

LOCAL PLANNING AGENCY
CASE SUMMARY
CASE NO. ZON-23-03

DRC MEETING: August 14, 2023 @ 9:00 AM-1st Floor, Housing & Community Dev.

LPA HEARING: September 13, 2023 @ 9:00 AM-5th Floor, Board Assembly Room

BCC HEARING: October 31, 2023 @ **9:30 AM** -5th Floor, 333 Chestnut Street - Palm Room

APPLICANT'S NAME: Community Assisted & Supported Living, Inc.

REQUEST: Zoning Atlas Amendment from: R-E, Residential Estate to: RM-CO, Multi-Family Residential with a Conditional Overlay and Development Agreement limiting the number of residential dwelling units to a maximum of 20 that will include a combination of one and two bedroom units in single-story attached residential structures, to be occupied as independent housing for a maximum of 24 persons with intellectual and developmental disabilities, as defined by Florida Statue Section 393.063(1), with supportive housing services offered to onsite residents only. The existing two-story structure is allowed to remain. Required minimum building setbacks shall be 25 feet front, 15 feet sides, and 200 feet rear.

CASE DESCRIPTION: Approximately 2.79 acres located at 13000 Park Boulevard in unincorporated Seminole (Parcel Numbers 29-30-15-70794-400-0703 and 29-30-15-70794-400-0701). A legal description is available in file upon request.

APPLICANT/ADDRESS: Community Assisted & Supported Living, Inc.
2911 Fruitville Road
Sarasota, FL 34237

REP/ADDRESS: Katie Cole, Esq. and Angela Rauber, Esq.
Hill Ward Henderson
600 Cleveland Street, Suite 800
Clearwater, FL 33755

PLANNER Robert Pergolizzi, AICP/PTP
Gulf Coast Consulting, Inc.
13825 ICOT Boulevard, Suite 605
Clearwater, FL 33760

NOTICES SENT TO: Community Assisted & Supported Living, Inc, Katie Cole, Esq. and Angela Rauber, Esq, Robert Pergolizzi, AICP/PTP, Cynthia Johnson-Economic Development Council, DOT, Clint Herb-Pinellas County School Board, BCC Office & Surrounding Owners

EXISTING USE: single family homes

PROPOSED USE: Affordable housing for developmentally disabled persons in a residential setting, subject to the parameters of the Conditional Overlay and Development Agreement.

LAND USE: RS, Residential Suburban

ZONING: R-E, Residential Estate

Accela Reference # ZON-23-00003

CASL has a troubling record when operating solely as a landlord with properties and residents like they have proposed here

News Article

Posted at 11:04 PM, Feb 17, 2020 and last updated 11:04 PM, Feb 17, 2020

LEE COUNTY — In an exclusive investigation, Fox 4 has learned at least five people living in supportive housing in Lee County have died in just the last three years.

The organization that owns the homes is called Community Assisted and Supported Living, or CASL. It buys homes in regular neighborhoods to house people struggling with drug addiction, mental illness, or chronic homelessness, but after a series of deaths and other concerning incidents, questions are being asked about how this program is managed. So we took the time to visit several properties to learn more.

Recent Stories from [fox4now.com](https://www.fox4now.com)

We first spoke with Roger Davis, who lives in Cape Coral. He said he has always known that his neighbors have special needs, but it was about three years ago when he became concerned those needs were not being met.

“One of them passed away, and it was about 3 days before anybody found him. And I end up finding him,” said Davis.

We checked with police, and it turns out Neelis isn't the only one dealing with regular police visits. In total, CASL owns 19 different properties in Lee County, and over the last three years, police have had to respond to those houses a total of 238 times. That's an average of more than four times a year per house, but Eller said he still feels everything his case managers are doing at this time is sufficient.

