

**RESOLUTION NO. CZAB13-9-01**  
**A reformation of Resolution No. CZAB13-8-00**

*WHEREAS, ALEXANDER SCHOOL, INC.* applied for the following:

ALEXANDER SCHOOL, INC. is applying for a reformation of Resolution No. CZAB13-8-00, passed and adopted by the Community Zoning Appeals Board #13 on the 13<sup>th</sup> day of December, 2000 to correct a technical error:

FROM: "That portion of the south  $\frac{1}{2}$ , of the south  $\frac{1}{2}$ , of the SW  $\frac{1}{4}$ , of the SW  $\frac{1}{4}$ , of the NW  $\frac{1}{4}$  of Section 33, Township 55 South, Range 40 East, lying east of State Road #5 (U.S. #1), less the east 210' and the north 25' thereof, A/K/A: Lots 8, 9 and 10, FRED T. NICHOLSON'S SUBDIVISION, unrecorded of the south  $\frac{1}{2}$ , of the SW  $\frac{1}{4}$ , of the SW  $\frac{1}{4}$ , of the NW  $\frac{1}{4}$  of Section 33, Township 55 South, Range 40 East."

TO: "The NE  $\frac{1}{4}$  of the SE  $\frac{1}{4}$  of the SE  $\frac{1}{4}$ , less the south 340.41' and the east 35'; and the east 100' of the NW  $\frac{1}{4}$  of the SE  $\frac{1}{4}$  of the SE  $\frac{1}{4}$ , less the south 340.41' thereof in Section 23, Township 55 South, Range 40 East."

The purpose of this request is to correct an error in the legal description.

SUBJECT PROPERTY: The NE  $\frac{1}{4}$  of the SE  $\frac{1}{4}$  of the SE  $\frac{1}{4}$ , less the south 340.41' and the east 35'; and the east 100' of the NW  $\frac{1}{4}$  of the SE  $\frac{1}{4}$  of the SE  $\frac{1}{4}$ , less the south 340.41' thereof in Section 23, Township 55 South, Range 40 East.

LOCATION: 14850 S.W. 67 Avenue (Ludlam Road), Miami-Dade County, Florida, and

*WHEREAS*, a public hearing of the Miami-Dade County Community Zoning Appeals Board 13 was advertised and held, as required by law, and all interested parties concerned in the matter were given an opportunity to be heard, and upon consideration having been given to the matter and to Section 33-315.1 of the Code of Miami-Dade County, the Board makes the following findings:

- A. The applicant did not know of the technical error;
- B. The reformation of Resolution No. CZAB13-8-00 is essential to ensure that the resolution expresses the intent of the Board;
- C. The intent of the Board was evident at the time of the adoption of Resolution No. CZAB13-8-00, and there was no intent to deceive the public or the Board on the part of the applicant at any time;
- D. Failure to approve the technical correction would lead to an unjust result;

E. The error in the process or resolution did not mislead anyone in a way that would cause them to be prejudiced by reformation of the resolution.

*WHEREAS*, it is the opinion of this Board based on its findings that the request to reform Resolution No. CZAB13-8-00 should be approved, and

*WHEREAS*, a motion to approve the reformation of Resolution No. CZAB13-8-00 was offered by Linda Robinson, seconded by Paula Palm, and upon a poll of the members present, the vote was as follows:

|                     |        |                |     |
|---------------------|--------|----------------|-----|
| Robert Harrison III | absent | Marsha Matson  | aye |
| Karen Kirby         | absent | Paula Palm     | aye |
| Albert J. LaVoie    | aye    | Linda Robinson | aye |
| John Pettit         |        | aye            |     |

*NOW THEREFORE BE IT RESOLVED* by the Miami-Dade County Community Zoning Appeals Board 13 that the reformation of Resolution No. CZAB13-8-00 be and the same is hereby approved, and

***BE IT FURTHER RESOLVED***, that Resolution CZAB13-8-00, as reformed, shall read as follows:

- (1) NON-USE VARIANCE OF SETBACK REQUIREMENTS to permit buildings of public assemblage to setback less than the required 75' from the interior side (north & south) property lines.
- (2) NON-USE VARIANCE OF PARKING REQUIREMENTS to permit 49 parking spaces (50 spaces required).
- (3) NON-USE VARIANCE OF PARKING REQUIREMENTS to permit one-way driveways with a width of 12' (14' required).

Plans are on file and may be examined in the Zoning Department entitled "Alexander Montessori School," as prepared by J. Scott Architecture, P.A., dated 3/29/00 and consisting of 8 sheets. Plans may be modified at public hearing.

SUBJECT PROPERTY: The NE ¼ of the SE ¼ of the SE ¼, less the south 340.41' and the east 35'; and the east 100' of the NW ¼ of the SE ¼ of the SE ¼, less the south 340.41' thereof in Section 23, Township 55 South, Range 40 East.

LOCATION: 14850 S.W. 67 Avenue, Miami-Dade County, Florida, and

*WHEREAS*, a public hearing of the Miami-Dade County Community Zoning Appeals Board 13 was advertised and held, as required by law, and all interested parties concerned in the matter were given an opportunity to be heard, and at which time it was noted that the applicant had previously submitted a revised sheet A-1 within the scope of the ad entitled "Alexander Montessori School," as prepared by J. Scott Architecture, P.A., dated 12/5/00, and at which time the applicant requested permission to withdraw the non-use variances of parking requirements (Items #2 & 3), and

*WHEREAS*, this Board has been advised that the subject application has been reviewed for compliance with concurrency requirements for levels of services and, at this stage of the request, the same was found to comply with the requirements, and

*WHEREAS*, upon due and proper consideration having been given to the matter it is the opinion of this Board that the requested non-use variance of setback requirements (Item #1) would be in harmony with the general purpose and intent of the regulations and would conform with the requirements and intent of the Zoning Procedure Ordinance, and the withdrawal of the non-use variances of parking requirements (Items #2 & 3) should be granted, and

