

# TOWN OF DAVIE

## TOWN COUNCIL AGENDA REPORT

**TO:** Mayor and Councilmembers

**FROM/PHONE:** Mark Kutney, AICP, Development Services Director/ (954) 797-1101  
Prepared by: David M. Abramson, Planner I

**SUBJECT:** TU 10-1-04 / 04-432 / Davie Merchants Industrial Association Inc., 2701 North University Drive, Davie, FL 33324

**AFFECTED DISTRICT:** District 2

**TITLE OF AGENDA ITEM:** Temporary Use Permit for Christmas Trees Sale

**REPORT IN BRIEF:** The applicant is requesting approval of a temporary use permit for activities associated with selling of Christmas trees under a tent for the holiday. The Town of Davie Land Development Code Section 17-8, Seasonal sales, defines the permitted time frame and the necessary facilities that need to be provided on site. The site is located near the intersection of North University Drive and Davie Road Extension, with no access to residential streets. Automobile access onto and from the site is via Davie Road Extension with parking on the eastside of the property. Furthermore, there will be a tent, portable toilet, garbage area, and electrical pole on the site. A satisfactory site plan accurately depicting all details of the request has been reviewed by the Development Services Department and is attached.

**DURATION OF EVENT:** The duration and hours of the request is November 24, 2004 to December 24, 2004 from 9:00 am to 8:00 pm.

Section 12-319 of the Land Development Code requires that three (3) criteria be met for temporary use permits:

- (1) Any nuisance or hazardous features involved is suitably separated from adjacent uses;
- (2) Excessive Vehicular traffic will not be generated on minor residential streets; and,
- (3) A vehicular parking problem will not be created.

Staff finds that the Merchants Industrial Association Inc. activities will be suitably separated from adjacent uses, there will be no traffic generated on minor residential streets, and a vehicle parking problem is not anticipated. In addition the following conditions apply:

- (1) **Any temporary use authorized by Town Council shall be approved and accepted as to all terms and conditions by the applicant in writing within ten (10) days of the date such temporary use is authorized.** The applicant shall file such authorization with the Development Services Department.
- (2) A building permit must be secured prior to the event.
- (3) The permit shall be valid only for the time specific from November 24, 2004 to December 24, 2004 from 9:00 am to 8:00 pm.
- (4) All concerns and comments as identified by reviewing agencies on the building permit must be addressed prior to the issuance of a Building permit.
- (5) Provide proper traffic control devices, such as barricades or cones, around the tents.
- (6) Compliance with the "Conditions for the Sale of Natural Trees" as provided by the Town of Davie Fire Marshall.

