



**TOWN OF PALM BEACH**  
Planning, Zoning & Building Department  
360 South County Road  
Palm Beach, FL 33480  
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PLANNING, ZONING, & BUILDING DEPARTMENT  
PZ&B Staff Memorandum: Town Council Development Review

TO: Mayor and Town Council

FROM: Wayne Bergman, MCP, LEED-AP *WB*  
Director PZ&B

SUBJECT: ZON-23-112 285 SUNRISE AVE

MEETING: DECEMBER 13, 2023

**ZON-23-112 285 SUNRISE AVE—SPECIAL EXCEPTION AND VARIANCE.** The applicant, Island Animal Hospital (Dr. Mary Ellen Scully), has filed an application requesting Town Council review and approval for a Special Exception for a permitted use greater than 3,000 SF in the C-TS zoning districts for a new veterinarian office and (1) Variance to allow a new veterinarian office on the ground floor in lieu of the use being located above the first floor.

Applicant: Island Animal Hospital  
Professional: MNA Architects (Michael Nelson Associates Architects)  
Representative: Maura Ziska

**HISTORY:**

Island Animal Hospital is a veterinary practice that was started in 1995 on Royal Palm Way. The practice moved to the former space on Sunset Avenue in 2001, where it remained for nearly 23 years. In 2014, veterinary offices were specifically itemized as permitted, prohibited or special exception uses in the commercial districts, pursuant to Ord. 07-2014. Under that ordinance, veterinary offices were permitted as a special exception use *above the first floor and specifically excluded from offices as a permitted use.*

**THE PROJECT:**

The applicant has submitted plans, entitled "NEW LOCATION FOR ISLAND ANIMAL HOSPITAL", as prepared by **TD MNA Architects** October 24, 2023.

The following is the scope of work for the Project:

- Interior renovation of existing one-story commercial (bank) building into a veterinarian office. At this time, there are no proposed exterior alterations.

The following Special Exceptions, Site Plan review and/or Variances required to complete the project, and shall be reviewed by Town Council:

- **SPECIAL EXCEPTION #1 Section 134-1109(a)(11):** Special Exception request to allow a new veterinarian office (3,200 SF) for Island Animal Hospital to open in a space that is greater than 3,000 square feet gross leasable area in the C-TS zoning district.
- **VARIANCE #1 Section 134-1109(a)(15):** Variance to allow a new veterinarian office use on the ground floor in lieu of the space being located above the first floor.

Site Data			
Zoning District	C-TS	Former Use	Bank
Future Land Use	COMMERCIAL	Square Footage	Existing SF: 3,200 SF
Surrounding Properties / ZONING			
North	Alef Day school / C-TS		
South	Publix (surface parking lot) / C-TS		
East	Two-story commercial / C-TS		
West	Eleven-story condominium The Biltmore / R-D(2)		

### **CONSISTENCY WITH THE COMPREHENSIVE PLAN:**

A preliminary review of the project indicates that the proposed **medical office use** is **consistent** with the **Commercial** designation of the Future Land Use Map of the Comprehensive Plan.

### **STAFF ANALYSIS:**

The subject property is currently improved with an existing one-story building, with surface parking lot and existing drive thru facility in the northwest portion of the site. At this time, there are no proposed exterior alterations, and no site improvements are contemplated. The existing building is currently vacant and was formerly occupied by a bank containing approximately 3,200 SF of interior space. In order to complete the change of use to allow an animal hospital into the former bank space, an application for Special Exception is required for a use over 3,000 SF in the C-TS district.

The applicant does intend to propose some exterior alterations to the building and the immediate area, specially the redevelopment of the drive thru pavement area conceptualized as being converted to open space / walking area for animals. This conversion will need to be submitted to staff and will likely require an application for the exterior improvements to go before the Architectural Commission. There are also future plans to eliminate the existing curb cut onto Bradley Place currently serving for the bank drive-thru and driveway apron / conflict point. This removal would be a much needed improvement to the district and to the pedestrian experience along the sidewalk. Further, additional on street parking will be achievable with the removal.



As it pertains to the Variance request, it is a result of the technical aspects of the Code that restricted new veterinarian office's to **only the second floor of a commercial building**. In staff's opinion, there is likely not a more town-serving use than a local animal hospital that caters to the needs of towns families and the notion of one being restricted to second floor use is archaic and borders on foolishness when factoring the median age of the residents' and imagining them carrying their beloved companions up flights of stairs, the age of many buildings within the Town not having elevator service, and the inventory amount of existing two-story commercial buildings within the Town.

In 2013, a variance application was submitted and reviewed for Anchor Animal Hospital, Variance #16-2013, to allow a veterinary office on the first floor and second floor in the C-TS zoning district where only office use on the second floor is allowed at 230 and 234 South County Road. This application was ultimately withdrawn but led to the text amendment to modify the zoning code for veterinary uses. Under this modification to the zoning code in 2014, veterinary offices were permitted as a special exception use **above the first floor and specifically excluded from offices as a permitted uses**. Thereby rendering the uses not permitted on the ground floor except via the variance process. It should be noted that the proposed change of use, is less intense according to the parking schedule, and results in a sitewide gain of three (3) spaces, as medical offices (1/250) have a lower parking requirement than bank use (1/200).

There is no new square footage being proposed, nor new floor area being added to the structure; staff is fully supportive of the variance request and the special exception request.

**CONCLUSION:**

Approval of the project will require two (2) separate motions to be made by the Town Council:

- (1) Special Exception request for office space that is greater than 3,000 square feet gross leasable area in the C-TS zoning district;
- (2) that the Variance #1 **shall or shall not** be granted that all of the criteria applicable to this application as set forth in Sec. 134-201(a), items 1 through 7 have been met.

WRB:JGM