*WHEREAS*, a motion to approve Item #1 and to grant the withdrawal of Items #2 & 3 was offered by Robert P. Harrison III, seconded by Marsha Matson, and upon a poll of the members present, the vote was as follows:

|                        |             |                |     |
|------------------------|-------------|----------------|-----|
| Robert P. Harrison III | aye         | Marsha Matson  | aye |
| Karen Kirby            | aye         | Paula Palm     | aye |
| Albert J. LaVoie       | absent      | Linda Robinson | aye |
|                        | John Pettit |                | aye |

*NOW THEREFORE BE IT RESOLVED* by the Miami-Dade County Community

Zoning Appeals Board 13, that the requested non-use variance of setback requirements

(Item #1) be and the same is hereby approved, subject to the following conditions:

1. That a site plan be submitted to and meet with the approval of the Director upon the submittal of an application for a building permit and/or Certificate of Use and Occupancy; said plan to include among other things but not be limited thereto, location of structure or structures, types, sizes and location of signs, light standards, off-street parking areas, exits and entrances, drainage, walls, fences, landscaping, etc.
2. That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled "Alexander Montessori School," as prepared by J. Scott Architecture, P.A., dated 3/29/00 and consisting of 8 sheets, with sheet A-1 dated 12/5/00.
3. That the use be established and maintained in accordance with the approved plan.
4. That the applicant submit to the Department for its review and approval a landscaping plan which indicates the type and size of plant material prior to the issuance of a building permit and to be installed prior to the issuance of a Certificate of Use and Occupancy.
5. That the applicant obtain a Certificate of Use and Occupancy from the Department, upon compliance with all terms and conditions, the same subject to cancellation upon violation of any of the conditions.
6. That number of students be limited to a maximum of 270 students.
7. That the applicant comply with all applicable conditions and requirements of the Department of Environmental Resources Management (DERM) as contained in their memorandum pertaining to this application.
8. That the applicant comply with all applicable conditions and requirements of the Public Works Department as contained in their memorandum pertaining to this application.

*BE IT FURTHER RESOLVED*, that the request to withdraw non-use variances of parking requirements (Items #2 & 3) be and the same is hereby granted and said Items are hereby withdrawn without prejudice.

*BE IT FURTHER RESOLVED*, notice is hereby given to the applicant that the request herein constitutes an initial development order and does not constitute a final development

order and that one, or more, concurrency determinations will subsequently be required before development will be permitted.

The Director is hereby authorized to make the necessary notations upon the maps and records of the Miami-Dade County Department of Planning and Zoning and to issue all permits in accordance with the terms and conditions of this resolution.

*PASSED AND ADOPTED* this 13th day of December, 2000.

Hearing No. 00-12-CZ13-1  
mc

THIS RESOLUTION WAS TRANSMITTED TO THE CLERK OF THE BOARD OF COUNTY COMMISSIONERS ON THE 22ND DAY OF DECEMBER, 2000.

The Director is hereby authorized to make the necessary notations upon the maps and records of the Miami-Dade County Department of Planning and Zoning to correct the legal description consistent with this Reformation.

*PASSED AND ADOPTED* this 19<sup>th</sup> day of June, 2001.

Hearing No. 01-6-CZ13-1  
mc

THIS RESOLUTION WAS TRANSMITTED TO THE CLERK OF THE BOARD OF COUNTY COMMISSIONERS ON THE 12<sup>TH</sup> DAY OF JULY, 2001.

**STATE OF FLORIDA**

**COUNTY OF MIAMI-DADE**

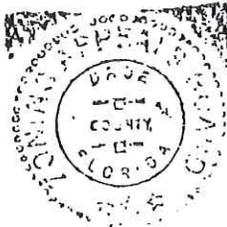
I, Mario Cepero, as Deputy Clerk for the Miami-Dade County Department of Planning and Zoning as designated by the Director of the Miami-Dade County Department of Planning and Zoning and Ex-Officio Secretary of the Miami-Dade County Community Zoning Appeals Board 13, DO HEREBY CERTIFY that the above and foregoing is a true and correct copy of Resolution No. CZAB13-9-01 adopted by said Community Zoning Appeals Board at its meeting held on the 19<sup>th</sup> day of June, 2001.

IN WITNESS WHEREOF, I have hereunto set my hand on this 12<sup>th</sup> day of July, 2001.



\_\_\_\_\_  
Mario Cepero, Deputy Clerk  
Miami-Dade County Department of Planning and Zoning

SEAL





STEPHEN P. CLARK CENTER

DEPARTMENT OF PLANNING AND ZONING  
111 NW FIRST STREET  
SUITE 1110  
MIAMI FLORIDA 33128-1974  
(305) 375-2800  
FAX (305) 375-2795

July 12, 2001

Alexander School, Inc.  
c/o Jerry Proctor, Esq.  
Bilzin Sumberg Dunn Baena Price & Axelrod, LLP  
200 South Biscayne Boulevard, Suite 2500  
Miami, FL 33131

Re: Hearing No. 01-6-CZ13-1  
Location: 14850 S.W. 67 Avenue

Dear Applicant:

Enclosed herewith is Resolution No. CZAB13-9-01, adopted by Community Zoning Appeals Board 13, which reformed Resolution No. CZAB13-8-00.

The resolution has been reformed to indicate the correct legal description for the subject property that went to public hearing.

Please note that all conditions of Resolution No. CZAB13-8-00 shall remain in full force and effect.

Sincerely,

A handwritten signature in black ink, appearing to read "Mario Cepero".

Mario Cepero  
Deputy Clerk

Enclosures



**RESOLUTION NO. CZAB13-8-00**

*WHEREAS*, ALEXANDER SCHOOL, INC. applied for the following:

- (1) NON-USE VARIANCE OF SETBACK REQUIREMENTS to permit buildings of public assemblage to setback less than the required 75' from the interior side (north & south) property lines.
- (2) NON-USE VARIANCE OF PARKING REQUIREMENTS to permit 49 parking spaces (50 spaces required).
- (3) NON-USE VARIANCE OF PARKING REQUIREMENTS to permit one-way driveways with a width of 12' (14' required).

