

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

PROPERTY: 1343 Alton Road

FILE NO. PB24-0704 , f.k.a. PB File No. 1083.

IN RE: An application has been filed requesting modifications to a previously issued Conditional Use Permit for the operation of a Day Care center. Specifically, the applicant requested to change the owner/operator, and update the conditions of approval, pursuant to Chapter 2, Article V, Section 2.5.2. of the Miami Beach Resiliency Code.

LEGAL DESCRIPTION: LOT 14, BLOCK 108, OF OCEAN BEACH, FLORIDA, ADDITION NO. 3, ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 2, PAGE 81 OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA.

MEETING DATE: July 16, 1991; October 29, 2024

MODIFIED CONDITIONAL USE PERMIT

The applicant, JLSP Holdings LLC, filed an application with the Planning Director for modifications to a previously issued Conditional Use Permit for a Day Care center. Specifically, the applicant requested to change the name of the owner/operator, and update the conditions of approval, pursuant to Chapter 2, Article V, Section 2.5.2 of the Miami Beach Resiliency Code. Notice of the request was given as required by law and mailed out to owners of property within a distance of 375 feet of the exterior limits of the property upon which the application was made.

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

That the property in question is located in the RO, Residential Office Zoning District;

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

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

That necessary safeguards will be provided for the protection of surrounding property, persons, and neighborhood values.

IT IS THEREFORE ORDERED, based upon the foregoing findings of fact, the evidence, information, testimony and materials presented at the public hearing, which are part of the

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October 29, 2024

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record for this matter, and the staff report and analysis, which is adopted herein, including the staff recommendations, that modifications to the Conditional Use Permit be GRANTED, as provided below: Underlining denotes new language and ~~striketrough~~ denotes stricken language from the previous order:

1. The Planning Board shall maintain jurisdiction of this Conditional Use Permit. The Board reserves the right to modify the Conditional Use approval at the time of a progress report in a non-substantive manner, to impose additional conditions to address possible problems and to determine the timing and need for future progress reports. This Conditional Use is also subject to modification or revocation under City Code Sec. 2.5.2.5.
2. This Modified Conditional Use approval is granted to Little Beach House Montessori, LLC, as the owner/operator. Any change of operator or 50% (fifty percent) or more stock ownership shall require the new operator or owner to submit an affidavit, approved by City, to the City of Miami Beach Planning Department, transferring approval to the new operator or owner and acknowledging acceptance of all conditions established herein prior to the issuance of a new Certificate of Use/Business Tax Receipt. A progress report shall be scheduled within 60 days followed by the submission and acceptance of the affidavit.
3. The applicant shall receive HRS approval prior to the issuance of an Occupational License.
4. The applicant shall redesign the parking lot so that it is perpendicular to the south lot line.
5. There shall be a minimum 5 ft. landscape strip along the south and north property line and a minimum 8 ft. landscape strip along the front.
6. All bars on windows shall be removed.
7. The applicant shall receive Design Review Board approval prior to the issuance of a building permit. This approval shall include the revised landscape plan, surface treatment of the front facade and all other issues deemed appropriate by that Board.
8. The applicant shall comply with all of the Fire Department comments prior to the issuance of an Occupational License.
9. ~~The applicant shall pay, on a yearly basis, the parking impact fee for one (1) space.~~
10. ~~A loading zone in front of the facility shall be created to facilitate the pick-up and drop-off of children; said zone shall be approved by the Planning and Zoning Department and the Parking Department.~~
11. All fireplace doors in the facility shall remain secured and locked while the premises are used as a day-care center.
12. The conditions of approval for this Conditional Use Permit are binding on the applicant, the property owners, and all successors in interest and assigns.
13. Substantial modifications to the plans submitted and approved as part of the application, as determined by the Planning Director or designee, may require the applicant to return

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to the Board for approval.

14. The Applicant agrees to the following operational conditions for the entire facility:

A. Equipment and supplies shall not be stored in areas visible from streets, alleys, or nearby buildings.

B. Garbage dumpster covers shall be closed at all times except when in active use.

15. The Final Order shall be recorded in the Public Records of Miami-Dade County.

16. The establishment and operation of this Conditional Use shall comply with all the aforementioned conditions of approval; non-compliance shall constitute a violation of the Code of the City of Miami Beach, Florida, and shall be subject to enforcement procedures set forth in Section 1.3.7 of the Land Development Regulations (LDRs), entitled "ENFORCEMENT", and such enforcement procedures as are otherwise available. Any failure by the owner, applicant or operators to comply with the conditions of this Order shall also constitute a basis for consideration by the Planning Board for a revocation of this Conditional Use permit.


17. Nothing in this order authorizes a violation of the Miami Beach Resiliency Code or other applicable law, nor allows a relaxation of any requirement or standard set forth in the Miami Beach Resiliency Code.

18. The applicant agrees and shall be required to provide access to areas subject to this CUP (not including private residences) for inspection by the City (i.e.: Planning, Code Compliance, Building Department, Fire Safety), to ensure compliance with the terms and conditions of this CUP.

Dated: 12/6/2024 | 10:12 AM EST

PLANNING BOARD OF THE
CITY OF MIAMI BEACH, FLORIDA

DocuSigned by:



BY: DEC3ECF2EB68404 ..

Michael Belush, AICP
Planning and Design Officer
for the Chairman

October 29, 2024

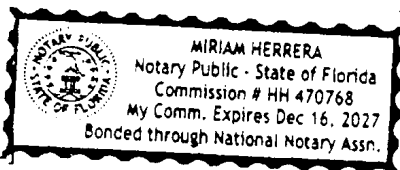
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STATE OF FLORIDA)
COUNTY OF MIAMI-DADE)

The foregoing instrument was acknowledged before me this 11 day of December, 2024, by Michael Belush, Planning and Design Officer for the City of Miami Beach, Florida, a Florida Municipal Corporation, on behalf of the corporation. He is personally known to me.

{NOTARIAL SEAL}



Miriam Herrera

Notary:
Print Name Miriam Herrera
Notary Public, State of Florida
My Commission Expires: 12-16-27
Commission Number: HH 470768

Approved As To Form:

Legal Department:

DocuSigned by:

Nickalleg

(12/5/2024 | 4:58 PM EST)

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Filed with the Clerk of the
Planning Board on:

DocuSigned by:

Jessica Gonzalez

(12/6/2024 | 10:27 AM EST)

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