

155.2406. E. SPECIAL EXCEPTION

REVIEW STANDARDS FOR COMMUNITY RESIDENCES (Each standard MUST be addressed in writing)

A Special Exception for a community residence (family or transitional) shall be approved by simple majority vote of the Board members present, only on a finding that there is competent substantial evidence in the record that the Special Exception meets the following applicable standards:

1. When the proposed community residence arrangement is required to obtain a special exception because it would be located within 660 linear feet of an existing community residence or recovery community:

a. The applicant demonstrates that the proposed community residence will not interfere with the normalization and community integration of the residents of any existing community residence or recovery community and that the presence of other community residences or recovery communities will not interfere with the normalization and community integration of the residents of the proposed community residence, and

ANSWER:

Importantly, there are no existing “other community residences or recovery communities” within 660 linear feet of your applicants’ property. Your applicants come to the City of Pompano Beach seeking a Special Exception to provide a safe, quiet, nonintrusive facility which is similar to, but slightly different than, a "recovery community". Our business plan addresses a true worldwide need which has only recently been created and become necessary due to the impressive advances which have been made in the medical community regarding reconstructive, cosmetic, augmentation and health enhancing surgical options.

It can be most accurately stated that this is a transitional community residence which will be occupied only on a short-term basis by any client of the applicant, “A Perfect Finish”, which will provide its clients with THE “perfect finish” to physical enhancement surgery.

Recent and continuing advances in the areas of cosmetic surgery, restorative surgery, replacement surgery and augmentation surgery have become commonplace and part of the common knowledge of virtually every nation and community on the planet. South Florida has been recognized by many on the world stage as a “preferred destination” for these life-changing procedures performed by literally hundreds of medical practitioners who are recognized as the “crème de la crème” in their respective specialties.

Patients from over 100 different nations have come to the South Florida area for the purpose of having specialized surgery performed upon them to, among other things, remove excess body tissue and body fat; to remodel and reshape particular areas of the human body; to restore, repair and/or replace body parts which have become injured, mangled or deformed. These are not only “elective surgery” patients. Some are here to repair or lessen the adverse impact of broken or damaged body parts due to old injuries from car crashes, sports injuries, and the many freak and unexpected events we all experience at some time in our lives.

b. The applicant demonstrates that the proposed community residence in combination with any existing community residences and/or recovery communities will not alter the residential character of the surrounding neighborhood by creating an institutional atmosphere or by creating or intensifying an institutional atmosphere or de facto social service district by concentrating or clustering community residences and/or recovery communities on a block face or in a neighborhood.

ANSWER:

Because the physical structure was originally two residential structures that, upon application to the City many decades ago, were combined into a residence/medical office by the owner, who was a well-respected physician in the neighborhood, the requested use will not alter or harm the residential nature and character of the surrounding community. It will actually continue the use of the property for the enhancement of life and the neighborhood.

By maintaining the residential appearance on the exterior of the building, the original physician and owner of the property made no destructive or damaging changes to the rather spectacularly beautiful community in which this property is located. "A Perfect Finish, as the successor to that very creative prior use, will continue the intent and effect of the prior owner. The clientele of "A Perfect Finish", after all, has come to the world-renowned physicians of our area to make themselves more beautiful. There is no better use for this facility in this beautiful neighborhood than to assist those who are trying to beautify themselves.

These patients arrive and undergo numerous and varied procedures, ranging from hair implants to facelifts, to facial reconstruction, to excess fat removal, to what many commonly call "lifts and tucks" on the human body. Most often, these procedures do not require a hospital stay. Thus, people obtaining this largely elective surgery, are not taking up valuable and scarce hospital bed space in our area hospitals. Most of these surgeries are, in fact, performed in the office of the medical practitioner. Thus, this burgeoning industry does not directly or adversely impact our local hospital system.

On the other hand, since these various procedures, sometimes called facelifts or breast augmentation surgery, or even the "mommy makeover" that some journalists have reported (often upon those who have traveled from other countries), sometimes require from 2 to 5 days to recover from the effects of the surgery before they can board a jet plane and return to their country of origin, they need a place like "A Perfect Finish".

The need clearly exists for a sanitary, clean, functional, well-staffed and trained facility to house these post-surgery individuals for those few days. Standard hotel or motel rooms are not adequately equipped to handle a hotel guest who has medical bandages which should be properly disposed of. In the event a stitch or suture slightly ruptures, the hotel or motel does not have the facilities to promptly and efficiently deal with the problem and correct it. Your applicants here seek to fill the current void and provide precisely such a transitional community residence where a person who has traveled to obtain the services of one of the hundreds of world-renowned cosmetic and reconstructive surgeons in our community can transition from a patient having recently been subjected to surgery to a more recovered person, capable of traveling back to their point of origin without being a risk to themselves or others.