Plans are on file and may be examined in the Zoning Department entitled "Alexander Montessori School," as prepared by J. Scott Architecture, P.A., dated 3/29/00 and consisting of 8 sheets. Plans may be modified at public hearing.

**SUBJECT PROPERTY:** That portion of the south ½, of the south ½, of the SW ¼, of the SW ¼, of the NW ¼ of Section 33, Township 55 South, Range 40 East, lying east of State Road #5 (U.S. #1), less the east 210' and the north 25' thereof, A/K/A: Lots 8, 9 and 10, FRED T. NICHOLSON'S SUBDIVISION, unrecorded of the south ½, of the SW ¼, of the SW ¼, of the NW ¼ of Section 33, Township 55 South, Range 40 East.

**LOCATION:** 14850 S.W. 67 Avenue, Miami-Dade County, Florida, and

*WHEREAS*, a public hearing of the Miami-Dade County Community Zoning Appeals Board 13 was advertised and held, as required by law, and all interested parties concerned in the matter were given an opportunity to be heard, and at which time it was noted that the applicant had previously submitted a revised sheet A-1 within the scope of the ad entitled "Alexander Montessori School," as prepared by J. Scott Architecture, P.A., dated 12/5/00, and at which time the applicant requested permission to withdraw the non-use variances of parking requirements (Items #2 & 3), and

*WHEREAS*, this Board has been advised that the subject application has been reviewed for compliance with concurrency requirements for levels of services and, at this stage of the request, the same was found to comply with the requirements, and

WHEREAS, upon due and proper consideration having been given to the matter it is the opinion of this Board that the requested non-use variance of setback requirements (Item #1) would be in harmony with the general purpose and intent of the regulations and would conform with the requirements and intent of the Zoning Procedure Ordinance, and the withdrawal of the non-use variances of parking requirements (Items #2 & 3) should be granted, and

WHEREAS, a motion to approve Item #1 and to grant the withdrawal of Items #2 & 3 was offered by Robert P. Harrison III, seconded by Marsha Matson, and upon a poll of the members present, the vote was as follows:

|                        |        |                |     |
|------------------------|--------|----------------|-----|
| Robert P. Harrison III | aye    | Marsha Matson  | aye |
| Karen Kirby            | aye    | Paula Palm     | aye |
| Albert J. LaVoie       | absent | Linda Robinson | aye |
| John Pettit            |        | aye            |     |

NOW THEREFORE BE IT RESOLVED by the Miami-Dade County Community Zoning Appeals Board 13, that the requested non-use variance of setback requirements (Item #1) be and the same is hereby approved, subject to the following conditions:

1. That a site plan be submitted to and meet with the approval of the Director upon the submittal of an application for a building permit and/or Certificate of Use and Occupancy; said plan to include among other things but not be limited thereto, location of structure or structures, types, sizes and location of signs, light standards, off-street parking areas, exits and entrances, drainage, walls, fences, landscaping, etc.
2. That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled "Alexander Montessori School," as prepared by J. Scott Architecture, P.A., dated 3/29/00 and consisting of 8 sheets, with sheet A-1 dated 12/5/00.
3. That the use be established and maintained in accordance with the approved plan.
4. That the applicant submit to the Department for its review and approval a landscaping plan which indicates the type and size of plant material prior to the issuance of a building permit and to be installed prior to the issuance of a Certificate of Use and Occupancy.
5. That the applicant obtain a Certificate of Use and Occupancy from the Department, upon compliance with all terms and conditions, the same subject to cancellation upon violation of any of the conditions.

6. That number of students be limited to a maximum of 270 students.
7. That the applicant comply with all applicable conditions and requirements of the Department of Environmental Resources Management (DERM) as contained in their memorandum pertaining to this application.
8. That the applicant comply with all applicable conditions and requirements of the Public Works Department as contained in their memorandum pertaining to this application.

*BE IT FURTHER RESOLVED*, that the request to withdraw non-use variances of parking requirements (Items #2 & 3) be and the same is hereby granted and said Items are hereby withdrawn without prejudice.

*BE IT FURTHER RESOLVED*, notice is hereby given to the applicant that the request herein constitutes an initial development order and does not constitute a final development order and that one, or more, concurrency determinations will subsequently be required before development will be permitted.

The Director is hereby authorized to make the necessary notations upon the maps and records of the Miami-Dade County Department of Planning and Zoning and to issue all permits in accordance with the terms and conditions of this resolution.

*PASSED AND ADOPTED* this 13th day of December, 2000.

Hearing No. 00-12-CZ13-1  
mc

**THIS RESOLUTION WAS TRANSMITTED TO THE CLERK OF THE BOARD OF COUNTY COMMISSIONERS ON THE 22ND DAY OF DECEMBER, 2000.**

STATE OF FLORIDA

COUNTY OF MIAMI-DADE

I, Marcy Gordon, as Deputy Clerk and Legal Counsel for the Miami-Dade County Department of Planning and Zoning as designated by Guillermo E. Olmedillo, Director of the Miami-Dade County Department of Planning and Zoning and Ex-Officio Secretary of the Miami-Dade County Community Zoning Appeals Board 13, DO HEREBY CERTIFY that the above and foregoing is a true and correct copy of Resolution No. CZAB13-8-00 adopted by said Community Zoning Appeals Board at its meeting held on the 13th day of December, 2000.

IN WITNESS WHEREOF, I have hereunto set my hand on this 22nd day of December, 2000.



