

RESOLUTION NO. R-2024- 0411

RESOLUTION APPROVING REVOCATION OF  
RESOLUTION R-2023-0551  
(CONTROL NUMBER 2013-00296)

APPLICATION OF Elan Polo Gardens Owner LLC, Konover South LLC - David Coppa  
BY JMorton Planning & Landscape Architecture, AGENT  
(Polo Gardens MUPD)

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 ABN/DOA/CA-2022-01397, the Application of Elan Polo Gardens LLC, Cardiovascular Centers of America, and The Ferber Company, by JMorton Planning and Landscape Architecture, Agent for a Class A Conditional Use to allow a Hospital was presented to the Board of County Commissioners and adopted at a public hearing on April 27, 2023 by Resolution R-2023-0551;

WHEREAS, Zoning Application ABN/DOA/CA-2023-01491, the Application of Konover South LLC – David Coppa & Elan Polo Gardens Owner LLC, by JMorton Planning & Landscape Architecture, Agent, for a Development Order Abandonment to abandon resolution R-2023-0551 which approved a Class A Conditional Use for a Hospital, a Development Order Amendment to modify the overall MUPD to modify the Site Plan to add and delete uses, and to modify Conditions of Approval, and a Class A Conditional Use to allow a Type 1 Restaurant with a drive-through on 25.79 acres was presented to the Board of County Commissioners at a public hearing conducted on April 25, 2024;

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, the Palm Beach County Survey Section may administratively correct any scrivener’s errors that will not significantly impact the overall boundary of the adopted legal description; and,

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:

1. The foregoing recitals are true and correct and are incorporated herein.
2. Resolution R-2023-0551, approving a Class A Conditional Use to allow a Hospital on a parcel of land as shown on the legal description in Exhibit A, attached hereto and made apart hereof, is hereby revoked.

Commissioner Baxter moved for the approval of the Resolution.

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

Commissioner Maria Sachs, Mayor	- Aye
Commissioner Maria G. Marino, Vice Mayor	- Aye
Commissioner Gregg K. Weiss	- Aye
Commissioner Michael A. Barnett	- Aye
Commissioner Marci Woodward	- Aye
Commissioner Sara Baxter	- Aye
Commissioner Mack Bernard	- Aye

The Mayor thereupon declared that the resolution was duly passed and adopted on April 25, 2024.

Filed with the Clerk of the Board of County Commissioners on April 25, 2024.

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

ALL OF THE PLAT OF POLO GARDENS MUPD, ACCORDING TO THE PLAT THEREOF,  
AS RECORDED IN PLAT BOOK 134, PAGES 46 THRU 51, OF THE PUBLIC RECORDS  
OF PALM BEACH COUNTY, FLORIDA.

CONTAINING 25.04 ACRES MORE OR LESS.