



**TOWN OF PALM BEACH**  
Planning, Zoning & Building Department  
360 South County Road  
Palm Beach, FL 33480  
(561) 838-5430 • [www.townofpalmbeach.com](http://www.townofpalmbeach.com)

**PLANNING, ZONING, & BUILDING DEPARTMENT**  
**PZ&B Staff Memorandum: Town Council Development Review**

TO: Mayor and Town Council

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

SUBJECT: ZON-22-051 223 SUNSET AVE

MEETING: May 11, 2022

**ZON-22-051 223 SUNSET AVE—SPECIAL EXCEPTION W/ SITE PLAN REVIEW AND VARIANCES.** The applicant, 233 Sunset Holdings LLC (Peter May), has filed an application requesting Town Council review and approval for Special Exception w/ Site Plan Review for the interior renovation of an existing second floor office space in an existing two-story building resulting in an increase of approximately 947 SF of Gross Leasable Area (GLA) and a Variance (1) to provide 0 of the 4 parking spaces required due to the increase of general office space.

Applicant: 233 Sunset Holdings LLC (Peter May),  
Professional: Madison Worth Architects DPC  
Representative: Maura Ziska

**HISTORY:**

- Special Exception 13-90 with Variance was granted to allow a social club over 2000 SF and variance to not provide the required 54 parking spaces and only provide 14 parking spaces. Condition of approval is to not have evening events.
- Special Exception 26-96 was granted to allow a travel agency over 2000 SF.
- Special Exception 3-99 was granted to allow a management company over 2000 SF.
- Special Exception 7-2000 was granted to allow a 1500 SF management company on the first floor.
- Special Exception 1-2003 was granted to allow a travel agency over 2000 SF.
- Special Exception 2-2004 was granted to allow an investment advisory firm over 2000 SF.
- Special Exception 10-2005 was granted to allow an accounting firm over 2000 SF.
- Variance 41-2014 was granted to allow a real estate office on the first floor with 1925 SF.

- Z-19-00184 with Special Exception and Site Plan Review and Variance was granted to expand building from 13,689 SF to 15,602 SF by eliminating space in the parking garage and convert first floor to restaurant comprising of 2,856 SF with 106 seats of which 30 are outside and hours of 11:30 am to 10:30 pm. Special Exception is granted for shared parking. Variance granted for a 7,207 SF office on the first floor without providing 5 parking spaces.

**PROJECT DATA:**

Zoning District: C-TS  
Future Land Use: Commercial  
Existing Parking Basement Spaces: 47  
Existing GLA Office Space: 8,354  
Proposed GLA Office Space: 9,301

**SURROUNDING PROPERTIES:**

North: Two-story office  
South: Two-story mixed-use *Via Flagler*  
East: One-story synagogue  
West: Publix supermarket

**THE PROJECT:**

The applicant has submitted plans, entitled "223 Sunset Holdings LLC 2<sup>nd</sup> Floor Renovation", as prepared by **Madison Worth Architects DPC** dated 03/17/22.

The following is the scope of work for the Project:

- Interior remodel of second floor office and common space of existing two-story building for a result of approximately 9,300SF GLS of office space, or increase of approximately 947 SF.

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

- Special Exception, Sec 134-1109(a)(11). Permitted uses which are greater than 3,000 square feet gross leasable area. A request is to operate approximately 9,300SF private equity office on second floor in C-TS District.
- Special Exception, Sec 134-1109 (b). An owner or tenant of a property, located within the C-TS district, which property has received approval of a special exception after March 31, 1980, shall be required to obtain approval by the town council under the provisions of section 134-229 prior to being granted a new business tax receipt. This subsection shall not apply to renewal of an existing business tax receipt.
- VARIANCE 1: Section 134-2176: to provide zero (0) on-site parking spaces in lieu of the four (4) parking spaces that would be required due to the increase of approximately 947 SF of general office space. 1/250

**CONSISTENCY WITH THE COMPREHENSIVE PLAN:**

A preliminary review of the project indicates that the proposed **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 two-story building, occupied with a ground floor restaurant and second floor general office spaces. Parking is currently provided on-site in a garage located below the structure. The proposed design combines the five separate second floor office spaces into one singular office. The existing second floor square footage equals approximately 9,911 total square feet: comprised of office space containing 8,354 square feet of office space, with common hallways and restrooms comprising the other 1,557 square feet. The proposed redevelopment will include reducing 2nd floor common space and increasing office use

by 946 SF resulting in a 2nd floor single tenant office space of approximately 9,300SF

As it pertains to the Variance request, it is a result of the removal of common space (hallway and restrooms that will now be included in the overall tenant space), the gross leasable area ("GLA") on the second floor will be increasing by approximately 947 SF square feet, which triggers a requirement for four additional parking spaces. The fact remains that the property was constructed as second floor office space and parked as such. There is no new square footage, nor new floor area being added to the structure.