KITS

8-6-2009 Version # 1

MIAMI-DADE COUNTY

COMMUNITY ZONING APPEALS BOARD 7

PHYLLIS RUTH MILLER ELEMENTARY SCHOOL

840 NE 87 Street, Miami

Tuesday, September 8, 2009 at 6:30 p.m.

CURRENT

1.	09-9-CZ7-1	VW MONTESSORI SCHOOL, INC	09-32	32-52-42	N

Official Zoning Agenda

COMMUNITY ZONING APPEALS BOARD

COMMUNITY ZONING APPEALS BOARD - AREA 7

MEETING OF TUESDAY, SEPTEMBER 8, 2009

PHYLLIS RUTH MILLER ELEMENTARY SCHOOL - AUDITORIUM

840 NE 87 STREET, MIAMI, FLORIDA

NOTICE: THE FOLLOWING HEARINGS ARE SCHEDULED FOR 6:30 P.M., AND

ALL PARTIES SHOULD BE PRESENT AT THAT TIME

ANY PERSON MAKING IMPERTINENT OR SLANDEROUS REMARKS OR WHO BECOMES BOISTEROUS WHILE ADDRESSING THE COMMUNITY ZONING APPEALS BOARD SHALL BE BARRED FROM FURTHER AUDIENCE BEFORE THE COMMUNITY ZONING APPEALS BOARD BY THE PRESIDING OFFICER, UNLESS PERMISSION TO CONTINUE OR AGAIN ADDRESS THE BOARD BE GRANTED BY THE MAJORITY VOTE OF THE BOARD MEMBERS PRESENT.

NO CLAPPING, APPLAUDING, HECKLING OR VERBAL OUTBURSTS IN SUPPORT OR OPPOSITION TO A SPEAKER OR HIS OR HER REMARKS SHALL BE PERMITTED. NO SIGNS OR PLACARDS SHALL BE ALLOWED IN THE MEETING ROOM. PERSONS EXITING THE MEETING ROOM SHALL DO SO QUIETLY.

THE USE OF CELL PHONES IN THE MEETING ROOM IS NOT PERMITTED. RINGERS MUST BE SET TO SILENT MODE TO AVOID DISRUPTION OF PROCEEDINGS. INDIVIDUALS, INCLUDING THOSE ON THE DAIS, MUST EXIT THE MEETING ROOM TO ANSWER INCOMING CELL PHONE CALLS. COUNTY EMPLOYEES MAY NOT USE CELL PHONE CAMERAS OR TAKE DIGITAL PICTURES FROM THEIR POSITIONS ON THE DAIS.

THE NUMBER OF FILED PROTESTS AND WAIVERS ON EACH APPLICATION WILL BE READ INTO THE RECORD AT THE TIME OF HEARING AS EACH APPLICATION IS READ.

THOSE ITEMS NOT HEARD PRIOR TO THE ENDING TIME FOR THIS MEETING, WILL BE DEFERRED TO THE NEXT AVAILABLE ZONING HEARING MEETING DATE FOR THIS BOARD.

SWEARING IN OF WITNESSES

---

1. VW MONTESSORI SCHOOL, INC. (09-9-CZ7-1/09-032) **32-52-42**
Area 7/District 4

(1) MODIFICATION of Condition #3 of Resolution 4-ZAB-355-70, passed and adopted by the Zoning Appeals Board, reading as follows:

FROM: 3. That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled 'Von Wedel Montessori School, Inc.,' as prepared by Ronald A. Wedel, and dated June 26, 1970."

TO: "3. That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled 'Von Wedel Montessori School, Inc.,' as prepared by Orestes Lopez-Recio, Architect, dated stamped received 5/26/09 and consisting of 7 sheets."

The purpose of request #1 is to allow the applicant to submit a new site plan showing additional classroom buildings and storage buildings for a previously approved private school.

(2) SPECIAL EXCEPTION to waive the zoning regulations prohibiting structures on or in a right-of-way; to permit a 2' high CBS wall in the right-of-way of N.E. 13th Avenue.

(3) Applicant is requesting to permit a two-way drive with a minimum width of 10'9" (20' required) and for a one-way drive with a minimum width of 11'6" (14' required).

(4) Applicant is requesting to permit building #1 setback 12'2" (25' required) from the side street (north) property line and setback 18'6" (30' required) from the side street (south) property line.

(5) Applicant is requesting to permit 2 storage buildings setback varying from 5'6" to 8'6" (15' required) from the side street (south) property line.

(6) Applicant is requesting to permit building #3 setback 14'9" (25' required) from the side street (south) property line.

(7) Applicant is requesting to permit buildings with a minimum spacing of 5'5" (10' required) from each other.

Upon a demonstration that the applicable standards have been satisfied, approval of request #1 may be considered under §33-311(A)(7) (Generalized Modification Standards) or §33-311(A)(17) (Modification or Elimination of Conditions or Covenants After Public Hearing) and approval of Requests #3 - #7 may be considered under §33-311(A)(4)(b) (Non-Use Variance or (c) (Alternative Non-Use Variance).

The aforementioned plans are on file and may be examined in the Department of Planning and Zoning. Plans may be modified at public hearing.

LOCATION: 11820 N.E. 13 Avenue, Miami-Dade County, Florida.

SIZE OF PROPERTY: 1.5 Acres

Department of Planning and Zoning Recommendation:	Approval with conditions of request #1 under Section 33-311(A)(7), approval with conditions of request #2 under Section 33-311(3), approval with conditions of requests #4 through #7 and denial without prejudice of request #3 under Section 33-311(A)(4)(b) and denial without prejudice of #3 through #7 under Section 33-311(A)(14) (ASDO) and Section 33-311(A)(4)(c) (ANUV).
Protests: 0	Waivers: 0
APPROVED:	DENIED WITH PREJUDICE:
DENIED WITHOUT PREJUDICE:	DEFERRED:

NOTICE

****

THE FOLLOWING SUMMARY INFORMATION IS PROVIDED AS A COURTESY; IT SHOULD NOT BE TREATED AS LEGAL ADVICE AND IT SHOULD NOT BE RELIED UPON. LEGAL CONSULTATION MAY BE WARRANTED IF AN APPEAL OR OTHER LEGAL CHALLENGE IS BEING CONTEMPLATED.

****

Decisions of the Community Zoning Appeals Board (CZAB) may be subject to appeal or other challenge. For example, depending upon the nature of the requests and applications addressed by the CZAB, a CZAB decision may be directly appealable to the Board of County Commissioners (BCC) or may be subject to challenge in Circuit Court. Challenges asserted in Circuit Court, where available, must ordinarily be filed within 30 days of the transmittal of the pertinent CZAB resolution to the Clerk of the BCC. Appeals to the BCC, where available, must be filed with the Zoning Hearing Section of the Department of Planning and Zoning (DPZ) within 14 days after the DPZ has posted a short, concise statement (such as that furnished above for the listed items) that sets forth the action that was taken by the CZAB. (The DPZ's posting will be made on a bulletin board located in the office of the DPZ.) All other applicable requirements imposed by rule, ordinance, or other law must also be observed when filing or otherwise pursuing any challenge to a CZAB decision.

Further information regarding options and methods for challenging a CZAB decision may be obtained from sources that include, but are not limited to, the following: Sections 33-312, 33-313, 33-314, 33-316, and 33-317 of the Code of Metropolitan Dade County, Florida; the Florida Rules of Appellate Procedure; and the Municode website (www.municode.com). Miami-Dade County does not provide legal advice regarding potential avenues and methods for appealing or otherwise challenging CZAB decisions; however, a licensed attorney may be able to provide assistance and legal advice regarding any potential challenge or appeal.

1. VW MONTESSORI SCHOOL, INC
(Applicant)

09-9-CZ7-1 (09-032)
Area 7/District 4
Hearing Date: 9/08/09

Property Owner (if different from applicant) **VW MONTESSORI SCHOOL, LLC**

Is there an option to purchase ☐/lease ☐ the property predicated on the approval of the zoning request? Yes ☑ No ☐

Disclosure of interest form attached? Yes ☑ No ☐

Previous Zoning Hearings on the Property:

Year	Applicant	Request	Board	Decision
1966	Hoover	- Unusual-Use radio station & relay tower.	ZAB	Approved
1967	A.D. Bessemer	- Use Variance to permit sale of house trailers in BU-2 zone.	ZAB	Approved w/conds.
1970	Gertrude Copeland	- Special Exception pre-school - Non-Use Variance setbacks - Variance spacing less than 75'	ZAB	Approved w/conds.

Action taken today does not constitute a final development order, and one or more concurrency determinations will subsequently be required. Provisional determinations or listings of needed facilities made in association with this Initial Development Order shall not be binding with regard to future decisions to approve or deny an Intermediate or Final Development Order on any grounds.

MIAMI-DADE COUNTY DEPARTMENT OF PLANNING AND ZONING
RECOMMENDATION TO COMMUNITY COUNCIL No. 7

APPLICANT: VW Montessori School, Inc. **PH:** Z09-32 (09-9-CZ7-1)

SECTION: 32-52-42 **DATE:** September 8, 2009

COMMISSION DISTRICT: 4 **ITEM NO.:** 1

==========

A. INTRODUCTION

o REQUESTS:

(1) MODIFICATION of Condition #3 of Resolution 4-ZAB-355-70, passed and adopted by the Zoning Appeals Board, reading as follows:

FROM:"3. That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled 'Von Wedel Montessori School, Inc.,' as prepared by Ronald A. Wedel, and dated June 26, 1970."

TO: "3. That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled 'Von Wedel Montessori School, Inc.,' as prepared by Orestes Lopez-Recio, Architect, dated stamped received 5/26/09 and consisting of 7 sheets."

The purpose of request #1 is to allow the applicant to submit a new site plan showing additional classroom buildings and a storage building for a previously approved private school.

(2) Special Exception to waive the zoning regulations prohibiting structures on or in a right-of-way; to permit a 2' high CBS fence in the right-of-way of N.E. 13th Avenue.

(3) Applicant is requesting to permit a two-way drive with a minimum width of 10'9" (20' required) and for a one-way drive with a minimum width of 11'6" (14' required).

(4) Applicant is requesting to permit building #1 setback 12'2" (25' required) from the side street (north) property line and setback 18'6" (25' required) from the side street (south) property line.

(5) Applicant is requesting to permit 2 storage buildings setback varying from 5'6" to 8'6" (30' required) from the side street (south) property line.

(6) Applicant is requesting to permit building #3 setback 14'9" (25' required) from the side street (south) property line.

(7) Applicant is requesting to permit buildings with a minimum spacing of 5'5" (10' required) from each other.

Upon a demonstration that the applicable standards have been satisfied, approval of request #1 may be considered under §33-311(A)(7) (Generalized Modification Standards) or §33-311(A)(17) (Modification or Elimination of Conditions or Covenants After Public Hearing), request #2 under the Special Exception under §33-311(3) and approval of Requests #3 - #7 may be considered under §33-311(A)(4)(b) (Non-Use Variance or (c) (Alternative Non-Use Variance).

The aforementioned plans are on file and may be examined in the Department of Planning and Zoning. Plans may be modified at public hearing.

- **SUMMARY OF REQUESTS:** This application will allow the modification of a condition of a previously approved Resolution that will allow the applicant to submit a new site plan indicating the expansion of an existing pre-school and private school facility. Additionally, the new plans depict a wall within the public right-of-way, along with some principal structures and accessory structures which do not comply with the setback requirements of the Zoning Code.

- **LOCATION:** 11820 NE 13 Avenue, Miami-Dade County, Florida.