\_\_\_\_\_  
Marcy Gordon, Deputy Clerk and Legal Counsel  
Miami-Dade County Department of Planning and Zoning

SEAL



RESOLUTION NO. 4-ZAB-609-69

The following resolution was offered by Mr. Roger Shaw,  
seconded by Mrs. Irene Paugno, and upon poll of members present,  
the vote was as follows:

|                    |     |                       |        |
|--------------------|-----|-----------------------|--------|
| Irene Paugno       | aye | Betty S. Page         | absent |
| William L. Flynn   | aye | Robert W. Shaughnessy | aye    |
| Steven J. Green    | aye | Roger Shaw            | aye    |
| Leonard Levenstein | aye | Andrew Lee            | aye    |

WHEREAS, Alexander School, Inc. has applied for the following:

SPECIAL EXCEPTION to permit the expansion of an existing non-conforming day nursery and day camp to include a private grade school with grades 1 thru 9 incl., AND

TO MODIFY Resolution 3-ZAB-40-68, passed and adopted by the Dade County Zoning Appeals Board on the 17th day of January, 1968, which Resolution modified Conditions #4, 5, 6 and 7 of Resolution 2-ZAB-370-62, passed and adopted by the Dade County Zoning Appeals Board on the 20th day of June, 1962.

Said Condition #4 of Resolution 2-ZAB-370-62 was modified to "a maximum of 270 children for the combined nursery school and day camp operation".

Said request is to modify said condition to read as follows:

"That the use be approved for and be restricted to a maximum of 270 children for the combined grade school, nursery school and day camp operation."

Said Condition #5 of Resolution 2-ZAB-370-62 was modified to read as follows:

"That the use be restricted to children in the age group of 2 1/2 years to 5 years for the nursery school and 6 to 14 for the day camp."

Said request is to modify said condition to read as follows:

"That the use be restricted to children in the age group of 2 1/2 years to 5 years for the nursery school and 6 years to 14 years for the day camp and grade school."

ALL ON: The NE 1/4 SE 1/4 SE 1/4 less the S. 340.41' and the E. 35'; and E. 106' of the NW 1/4 SE 1/4 SE 1/4 less the S. 340.41' in Section 23, Township 55 South, Range 40 East. 14850 SW 67 Ave. (Ludlam Rd.), Dade County, Florida, and

WHEREAS, a public hearing of the Metropolitan Dade County Zoning Appeals Board was advertised and held, as required by law, and all interested parties concerned in the matter were heard, and

WHEREAS, upon due and proper consideration having been given to the matter, it is the opinion of this Board that the requested special exception and modification would be compatible with the area and its development and would conform with the requirements and intent of the Zoning Procedure Ordinance;

NOW THEREFORE BE IT RESOLVED by the Metropolitan Dade County Zoning Appeals Board that the requested special exception and modi-

fication be and the same are hereby approved subject to the following conditions:

1. Dedication of rights of way as may be deemed lacking, desirable and necessary, in the opinion of the Director of Public Works and Zoning Director, shall be made; and improvement shall be made of such rights of way as may be required by the Director of Public Works.
2. That the overall total number of children using the facilities be limited to a maximum number of 270 children.

The Zoning Director is hereby directed to make the necessary notations upon the maps and records of the Dade County Building and Zoning Department and to issue all permits in accordance with the terms and conditions of this Resolution.

PASSED AND ADOPTED this 12th day of November, 1969.

Heard 11/12/69  
No. 69-11-38  
11/25/69  
ew

November 25, 1969

Alexander School, Inc.  
6050 S. W. Red Road  
Miami, Florida

RE: Alexander School, Inc.; request for special exception  
and modification of conditions of previous resolutions.  
14850 SW 67 Ave. (Ludlam Rd.) Hrg. 69-11-38

Enclosed herewith is a copy of Resolution No. 4-ZAB-609-69, adopted by the Metropolitan Dade County Zoning Appeals Board, approving your application concerning the above subject matter.

If said approval was with conditions, please note same carefully inasmuch as strict compliance therewith will be required.

You are hereby advised that the decision of the Zoning Appeals Board may be appealed by an aggrieved party (within 14 days) or by the Directors of the Dade County Building and Zoning Department and Planning Department (within 18 days), as has been provided in Chapter 33-313 of the Code of Metropolitan Dade County, Florida; and that no permits or Certificate of Use and Occupancy can be issued until the appeal periods have expired, and only if no appeal has been filed. Application for necessary permits should be made with this department. The appeal period commences to run two days after the adoption date of the Resolution.

Very truly yours,

METROPOLITAN DADE COUNTY  
BUILDING AND ZONING DEPARTMENT

CCC/ew  
Enc.

bcc: Hrg. File ✓  
R. L. Bryan  
Public Works Dept.

Chester C. Czebrinski  
Assistant Director

First National Bank Hrg. 69-11-36      Resolution 4-ZAB-607-69  
of South Miami,  
Trustee

Mr. Shaughnessy: I move denial.

Chairman Lee: Motion by Mr. Shaughnessy for denial of the application.

Mrs. Faugno: Second.

Chairman Lee: Seconded by Mrs. Faugno. Discussion on the motion? Those opposed signify by raising their right hand. Motion carries then 6-0 for denial of the application. The application is denied.

Whereupon the motion carried by a vote of 6-0; Mr. Flynn and Mrs. Page being absent.

Shirley Green and  
Marvin A. Hollub

Hrg. 69-11-37      Resolution 4-ZAB-608-69

Mr. Shaw: I make a motion that this application be approved, using as the basis for my motion the recommendations of the Planning Department.

Chairman Lee: Seconded by Mr. Flynn. Discussion on the motion? Those opposed signify by raising their right hand. Motion carries 6-0/

Whereupon the motion carried by a vote of 6-0; Mr. Green and Mrs. Page being absent.

✓  
Alexander School,  
Inc.

Hrg. 69-11-38      Resolution 4-ZAB-609-69

Mr. Shaw: I make a motion that the application be approved, using as the basis for the motion the Zoning Director's recommendations.

Chairman Lee: Seconded by Mrs. Faugno. Discussion on the motion? Those opposed signify by raising their right hand. Motion carries 7-0 for approval.

Whereupon the motion carried by a vote of 7-0; Mrs. Page being absent.