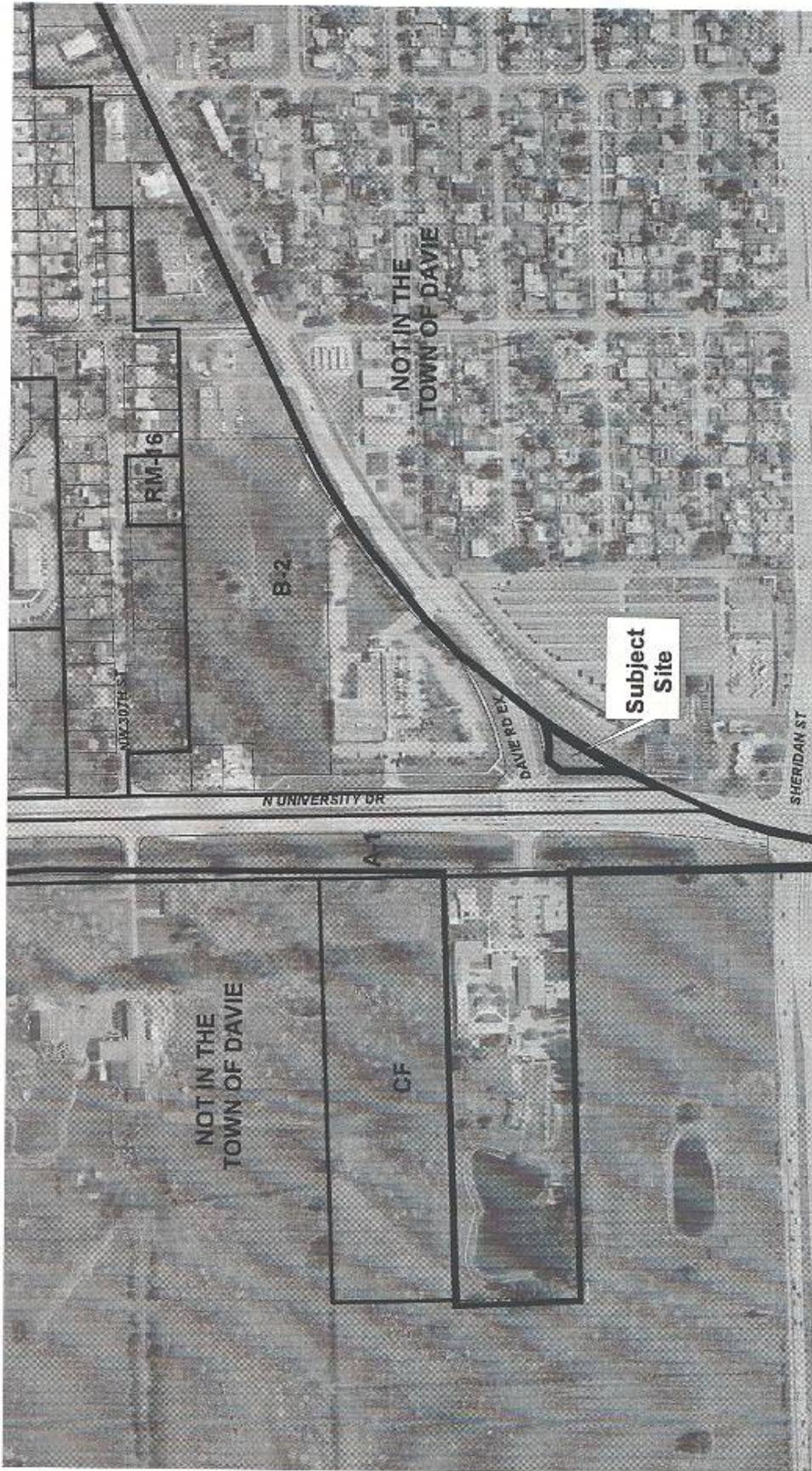
**PREVIOUS ACTIONS:** None

**CONCURRENCES:** The Development Review Committee has reviewed the application and has no objections to the request.

**FISCAL IMPACT:** None

**RECOMMENDATION(S):** The application is found sufficient, based upon the above, to enable Town Council to render a decision.