- **SIZE:** 1.5 acres

B. ZONING HEARINGS HISTORY:

In 1970, pursuant to Resolution 4-ZAB-355-70, the Zoning Appeals Board approved with conditions, a special exception to allow a pre-school and private school for ages between two and eight and a non-use variance of setbacks and spacing requirements to allow such pre-school and private school facility to setback less than the required distance from the side street property lines and spaced less than the required distance from an existing residential building.

C. COMPREHENSIVE DEVELOPMENT MASTER PLAN (CDMP):

1. The Adopted 2015 and 2025 Land Use Plan designates the subject property as being within the Urban Development Boundary for **Low Density Residential**. The residential densities allowed in this category shall range from a minimum of 2.5 to a maximum of 6.0 units per gross acre. This density category is generally characterized by single family housing, e.g., single-family detached, cluster, zero lot line and townhouses. It could include low-rise apartments with extensive surrounding open space or a mixture of housing types provided that the maximum gross density is -not exceeded.

2. Also permitted in residential Communities are neighborhood and community services including **schools**, parks, houses of worship, day care centers, group housing facilities, and utility facilities only when consistent with other goals, objectives and policies of this Plan and compatible with the neighborhood. The character of the "neighborhood" reflects the intensity and design of developments mix of land uses, and their relationship.

3. Existing lawful residential and non-residential uses and zoning are not specifically depicted on the LUP map. They are however reflected in the average Plan Density depicted. All such lawful uses and zoning are deemed to be consistent with this Plan as provided in the section of this CDMP titled "Concepts and Limitations of the Land Use Plan Map." The limitation referenced in this paragraph pertains to **existing zoning and uses**. All approval of new zoning must be consistent with the provisions of the specific category in which the subject parcel exists, including the provisions for density averaging and definition of gross density.

4. **Policy LU-4A:** When evaluating **compatibility** among proximate land uses, the County shall consider such factors as noise, lighting, shadows, glare, vibration, odor, runoff, access,

traffic, parking, height, bulk, scale or architectural elements, landscaping, hour of operation, buffering, and safety, as applicable.

D. NEIGHBORHOOD CHARACTERISTICS:

ZONING		LAND USE PLAN DESIGNATION
Subject Property:		
RU-2; pre-school and private school		Low Density Residential 2.5 to 6 dua
Surrounding Properties:		
NORTH:	RU-2; Single-family residence and Duplexes	Low Density Residential 2.5 to 6 dua
SOUTH:	RU-2; Single-family residence and Duplexes	Low Density Residential 2.5 to 6 dua
EAST:	RU-2; Single-family residence and Duplexes	Low Density Residential 2.5 to 6 dua
WEST:	R-2; Single-family residences and Duplexes	Low Medium Residential 6 to 13 dua

The subject property is a parcel of land located at 11820 NE 13 Avenue. The area where the subject property lies is characterized by single-family homes, duplexes and vacant lots.

E. SITE AND BUILDINGS:

Site Plan Review:	(plans submitted)
Scale/Utilization of Site:	**Acceptable**
Location of Buildings:	**Acceptable**
Compatibility:	**Acceptable**
Landscape Treatment:	**Acceptable**
Open Space:	**Acceptable**
Buffering:	**Acceptable**
Access:	**Acceptable**
Parking Layout/Circulation:	**N/A**
Visibility/Visual Screening:	**Acceptable**
Energy Considerations:	**N/A**
Roof Installations:	**N/A**
Service Areas:	**N/A**
Signage:	**N/A**
Urban Design:	**N/A**

F. PERTINENT REQUIREMENTS/STANDARDS:

Section 33-311(A)(3) Special Exceptions, Unusual Uses and New Uses. The Board shall hear an application for and grant or deny **special exceptions**; that is, those exceptions permitted by regulations only upon approval after public hearing, new uses and unusual uses which by the regulations are only permitted upon approval after public hearing; provided the applied for exception or use, including exception for site or plot plan approval, in the opinion of the Community Zoning Appeals Board, would not have an unfavorable effect on the economy of Miami-Dade County, Florida, would not generate or result in excessive noise or traffic, cause undue or excessive burden on public facilities, including water, sewer, solid waste disposal, recreation, transportation, streets, roads, highways or other such facilities which have been constructed or which are planned and budgeted for construction, are accessible by private or public roads, streets or highways, tend to create a fire or other equally or greater dangerous hazards, or provoke excessive overcrowding or concentration of people or population, when considering the necessity for and reasonableness of such applied for exception or use in relation to the present and future development of the area concerned and the compatibility of the applied for exception or use with such area and its development.

33-311(A)(7) Generalized Modification Standards. The Board shall hear applications to **modify** or eliminate any condition or part thereof which has been imposed by any final decision adopted by resolution; provided, that the appropriate Board finds after public hearing that the modification or elimination, in the opinion of the Community Zoning Appeals Board, would not generate excessive noise or traffic, tend to create a fire or other equally or greater dangerous hazard, or provoke excessive overcrowding of people, or would not tend to provoke a nuisance, or would not be incompatible with the area concerned, when considering the necessity and reasonableness of the modification or elimination in relation to the present and future development of the area concerned.

Section 33-311(A)(17) Modification or Elimination of Conditions and Covenants After Public Hearing. The Community Zoning Appeals Board shall approve applications to modify or eliminate any condition or part thereof which has been imposed by any zoning action, and to modify or eliminate any restrictive covenants, or parts thereof, accepted at public hearing, upon demonstration at public hearing that the requirements of at least one of the paragraphs under this section has been met. Upon demonstration that such requirements have been met, an application may be approved as to a portion of the property encumbered by the condition or the restrictive covenant where the condition or restrictive covenant is capable of being applied separately and in full force as to the remaining portion of the property that is not a part of the application, and both the application portion and the remaining portion of the property will be in compliance with all other applicable requirements of prior zoning actions and of this chapter.

Section 33-311(A)(4)(b) Non-Use Variances From Other Than Airport Regulations. Upon appeal or direct application in specific cases, the Board shall hear and grant applications for **non-use variances** from the terms of the zoning and subdivision regulations and may grant a non-use variance upon a showing by the applicant that the non-use variance maintains the basic intent and purpose of the zoning, subdivision and other land use regulations, which is to protect the general welfare of the public, particularly as it affects the stability and appearance of the community and provided that the non-use variance will be otherwise compatible with the surrounding land uses and would not be detrimental to the community. No showing of unnecessary hardship to the land is required.

Section 33-311(A)(4)(c) Alternative Non-Use Variance Standard. Upon appeal or direct application in specific cases to hear and grant applications from the terms of the zoning and subdivision regulations for non-use variances from the terms of the zoning regulations the Board (following a public hearing) may grant a non-use variance for these items, upon a showing by the applicant that the variance will not be contrary to the public interest, where owing to special conditions, a literal enforcement of the provisions thereof will result in unnecessary hardship, and so the spirit of the regulations shall be observed and substantial justice done; provided, that the non-use variance will be in harmony with the general purpose and intent of the regulation, and that the same is the minimum non-use variance that will permit the reasonable use of the premises; and further provided, no non-use variance from any airport zoning regulation shall be granted under this subsection.

Section 33-311(A)(14) Alternative Site Development Option for Single Family and Duplex Dwellings.

The following standards are alternatives to the generalized standards contained in zoning regulations governing specified zoning districts:

(c) Setbacks for a single family or duplex dwelling shall be approved after public hearing upon demonstration of the following:

1. the character and design of the proposed alternative development will not result in a material diminution of the privacy of adjoining residential property; and

2. the proposed alternative development will not result in an obvious departure from the aesthetic character of the immediate vicinity, taking into account existing structures and open space; and

3. the proposed alternative development will not reduce the amount of open space on the parcel proposed for alternative development to less than 40% of the total net lot area; and

4. any area of shadow cast by the proposed alternative development upon an adjoining parcel of land during daylight hours will be no larger than would be cast by a structure constructed pursuant to the underlying district regulations, or will have no more than a *de minimus* impact on the use and enjoyment of the adjoining parcel of land; and

5. the proposed alternative development will not involve the installation or operation of any mechanical equipment closer to the adjoining parcel of land than any other portion of the proposed alternative development, unless such equipment is located within an enclosed, soundproofing structure; and

6. the proposed alternative development will not involve any outdoor lighting fixture that casts light on an adjoining parcel of land at an intensity greater than permitted by this code; and

7. the architectural design, scale, mass, and building materials of any proposed structure or addition are aesthetically harmonious with that of other existing or proposed structures or buildings on the parcel proposed for alternative development; and

8. the wall of any building within a setback area required by the underlying district regulations shall be improved with architectural details and treatments that avoid the appearance of a "blank wall"; and

9. the proposed development will not result in the destruction or removal of mature trees within a setback required by the underlying district regulations, with a diameter at breast height of greater than ten (10) inches, unless the trees are among those listed in section 24-60(4)(f) of this code, or the trees are relocated in a manner that preserves the aesthetic and shade qualities of the same side of the lot; and

10. any windows or doors in any building to be located within an interior setback required by the underlying district regulations shall be designed and located so that they are not aligned directly across from facing windows or doors on buildings located on an adjoining parcel of land; and

11. total lot coverage shall not be increased by more than twenty percent (20%) of the lot coverage permitted by the underlying regulations; and

12. the area within an interior side setback required by the underlying district regulations located behind the front building line will not be used for off-street parking except:

    a. in an enclosed garage where the garage door is located so that it is not aligned directly across from facing windows or doors on buildings located on an adjoining parcel of land; or

    b. if the off-street parking is buffered from property that abuts the setback area by a solid wall at least six (6) feet in height along the area of pavement and parking, with either:

        i. articulation to avoid the appearance of a "blank wall" when viewed from the adjoining property, or

        ii. landscaping that is at least three (3) feet in height at time of planting, located along the length of the wall between the wall and the adjoining property, accompanied by specific provision for the maintenance of the landscaping, such as but not limited to, an agreement regarding its maintenance in recordable form from the adjoining landowner; and

13. any structure within an interior side setback required by the underlying district regulations;

    a. is screened from adjoining property by landscape material of sufficient size and composition to obscure at least sixty percent (60%) of the proposed alternative development to a height of the lower fourteen (14) feet of such structure at time of planting; or

b. is screened from adjoining property by an opaque fence or wall at least six(6) feet in height that meets the standards set forth in paragraph (f) herein; and

14. any proposed alternative development not attached to a principal building, except canopy carports, is located behind the front building line; and

15. any structure not attached to a principal building and proposed to be located within a setback required by the underlying district regulations shall be separated from any other structure by at least three (3) feet; and

16. when a principal building is proposed to be located within a setback required by the underlying district regulations, any enclosed portion of the upper floor of such building shall not extend beyond the first floor of such building within the setback; and

17. the eighteen (18) inch distance between any swimming pool and any wall or enclosure required by this code is maintained; and

18. safe sight distance triangles shall be maintained as required by this code; and

19. the parcel proposed for alternative development will continue to provide on-site parking as required by this code; and

20. the parcel proposed for alternative development shall satisfy underlying district regulations or, if applicable, prior zoning actions or administrative decisions issued prior to the effective date of this ordinance (August 2, 2002), regulating lot area, frontage and depth.

21. the proposed development will meet the following:

    A. interior side setbacks will be at least three (3) feet or fifty percent (50%) of the side setbacks required by the underlying district regulations, whichever is greater.

    B. Side street setbacks shall not be reduced by more than fifty percent (50%) of the underlying zoning district regulations;

    C. Interior side setbacks for active recreational uses shall be no less than seven (7) feet in EU, AU, or GU zoning district or three (3) feet in all other zoning districts to which this subsection applies;

    D. Front setbacks will be at least twelve and one-half (12 ½) feet or fifty percent (50%) of the front setbacks required by the underlying district regulations, whichever is greater;

    E. Rear setbacks will be at least three (3) feet for detached accessory structures and ten (10) feet for principal structures.