Bernard S. Mandler, Def. Hrg. 69-10-22      Resolution 4-ZAB-610-69  
Trustee

Mrs. Faugno: I make a motion, then, instead of Mr. Shaughnessy. (For approval)

Mr. Flynn: I will still second it.

Chairman Lee: Discussion on the motion? Those opposed signify by raising their right hand.

Mr. Green: Mr. Chairman, I would like to find out how I voted on it.

Mr. Shaw: There wasn't any vote on it.

Mr. Green: Was it a tie vote?

Chairman Lee: It was deferred for reinspection.

Mr. Czebrinski: You were here.

Chairman Lee: Motion passes 5-0 with 2 abstentions.

Whereupon the motion carried by a vote of 5-0; Messrs. Shaughnessy and Shaw abstaining; Mrs. Page being absent.

RESOLUTION NO. 3-ZAB-40-68

The following resolution was offered by Mr. H. H. Wood,  
seconded by Mrs. Virginia Salley, and upon poll of members  
present, the vote was as follows:

|                   |         |                 |     |
|-------------------|---------|-----------------|-----|
| Neal Adams        | nay     | Virginia Salley | aye |
| Gene Flinn        | aye     | H. H. Wood      | aye |
| John R. Harlow    | aye     | Andrew Lee      | aye |
| Frank P. Reynolds | abstain |                 |     |

WHEREAS, The Oaks, Inc. has applied for the following:

SPECIAL EXCEPTION to permit expansion of an existing non-conforming day nursery school and day camp. Said expansion to consist of a 30.79' x 84.80' one story, CBS addition joining together the two existing day nursery buildings on subject property, AND

SPECIAL EXCEPTION of Conditions Nos. 4, 5, 6 and 7 of Resolution 2-ZAB-370-62, passed and adopted on the 20th day of June, 1962, and reading as follows:

CONDITION NO. 4: "That the use be approved for and be restricted to a maximum of fifty (50) children for the nursery school and one hundred (100) children for the day camp."

Applicant is requesting to amend said condition to permit a maximum of 270 children for the combined nursery school and day camp operation.

CONDITION NO. 5: "That the use be restricted to children in the age group of 2½ years to 4 years for the nursery school and 6 to 14 for the day camp."

Applicant is requesting to substitute the following: "That the use be restricted to children in the age group of 2½ years to 5 years for the nursery school and 6 to 14 for the day camp."

CONDITION NO. 6: "That the hours of operation shall be from 8:30 a.m. to 4:30 p.m."

Applicant is requesting to substitute the following: "That the hours of operation shall be from 8:00 a.m. to 5:00 p.m."

CONDITION NO. 7: "That the use shall be personal to the applicants and shall be non-transferable."

Applicant is requesting to delete said condition as title to the property has transferred to new owners.

ALL ON: The NE¼ SE¼ SE¼ less the S. 340.41' and the E. 35'; and E. 100' of the NW¼ SE¼ SE¼, less the S. 340.41' in Section 23, Township 55 South, Range 40 East. 14850 SW 67 Ave. (Ludlam Rd.), Dade County, Florida, and

WHEREAS, an inspection of the subject property was made and a public hearing of the Metropolitan Dade County Zoning Appeals Board was advertised and held, as required by law, and all interested parties concerned in the matter were heard, and

WHEREAS, upon due and proper consideration having been given to the matter, it is the opinion of this Board that the requested special exceptions would be compatible with the area and its devel-

opment and would conform with the requirements and intent of the Zoning Procedure Ordinance;

NOW THEREFORE BE IT RESOLVED by the Metropolitan Dade County Zoning Appeals Board that the requested special exception to permit expansion of the existing non-conforming day nursery school and day camp be and the same is hereby approved on condition that the proposed addition be to the rear of the North building in lieu of the joining together as requested, and

BE IT FURTHER RESOLVED that the requested special exception of Conditions Nos. 4, 5, 6 and 7 of Resolution 2-ZAB-370-62 be and the same is hereby approved.

The Zoning Director is hereby directed to make the necessary notations upon the maps and records of the Dade County Building and Zoning Department and to issue all permits in accordance with the terms and conditions of this Resolution.

PASSED AND ADOPTED this 17th day of January, 1968.

Heard 1/17/68 (12/13/67)  
Def. Hrg. 67-12-31  
1/26/68  
ew



# METROPOLITAN DADE COUNTY • FLORIDA

## BUILDING AND ZONING DEPARTMENT

ROOM 701  
1351 N. W. 12TH STREET  
MIAMI, FLORIDA, 33125  
TEL: 377-6911

January 26, 1968

The Oaks, Inc.  
14800 S. W. 67 Avenue  
Miami, Florida

RE: The Oaks, Inc.; request for special exception to permit expansion of non-conforming day nursery school and day camp, and special exception of Conditions Nos. 4, 5, 6 and 7 of Resolution 2-ZAB-370-62. 14850 SW 67 Ave. (Ludlam Rd.) Hrg. 67-12-31

Enclosed herewith is a copy of Resolution No. 3-ZAB-40-68, adopted by the Metropolitan Dade County Zoning Appeals Board, approving your application concerning the above subject matter.

If said approval was with conditions, please note same carefully inasmuch as strict compliance therewith will be required.

You are hereby advised that the decision of the Zoning Appeals Board may be appealed by an aggrieved party (within 14 days) or by the Directors of the Dade County Building and Zoning Department and Planning Department (within 18 days), as has been provided in Chapter 33-313 of the Code of Metropolitan Dade County, Florida; and that no permits or Certificate of Use and Occupancy can be issued until the appeal periods have expired, and only if no appeal has been filed. Application for necessary permits should be made with this department. The appeal period commences to run two days after the adoption date of the Resolution.

Very truly yours,

METROPOLITAN DADE COUNTY  
BUILDING AND ZONING DEPARTMENT

CCC/ew  
Enc.