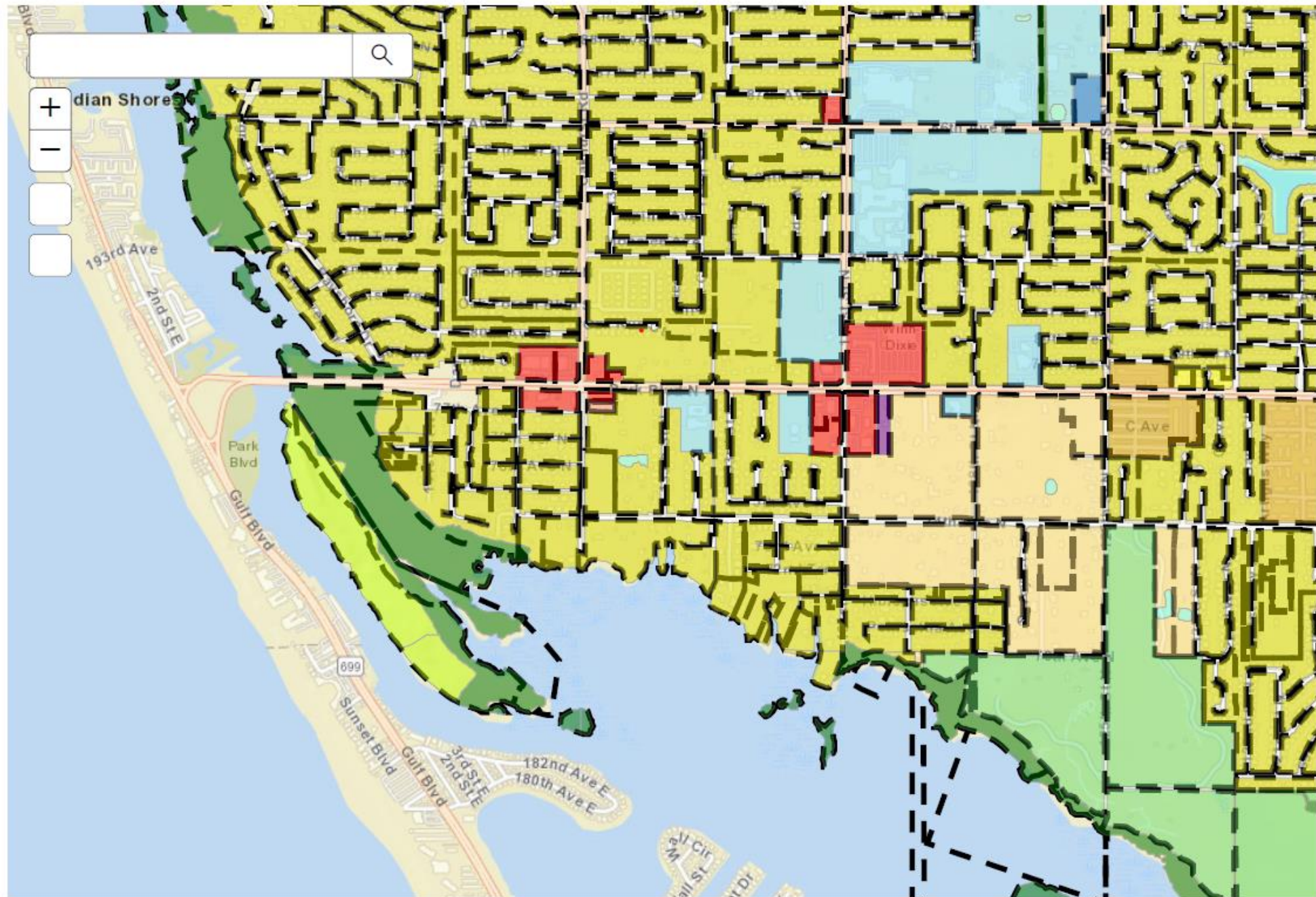
Back in Davis's neighborhood, he said he just hopes to see the people already in the program taken better care of.

“I mean it seems like they just stick them over there, here's a roof over your head, fend for yourself,” said Davis.