(k) **Notwithstanding the foregoing**, no proposed alternative development shall be approved upon demonstration that the proposed alternative development:

(1) will result in a significant diminution of the value of property in the immediate vicinity; or

(2) will have substantial negative impact on public safety due to unsafe automobile movements, heightened vehicular-pedestrian conflicts, or heightened risk of fire; or

(3) will result in a materially greater adverse impact on public services and facilities than the impact that would result from development of the same parcel pursuant to the underlying district regulations.

(l) **Proposed alternative development** under this subsection shall provide additional amenities or buffering to mitigate the impacts of the development as approved, where the amenities or buffering expressly required by this subsection are insufficient to mitigate the impacts of the development. The purpose of the amenities or buffering elements shall be to preserve and protect the economic viability of any commercial enterprises proposed within the approved development and the quality of life of residents and other owners of property in the immediate vicinity in a manner comparable to that ensured by the underlying district regulations. Examples of such amenities include but are not limited to: active or passive recreational facilities, landscaped open space over and above that normally required by the code, additional trees or landscaping materials, the inclusion of residential use(s), convenient pedestrian connection(s) to adjacent residential development(s), convenient covered bus stops or pick-up areas for transportation services, sidewalks (including improvements, linkages, or additional width), bicycle paths, buffer areas or berms, street furniture, undergrounding of utility lines, monument signage (where detached signs are allowed) or limited and cohesive wall signage, and decorative street lighting. In determining which amenities or buffering elements are appropriate, the following shall be considered:

(A) the types of needs of the residents or other owners immediate vicinity and the needs of the business owners and employees of the parcel proposed for development that would likely be occasioned by the development, including but not limited to recreational, open space, transportation, aesthetic amenities, and buffering from adverse impacts; and

(B) the proportionality between the impacts on the residents or other owners of property of parcel(s) in the immediate vicinity and the amenities or buffering required. For example, a reduction in setbacks for numerous lots or significantly large commercial buildings may warrant the provision of additional landscaped open space.

G. **NEIGHBORHOOD SERVICES:**

DERM	**No objection**
Public Works	**No objection**
Parks	**No comment**
MDTA	**No comment**
Fire Rescue	**No objection**

Police	**No objection**
Schools	**No comment**

H. ANALYSIS:

The subject property is located at 11820 NE 13 Avenue within an established RU-2, Two-Family Residential District. The applicant has submitted plans depicting this site with the existing pre-school and private school and proposed expansion to said facility. The surrounding area is predominately developed with single-family residences, two-family residences and vacant parcels. The Land Use Plan (LUP) map of the Comprehensive Development Master Plan (CDMP) designates this site for **Low Density Residential** use which allows neighborhood community services such as schools. Additionally, the existing pre-school and private school facility is an existing lawful non-residential use and since the requests will not add additional units to the community, the existing private school is **consistent** with the Low Density Residential use designation on the LUP map of the CDMP and is **compatible** with the surrounding area, which is characterized by single-family residences.

The Department of Environmental Resources Management **(DERM)** has **no objections** to this application and has indicated that it meets the minimum requirements of Chapter 24 of the Code of Miami-Dade County. The **Public Works Department** has **no objections** to this application. The Miami-Dade Fire Rescue Department **(MDFRD)** also has **no objections** to this application and has indicated that the average response travel time for this site is **6:12** minutes.

The approval of request #1, will allow a modification of a previously approved plan approved pursuant to Resolution 4-ZAB-355-70. The submitted plans indicate a 27' 5" x 24'9" addition to building #3; two storage buildings: one storage building with dimensions of 10' x 18' and the other with dimensions of 12'6" x 28'2"; a covered walkway connecting buildings #1, #2 and #3, the reconfiguration of the parking area including five (5) new automobile stacking spaces and a new playground and recreational area enclosed by a combination of a 4' to 6' high wood and chain link fence. Staff opines that the modification of the plans is necessary in order to reflect the proposed expansion to the existing pre-school and private school facility. Moreover, staff notes that the proposed expansion of the existing school facility does not increase the number of students previously approved on this site and provides additional classroom space for the 96 students enrolled at the school. Staff also notes that the private school facility on the subject site is surrounded by three dedicated public streets. The north abuts NE 118 Street, the south abuts NE 117 Terrace, the east abuts NE 13 Avenue and the west abuts a rail-road right-of-way. As such, staff is of the opinion that the subject property is adequately buffered from the neighboring properties and that the approval of the modification of plans will not result in a negative aural or visual impact to the surrounding area. As such, staff recommends approval with conditions of request #1, under Section 33-311(A)(7).

When request #2 is analyzed for the special exception to permit the maintenance and continued use of an existing 2' high concrete block wall in the right-of way of NE 134 Avenue, staff notes that the existing wall delineates the main entrance to the existing school facility and that such wall only exists on both sides of the main driveway entrance to the existing school. Staff opines that the wall encroachment is minor and notes that the Public Works Department has stated in their memorandum that they do not have any objection to this application. Staff opines that since such wall height is lower that the 2'6" maximum height safe sight distance triangle permitted for driveways in residential areas, the existing wall does not generate or result in excessive noise or traffic, cause undue or excessive burden on public facilities, including water, sewer, solid waste disposal, recreation, transportation, streets, roads, highways or other such facilities which have been constructed or which are planned and budgeted for construction, are

accessible by private or public roads, streets or highways, tend to create a fire or other equally or greater dangerous hazards, or provoke excessive overcrowding or concentration of people or population. Based on the aforementioned, staff recommends approval of request #2 with conditions under Section 33-311(A)(3).

When request #3 is analyzed under Section 33-311(A)(4)(b), the Non-Use Variance (NUV) Standards, staff is of the opinion that the approval of this request would be **incompatible** with the surrounding area, would negatively affect the stability and appearance of the community and would be a detriment to same. Staff notes that the subject property has adequate space to provide the required twenty (20') foot two-way driveway and the required fourteen (14) foot one-way driveway. However, the plans submitted by the applicant depict the continued use of an existing 10'9" two-way driveway and 11'6" one-way driveway which, in staff's opinion, do not provide adequate space for vehicles to ingress and egress the school facility during the drop off and pick up times. As such, staff recommends denial without prejudice of this request under Section 33-311(A)(4)(b) of the NUV standards.

When requests #4 though #7 are analyzed under Section 33-311(A)(4)(b), the Non-Use Variance (NUV) Standards, staff is of the opinion that the approval of these requests would be **compatible** with the surrounding area, would not negatively affect the stability and appearance of the community and would not be a detriment to same. Staff notes that the existing classroom addition, covered walkways and storage buildings are within the required side street setback requirements and although the spacing between buildings is less than required by the Zoning Code, it does not cause a negative visual or aural impact on the neighboring property to the north or south. Additionally, the spacing between the accessory buildings is internal to the site and does not cause a negative visual impact to the property to the south. As stated before, staff opines that the existing school facility is adequately buffered by the existing 50' right-of-way dedications to the north (NE 118 Street) and to the south (NE 117 Terrace) of the subject property. Additionally, the landscape plans submitted by the applicant indicate a row of fifteen (15) trees along the north boundary line and another row of seventeen (17) trees along the southern boundary of the subject property. In addition, the landscape plans indicate a continuous hedge (except for driveway connections) along the north, east and south property lines. As such, staff recommends approval with conditions of requests #4 though #7 under Section 33-311(A)(4)(b) of the NUV standards.

When requests #3 though #7 are analyzed under the Alternative Non-Use Variance (ANUV) Standards, Section 33-311(A)(4)(c), the applicant would be required to prove that the requests are due to unnecessary hardship and that, should the requests not be granted, such denial would not permit the reasonable use of the premises. This application does not comply with the standards of said section since the property can be utilized in accordance with the RU-2 zoning regulations. Therefore, staff recommends denial without prejudice of requests #4 though #7 under the Alternative Non-Use Variance (ANUV) Standards.

The Alternative Site Development Option (ASDO) Standards, Section 33-311(A)(14), provide for the approval of a zoning application which can demonstrate at a public hearing that the development requested is in compliance with the applicable ASDO Standards and does not contravene the enumerated public interest standards as established. However, the applicant has not provided staff with the documentation required for analysis under the ASDO standards. As such, requests #3 though #7 cannot be approved under same and should be denied without prejudice under Section 33-311(A)(14) (ASDO).

Accordingly, staff recommends approval with conditions of request #1 under Section 33-311(A)(7), approval with conditions of request #2 under Section 33-311 (3), approval with conditions of requests #4 through #7 and denial without prejudice of request #3 under Section 33-311(A)(4)(b) and denial without prejudice of #3 through #7 under Section 33-311(A)(14)(ASDO) and Section 33-311(A)(4)(c)(ANUV).

I. RECOMMENDATION:

Approval with conditions of request #1 under Section 33-311(A)(7), approval with conditions of request #2 under Section 33-311 (3), approval with conditions of requests #4 through #7 and denial without prejudice of request #3 under Section 33-311(A)(4)(b) and denial without prejudice of #3 through #7 under Section 33-311(A)(14)(ASDO) and Section 33-311(A)(4)(c)(ANUV).

J. CONDITIONS:

1. That all the conditions of Resolution #4ZAB-355-70 remain in full force and effect except as herein modified.

2. That a site plan be submitted to and meet with the approval of the Director of the Department of Planning and Zoning upon the submittal of an application for a building permit and/or Certificate of Completion said plan to include, among other things but not be limited to, location of structure or structures, exits and entrances, drainage, walls, fences, landscaping, and other requirements.

3. That prior to issuance of a building permit, the applicant submit to the Department of Planning and Zoning for its review and approval a landscaping plan which indicates the type and size of plant material. Said landscaping shall be installed prior to final zoning inspection.

4. That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled 'Von Wedel Montessori School, Inc.,' as prepared by Orestes Lopez-Recio, Architect, dated stamped received 5/26/09 and consisting of 7 sheets." Except as herein modified to show the required 20' two-way and 14' one-way driveway widths.

5. That the use be made to conform to the requirements and/or recommendations of the Miami-Dade County Fire Department, the Miami-Dade County Department of Public Health, and the State of Florida Department of Children and Families (Child Care Licensing Unit).

6. That the use shall be restricted to a maximum number of 96 children.

7. That the hours of operation shall be between 7:30 A.M. to 6:00 P.M

8. That the use may be conducted on the premises Monday through Friday.

9. That the applicant obtain a Certificate of Use from, and promptly renew the same annually with, the Department of Planning and Zoning upon compliance with all terms and conditions, the same subject to cancellation upon violation of any of the conditions.

10. That the applicant comply with all applicable conditions and requirements of the Department of Environmental Resources Management (DERM).

11. That all signage be in compliance with the zoning regulations and that no caricatures be placed on the fences or walls of the structure.

DATE INSPECTED: 07/20/09
DATE TYPED: 07/20/09
DATE REVISED: 07/21/09; 07/27/09, 08/14/09
DATE FINALIZED: 08/14/09
MCL:NN:CH:TA

Marc C. LaFerrier, AICP, Director
Miami-Dade County Department of
Planning and Zoning

Memorandum

MIAMI-DADE COUNTY

Date: June 10, 2009

To: Marc C. LaFerrier, AICP, Director
Department of Planning and Zoning

From: Jose Gonzalez, P.E., Assistant Director
Environmental Resources Management

Subject: NA #Z2009000032-1st Revision
VW Montessori School, Inc.
11820 N.E. 13 Avenue
Modification of a Condition of a Resolution to Submit a New Site Plan Showing Additional Buildings and Non-Use Variance to Permit the Width of a Driveway less than Required
(RU-2) (1.5 Acres)
32-52-42

The Department of Environmental Resources Management (DERM) has reviewed the subject application and has determined that it meets the minimum requirements of Chapter 24 of the Code of Miami-Dade County, Florida (the Code). Accordingly, DERM may approve the application, and the same may be scheduled for public hearing.

