

RESOLUTION NO. PZB 2020-06
TEMPORARY USE PERMIT APPLICATION #4253949
ADMINISTRATIVE APPROVAL
VILLAGE OF ESTERO, FLORIDA

8 **WHEREAS**, Local Ladies Social Network, Inc. filed a Temporary Use Permit
9 Application #4253949 for the operation of a Farmers’ Market located at the Miromar
10 Outlets Mall, Estero, Florida described more particularly as:

11 Strap Number: 25-46-25-E4-270M6.0000

12 **WHEREAS**, Miromar Development Corp, has granted permission for the Local
13 Ladies Social Network, Inc. to hold a Farmers’ Market on the property once a week; and

14 **WHEREAS**, Village of Estero Transitional Land Development Code (LDC)
15 provides for temporary uses; and

16 **WHEREAS**, a Temporary Use Permit was previously granted to the Local Ladies
17 Social Network, Inc. at this location from June 26 through September 25, 2020; and

18 **WHEREAS**, no code violations were filed or complaints reported during the
19 operation of the Farmers Market during the summer months; and

20 **WHEREAS**, Land Development Code Section 34-3048 lists the regulations for
21 Seasonal Farmers’ Markets and sets the timeframe for these markets to be between the
22 months of October and April of each year; and

23 **WHEREAS**, the applicant’s timeframe of operation for the requested Farmers
24 Market complies with Land Development Code Section 34-3048(b) for the operation of
25 the market during the aforementioned months; and

26 **WHEREAS**, under the provisions of Ordinance No. 2015-01 of the Village of
27 Estero, the Planning and Zoning Board has been delegated the authority to make
28 determinations with respect to all applications for administrative action; and

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

- 30 1. The proposed Farmers’ Market, as conditioned, will not create adverse
31 impacts; and
- 32 2. There are exceptional or extraordinary conditions due to the COVID-
33 19 pandemic and a declared need to maintain social distancing when
34 shopping to prevent unintended contamination; and

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3. The Planning and Zoning Board has taken this action at a duly constituted public hearing after due public notice.

NOW, THEREFORE, IT IS HEREBY DETERMINED that the application for the temporary uses is APPROVED, subject to the following conditions:

- 1. The operation of the market is limited to Fridays from October 2, 2020 to April 30, 2021, from 9:00 a.m. to 1:00 p.m.
- 2. The market will follow CDC guidelines for public gatherings, including social distancing and other methods.
- 3. The applicant must comply with Section 34-3048 of the Land Development Code.
- 4. If it is determined that inaccurate or misleading information was provided to staff or the Planning and Zoning Board, or if this decision does not comply with the Land Development Code when rendered, then, at any time, the Planning and Zoning Board may issue a modified decision that complies with the Code or revoke the decision. The permittee will be given written notice of violation and action necessary to correct same prior to revoking a permit.

PASSED AND DULY ADOPTED this 20th day of October, 2020.

**VILLAGE OF ESTERO, FLORIDA
PLANNING AND ZONING BOARD**

Scotty Wood, Chairman

Attest:

By: _____
Steve Sarkozy, Acting Village Clerk

Reviewed for legal sufficiency

By: _____
Nancy Stroud, Esq., Land Use Attorney

94 **Vote:**
95 Scotty Wood Yes ___ No ___
96 Tim Allen Yes ___ No ___
97 Anthony Gargano Yes ___ No ___
98 Marlene Naratil Yes ___ No ___
99 James Tatooles Yes ___ No ___
100 John Yarborough Yes ___ No ___