Area of the County is Very Unique in Density and Character

- Estate size lots, low density, horse stables, green spaces
- Grocery stores, gas stations, churches are expected in low density estate size neighborhoods

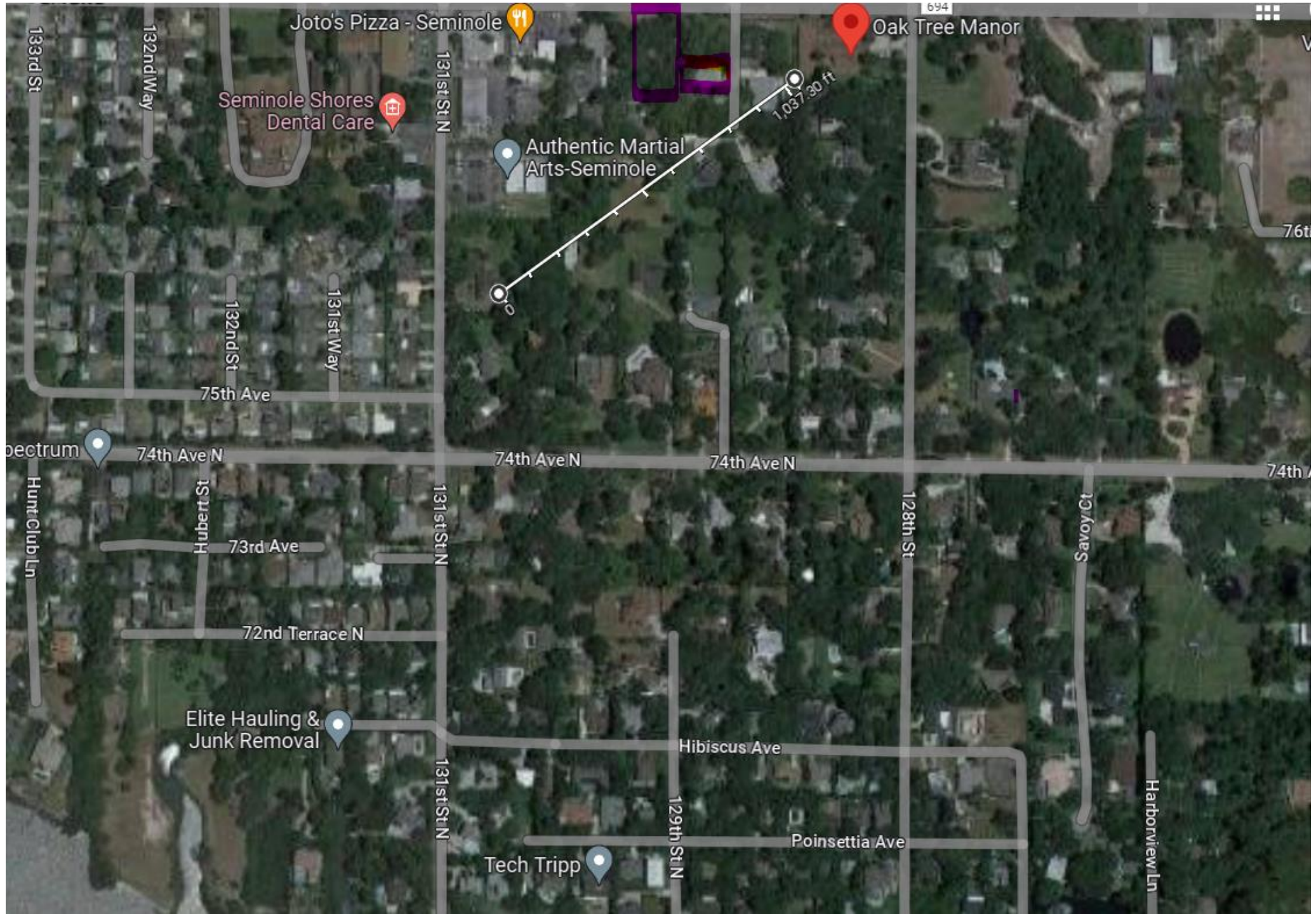
Pinellas County Unincorporated - Zoning / Land Use Information Lookup