Potable Water Service

Public water and public sanitary sewers can be made available to the subject property. Therefore, connection of the proposed development to the public water supply system and sanitary sewer system shall be required in accordance with Code requirements.

Existing public water and sewer facilities and services meet the Level of Service (LOS) standards set forth in the Comprehensive Development Master Plan (CDMP). Furthermore, the proposed development order, if approved, will not result in a reduction in the LOS standards subject to compliance with the conditions required by DERM for this proposed development order.

Notwithstanding the foregoing, and in light of the fact that the County's sanitary sewer system has limited sewer collection, transmission, and treatment capacity, no new sewer service connections can be permitted, unless there is adequate capacity to handle the additional flows that this project would generate. Consequently, final development orders for this site may not be granted if adequate capacity in the system is not available at the point in time when the project will be contributing sewage to the system. Lack of adequate capacity in the system may require the approval of alternate means of sewage disposal. Use of an alternate means of sewage disposal may only be granted in accordance with Code requirements, and shall be an interim measure, with connection to the public sanitary sewer system required upon availability of adequate collection/transmission and treatment capacity.

Stormwater Management

All stormwater shall be retained on-site utilizing properly designed seepage or infiltration drainage structures. Drainage must be provided for the 5-year/1-day storm event with full on-site retention of the 25-year/3-day storm. Pollution Control devices shall be required at all drainage inlet structures.

Site grading and development shall comply with the requirements of Chapter 11C of the Code.

Any proposed development shall comply with County and Federal flood criteria requirements. The proposed development order, if approved, will not result in a reduction in the Level of Service standards for flood protection set forth in the CDMP subject to compliance with the conditions required by DERM for this proposed development order.

Wetlands
The subject property does not contain wetlands as defined by Section 24-5 of the Code; therefore, a Class IV Wetland Permit will not be required.

The applicant is advised that permits from the Army Corps of Engineers (305-526-7181), the Florida Department of Environmental Protection (561-681-6600) and the South Florida Water Management District (1-800-432-2045) may be required for the proposed project. It is the applicant's responsibility to contact these agencies.

Tree Preservation
According to the site and landscape plans submitted with this zoning application, the proposal to permit existing buildings and a variance for the driveway width will not impact tree resources. Therefore, the Tree Program has no objection to this zoning application, however please be advised that the property contains specimen-sized (trunk diameter 18 inches or greater) trees. Section 24-49.2(II) of Chapter 24, the Code of Miami-Dade County requires that specimen trees be preserved whenever reasonably possible. A Miami-Dade County Tree Removal Permit is required prior to the removal or relocation of any tree that is subject to the Tree Preservation and Protection provisions of Chapter 24. Said Tree Removal Permit shall meet the requirements of Sections 24-49.2 and 24-49.4 of the Code.

Enforcement History
DERM has found no open or closed enforcement records for the subject property.

Concurrency Review Summary
DERM has conducted a concurrency review for this application and has determined that the same meets all applicable LOS standards for an initial development order, as specified in the adopted CDMP for potable water supply, wastewater disposal, and flood protection. Therefore, the application has been approved for concurrency subject to the comments and conditions contained herein.

This concurrency approval does not constitute a final concurrency statement and is valid only for this initial development order, as provided for in the adopted methodology for concurrency review. Additionally, this approval does not constitute any assurance that the LOS standards would be met by any subsequent development order applications concerning the subject property.

This memorandum shall constitute DERM's written approval, as required by the Code.

If you have any questions concerning the comments, or wish to discus this matter further, please contact Enrique A. Cuellar at (305) 372-6764.

REVISION 1

PH# Z2009000032
CZAB - C07

PUBLIC WORKS DEPARTMENT COMMENTS

Applicant's Names:VW MONTESSORI SCHOOL, INC

This Department has no objections to this application.

This Department has no objections to the request to permit an existing driveway with a width less than required.

The property is currently operating with the existing conditions where this Department does not foresee any problems.

This project meets traffic concurrency because it lies within the urban infill area where traffic concurrency does not apply.

Raul A Pino, P.L.S.
14-MAY-09

RECEIVED
MIAMI-DADE COUNTY
PROCESS #: Z09-032
DATE: JUL 17 2009
BY: BJL

Child Care Check List for
Day Nursery, Day Care Center, Kindergarten and Private School

School Name: The Von Wedel Montessori School

School Address: 11820 NE 13th Avenue, Miami, Florida 33161 Tax Folio # 30 -2232-015-0320

1. Is this an expansion to an existing school ☐ Yes ☒ No If yes, indicated the number of students: _____ and age and grade ranges originally approved: _____.

2. Total size of site: 531 x 123 = 65,350 ÷ 43,560 sq. ft. = 1.5 acres

3. Number of children or students requested: 96 Ages: 2-6.

4. Number of teachers: 7 Number of administrative & clerical personnel: 1.

5. Number of classrooms: 4 Total square footage of classroom area: 4,522.1.

6. Total square footage of non-classroom area (offices, bathrooms, kitchens, closets): 2,383.1.

7. Amount of outdoor recreation/play area in square footage: 15,670.

NOTE: Location requirement for outdoor recreation/play areas must conform to §33-151.18(j)

8. Number & type of vehicle(s) that will be used in conjunction with the operation of the facility: N/A.

9. Number of parking spaces provided for staff, visitors and transportation vehicles: parking spaces provided 10 parking spaces required by §33-124(L) 8.

10. Indicate the number of auto stacking spaces: 4 provided 5 required.

11. Proposed height for the structure(s): 18 ft. existing See §33-151.18(g).

12. Size of identification sign: 20 inches x 17 inches = 2.36 sq. ft. See §33-151.18(c). Signage will require a separate permit. Contact the Permit Section at (786) 315-2100.

13. Days and hours of operation: 7:30 a.m. to 6:00 p.m.

14. Does the subject facility share the site with other facilities? __ Yes X No. (If yes, the space which will be used solely for the school facility during the hours of operation must be indicated on the plans, pursuant to §33-151.16).

15. If the school will include residential uses, do such uses meet the standards provided in §33-151.17? ☐ Yes ☒ No (If yes, describe the residential uses and indicate same on the plans).

2009 JUL 31 A 10:03
PLANNING AND ZONING
AGENDA OFFICE

RECEIVED
MIAMI-DADE COUNTY
PROCESS #: Z09-032
DATE: JUL 17 2009
BY: BJL

PHYSICAL STANDARDS: OUTDOOR RECREATION SPACE AND CLASSROOM SPACE MUST BE CALCULATED IN TERMS OF THE MAXIMUM NUMBER OF CHILDREN IN ATTENDANCE AT ANY ONE TIME.

The following information will determine the maximum number of children permitted at the facility. WHEN GRADE LEVELS OVERLAP, THE MORE RESTRICTIVE SHALL BE USED.

CLASSROOM SPACE: Calculated by grade levels.

a. Day Nursery/Kindergarten, preschool and after-school care

35 sq. ft. x 96 (number of children) = 3360 sq. ft. of classroom area required.

b. Elementary Grades 1-6

30 sq. ft. x _____ (number of children) = _____ sq. ft. of classroom area required.

c. Junior High and Senior High Schools (Grades 7-12)

25 sq. ft. x _____ (number of children) = _____ sq. ft. of classroom area required.

TOTAL SQUARE FOOTAGE OF CLASSROOM AREA REQUIRED: 3360 ✓.
TOTAL SQUARE FOOTAGE OF CLASSROOM AREA PROVIDED: ~~4522.1~~ 3535.

OUTDOOR RECREATION SPACE:

a. Day nursery/kindergarten, preschool and after school care

45 sq. ft. x 48 (½ of children) = 2160

b. Grades 1-6 500 sq. ft. x _____ (first 30 children) = _____

300 sq. ft. x _____ (remaining children) = _____

c. Grades 7-12 800 sq. ft. x _____ (first 30 children) = _____

300 sq. ft. x _____ (remaining children) = _____

TOTAL SQUARE FOOTAGE OF OUTDOOR RECREATION SPACE REQUIRED: 2160. ✓
TOTAL SQUARE FOOTAGE OF OUTDOOR RECREATION SPACE PROVIDED: 15670.

TREES: See §33-151.18(g), and the Planning Division (12th Floor) for additional requirements.

a. 28 trees are required per net acre. Trees required: 32 Trees provided: 33.

b. Ten shrubs are required for each tree required. Shrubs required 320 Shrubs provided 320.

c. Grass area for organized sports/play area in square feet: 15670.

d. Lawn area in square feet (exclusive of organized sports/play area): 32.322.

RECEIVED
MIAMI-DADE COUNTY
PROCESS #: Z09-032
DATE: JUL 17 2009
BY: BJL

School Address: 11820 NE 13th Avenue, Miami, Florida Zip Code: 33161.

THE INFORMATION ABOVE IS COMPLETE AND IS CORRECT TO THE BEST OF MY KNOWLEDGE.

Signed, sealed, executed and acknowledged on this 25 day of February at Miami-Dade County, Florida.

Signature

WITNESSES:

STATE OF FLORIDA
COUNTY OF MIAMI-DADE

I hereby certify that on this 25 day of FEBRUARY, 2009, before me personally appeared JOHANNA TAPIA, to me known to be the person described in and who executed the foregoing instrument and he/she acknowledged to me the execution thereof to be his/her free act for the uses and purposes therein mentioned.

MY COMMISSION EXPIRES:

Personally known

RENE P. MARTINEZ
Notary Public - State of Florida
My Commission Expires Mar 16, 2012
Commission # DD 768509
Bonded Through National Notary Assn.

MIADOCS 3329634 1

Memorandum

Date: 31-JUL-09

To: Marc LaFerrier, Director
Department of Planning and Zoning

From: Herminio Lorenzo, Fire Chief
Miami-Dade Fire Rescue Department

Subject: Z2009000032

Fire Prevention Unit:

This memo supersedes MDFR memorandum dated July 30, 2009.
OBJECTIONS:
These objection are for site plan date stamped May 26, 2009.
- One-Way shall be 15 feet minimum width.

Service Impact/Demand

Development for the above Z2009000032
located at 11820 N.E. 13 AVENUE, MIAMI-DADE COUNTY, FLORIDA.
in Police Grid 0545 is proposed as the following:

N/A	dwelling units	N/A	square feet
residential		industrial	
N/A	square feet	N/A	square feet
Office		institutional	
N/A	square feet		square feet
Retail		nursing home/hospitals	

Based on this development information, estimated service impact is: 5.87 alarms-annually.
The estimated average travel time is: 6:12 minutes

Existing services

The Fire station responding to an alarm in the proposed development will be:

Station 20 - North Miami E - 13000 NE 16 Avenue
Rescue, ALS Engine, Battalion

Planned Service Expansions:

The following stations/units are planned in the vicinity of this development:

None.

Fire Planning Additional Comments

Current service impact calculated based on site plan date stamped My 26, 2009. Substantial changes to the plan will require additional service impact analysis.

For information regarding the aforementioned comments, please contact the Miami-Dade Fire Rescue Department Planning Section at 786-331-4540.

