

# Historic Legal Victory for Religious Equality in Town of Palm Beach Upheld by Circuit Court

West Palm Beach  
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On behalf of our client, Shutts & Bowen LLP successfully defended the zoning approval for an orthodox synagogue in the Town of Palm Beach, overcoming both complex zoning hurdles and subsequent legal challenges. On December 17, 2025, the Appellate Division of the 15th Judicial Circuit denied a Petition for Writ of Certiorari filed by Ari J. Benacerraf and other petitioners, effectively upholding the Town Council's previous approval of an expansion of the Palm Beach Orthodox Synagogue.

The initial victory, led by [Harvey E. Oyer III](#), a partner in Shutts & Bowen's West Palm Beach office, allows the Synagogue to rebuild a larger facility that aligns with the scale of other houses of worship in the area. Achieving this required securing three Special Exceptions and nine variances within the Town's complex zoning code. While the project ultimately received unanimous approval from the Landmarks Preservation Commission and a 4-to-1 favorable vote from the Town Council with a 3-to-2 decision on the variances following a grueling 9 ½-hour public hearing.

"Securing this approval was a victory for the fundamental principle that every faith deserves equality in our community," Oyer said. "By coming together to support this project, Palm Beach has sent a powerful message about unity and the protection of religious freedoms for everyone."

The Zoning approval team, consisting of constitutional scholar Alan Dershowitz, Shutts & Bowen attorneys Harvey Oyer and [James Gavigan](#), along with Shutts land planner Roger Ramdeen, obtained approval for the project from the Town Council last January. The lawsuit challenging the approval was subsequently filed. The legal team that successfully defended the lawsuit was composed of Shutts attorneys [Dan Nordby](#), James Gavigan, and [Matt Chait](#), as well as the Town's attorneys.

Throughout the process, the community showed remarkable solidarity. Local Christian churches endorsed the project, with two offering their parking lots to meet the Synagogue's parking requirements. Clergy from various denominations attended the Town Council meeting to express their support of the Synagogue's proposal.

The Circuit Court's recent decision, issued by Judges Sherman, Cheesman, and Bristow, marks a final hurdle in a case hailed as a watershed moment for inclusivity and unity in Palm Beach. While the petitioners have 15 days to move for a rehearing or seek limited further review, the legal team remains optimistic that this historic result will prevail.



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### About Shutts & Bowen LLP

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#### Practice Areas

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#### Offices

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