Neighborhood is doing its part in the community

- Oak Tree Manor ALF next door with 58 beds
- Greenbriar Manor ALF 1000 feet away with 12 beds
- CASL Community Residential Home adjacent to proposed rezoning



Joto's Pizza - Seminole

Oak Tree Manor

Seminole Shores
Dental Care

Authentic Martial
Arts-Seminole

Elite Hauling &
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Tech Tripp

133rd St

132nd Way

131st St N

132nd St

131st Way

75th Ave

74th Ave N

74th Ave N

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74th Ave N

Hunt Club Ln

Hubert St

73rd Ave

131st St N

72nd Terrace N

Hibiscus Ave

128th St

Savoy Ct

131st St N

129th St N

Poinsettia Ave

Harborview Ln

694

1,037.30 ft

BOCC has addressed this area of the county multiple times

- Oak Tree Manor – ALF a few hundred feet away has had hearings regarding rezoning and expansions **8 times** from 1996 until March 29, 2016.
- At last hearing on ALF, March 29, 2016, BOCC said “enough is enough” for the neighborhood
- Every time the neighbors have to take time and expense from work and family to argue their position

BOCC has addressed this Proposed CASL development in 2022

- One Commissioner Moved to Approve it and Failed for lack of a Second
- Proposal at that time was 28 residents and 21 units
- Proposal now is 24 residents and 21 units
- At BOCC meeting CASL agreed to a 274 set back – now it is a 200 foot set back
- BOCC directed CASL to work with neighbors
- BOCC comment that Density is Exploding in South County which is a significant concern. Stated this is a neighborhood with open and green space, estate lots, Very unique – and that's why all the homeowners have bought in to the neighborhood

CASL – No neighbors have any problem with Community Residential Home (CRH) on adjacent property

- No objection to developmentally disabled adults as those are the resident at the CRH next door
- CRH is a single family home on an estate sized lot – fits the density and character of the neighborhood
- CRH houses 4 residents and has full time staff
- Developmentally disabled residents need support and services and CASL provides that at the CRH – they are only a landlord at proposed development.
- There have been no conflicts with neighborhood because CRH is such a good fit unlike this proposed development

Community Residential Home Florida Statute 419.001

(1) For the purposes of this section, the term:

(a) “Community residential home” means a dwelling unit licensed to serve residents who are clients of the Department of Elderly Affairs, the Agency for Persons with Disabilities, the Department of Juvenile Justice, or the Department of Children and Families or licensed by the Agency for Health Care Administration which provides a living environment for 7 to 14 unrelated residents who operate as the functional equivalent of a family, including such supervision and care by supportive staff as may be necessary to meet the physical, emotional, and social needs of the residents.

(e) “Resident” means any of the following: a frail elder as defined in [s. 429.65](#); a person who has a disability as defined in [s. 760.22\(3\)\(a\)](#); a person who has a developmental disability as defined in [s. 393.063](#); a nondangerous person who has a mental illness as defined in [s. 394.455](#); or a child who is found to be dependent as defined in [s. 39.01](#) or [s. 984.03](#), or a child in need of services as defined in [s. 984.03](#) or [s. 985.03](#).

(2) Homes of six or fewer residents which otherwise meet the definition of a community residential home shall be deemed a single-family unit and a noncommercial, residential use for the purpose of local laws and ordinances. Homes of six or fewer residents which otherwise meet the definition of a community residential home shall be allowed in single-family or multifamily zoning without approval by the local government, provided that such homes are not located within a radius of 1,000 feet of another existing such home with six or fewer residents or within a radius of 1,200 feet of another existing community residential home. Such homes with six or fewer residents are not required to comply with the notification provisions of this section;

(3)(a) When a site for a community residential home has been selected by a sponsoring agency in an area zoned for multifamily, the agency shall notify the chief executive officer of the local government in writing and include in such notice the specific address of the site, the residential licensing category, the number of residents, and the community support requirements of the program. Such notice shall also contain a statement from the licensing entity indicating the licensing status of the proposed community residential home and specifying how the home meets applicable licensing criteria for the safe care and supervision of the clients in the home. The sponsoring agency shall also provide to the local government the most recently published data compiled from the licensing entities that identifies all community residential homes within the jurisdictional limits of the local government in which the proposed site is to be located. The local government shall review the notification of the sponsoring agency in accordance with the zoning ordinance of the jurisdiction.

