



Legislation Text

File #: ID 2021-444, **Version:** 1

TO: Mayor and City Commission

FROM: Cale Curtis, City Manager

DATE: October 20, 2021

A RESOLUTION OF THE CITY OF MARGATE, FLORIDA, APPROVING WITH CONDITIONS A TEMPORARY USE PERMIT FOR THE BROWARD COUNTY FAIR TO BE HELD AT 1000 NORTH STATE ROAD 7, FROM NOVEMBER 18 THROUGH DECEMBER 5, 2021; PROVIDING FOR AN EFFECTIVE DATE.

BACKGROUND: The Broward County Fair, Inc. ("APPLICANT") is seeking permission to permit a fair for the Broward County Fair to be held at 1000 North State Road 7, with parking to be located at 1291 North State Road 7, 5701 Margate Boulevard, 1011-1051 North State Road 7, and 5700 Margate Boulevard. Usage of properties for the event spans from Monday, November 8 through Friday, December 10, 2021, including 10 days to set up and 5 days to clear and clean up the event.

APPLICANT anticipates attendance throughout the course of the event to be 40,000 patrons, with an anticipated peak attendance of 5,000.

APPLICANT has requested relief from the following Code requirements:

- A. Section 3.24 of the Margate Zoning Code requires TUP applications for fairs to be submitted to the Development Services Department no less than 90 prior to the start of said event. APPLICANT submitted a TUP application 66 days prior to the event; and
- B. Section 3.24 of the Margate Zoning Code requires TUP events to close by 10 P.M.. APPLICANT has requested permission to operate a fair until 12 A.M.(of the following morning) Sundays through Thursdays, and until 1 A.M. (of the following morning) on Fridays and Saturdays; and
- C. Section 3.24 of the Margate Zoning Code limits duration of TUP events to a total of 21 consecutive calendar days, such that an event may utilize up to three days for set-up prior to the commencement of an event, up to 15 days to hold the event, and up to three days after the close of an event for tear down and clean-up. APPLICANT has requested use of the property for a total of 33 days, such that event set-up will be from November 8 through November 18, 2021, the fair will operate from November 18 through December 5, 2021, and event clean up and clear out will be from December 6 through December 10, 2021; and
- D. Section 3.24 of the Margate Zoning Code requires TUP applicants to provide appropriate food vendor or catering licenses from the Florida Department of Business and Profession Regulations prior to the event. APPLICANT has requested to waive this as an application requirement, but has indicated that all food vendors will be inspected and approved by the State prior to the fair opening to the public; and

- E. Section 3.14 of the Margate Zoning Code prohibits the use of chain link fence within any TOC zoning district, and the subject properties of the proposed fair are located within the TOC-CC City Center zoning district. Applicant proposes to erect a 6-foot high chain link fence surrounding the event; and
- F. Section 33-79 of the Code of the City of Margate prohibits using or operating any mechanical device or loudspeaker in a fixed or moveable position exterior to any building, or mounted upon any mechanical device or loudspeaker in a fixed or moveable position exterior to any building, or mounted upon any motor vehicle such that the sound therefrom is plainly audible at or beyond the property boundary of the source, or on a public way. APPLICANT has responded to this staff comment with, “We intend on complying with any and all noise ordinances or we would seek an exemption from the commission.”

CONTACT PERSON: Elizabeth Taschereau, Development Services Director