

Scott Reale

From: Jean Pierre <jpcool305@gmail.com>
Sent: Thursday, June 6, 2024 2:34 PM
To: Scott Reale
Subject: Re: Special Exception application PZ #24-17000006

Follow Up Flag: Follow up
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Good afternoon Mr. Reale,

I wish to withdraw Special Exception application

PZ #24-17000006. Also can you provide me with a zoning verification letter basically stating that I can conduct business at the property so I can provide that information to (AHCA) Agency for healthcare administration for my state license.

On Wed, Jun 5, 2024 at 3:14 PM Scott Reale <Scott.Reale@copbfl.com> wrote:

Good Afternoon Mr. Pierre,

Attached, please find a letter from the Development Services Director regarding Special Exception application PZ #24-17000006, for the property located at 221 NE 24th Street.

Let me know if you have any questions.

Sincerely,



Scott Reale, AICP
Principal Planner
scott.reale@copbfl.com
954.786.4667
Pompanobeachfl.gov



Hours of Operation Mon – Thurs 7am to 6pm



DEVELOPMENT SERVICES

David L. Recor, ICMA-CM, Development Services Director

E: david.recor@copbfl.com | P: 954.786.4664 | F: 954.786.4504

June 5, 2024

Zoning Letter Number: 24-02000113

Jean Pierre
221 NE 24th Street
Pompano Beach, FL 33064
Sent via email only: jpcool305@gmail.com

**Re: PZ #24-17000006 - Application for Special Exception for a Family Community Residence
221 NE 24th Street | Folio Number(s): [4842 23 10 0380](#)**

Dear Jean Pierre,

This letter serves as notice that the City of Pompano Beach Development Services Department has made a determination that based on your updated narrative detailing the proposed operations at the property located at 221 NE 24th Street (Exhibit "A" – 6/1/2024 email), the use does not constitute a Community Residence and therefore Special Exception approval is not required.

You have indicated that there will be three (3) residents and no live-in staff. The City's Zoning Code indicates a Community Residence typically comprises four to ten unrelated individuals. The use described meets the definition of a *Family*, and it is a permitted use for a family to occupy a *Dwelling Unit*, which is permitted by right in all single-family (RS-) zoning districts.

Community Residence

Except as required by state law, a community residence is a residential living arrangement for up to ten unrelated individuals with disabilities living as a single functional family in a single dwelling unit who are in need of the mutual support furnished by other residents of the community residence as well as the support services, if any, provided by the staff of the community residence. Residents may be self-governing or supervised by a sponsoring entity or its staff, which provides habilitative or rehabilitative services related to the residents' disabilities. A community residence seeks to emulate a biological family to normalize its residents and integrate them into the surrounding community. Its primary purpose is to provide shelter in a family-like environment; medical treatment is incidental as in any home. Supportive inter-relationships between residents are an essential component.

A "community residence" occupied by four to ten unrelated individuals with disabilities can be a "family community residence" or a "transitional community residence."

To house more than ten unrelated people in a community residence, the owner or operator of the community residence may apply for a reasonable accommodation in accord with the standards and procedures established in Section 155.2432.D.3. of this Code, except as required by State law.

A community residence shall be considered a residential use of property for purposes of all city codes. The term does not include any other group living arrangement for unrelated individuals who are not disabled nor any halfway house, recovery community, boarding or rooming house, lodging house, short-term rental or other use as defined in this Code. Community residences include, but are not limited to, those residences that comport with this definition that are licensed by the Florida Agency for Persons with Disabilities, the Florida Department of Elderly Affairs, the Florida Agency for Health Care Administration, and the Florida Department of Children and Families, and functional family recovery residences certified by the state's designated credentialing entity established under F.S. § 397.487.

Per state law, community residences for people with developmental disabilities located in a "planned residential community" as defined by F.S. § 419.001(1)(d), are exempt from the spacing requirements between community residences established in this Code.

DR/sr

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DEVELOPMENT SERVICES

David L. Recor, ICMA-CM, Development Services Director

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To implement this Code, an application that the City of Pompano Beach designates must be completed in full and submitted to the Director of Development Services prior to occupancy or construction of the proposed community residence to determine whether the proposed community residence is a permitted use or requires a special exception, to determine the maximum number of occupants allowed under city code provisions that apply to all residential uses, and to identify whether any further accommodation is needed in accord with Section 155.2432, Reasonable Accommodation of this Code.

Dwelling Unit

A room or combination of connected rooms within a dwelling that constitutes a single and separate habitable unit that contains independent living, sleeping, and sanitation facilities (and may or may not contain cooking facilities), and that is used or designed for occupancy on a weekly or longer basis by only one family. The term "dwelling unit" shall also include a habitable unit licensed by the state to provide a family living environment and care for a group of six or fewer unrelated persons who meet statutory definitions of a frail elder (Fla. Stat. § 429.65), physically disabled or handicapped person (Fla. Stat. §760.25), developmentally disabled person (Fla. Stat. §393.063), nondangerous mentally ill person (Fla. Stat. §394.455), child determined to be dependent (Fla. Stat. §39.01 or §984.03), or child in need of services (Fla. Stat. §984.03 or §985.03), and that may include such supervision and care by supportive staff as may be necessary to meet the physical, emotional, and social needs of the residents.