(c) The local government shall not deny the siting of a community residential home unless the local government establishes that the siting of the home at the site selected:

3. Would result in such a concentration of community residential homes in the area in proximity to the site selected, or would result in a combination of such homes with other residences in the community, such that the nature and character of the area would be substantially altered. A home that is located within a radius of 1,200 feet of another existing community residential home in a multifamily zone shall be an overconcentration of such homes that substantially alters the nature and character of the area. A home that is located within a radius of 500 feet of an area of single-family zoning substantially alters the nature and character of the area.

Uses Not Permitted by Florida Statute

- Community Residential Home of six or less person – like Independence House next door
- Community Residential Home of seven to 14 people
- Nursing Home or Assisted Living Facility of any size.

Permitted Density with Current Zoning and Land Use

- Existing Use
- Could sub-divide into three Estate Sized lots for three single family residences – which would be consistent with character and density of the neighborhood

CASL Purchased Property knowing they could not use property for this purpose

- Knew they had a Community Residential Home adjacent
- Knew the property was in the middle of the 1000 foot minimum spacing between two ALF's with 70 combined beds
- Knew this was an Estate and Equestrian property consistent with the character of the neighborhood, land use, and zoning
- Property can still be marketed and used as it was when purchased by CASL if they continue to choose not to work with the neighborhood on a less dense solution like another Community Residential Home



4 bd | 4 ba | 4,149 sqft

13000 Park Blvd, Seminole, FL 33776

Sold: \$897,000 | Sold on 02/05/21 | Zestimate®: \$1,360,800

Est. refi payment: \$5,386/mo Refinance your loan

Home value Owner tools Home details Neighborhood details

Note: This property is not currently for sale or for rent on Zillow. The description and property data below may've been provided by a third party, the homeowner or public records.

Get away from it all on this private Equestrian estate on almost 3 acres. Entering this rare property through it's dramatic tree lined private drive instantly reveals a much sought after way of living. This Tudor style farmhouse has 4 bedrooms and 4 baths, vaulted ceilings, a chef's kitchen and outdoor patio/grilling gazebo area leading to a free standing screen enclosed pool and spa area. Come add to the Rustic Charm of this property by adding your own finishing touches. This property is zoned for 2 horses and includes a 7 stall barn with inlaid age old brick pavers, and a 10 car garage for the automobile enthusiast/ collector. Don't forget to bring your boats as this property is only 1.5 miles away from The Indian Shores Boat Ramp and the Beautiful Gulf of Mexico.

Hide

What the seller loves about this home

Privacy, Lots of Land (2.78 acres), Private Tree Lined Drive, Horses allowed, Only 1.5 miles to the Beach, and only 1.5 miles to the New Seminole City Center Shopping and Entertainment District, Excellent Public and Private Schools Nearby, Not far from the Pinellas Trail and several beautiful parks



CASL already has not been a good neighbor by failing to maintain the property for the two plus years they've owned it.

- Have not been running the air conditioning – so despite claims they will use house as a clubhouse, it may need to be torn down
- Eyesore from all sides to neighbors
- Mosquito haven









Why Not Propose Another Community Residential Home

- Neighbors have no issues with Independence House
- CASL is not just an absentee landlord at Independence House
- A Community Residential Home or two if properly sited on the property is in keeping with character and density of neighborhood