DATE: 08/07/09
REVISION 1

TEAM METRO

ENFORCEMENT HISTORY

VW MONTESSORI SCHOOL, INC

APPLICANT

11820 N.E. 13 AVENUE, MIAMI-DADE COUNTY, FLORIDA.

ADDRESS

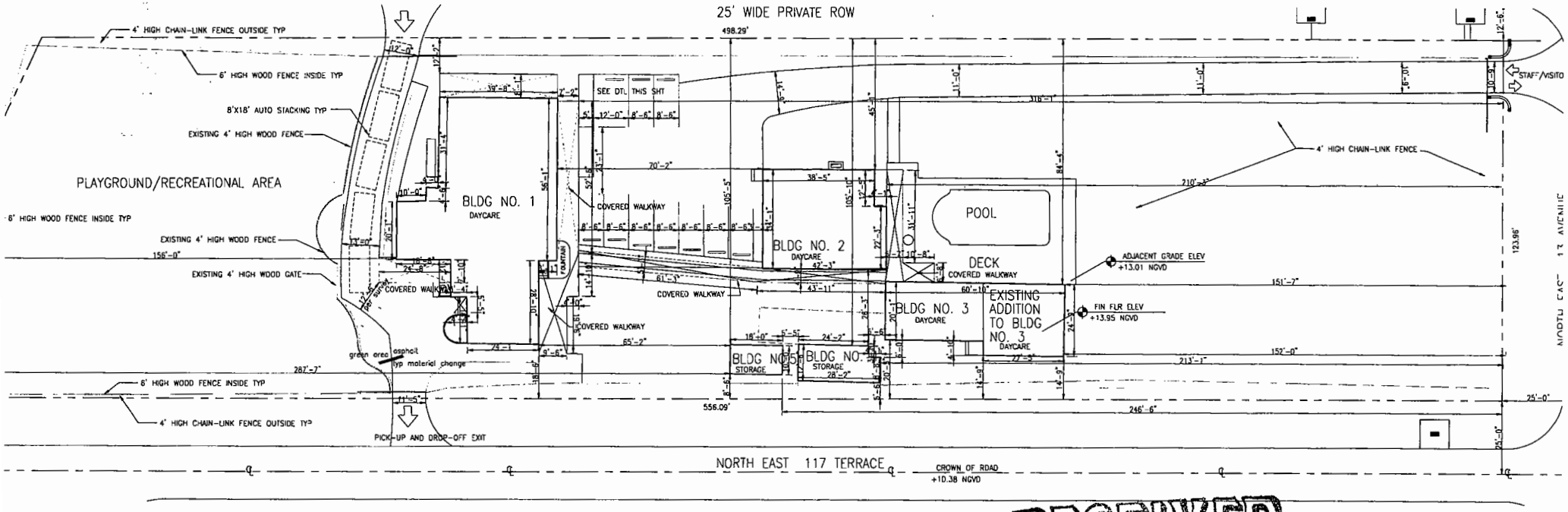
Z2009000032

HEARING NUMBER

CURRENT ENFORCEMENT HISTORY:

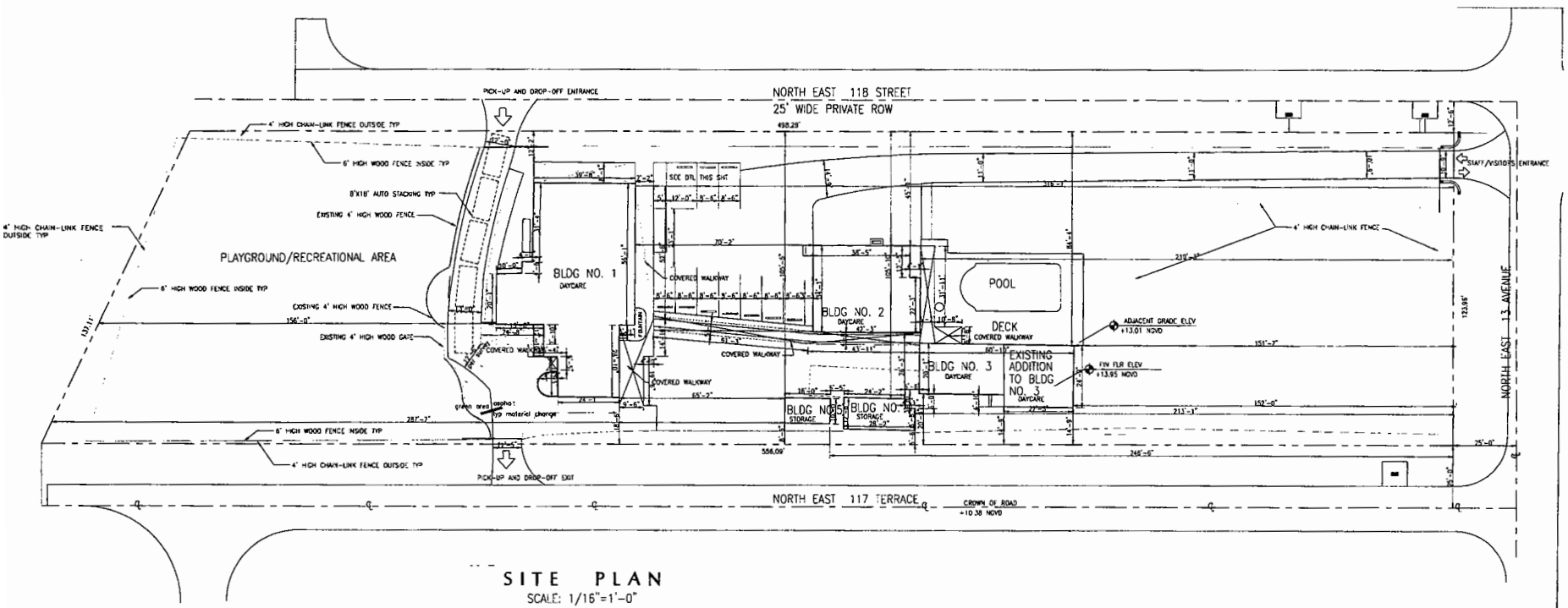
Current Enforcement History: Case was opened and closed on 8-5-09 case 200906-3309, no violation found.

Wendy Ogando



RECEIVED
209-032
MAY 26 2009
ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.
BY

ENLARGED SITE PLAN



SITE PLAN

SCALE: 1/16"=1'-0"

LEGAL DESCRIPTION

LOT 4 BLOCK 3 SUBDIVISION "BAYVIEW ACRES" ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 34 AT PAGE 88 OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA

ZONING DATA

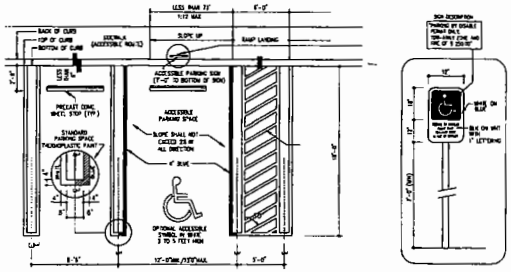
ZONING : R-2 USE: DAY CARE

LOT AREA	65,350.000 SQFT. = 1.5 ACRES
BUILDING HEIGHT	22'-6"
BUILDING COVERAGE + COVERED WALKS	6,2052 + 1852 + 8,1512 SQ FT = 13,4k

BUILDING NO.	USE	SQUARE FT		FRONT EAST	REAR WEST	RIGHT NORTH	LEFT SOUTH
			SETBACK REQUIRED	25'-0"	25'-0"	15'-0"	15'-0"
1	DAYCARE	3,624.7	SETBACK PROVIDED	316'-0"	158'-0"	12'-2"	18'-6"
2	DAYCARE	1,414		240'-2"		45'-1"	
3	DAYCARE	6693.7		77'8'-9"		84'-4"	20'-3"
4	STORAGE	337		213'-1"		105'-10"	5'-6"
5	STORAGE	160			283'-1"	105'-5"	8'-6"
EXISTING ADDITION BUILDING NO. 3	DAYCARE	6798		151'-1"	283'-1"	84'-4"	14'-5"

PARKING CALCULATIONS

		PARKING REQUIRED	PARKING PROVIDED
TOTAL EMPLOYEES		9	9 PARKING SPACES
HANDICAPPED		1	1 PARKING SPACE
TOTAL		10 PARKING SPACES	10 PARKING SPACES



ACCESSIBLE PARKING SPACE DETAIL

RECEIVED
209.032
MAY 26 2009
ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.
BY

RECEIVED
MAY 26 2009

23

OLR

ARCHITECT

CRISTINA LOPEZ-RICO
ARCHITECT

6100 S.W. 57 AVENUE
SUITE 222
MIAMI, FLORIDA 33143
TELEPHONE: (305) 666-9411

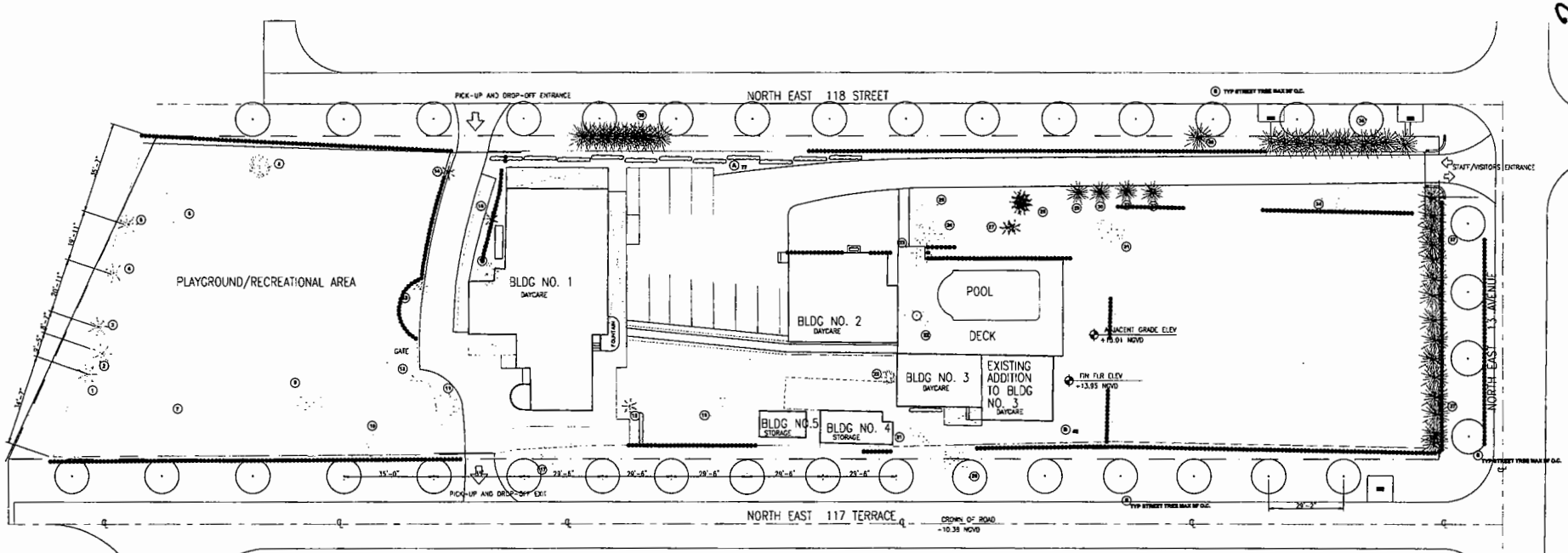
VON WEDEL MONTESSORI SCHOOL
11830 NE 13TH AVENUE
NORTH MIAMI, FLORIDA

REVISIONS :

DATE : 1-23-09
SCALE : SHOWN
DRAWN : AB
JOB NO. :

SP-1

SHEET NO. :



LANDSCAPING PLAN

SCALE: 1/16"=1'-0"

LANDSCAPE LEGEND

ZONING DISTRICT RU-2 NET LOT AREA 15 ACRES 653,350 SQUARE FEET

OPEN SPACE	REQUIRED	PROVIDED
LAWN AREA PROVIDED:	MAXIMUM ALLOWED 26,160 SQ. FT.	13,340 SQ. FT.
OUTDOOR RECREATION SPACE PROVIDED		15,670 SQ. FT.

