

1 **RESOLUTION NO. PZB 2018 - 05**

2

3 **TEMPORARY USE PERMIT TMP2018-0007**

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5 **ADMINISTRATIVE APPROVAL**

6 **VILLAGE OF ESTERO, FLORIDA**

7

8 **WHEREAS**, Local Roots, LLC filed a Temporary Use Permit Application 2018-

9 0007 for the operation of a Farmers' Market located at the Coconut Point Mall, Estero

10 Florida described more particularly as:

11

12 Strap Number: 09-47-25-E2-360SC.0010

13

14 **WHEREAS**, the applicant has requested a Farmers' Market be held once a week

15 on Thursdays from October 4, 2018 through April 25, 2019; and

16

17 **WHEREAS**, Coconut Point, A Simon Mall, has granted permission for Local

18 Roots to hold a Farmers' Market on the property once a week; and

19

20 **WHEREAS**, Land Development Code Section 34-3048 lists the regulations for

21 Seasonal Farmers' Markets; and

22

23 **WHEREAS**, the applicant must comply with these regulations; and

24

25 **WHEREAS**, The Village of Estero Transitional Land Development Code (LDC)

26 provides for temporary uses, and

27

28 **WHEREAS**, under the provisions of Ordinance No. 2015-01 of the Village of

29 Estero, the Planning and Zoning Board has been delegated the authority to make

30 determinations with respect to all applications for administrative action, and

31

32 **WHEREAS**, the following findings of fact are offered:

- 33
- 34 1. The proposed Farmers' Market, as conditioned, will not create adverse
- 35 impacts; and
- 36 2. There have been no previous Code Enforcement complaints regarding
- 37 the seasonal Farmers' Market; and
- 38 3. The Planning and Zoning Board has taken this action at a duly
- 39 constituted public hearing after due public notice.

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41 **NOW, THEREFORE, IT IS HEREBY DETERMINED** that the application for

42 the temporary uses is APPROVED, subject to the following conditions:

- 43
- 44 1. The Farmers' Market is approved to operate from October 4, 2018 through April
- 45 25, 2019 - Thursdays from 9:00 a.m. to 1:00 p.m.
- 46

- 47 2. The applicant must comply with Section 34-3048 of the Land Development Code.
 48
 49 3. If it is determined that inaccurate or misleading information was provided to staff
 50 or the Planning and Zoning Board, or if this decision does not comply with the
 51 Land Development Code when rendered, then, at any time, the Planning and
 52 Zoning Board may issue a modified decision that complies with the Code or
 53 revoke the decision. The permittee will be given written notice of violation and
 54 action necessary to correct same prior to revoking a permit.
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56 **PASSED AND DULY ADOPTED** this 19th day of June, 2018.
 57

58 **VILLAGE OF ESTERO, FLORIDA**
 59 **PLANNING AND ZONING BOARD**
 60

61
 62 _____
 63 Scotty Wood, Chairman

64 Attest:

65
 66
 67 By: _____
 68 Kathy Hall, MMC, Village Clerk
 69

70 Reviewed for legal sufficiency
 71

72
 73 By: _____
 74 Nancy Stroud, Esq., Land Use Attorney
 75

76 **Vote:**

77 Scotty Wood	Yes___	No___
78 Tim Allen	Yes___	No___
79 Anthony Gargano	Yes___	No___
80 Robert King	Yes___	No___
81 Marlene Naratil	Yes___	No___
82 James Tatoes	Yes___	No___
83 John Yarborough	Yes___	No___