2. When the proposed community residence is required to obtain a special exception because the State of Florida does not offer a license or certification for this type of community residence and the population it would serve, the applicant must demonstrate that:

a. The proposed community residence will be operated in a manner effectively similar to that of a licensed or certified community residence;

ANSWER:

The proposed transitional community residence will be operated in a manner effectively similar to that of any other licensed or certified community residence. Not only that, the applicants will obtain the license or certification which is offered by the State of Florida as soon as they have the authority to operate their business.

b. Staff will be adequately trained in accord with standards typically required by licensing or state certification for a community residence;

ANSWER:

The staff and employees at “A Perfect Finish will be adequately and professionally trained in accord with standards typically required by licensing or state certification for a community residence. The staff will be trained in basic medical services and the disposition of medical waste. It is anticipated that the only "medical waste" will be the occasional bandaging or gauze padding typically taped onto a patient at a surgical incision site to minimize any leakage.

c. The community residence will emulate a biological family and be operated to achieve normalization and community integration; and

ANSWER:

Because this is not a long-term community residence, it will not necessarily emulate a "biological family" and its purpose is not to "achieve normalization and community integration". Its chief purpose is to take individuals who are wealthy enough to afford cosmetic or restorative surgery and assist them in recovering rapidly in a safe, residential environment, in order to assist them in returning to their homes, whether those homes be in the United States or in other countries.

d. The rules and practices governing how the community residence is operated will actually protect residents from abuse, exploitation, fraud, theft, insufficient support, use of illegal drugs or alcohol, and misuse of prescription medications.

ANSWER:

The rules and practices of “A Perfect Finish are designed to protect its clientele, who have recently undergone surgical procedures, from any form of abuse or neglect regarding the specific surgical procedure or procedures which were performed upon them. There will be no prescription medications stored on site. Any client of “A Perfect Finish” will be responsible for their own medications, which are primarily short-term pain medications.

3. In districts where a community residence is allowed as a special exception, the community residence shall be approved only on a finding that there is competent substantial evidence in the record that the Special Exception meets the applicable standards:

a. The applicant demonstrates that the proposed community residence will not interfere with the normalization and community integration of the residents of any existing community residence and/or recovery community and that the presence of other community residences and/or any recovery communities will not interfere with the normalization and community integration of the residents of the proposed community residence;

ANSWER:

Your applicants assert that this specific structure, at this specific location is a spectacularly appropriate site for this particular use because there are no existing community residences or recovery communities within 660 linear feet of this facility. The clients of “A Perfect Finish” will be on site for less than a week, while their bodies recover from various surgical procedures. Most of these procedures are cosmetic in nature, although some are slightly more enhanced than others.

b. The applicant demonstrates that the proposed community residence in combination with any existing community residences and/or recovery communities will not alter the residential character of the surrounding neighborhood by creating an institutional atmosphere or by creating or intensifying a de facto social service district by concentrating or clustering community residences and/or any recovery community on a block or in a neighborhood, and

ANSWER:

Physically, this location was, many years ago, actually a residence and a physician's office, which were next door to each other on two separate parcels. This City authorized the physician's request to unify the two buildings and it was the prior owner, himself a physician, who conducted thousands and thousands of medical examinations and minor medical procedures on this very site. Your applicants, by making minimal changes to the interior of the unified building which was once two buildings, have demonstrated, in their floor plans, the remarkably appropriate use their business plan would make of this pre-existing structure that the City approved for medical purposes decades ago.

c. The applicant demonstrates that the proposed community residence will be compatible with the residential uses allowed as of right in the zoning district;

ANSWER:

Your applicants will operate a service business which will provide a valuable service to our city. It will become a valuable asset not only to the clients who fly from foreign countries or states across our nation to South Florida to avail themselves of the world-renowned talent located in the medical community here, they will also provide a stable and quiet residential venue for these people to begin their recovery process.

d. When the proposed community residence would be located in a single-family zoning district, the applicant demonstrates that the proposed transitional community residence, alone or in combination with any existing community residences, will not alter the residential stability of the single-family zoning district;

ANSWER:

Due to the nature of the medical procedures having been performed on them, the clients of “A Perfect Finish” will hardly be expected to have loud parties or drive recklessly in the street. In fact, their common goal is to rest quietly and recover from their respective surgeries as quickly as possible. Thus, this extremely beautiful area of Pompano Beach will, if used in this fashion, only be enhanced and continued.

e. The applicant demonstrates that the applicant or the proposed community residence has been granted certification by the State of Florida or license required by the State of Florida; and

ANSWER:

The State of Florida, in fact, does offer a license or certification for this type of transitional community residence and the population it would serve, but the applicants find themselves in a dilemma because in order to obtain the license or certification from the State of Florida, your applicants must first show the State of Florida they have the approval to conduct their business at their business location. Thus, your applicants need the affirmative decision of this body in order to take their application for licensing and certification to Tallahassee to complete their journey from idea to fully operational facility. Accordingly,

f. When the State of Florida does not offer certification or require a license for this type of transitional community residence and the population it would serve, the application demonstrates that:

i. The proposed community residence will be operated in a manner effectively similar to that of a licensed or certified community residence;

ANSWER:

Because a license and/or certification is offered and is addressed above, this question does not apply.

ii. Staff will be adequately trained in accord with standards typically required by licensing or state certification for a community residence;

ANSWER:

Please see answer at 2b, above.

iii. The community residence will emulate a biological family and be operated to achieve normalization and community integration; and

ANSWER:

Since this facility is operating more as a short-term recovery center, concepts of “emulating a biological family” and “to achieve normalization and community integration are not applicable.

iv. The rules and practices governing how the community residence is operated will actually protect residents from abuse, exploitation, fraud, theft, insufficient support, use of illegal drugs or alcohol, and misuse of prescription medications.

ANSWER:

Because the patients at “A Perfect Finish” will be on premises for less than one week, concerns regarding abuse, exploitation, fraud, theft, etc. are only peripherally applicable. As mentioned above, medications will not be provided by the staff at the facility. There will be little opportunity for any of their clientele to misuse or abuse prescription medications. No alcohol or drugs will be stored on the premises. Adequate staffing is a primary commitment of “A Perfect Finish”.

This is a facility which is needed now and which will be needed even more in the future, as these medical procedures continue to increase in number and complexity.