Chester C. Czebrinski  
Assistant Director

bcc: Hrg. File ✓  
R. L. Bryan

George B. Thomson Rehr. 67-12-34

Mr. Harlow: 120 days maybe would be appropriate at this time, and we could deny it later if nothing has been done. I will move for 120 day deferral on it.

Mrs. Salley: I will second the motion.

Chairman Lee: We have a motion by Mr. Harlow, seconded by Mrs. Salley, to defer the application for a period of 120 days. Is there any discussion on the motion? Call her out, Mr. Czebrinski.

Mr. Czebrinski: That will be May 15, 2 p.m., with a further hearing, but no further notice.

Chairman Lee: All right. Call out the roll.

Whereupon the motion carried by a vote of 7-0.

Chairman Lee: So the motion carries then, Mr. Thomson, for a 120 day deferral with a vote of 7-0.

The Oaks, Inc.

Def. Hrg. 67-12-31 Resolution 3-ZAB-40-68

(Deferred because of tie vote.)

Mr. Czebrinski: The motion was made by Mr. Wood, seconded by Mrs. Salley, for approval on the basis of the Planning Department's recommendation. Messrs. Adams, Flinn and Harlow voted no; Mrs. Salley, Messrs. Wood and Lee voted yes. Mr. Reynolds was absent.

Chairman Lee: OK. We will have to call the roll again. The motion is for approval, on a split recommendation, which comprises a mere majority. Call the roll, Mr. Czebrinski.

Whereupon the motion carried by a vote of 5-1; Mr. Adams voting against the motion; Mr. Reynolds abstaining.

Mr. Reynolds: I will abstain because I have not heard the testimony nor read it.

Chairman Lee: So the motion carries for approval by a vote of 5-1 with 1 abstention. That concludes the hearing.

Mr. Harlow: The north and south property line, they are not equal. Can I ask without getting the public hearing opened again, of the Planning Department, which is as the recommendation reads. Is that right or wrong, before I vote on the motion? Is your recommendation right, or is it wrong?

Mr. Dabrusin: Yes, it is wrong.

Mr. Harlow: I just want to know.

Mr. Dabrusin: Actually it is at a greater depth than what this applicant is asking for, but because we took the angle in the opposite direction, and he is going off on the angle to the north, it looked like it was deeper, but actually it is not as deep.

Mr. Harlow: This statement is incorrect then?

Chairman Lee: It is squared off on U. S. #1.  
Call the roll, Mr. Czebrinski.

Whereupon the motion carried by a vote of 5-0; Messrs. Flinn and Reynolds being absent.

Chairman Lee: So the motion carries then for approval to BU-1 by a vote of five to zero.

The Oaks, Inc.

Hearing 67-12-31.

Mr. Wood: Mr. Chairman, it appears the request here is justified, and the conditions of the variances that were imposed previously are not justified today, and that the requests anyway are minor in nature. I feel the conditions imposed by the Planning Departments recommendations would adequately take care of the neighborhood, and I would therefore like to adopt their recommendations and offer a motion for approval.

Chairman Lee: Is there a second to the motion for approval?  
Mr. Wood is adopting the recommendations of the Planning Department.

Mrs. Salley: I will second the motion.

Chairman Lee: The motion is seconded by Mrs. Salley.  
Is there any discussion on the motion? All right.  
Call the roll out, Mr. Czebrinski.

Mr. Flinn: It does not appear to me that an enlargement of the school will be helpful to the neighborhood, so I will vote against the motion.

Chairman Lee: So it is a tie vote, and this is on a motion for approval, so does that mean it comes up in thirty days to break the tie vote?

Mr. Czebrinski: That is correct.

Chairman Lee: There will be no further public hearing thirty days from today. It will just be to break the tie vote with an additional Board member when he does return, and that will conclude the hearing for today, until about thirty days from today.

Mr. Czebrinski: January 17, sometime after 2:00 p.m.  
No further hearing.

Whereupon the motion resulted in a tie vote of 3-3;  
Mrs. Salley and Messrs. Wood and Lee voting for the motion;  
Messrs. Adams, Flinn, and Harlow voting against the motion,  
Mr. Reynolds being absent.



RESOLUTION NO. 2-ZAB-370-62

The following resolution was offered by Mr. Joseph H. Gardner,  
seconded by Mr. Andrew Lee, and upon poll of members present,  
the vote was as follows:

|                         |        |                        |        |
|-------------------------|--------|------------------------|--------|
| William Adar            | absent | Kenneth Markham        | aye    |
| Paul Brockman           | aye    | Frank F. Reynolds, Jr. | aye    |
| Francis A. Calhoun, Jr. | aye    | Harold E. Ross, Jr.    | absent |
| Carl Gardner            | absent | Milton Sirkin          | aye    |
| Joseph H. Gardner       | aye    | G.V.W. Trice, Jr.      | absent |
| Harry K. Hurst          | aye    | E. Tommy Thomas        | aye    |
| Andrew Lee              | aye    |                        |        |

WHEREAS, Johnson-Waugh-Merhige has applied for an UNUSUAL USE to permit  
day nursery school and day camp, AND  
UNUSUAL USE to permit outdoor recreational area.