TREES	REQUIRED	PROVIDED
A. THE NUMBER OF TREES REQUIRED PER NET LOT ACRE 653,350 - 86,718 sq. ft. PLAY AREA = 45,680 SQ FT ÷ 1.04 ACRES X 28 TREES PER ACRE = 32 TREES REQUIRED	32	24
B. 30% PALM TREES ALLOWED (TWO PALMS = ONE TREE) PALMS PROVIDED =	10	18
C. STREET TREES =	34	36
F. TOTAL NUMBER OF TREES PROVIDED =	66	63
SHRUBS		
A. THE TOTAL NUMBER OF TREES REQUIRED X 10 = THE NUMBER OF SHRUBS REQUIRED	660	520
B. THE NUMBER OF SHRUBS REQUIRED X 30% = THE NUMBER OF NATIVE SHRUBS REQUIRED	201	201

IRRIGATION PLAN: REQUIRED BY CHAPTER 33. AUTO IRRIGATION X OR HOSE BIB X PROVIDED

PROPERTY TREE LIST

No.	COMMON NAME	SCIENTIFIC NAME	D	C	H
1	PALM, MEXICAN WASHINGTON	*Washingtonia robusta*	1.0'	6'	25'
2	PALM, MEXICAN WASHINGTON	*Washingtonia robusta*	1.0'	10'	10'
3	PALM, MEXICAN WASHINGTON	*Washingtonia robusta*	1.0'	10'	25'
4	PALM, MEXICAN WASHINGTON	*Washingtonia robusta*	1.0'	10'	14'
5	PALM, MEXICAN WASHINGTON	*Washingtonia robusta*	1.0'	10'	25'
6	FIG, GOLDEN	*Ficus aurea*	0.33'	6'	10'
7	FIG, GOLDEN	*Ficus aurea*	0.8'	25'	25'
8	CITRUS	*Citrus spp.*	0.8'	14'	20'
9	LIVE OAK	*Quercus virginiana*	3.0'	40'	40'
10	FIG, GOLDEN	*Ficus aurea*	2.0'	15'	35'
11	FIG, GOLDEN	*Ficus aurea*	5.0'	40'	40'
12	LIVE OAK	*Quercus virginiana*	4.0'	40'	40'
13	COCONUT PALM	*Cocos nucifera*	0.8'	14'	14'
14	COCONUT PALM	*Cocos nucifera*	1.0'	20'	30'
15	FIG, GOLDEN	*Ficus aurea*	4.0'	30'	40'
16	ROYAL PALM	*Roystonea spp.*	0.3'	5'	20'
17	MANGO TREE	*Mangifera indica*	1.5'	17'	25'
18	ROYAL PALM	*Roystonea spp.*	0.25'	10	10'
19	LIVE OAK	*Quercus virginiana*	8.0'	35'	40'
20	(NOT IDENTIFIED)		1.6'	8'	40'
21	LIVE OAK	*Quercus virginiana*	0.67'	20'	25'
22	LIVE OAK	*Quercus virginiana*	3.0'	20'	50'
23	LIVE OAK	*Quercus virginiana*	2.5'	20'	45'
24	LIVE OAK	*Quercus virginiana*	3.6'	30'	50'
25	FIG, GOLDEN	*Ficus aurea*	2.0'	4'	36'
26	LIVE OAK	*Quercus virginiana*	3.0'	40'	30'
27	YELLOW BUTTERFLY PALM(GROUP OF 2)	*Chrysalidocarpus lutescens*	0.33'	4'	25'
28	YELLOW BUTTERFLY PALM(GROUP OF 7)	*Chrysalidocarpus lutescens*	0.33'	8'	30'
29	NORFOLK ISLAND PINE	*Araucaria heterophylla*	2.0'	10'	50'
30	NORFOLK ISLAND PINE	*Araucaria heterophylla*	1.25'	8'	45'
31	LIVE OAK	*Quercus virginiana*	4.0'	40'	40'
32	NORFOLK ISLAND PINE	*Araucaria heterophylla*	4.0'	15'	40'
33	NORFOLK ISLAND PINE	*Araucaria heterophylla*	2.0'	10'	35'
34	[illegible]	*Ficus rubiginosa*	2.0'	25'	30'

PROPERTY TREE LIST

TREES INSIDE PROPERTY LIMITS OUTSIDE PROPERTY FENCE

No.	COMMON NAME	SCIENTIFIC NAME	D	C	H
35	AUSTRALIAN PINE	*Casuarina spp.*	1.0'	20'	45'
	GROUP OF 23 PINE TREES ON 30 FEET				
	LENGTH 5 FEET FROM WOOD FENCE.				
36	AUSTRALIAN PINE	*Casuarina spp.*	1.5'	20'	35'
37	AUSTRALIAN PINE	*Casuarina spp.*	1.5'	12'	45'
	GROUP OF 17 PINE TREES ON 52.5FEET				
	LENGTH 5 FEET FROM WOOD FENCE.				
38	AUSTRALIAN PINE	*Casuarina spp.*	1.5'	12'	50'
	GROUP OF 56 PINE TREES ON 95 FEET				
	LENGTH 5 FEET FROM WOOD FENCE.				
A	SURINAM CHERRY.	*Eugenia Uniflora*	30" o.c.		18"
B	260 CHERRY HEDGES SHRUBS PLANTED	*Chrysobalanus Icaco*	30" o.c.		18"
	INSIDE THE PROPERTY				
	560 CHERRY HEDGES SHRUBS PLANTED				
	OUTSIDE PERIMETER FENCE 1.0' AWAY				
	FROM FENCE.				
S	MAHOGANY 36 TOTAL STREET	*Swietenia mahagoni*	1	10	12'
	NEW TREES				

NOTE: ○ TREE LOCATION & NUMBER DESIGNATION

RECEIVED
209-032
MAY 26 2009
ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.
BY

RECEIVED
MAY 26 2009
ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.

24

OLR

ARCHITECT
ORESTES LOPEZ-RICHO
ARCHITECT
[illegible] N.W. 2 AVENUE
SUITE 221
MIAMI, FLORIDA 33[illegible]
TELEPHONE (305) 2[illegible]-5[illegible]

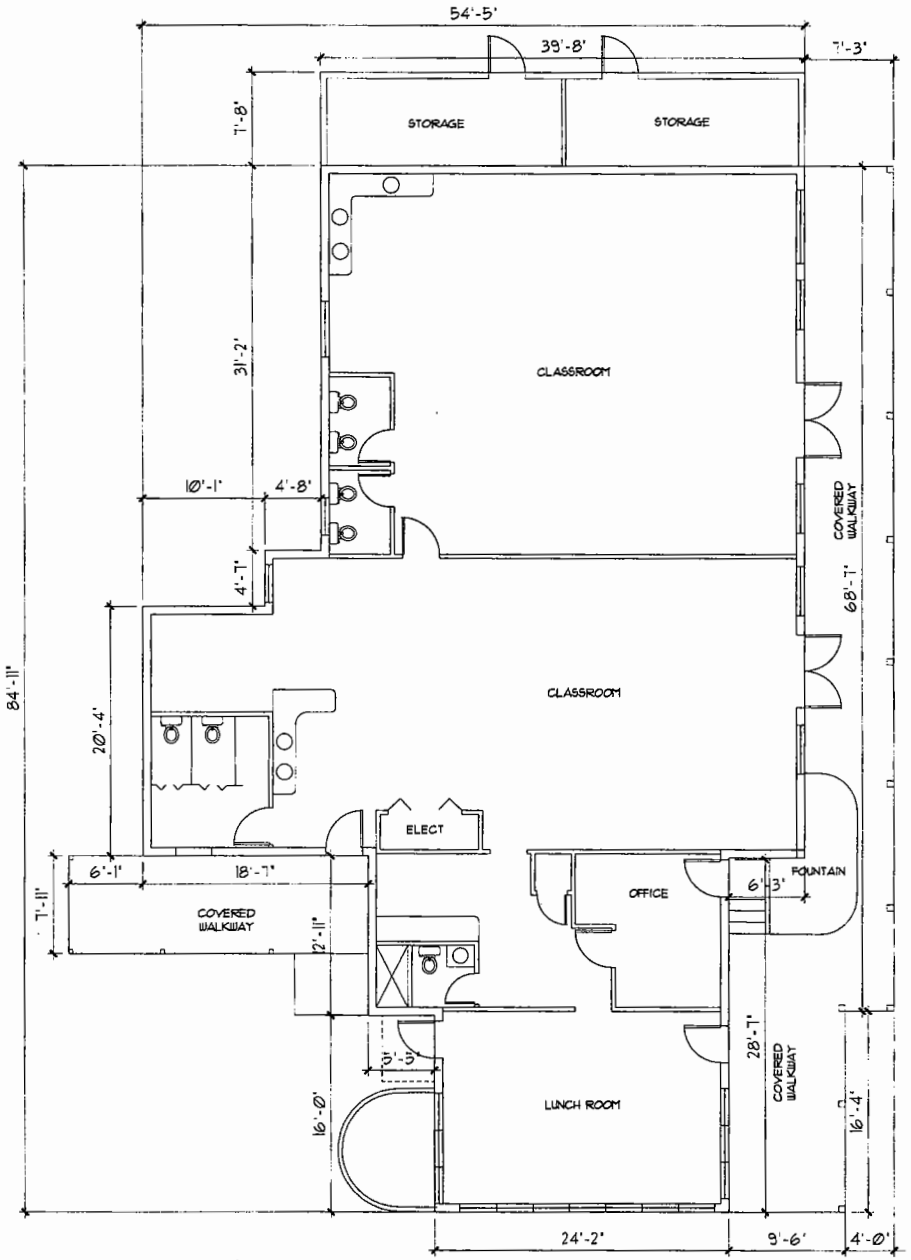
VON WEIDEL MONTESSORI SCHOOL
11820 NE 13TH AVENUE
NORTH MIAMI, FLORIDA

REVISIONS :

DATE : 1-23-09
SCALE : 1=10'-0"
DRAWN : AO
JOB NO. :

L-1

SHEET NO. :



FLOOR PLAN BUILDING NO. 1 (3,624.7 sq ft)

SCALE 1/4" = 1'-0"

RECEIVED
209-032
MAY 2 6 2009
ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.
BY

25

OLR

ARCHITECT

ORESTES LOPEZ-RECIO
ARSCOTO

[illegible] AVENUE
SUITE 221
MIAMI, FLORIDA [illegible]
TELEPHONE [illegible]

VON WEDEL MONTESSORI SCHOOL
11820 NE 13TH AVENUE
NORTH MIAMI, FLORIDA

REVISIONS :

