

RESOLUTION NO. R-2022- 0385

RESOLUTION REVOKING RESOLUTION R-2005-1044  
(CONTROL NUMBER 2004-00233)  
AFFIRMING THE ABANDONMENT  
OF ZONING APPLICATION CA-2004-00404

WHEREAS, the Board of County Commissioners, as the governing body of Palm Beach County, Florida, pursuant to the authority vested in Chapters 125 and 163, Florida Statutes, is authorized and empowered to consider applications related to zoning;

WHEREAS, the notice and public hearing requirements pursuant to Article 2 (Application Processes and Procedures) of the Palm Beach County Unified Land Development Code, Ordinance 2003-067 as amended (ULDC), have been satisfied;

WHEREAS, Zoning Application CA-2004-404 the petition of Darrin Shapiro, for a Class A Conditional Use to allow a medical office in the Commercial Low Office Zoning District subject to conditions of approval was presented to and adopted by the Board of County Commissioners at a public hearing on May 26, 2005 by Resolution R-2005-1044;

WHEREAS, Zoning Application ABN-2021-2011 was submitted on behalf of Emedical Plaza LLC to abandon Resolution R-2005-1044;

WHEREAS, the Board of County Commissioners has considered the evidence and testimony presented by the Applicant and other interested parties, and the recommendations of the various County Review Agencies;

WHEREAS, the Board of County Commissioners hereby incorporates by reference the Findings in the staff report addressing the Standards contained in Article 2.B (Public Hearing Processes) for a Development Order Abandonment;

WHEREAS, the Board of County Commissioners pursuant to Article 2 (Application Processes and Procedures) of the ULDC is authorized and empowered to consider, approve, approve with conditions or deny the request;

WHEREAS, Article 2.B.6.C (Board Action) of the ULDC requires that action of the Board of County Commissioners be adopted by resolution.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, that Resolution R-2005-1044, approving Zoning Application CA 2004-00404 for a Class A Conditional Use to allow a Medical Office in the Commercial Low Office Zoning District is hereby revoked.

Commissioner Kerner moved for the approval of the Resolution.

The motion was seconded by Commissioner Bernard and, upon being put to a vote, the vote was as follows:

Commissioner Robert S. Weinroth, Mayor	- Aye
Commissioner Gregg K. Weiss, Vice Mayor	- Aye
Commissioner Maria G. Marino	- Aye
Commissioner Dave Kerner	- Aye
Commissioner Maria Sachs	- Aye
Commissioner Melissa McKinlay	- Aye
Commissioner Mack Bernard	- Aye

The Mayor thereupon declared that the resolution was duly passed and adopted on April 28, 2022.

Filed with the Clerk of the Board of County Commissioners on April 28th, 2022

This resolution is effective when filed with the Clerk of the Board of County Commissioners.

APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY

PALM BEACH COUNTY, FLORIDA  
BY ITS BOARD OF COUNTY  
COMMISSIONERS

BY:   
COUNTY ATTORNEY

JOSEPH ABRUZZO,  
CLERK & COMPTROLLER

BY:   
DEPUTY CLERK



**EXHIBIT A**

**LEGAL DESCRIPTION**

DESCRIPTION OF WEST PARCEL OF EAST ½ OF TRACT 16, MARY A. LYMAN SUBDIVISION; ALL THAT PART OF THE EAST ½ OF TRACT 16 IN THE SOUTHWEST ¼ OF SECTION 12, AMENDED PLAT OF SECTION 12, TOWNSHIP 45 SOUTH, RANGE 42 EAST, MARY A. LYMAN, ET AL, ACCORDING TO THE PLAT THEROF AS RECORDED IN PLAT BOOK 9, PAGE 74, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, LYING WESTWARDLY OF THE WEST RIGHT OF WAY LINE OF MILITARY TRAIL. (A 120 FOOT WIDE ROAD RIGHT OF WAY).