



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

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

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

SUBJECT: ZON-23-114 375 S COUNTY RD

MEETING: NOVEMBER 15, 2023

**ZON-23-114 375 S COUNTY RD—SPECIAL EXCEPTION.** The applicant, Dr. Ofer Shustik MD, 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 district for second floor medical office.

Applicant: Dr. Ofer Shustik MD  
Professional: N/A  
Representative: Maura Ziska, Esq

### **HISTORY**

At the February 11, 2003 Town Council meeting, a Special Exception request was reviewed and approved for a law office greater than 3,000 SF of area, 4,560 SF GLA, in the second floor location of the proposed subject application, pursuant to SE#4-2003. No other Special exception has been applied for or reviewed since then. Earlier this year, PZB staff brought before the Town Council amendments to the commercial districts pertaining to the 'BTR clause' that required those previously permitted spaces over the square footage district thresholds requiring a new Special Exception prior to the issuance of a new license documenting the new owner/tenant. It remains the consensus that any change of ownership of this special exception use/business within the C-TS zoning district does require Town Council approval.

### **THE PROJECT:**

The applicant has submitted plans, entitled "NEW MEDICAL OFFICE", as prepared by **Dr. Ofer Shustik**, dated September 25, 2023.

The following is the scope of work for the project:

- Change of occupant of second floor of existing larger office space.

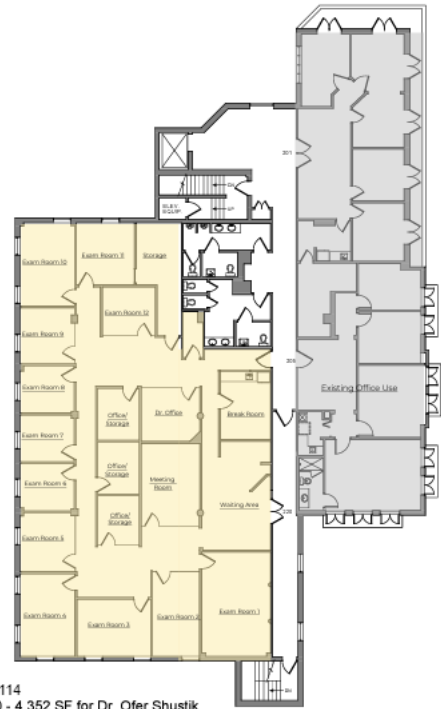
The following Special Exception with Site Plan Review and Variances are required to complete the project:

- **SPECIAL EXCEPTION:** Sec. 134-1109(a)(11) Special Exception for a permitted use greater than 3,000 square feet gross leasable area in the C-TS zoning district.

Site Data			
Zoning District	C-TS	Future Land Use	COMMERCIAL
Existing Use	+/- 4,352 SF Office Suite	Proposed Use	+/-4,352 SF Medical Office

### STAFF ANALYSIS

A preliminary review of the project indicates that the application, as proposed, appears to be consistent with the Town zoning code. This application is presented to Town Council for review and approval for a Special Exception request. A doctors office, among other offices, are a permitted use in the C-TS zoning district. However the proposed office space contains 4,352 SF of area and previously contained an executive office suite. The proposal is to renovate an existing office space space at the second floor to accommodate a medical office. It remains the consensus that any change of ownership of this special exception use/business within the C-TS zoning district does require Town Council approval. The use of the space will remain office, no new square footage is being constructed, but Sec. 134-1162 of the Code, requires that the new occupant of the space, the owner or tenant of a property, located within the C-TS district, to receive approval by the Town Council. Staff has no objections to the request.



ZON-23-114  
 Suite 220 - 4,352 SF for Dr. Ofer Shustik

### Conclusion

This application is presented to the Town Council for review of one Special Exception request. Approval of the project will require one (1) separate motion to be made by the Town Council:

- (1) that the Special Exception No. and Site Plan Review for the medical office space that is in excess of 4,000 SF of GLA in the C-TS **meet or does not meet the** criteria set forth in sections 134-229 and 134-329 respectively.

WRB:JGM