Family

An individual or two or more persons related by blood, marriage, state-approved foster home placement, or court-approved adoption—or up to three unrelated persons—that constitute a single housekeeping unit. A family does not include any society, nursing home, club, boarding or lodging house, dormitory, fraternity, or sorority.

Please confirm, in writing, that you wish to withdraw Special Exception application PZ #24-17000006, by sending an email to scott.reale@copbfl.com. Once received, staff will issue a refund of the \$300 application fee for the referenced application.

Finally, please note that while a Special Exception is not required, a Rental Business Tax Receipt is required, the instructions for which are attached.

Should you need further assistance, please contact our office 954.786.4679.

Yours truly,

THE CITY OF POMPANO BEACH

David L. Recor, ICMA-CM
Development Services Director

copy: James E. Saunders III, Assistant City Attorney
Mario Sotolongo, Code Compliance Director
Daniel H. Yaffe, Chairman, Zoning Board of Appeals

Enclosures

Scott Reale

From: Jean Pierre <jpcool305@gmail.com>
Sent: Saturday, June 1, 2024 4:15 PM
To: Scott Reale
Subject: Re: Community Residence / Recovery Community application

This Message Is From an External Sender

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Good afternoon, Mr. Reale,

I Hope you enjoyed your vacation. I'm glad to hear that you're back.

I'll be happy to clarify what we do.

So our business model is to take care of the elderly

24 hours a day, 7 days a week on behalf of their families. I personally first had no how stressful, it can be trying to live your day-to-day life while going to work and still having to worry about your loved one being neglected because you don't have the time for them. So basically it's like putting your mother or father in a residential home environment. As far as the resident's, we're seeking 3 resident's with no mental disabilities, also there will be no live-in staff at the property each of them will have their own shift hours.

I hope that clarified everything you needed so I could continue my process and get everything up and running and once again thank you Mr. Reale for your Help and support.

On Thu, May 30, 2024 at 12:49 PM Scott Reale <Scott.Reale@copbfl.com> wrote:

Good Afternoon Mr. Pierre,

First, I want to thank you for your patience as we work through your request. As the Assistant City Attorney alluded to at the 5/16/2024 ZBA meeting, your proposed use *might* be permitted by right rather than a "community residence," as initially determined by staff. If that is, in fact, the case, you will not need to obtain Special Exception approval. However, before the Development Services Director can make a final determination, would you kindly provide some details of your business?

Your original Community Residence & Recovery Community application, attached, indicated there would be 5 residents: 2 live-in staff and 3 persons with disabilities. Is that still the case? Is anyone related? The more details/information/clarification you can provide the better. Our Director will be back next week, and I will schedule some time to meet with him and discuss the matter, once you provide the requested information.

Thank you in advance, and in the meantime, feel free to call/email me with any questions.

Sincerely,



Hours of Operation Mon – Thurs 7am to 6pm

How to Apply For a Rental Property or Short-term Rental Applications

Should you have any questions, please call Linda Cebrian at (954) 786-4654.

Please follow the directions listed below:



- 1) Please visit:
https://app.oncamino.com/pompanobeach_fl/dashboard/new

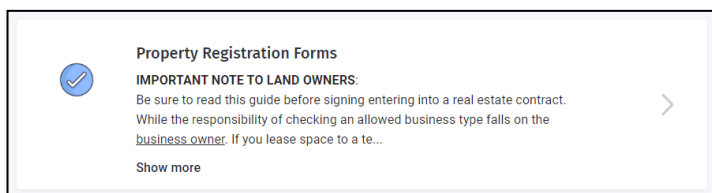
- 2) You are now on the City of Pompano Beach Online Portal.

If you already have an account, sign in.

***Please do not continue as guest; you will not be able to submit as a Guest User. Staff will not be able to see your submission.*

Once you have created your account, you will need to sign in.

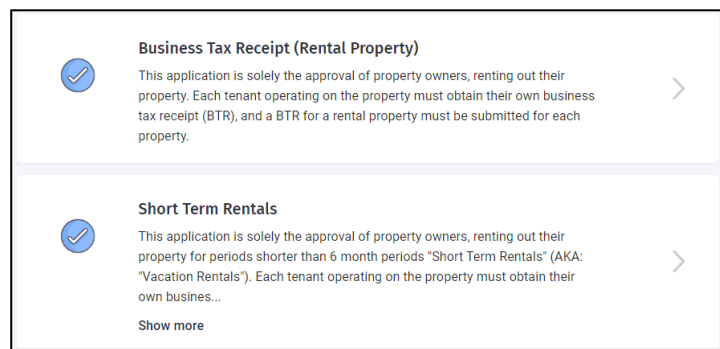
- 3) Once signed in, scroll down to the Property Registration Forms box.