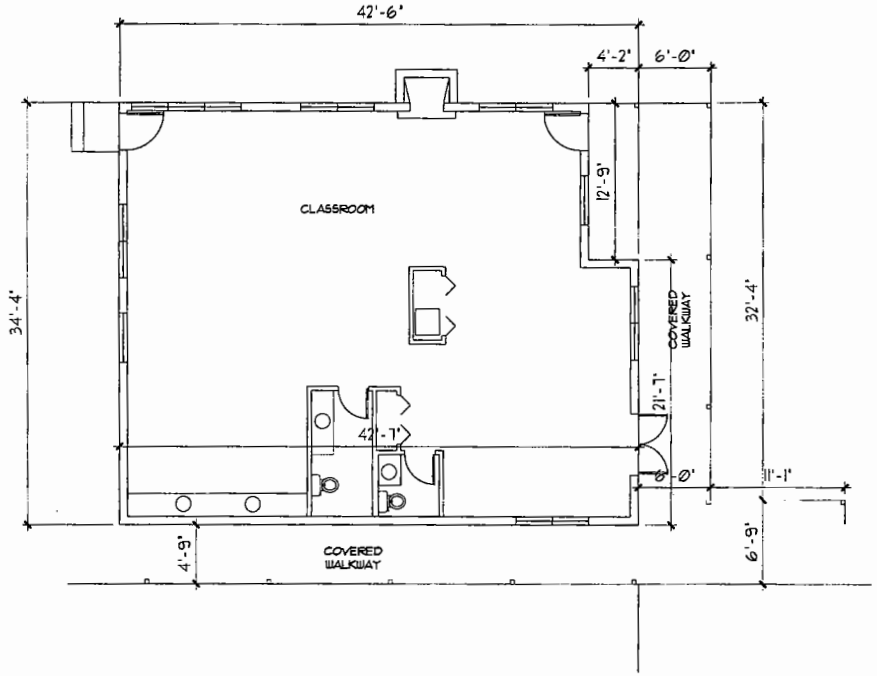
DATE : [illegible]
SCALE : [illegible]
DRAWN : [illegible]
JOB NO. :

A-1

SHEET NO. :

RECEIVED
MAY 2 6 2009

COPYRIGHT © 1998 ORESTES LOPEZ RECIO, ARCHITECT



FLOOR PLAN BUILDING NO. 2 (1,414.0 sf)

SCALE 1/4" = 1'-0"

RECEIVED
209-032
MAY 2 6 2009
ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.
BY AH

26

OLR

ARCHITECT

ORESTES LOPEZ-RECIO
ARCHITECT

1700 S.W. 57 AVENUE
SUITE 222
MIAMI, FLORIDA 33155
TELEPHONE (305) 262-3036

VON WEDEL MONTESSORI SCHOOL
11820 NE 13TH AVENUE
NORTH MIAMI, FLORIDA

REVISIONS :

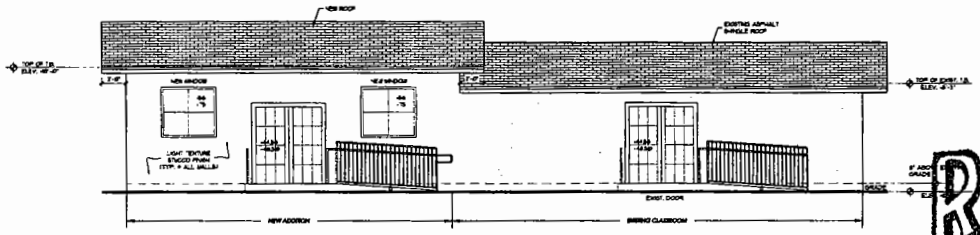
DATE : 1-12-09
SCALE : 6-10-04
DRAWN : AB
JOB NO. :

A-2

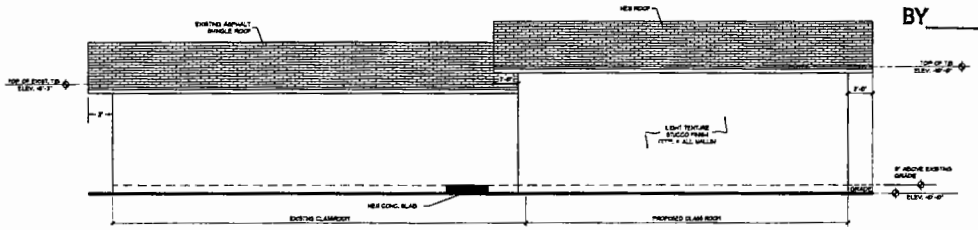
SHEET NO. :

Revi
RECEIVED
MAY 2 6 2009
ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.
BY

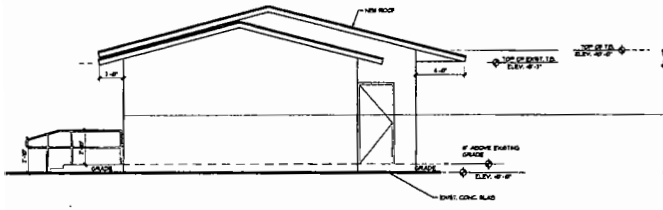
COPYRIGHT © 1998 ORESTES LOPEZ RECIO, ARCHITECT.



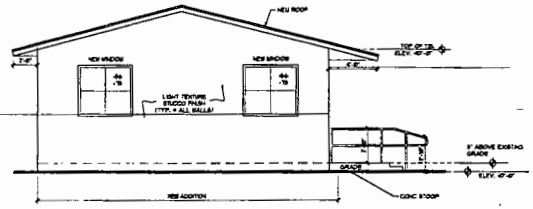
NORTH ELEVATION
SCALE 1/4" = 1'-0"



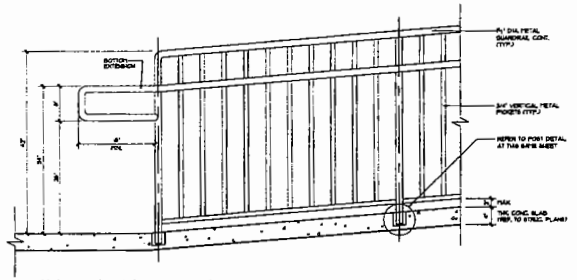
SOUTH ELEVATION
SCALE 1/4" = 1'-0"



WEST ELEVATION
SCALE 1/4" = 1'-0"

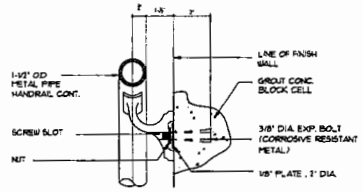


EAST ELEVATION
SCALE 1/4" = 1'-0"



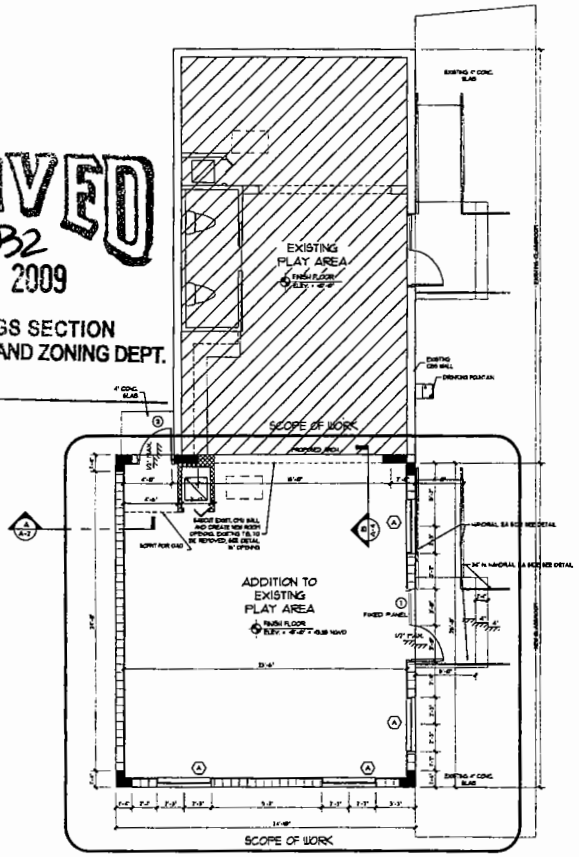
RAMP RAILING DETAIL
scale : 3/4" = 1'-0"

RAILING NOTES :
1. MAX. CLEARANCE BETWEEN BOTTOM RAIL & ADJACENT FLOOR SURFACE MUST BE 2" AS PER FBC 1003.
2. RAILING MANUFACTURER SHALL SUBMIT SHOP DRAWING TO ARCHITECT AND / OR STRUCTURAL ENGINEER FOR APPROVAL PRIOR TO FABRICATION.



HANDRAIL BRACKET DETAIL NTS

RECEIVED
209-032
MAY 2 6 2009
ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.
BY



FLOOR PLAN
SCALE 1/4" = 1'-0"

DOOR SCHEDULE								
	DOOR					FRAME		
NO.	W	H	TH	MATERIAL	TYPE	MAT.	THRESH.	REMARKS
1	6'-0"	6'-8"	1 3/4"	ALUMINUM GLASS	FRENCH	METAL	METAL	FABRIC HARDWARE ACTIVE LEAF
2	3'-0"	6'-8"	1 3/4"	METAL	SWING	METAL	METAL	DOUBLE BI-FOLD

SCOPE OF WORK:
1. LEGALIZE ADDITION TO EXISTING PLAY ROOM

WINDOW SCHEDULE					
NO.	SIZE W	SIZE H	FRAME	MATERIAL	REMARKS
A	4'-6"	4'-3"	1 1/4"	ALUMINUM GLASS	SH 348

AREA CALCULATIONS:

A/C SPACE EXISTING PLAYROOM	6657 SQ. FT.
A/C SPACE PLAYROOM ADDITION	6758 SQ. FT.
TOTAL	13459 SQ. FT.

WALL LEGEND:

INDICATES 8"x8"x16" MASONRY UNITS

INDICATES 3-5/8" (25 GAUGE) METAL STUDS PARTITION 16" O.C. WITH 3/8" DRYWALL FINISH EACH SIDE.

MINIMUM REQUIRED FLAME SPREAD CLASSIFICATION AND SMOKE DEVELOPED AS PER FBC 104 803 AND 803.3

INTERIOR WALL AND CEILING FINISH REQUIREMENTS BY OCCUPANCY
PLAY ROOM (DAYCARE) "D" ——— CLASS "C"

FBC EXISTING BUILDING CODE
2004 EDITION (EXISTING BLDG)
ALTERATION LEVEL 1
USE AND OCCUPANCY: DAYCARE "D"
FBC 2004 EDITION (ADDITION)
TYPE OF CONSTRUCTION V-B
USE AND OCCUPANCY: DAYCARE "D"
TOTAL OCCUPANTS: 56

Revi
RECEIVED
MAY 2 5 2009
ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.

COPYRIGHT © 1998 ORESTES LOPEZ RECIO, ARCHITECT.