SUBJECT PROPERTY: NW $\frac{1}{4}$  SE $\frac{1}{4}$  SE $\frac{1}{4}$  less the S. 340.41' and the E. 35'; and E. 100'  
of NW $\frac{1}{4}$  SE $\frac{1}{4}$  SE $\frac{1}{4}$  less the S. 340.41' in Section 23, Township 55 South, Range 40  
East. W. side SW 67 Ave. (Ludlum Rd.) between SW 148 St. and SW 149 St.,  
Dade County, Florida, and

WHEREAS, a public hearing of the Metropolitan Dade County Zoning Appeals  
Board was advertised and held, as required by law, and all interested parties  
concerned in the matter were heard, and

WHEREAS, upon due and proper consideration having been given to the matter,  
it is the opinion of this Board that the requested unusual uses/would be com-  
patible with the area and its development and would conform with the require-  
ments and intent of the Zoning Procedure Ordinance;

NOW THEREFORE BE IT RESOLVED by the Metropolitan Dade County Zoning Appeals  
Board that the requested unusual uses be and the same are hereby approved,  
subject to the following conditions:

1. That a detailed plot use plan be submitted to and meet with the approval  
of the Zoning Director; said plan shall include but not be limited to,  
location of structure or structures, off-street parking areas and driveways,  
walls, hedges and fences, landscaping, etc.
2. That the use be made to conform to the requirements and/or recommendations  
of the State Welfare Department and Dade County Fire Department and Dade  
County Department of Public Health.
3. That the use be established and maintained in accordance with the approved  
plan.
4. That the use be approved for and be restricted to a maximum of fifty (50)  
children for the nursery school and one-hundred (100) children for the  
day camp.
5. That the use be restricted to children in the age group of 2 $\frac{1}{2}$  years to  
4 years for the nursery school and 6 to 14 for the day camp.
6. That the hours of operation shall be from 8:30 a.m. to 4:30 p.m.

7. That the use shall be personal to the applicants and shall be nontransferable.
8. That there shall be no Saturday or Sunday operation.
9. That the permit be automatically renewable annually by the Dade County Building and Zoning Department upon compliance with all terms and conditions and be subject to cancellation upon violation of any of the conditions or when, in the opinion of the Metropolitan Dade County Zoning Appeals Board after public hearing, it is determined that the use is detrimental and/or incompatible with the surrounding neighborhood.

The Zoning Director is hereby directed to make the necessary notations upon the maps and records of the Metropolitan Dade County Building and Zoning Department and to issue all permits in accordance with the terms and conditions of this resolution.

PASSED AND ADOPTED this 20th day of June, 1962.

Heard: 6-20-62  
No. 62-6-51  
6-25-62  
ts

CO: MR. [unclear]

Hearing File

County Dept. of Public Health  
Dade County Fire Dept.

June 15, 1968

[unclear]  
[unclear]  
Miami, Florida

[unclear] (Meeting 12)  
[unclear]

Enclosed herewith is a copy of a resolution approved by the Metropolitan Dade County Zoning Appeals Board, approving your application concerning the above subject matter.

PLEASE NOTE THE CONDITIONS under which said approval was granted, inasmuch as strict compliance therewith will be required. The required plot use plan should be submitted to this office in triplicate for approval before any detailed plans are prepared, inasmuch as building permits will not be issued prior to the approval of said plan.

Certificates of Use and Occupancy will be required, and will be issued in accordance with the provisions authorized by this resolution.

Very truly yours,  
[Signature]  
METROPOLITAN DADE COUNTY  
BUILDING AND ZONING DEPT.

Chester G. Cashin  
Assistant Director



RESOLUTION NO. 3122

The following resolution was offered by Commissioner Ralph A. Fossey seconded by Commissioner Alexander S. Gordon, and upon poll of members present, the vote was as follows:

|                      |     |                       |         |
|----------------------|-----|-----------------------|---------|
| Joseph A. Boyd, Jr.  | aye | A. C. Kittel, Jr.     | aye     |
| Paris H. Court       | aye | John B. McLeod        | absent  |
| Ralph A. Fossey      | aye | Arthur H. Patten, Jr. | aye     |
| Alexander S. Gordon  | aye | Walter Welms          | abstain |
| Charles F. Hall      | aye | Ben C. McShay         | abstain |
| Robert H. Haverfield | aye |                       |         |

WHEREAS, Wylie K. Lee has applied for an change of zone from EU-1 (One-Low Estates) 12,500 c.f. to EU-M (Estate Use Modified) 12,500 c.f. to permit single family use on EU-M basis on the NE 1/4 Sec 5E, less the E. 340.41', and less the E. 35' for road; and the E. 100' of the NE 1/4 Sec 5E, less the E. 340.41' located in Sec. 23-35-40. SW 67 Ave. (Ladua Road) to 100' W. of 68 Ave, between SW 148 and 149 Streets, Dade County, Florida, and

WHEREAS, a public hearing of the Dade County Zoning Commission was advertised and held as required by law, and after hearing all interested parties and considering the adjacent areas, the Zoning Commission recommended that the application be denied, and

WHEREAS, a public hearing of this Board was advertised and held, at which time the recommendation of the Zoning Commission was presented, and interested parties present and concerned in the same were heard, and upon due and proper consideration having been given to the matter, it appears to this Board that the application should be approved on a modified basis;

AND THEREFORE BE IT RESOLVED by the Board of County Commissioners, Dade County, Florida, that the property be and the zone is hereby zoned EU-M 15,000 cubic feet with the exception of one (1) tier of lots on the Western extremity of the property, which is hereby zoned EU-S (Estate Use Suburban) 15,000 cubic feet.

The Zoning Director is hereby directed to make the necessary changes and notations upon the maps and records of the Dade County Building and Zoning Department.

PASSED AND ADOPTED this 16th day of June, 1960.

Board 5-18-60  
No. 41

By 7-12-60



# **TRAFFIC REVIEW**

ALEXANDER SCHOOL INC

VPB-16-010





A WBE/DBE firm

**Civil Works, Inc.**  
Miami - Ft. Lauderdale - Orlando  
305-591-4323 954-344-6568 407-339-0040  
www.civilworks.com cwi@civilworks.com

**PEER REVIEW MEMORANDUM**

TO: Mr. Travis Kendall, Planning & Zoning Administrator  
Village of Palmetto Bay  
9705 E. Hibiscus Street  
Palmetto Bay, Florida 33157

FROM: Jose Aldir, P.E.  
Civil Works, Inc.

SUBJECT: Alexander Montessori - Ludlam Campus - Review of Traffic Impact Study

DATE: August 8, 2016

CC: Linda Bell, P.E.  
Civil Works, Inc.