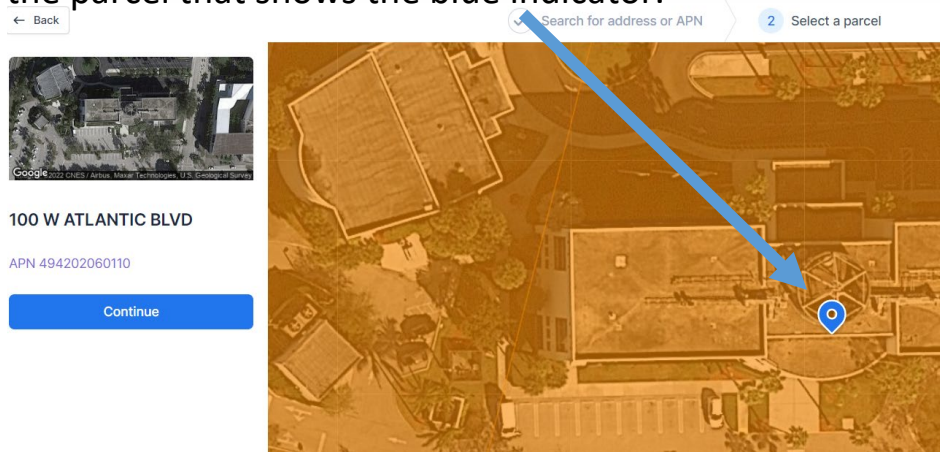
- 4) Choose the type of your Rental Business Tax Receipt.

Rental Property: This application is solely the approval of property Owners, renting out their property.

Short Term Rentals: This application is solely the approval of property owners, renting out their property for periods shorter than 6-month periods (A.K.A Vacation Rentals).



- 5) Once you have chosen the appropriate application;
Insert your property address and click on the parcel to begin your application process. You can search by the address or the BPCA Parcel Number (APN).
Choose the parcel that shows the blue indicator.



- 6) Complete your application and click submit.



City of Pompano Beach
 Department of Development Services
 Planning & Zoning Division

P&Z#: 24-17000006

100 W. Atlantic Blvd Pompano Beach, FL 33060
 Phone: 954.786.4679 Fax: 954.786.4666

Development Application

Project Type: Special Exceptions

Submission #: SPEX-2024-3

Site Data			
Project Name:	Community Residences For The Elderly	Size of property:	1238.0
Street Address:	221 NE 24TH ST POMPANO BEACH FL 33064	Number of units (Residential):	
Folio Number(s):	484223100380	Total square feet of the building* (Non-Residential):	
Project Narrative:	see attached narrative		

Applicant	Landowner (Owner of Record)
Name:	Business Name (if applicable):
Title:	Print Name:
	Jean Pierre
Street Address:	Street Address:
	221 NE 24TH ST
Mailing Address City/ State/ Zip:	Mailing Address City/ State/ Zip:
	Pompano Beach FL 33064
Phone Number:	Phone Number:
	954-446-5015
Email:	Email:
	jpcool305@gmail.com

ePlan agent (if different):	
Name of ePlan agent:	
Email of ePlan agent:	
Phone Number of ePlan agent:	

I'm seeing approval for a Community Residences for the elderly. I don't comply with the 660 linear separation from my closest community but I insure we wouldn't step on each other's toes do to the fact my Community Residences will be for the elderly and Patrick's Places Pompano Beach Florida is a recovery place for sober men. No work is need to the property it's in awesome condition move ready.



100 W. Atlantic Blvd Pompano Beach, FL 33060
Phone: 954.786.4679 Fax: 954.786.4666

Owner's Certificate
Special Exceptions

OWNER'S CERTIFICATE

SPEX-2024-3

This is to certify that:

- I am the owner of the property, or
- I am authorized by the owner of the property to submit this application on their behalf and (if I am not the owner of the property) I will submit documentation that confirms my authority.

This is to certify that I am the owner of the subject lands described in this application and that I have authorized the filing of the aforesaid application.

By signing below, I agree that if the proposed development is found not in compliance with the applicable standards and minimum requirements of this Code then no building permit will be issued until those conditions the Development Services Director finds reasonably necessary to ensure compliance are met.

By signing below, I acknowledge that development applications must have a determination by the governing municipality of approved, approved with conditions, or denied within 120 days from a complete submittal for projects that do not require final action through a quasi-judicial hearing or a public meeting and within 180 days from a complete submittal for projects that do require final action through a quasi-judicial hearing or a public meeting per FL Stat § 166.033 and the Pompano Beach Code Section 155.2303.F.3. It is the responsibility of the applicant to receive all final Development Orders and receive this determination within the allotted timeframe. If the applicant fails to resubmit an application within 30 calendar days after being first notified of deficiencies of the submittal, the application shall be considered withdrawn and a \$100 non-refundable administrative fee will apply (155.2303.F.2.b). Additionally, if all required approvals are not received within the allotted timeframe the application will automatically be denied unless both the City and the applicant agree to an extension of time (155.2303.I).

By signing below, I acknowledge that lying or misrepresentation in the application can lead to revocation. (155.8402. B. *Revocation of Approval*).

Name: Jean Pierre 02/07/2024

Signature: JEAN PIERRE