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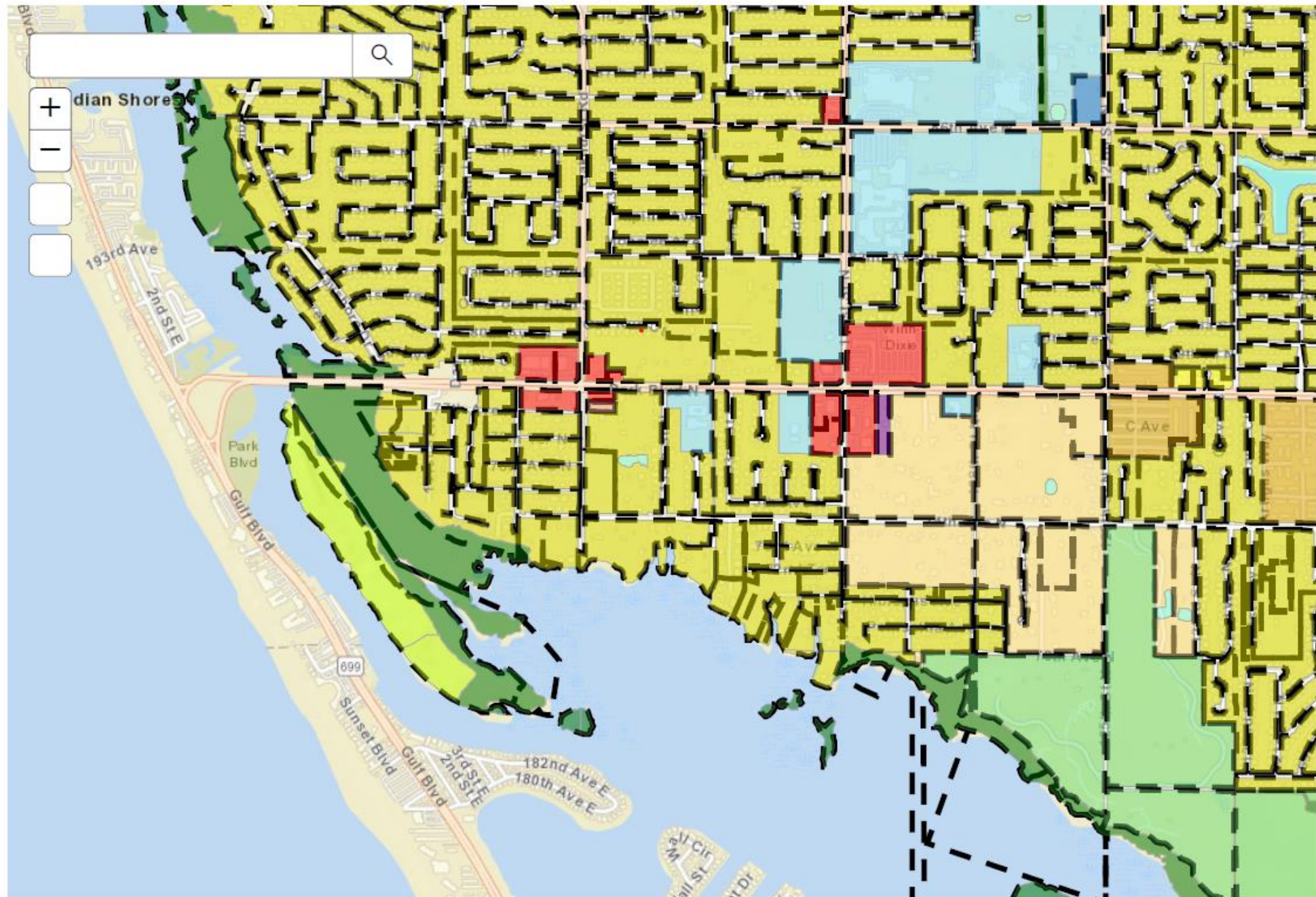
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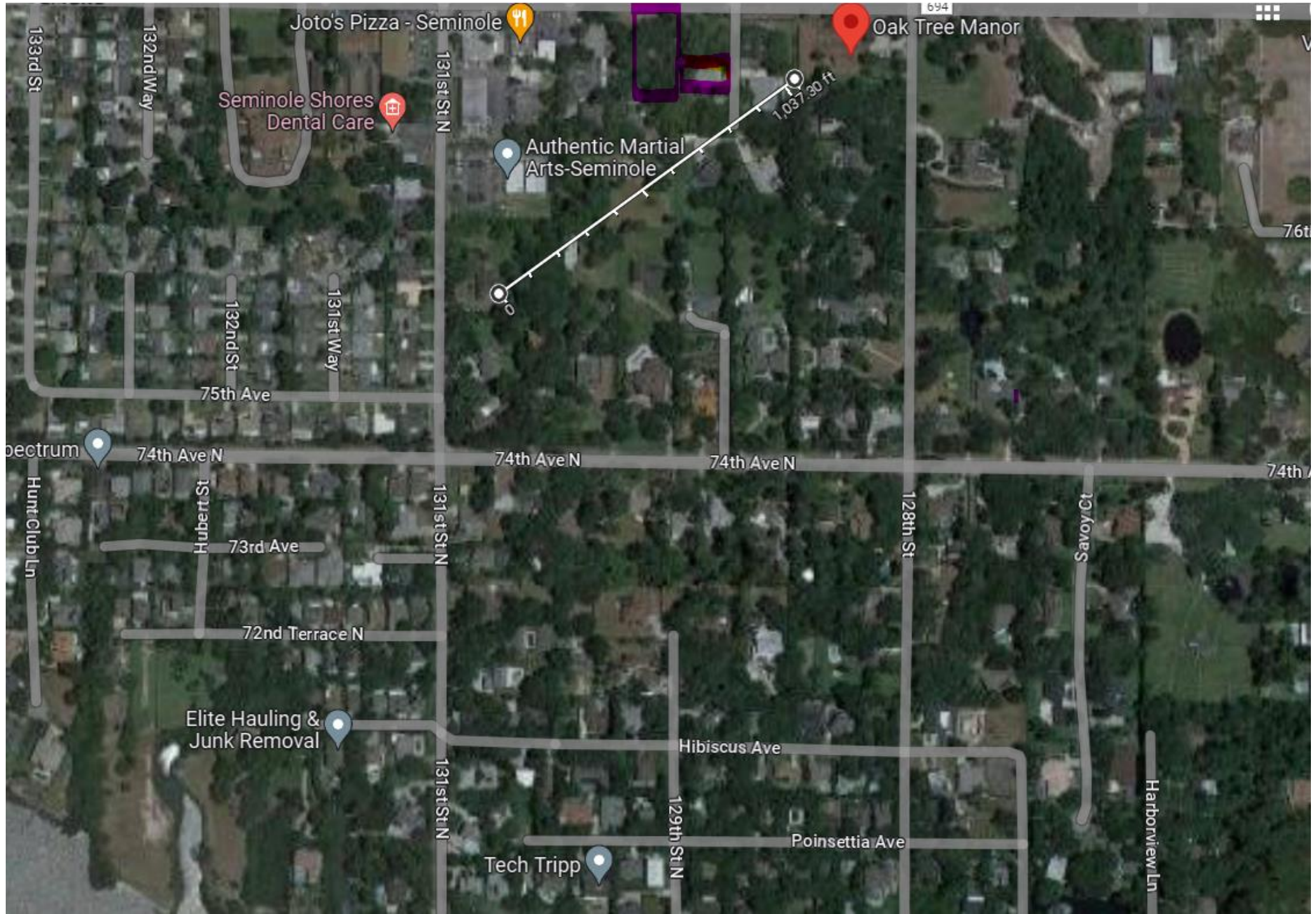
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4 bd | 4 ba | 4,149 sqft

13000 Park Blvd, Seminole, FL 33776

Sold: \$897,000 | Sold on 02/05/21 | Zestimate®: **\$1,360,800**

Est. refi payment: \$5,386/mo [Refinance your loan](#)

[Home value](#) [Owner tools](#) [Home details](#) [Neighborhood details](#)

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