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Civil Works has reviewed the traffic impact study for the proposed increase in approved student enrollment at the Ludlam Campus of Alexander Montessori School which is located at 14850 SW 67 Avenue in the Village of Palmetto Bay, Florida. The traffic impact study was prepared by Richard Garcia & Associates, Inc. and was dated March 25, 2013.

**General Project Information**

According to the information in the traffic study, the school currently provides education for grade levels 1-5. Current enrollment is 260 students, however, the school has been approved for a maximum student enrollment of 270. The school wants to increase the approved student enrollment from 270 to 329 students. Two directional driveways service the school (one entry and one exit) and both are located along SW 67 Avenue (Ludlam Road). The traffic study evaluated the traffic impacts and the projected vehicle accumulation for the proposed increase in students.

**General Comments**

1)The traffic study was completed in March 2013. The turning movement counts were obtained in September 2012. The data used in the report to compute the projected growth, the traffic analysis zone, and the trip distribution was based on the Miami-Dade 2035 Long Range Transportation Plan (LRTP). Miami-Dade County published the 2040 LRTP in October 2014. The 2040 LRTP revised the projected growth, traffic analysis zone, and trip distribution for the study area. The traffic study should be updated to reflect the most current data available, however, it is unlikely that the results of the updated traffic study will alter the conclusions reached in the 2013 traffic study.

2) Based on the data utilized for the 2013 report, we believe that the conclusions reached in the study are based on sound traffic engineering concepts, observations, and analysis. The latest Highway Capacity Software (HCS 2010) was utilized to determine the Level of Service (LOS) for the intersections, roadway segment, and driveways. The appropriate Seasonal Factor (1.01) was applied to the traffic volumes. Appropriate Class II LOS volumes were utilized for the SW 67 Avenue roadway segment. The AM Peak Hour trip generation of 1.404 trips/student was based on actual site data. The only discrepancy we noted was on the calculation of the annual growth rate. We computed an annual growth rate of 0.87%, however, the report utilized an annual growth rate of 0.78%. Please note that correcting this discrepancy will not affect the LOS noted in the report and will not effect the conclusions reached in the report.

This concludes our peer review. We are available to answer any questions that you may have on this traffic study peer review memorandum or on questions that you may have regarding the traffic engineering study methodologies, computations, and conclusions.

Thank you for your attention in this matter.

***Civil Works, Inc.***

Sincerely,  
Jose Aldir, P.E.

Alexander Montessori Ludlam Campus Traffic Study Peer Review.wpd

CWI No. 16109.00

Please put with file and address report accordingly

**From:** Jerry Proctor [<mailto:jproctor@bilzin.com>]

**Sent:** Monday, September 26, 2016 11:00 AM

**To:** Darby Delsalle

**Cc:** 'Brette Rothfield'; Jerry Proctor; 'James McGhee'; [drj@alexandermontessori.com](mailto:drj@alexandermontessori.com)

**Subject:** FW: Alexander Montesorri 14850 SW 67 Ave

Darby , below please find the County 's report on the Alexander school zoning application . We have agreed to the change noted in the On Site Comments below . In addition , we have sent Mr. Gavilan a revised Traffic Operations plan in accordance with the comments , which I will send to you . Mr. Gavilan has concluded his review. Please call me if you have questions or if you need additional information . Thanks .



Jerry Proctor  
Attorney at Law  
**Bilzin Sumberg Baena Price & Axelrod LLP**  
1450 Brickell Avenue, 23rd Floor  
Miami, Florida 33131  
[www.bilzin.com](http://www.bilzin.com)

Tel 305.350.2361  
Direct Fax 305.351.2250  
[jproctor@bilzin.com](mailto:jproctor@bilzin.com)

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**From:** Gavilan, Ricardo (DTPW) [<mailto:Ricardo.Gavilan@miamidade.gov>]

**Sent:** Tuesday, September 13, 2016 5:15 PM

**To:** Jerry Proctor

**Subject:** RE: Alexander Montesorri 14850 SW 67 Ave

Hello Jerry,

As per our conversation, please address the following comments

Comments:

On Site Comments:

The proposed pedestrian connection, from the public sidewalk to school building, should be revised so that pedestrians are not lead to cross parking lot driveway from immediately behind a vehicle parking space Therefore the space just south of the crossing east of the parking aisle should be eliminated.

School Traffic Operation Plan (TOP) Comments:

- 1) Table 4.1.1 School Schedule Commitment should state 206 for the maximum number of student in a dismissal shift.

- 2) Table 6.0-2 Bicycle Route Description should state none if a physical dedicated bicycle route is not provided.
- 3) Table 8.0-3 School Speed Zone Posted Times should have the Arrival Period from 7:45-9:00 AM and the Dismissal Period from 2:45 to 4:00 PM as per DTPW policy. Also indicate if the school times are paired with the adjacent school.

Best Regards,

**Ricardo Gavilan, P.E., PTOE, LEED A.P., Professional Engineer**

**Department of Transportation and Public Works,  
Traffic Engineering Division**

111 NW 1st Street, Suite 1510, Miami, Florida 33120-1900

305-375-2030 Phone 305-372-6064 Fax

[www.miamidade.gov/gsa](http://www.miamidade.gov/gsa)

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**From:** Gavilan, Ricardo (DTPW)  
**Sent:** Wednesday, August 24, 2016 4:25 PM  
**To:** 'Jerry Proctor'  
**Subject:** Alexander Montesorri 14850 SW 67 Ave

Hello Jerry,

As per our meeting, the school will be required to submit the following updated documents to show compliance with the approval attached.

1. Update the site plan to address comments provided in the approval attached.
2. Update the TOP on version 11.
3. Provide the original traffic study for the 329 students.
4. Provide all documents electronically

Best Regards,

Ricardo Gavilan, P.E., PTOE, LEED A.P., Professional Engineer

Department of Transportation and Public Works,  
Traffic Engineering Division

111 NW 1st Street, Suite 1510, Miami, Florida 33120-1900

305-375-2030 Phone 305-372-6064 Fax

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