculations
- / Sound Study (when applicable – see Dept. staff) 1 original and 12 copies and one (1) CD
- / CD/DVD with electronic copy of entire application package
- / Item #9 of the Submission Requirements (Neighborhood Impact; Outdoor Entertainment, or Open Air Establishments), when applicable.
- / Copy of existing CUP for Modifications
- / Application fee (In addition to the filing and fees, all applications are required to pay \$1.60 per mailing address. The fees per mailing label for single-family residences is \$1.00 (calculated on one set of labels only).

ALL APPLICATION MATERIALS AND EXHIBITS SHALL BE FOLDED AND COLLATED IN SETS WITH THE REQUEST LETTER AND APPLICATION ON TOP OF EACH SET. ALL ORIGINALS SHOULD BE COLLATED TOGETHER.

**THE CITY OF MIAMI BEACH
Planning Department
1700 Convention Center Drive, 2nd Floor
Miami Beach, Florida 33139
Telephone (305) 673-7550**