27

OLR

ARCHITECT
ORESTES LOPEZ-RECIO
AR00009
1000 S.W. 57 AVENUE
SUITE 222
MIAMI, FLORIDA 33135
TELEPHONE (305) 265-2036

PROPOSED NEW ADDITION FOR:
VON WEDEL MONTESSORI SCHOOL
11820 NE 13TH AVENUE
NORTH MIAMI, FLORIDA

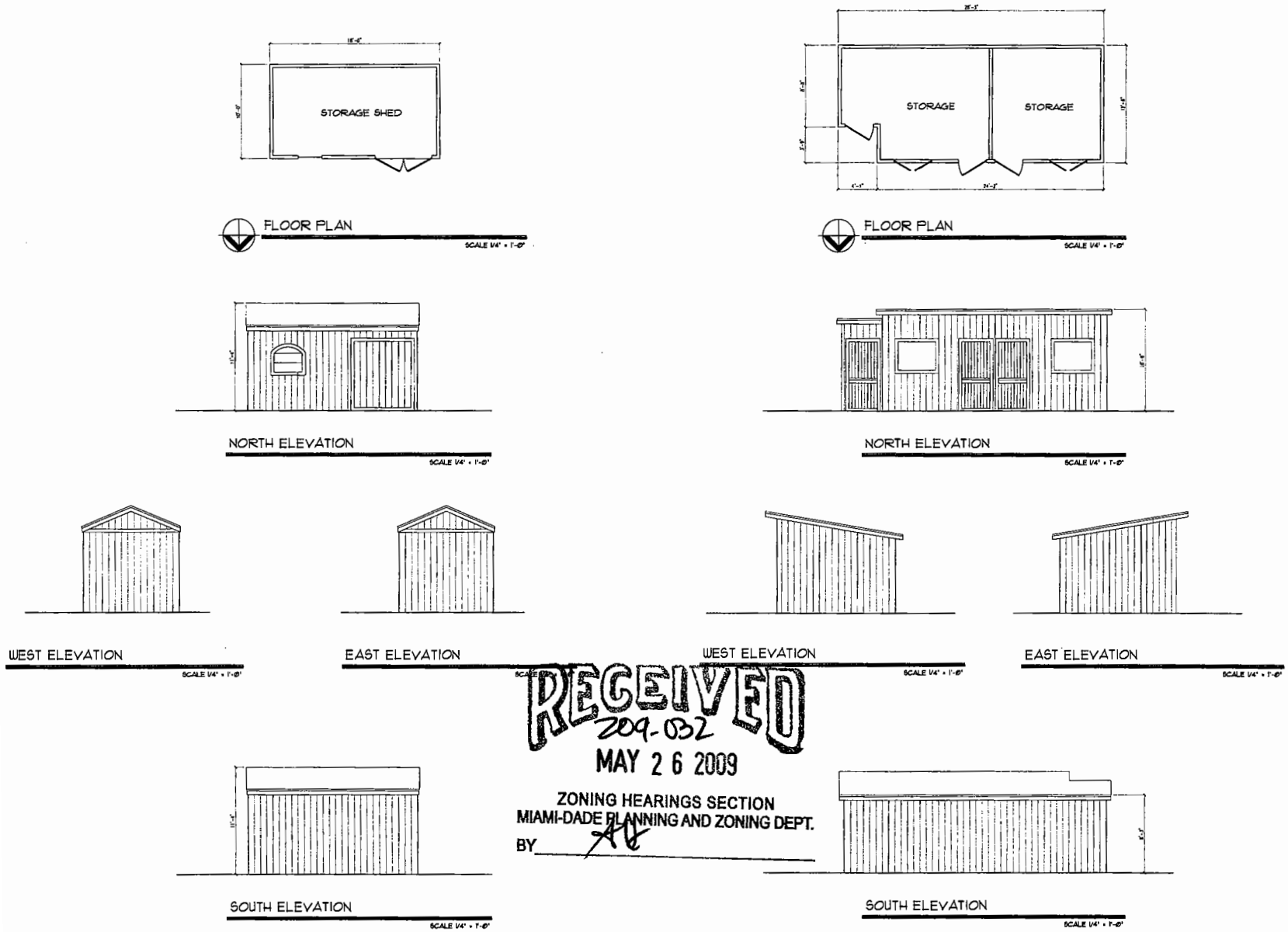
REVISIONS :

DATE : 10-15-08
SCALE : SHOWN
DRAWN : AB
JOB NO. :

A-3

SHEET NO. :

28



RECEIVED
209-032
MAY 2 6 2009
ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.
BY AH

STORAGE BUILDING NO. 5

STORAGE BUILDING NO. 4

Rev 1
RECEIVED
MAY 2 6 2009

OLR

ARCHITECT
CRESTIS LOPEZ-RECIO
AR0020
[illegible] S.W. 57 AVENUE
SUITE 222
MIAMI, FLORIDA 33125
TELEPHONE [illegible]

VON WEDEL MONTESSORI SCHOOL
11820 NE 13TH AVENUE
NORTH MIAMI, FLORIDA

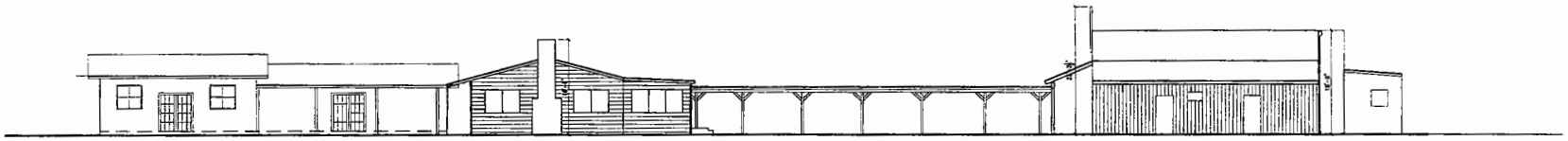
REVISIONS :

DATE : [illegible]
SCALE : [illegible]
DRAWN : AB
JOB NO. :

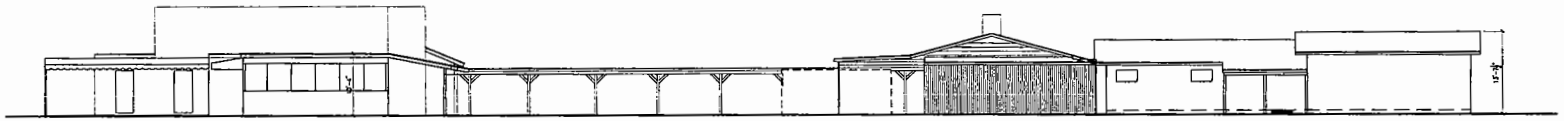
A-4

SHEET NO. :

29

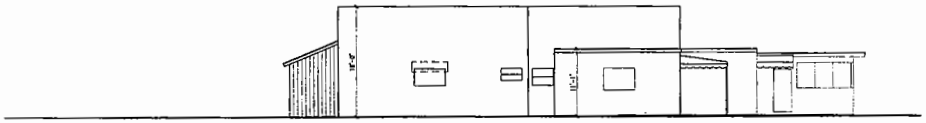


NORTH ELEVATION

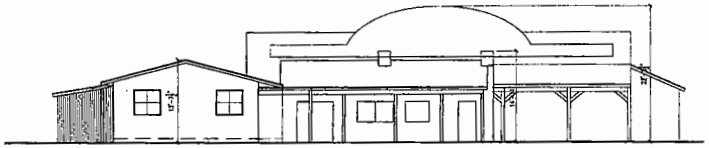


SOUTH ELEVATION

RECEIVED
209.032
MAY 2 6 2009
ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.
BY



WEST ELEVATION



EAST ELEVATION

RECEIVED
MAY 2 6 2009

OLR

ARCHITECT

ORISTIDES LOPEZ-RECIO
ARCHITECTS

1555 S.W. 57 AVENUE
SUITE 222
MIAMI, FLORIDA 33155
TELEPHONE: (305) 266-5431

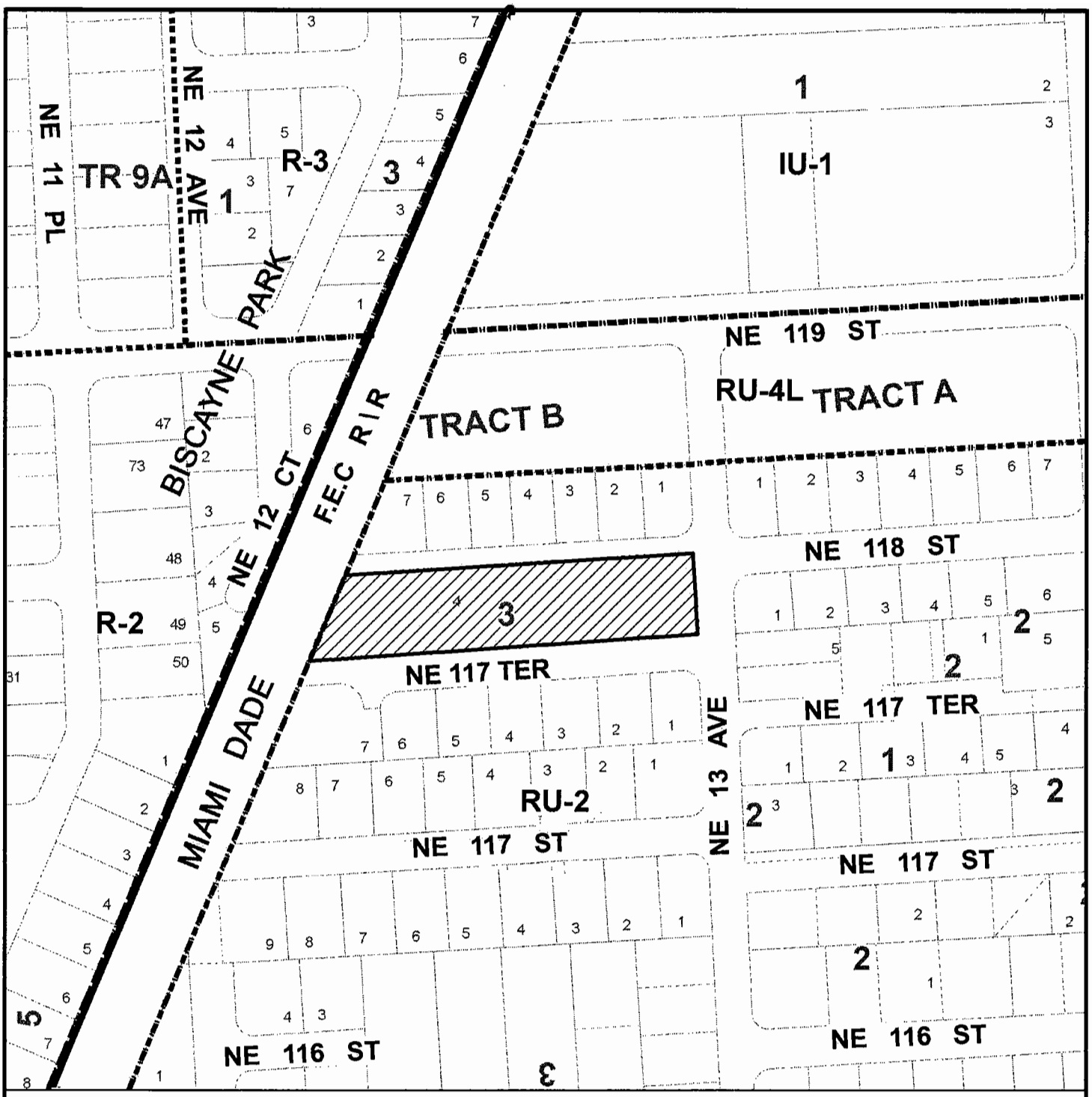
VON WEDEL MONTESSORI SCHOOL
11820 NE 13TH AVENUE
NORTH MIAMI, FLORIDA

REVISIONS :

DATE : 1-23-09
SCALE : 8-0 IN
DRAWN : AB
JOB NO. :

A-5

SHEET NO. :



MIAMI-DADE COUNTY

HEARING MAP

Process Number

09-032

Section: 32 Township: 52 Range: 42
Applicant: VW MONTESSORI SCHOOL, INC
Zoning Board: C07
Commission District: 4
Drafter ID: JEFFER
Scale: NTS
---------- Zoning

SUBJECT PROPERTY

N W E S

MIAMI-DADE COUNTY

SKETCH CREATED ON: 03/13/09

REVISION	DATE	BY
		30

MIAMI-DADE COUNTY

AERIAL YEAR 2008

Process Number

09-032

Section: 32 Township: 52 Range: 42
Applicant: VW MONTESSORI SCHOOL, INC
Zoning Board: C07
Commission District: 4
Drafter ID: JEFFER
Scale: NTS
---------- Zoning

SUBJECT PROPERTY

N W E S

MIAMI-DADE COUNTY

SKETCH CREATED ON: 03/13/09

REVISION	DATE	BY