**Attachment(s):** Subject site map, Site plan, Conditions for the Sale of Natural Trees from the Fire Marshall



Planning & Zoning Division - GIS

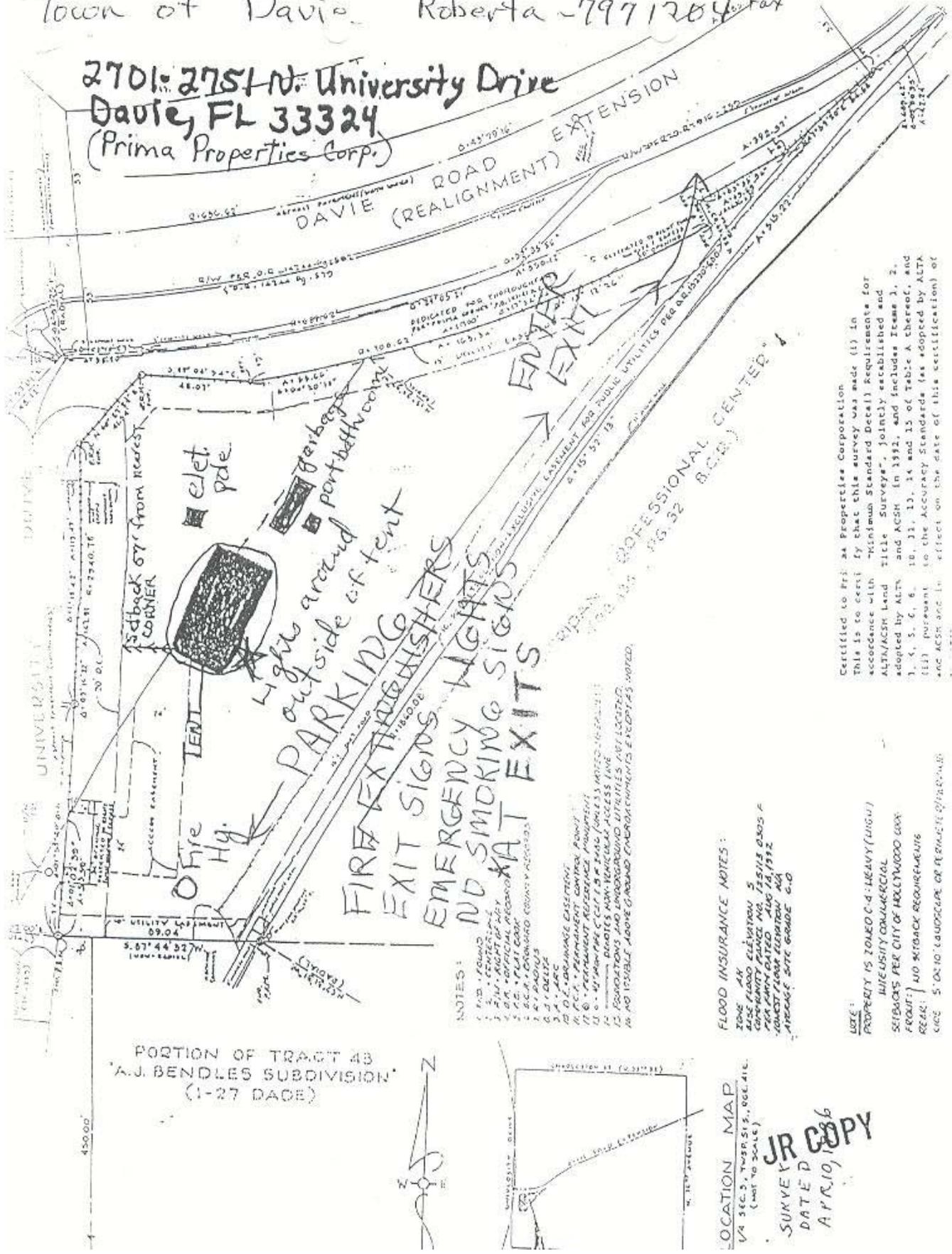


**Temporary Use Permit**  
**TU 10-1-04 / Davie Merchants Industrial Assoc. Inc.**  
**Subject Site, Zoning and Aerial Map**

Prepared By: D.M.A.  
Date Prepared: 10/29/04

Town of Davie, Roberto - 797 1204 Fax

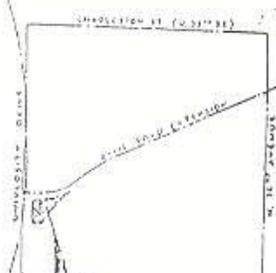
2701-2751 N. University Drive  
 Davie, FL 33324  
 (Prima Properties Corp.)



**FIRE EXITS**  
**EXIT SIGNS**  
**EMERGENCY LIGHTS**  
**NO SMOKING SIGNS**  
**KAT EXITS**

- NOTES:
1. P.O. FOUND
  2. CENTERLINE
  3. 1/4" = 100' SCALE
  4. A.R. OFFICIAL RECORD
  5. P.L. PLAT BOOK
  6. C.C. CONCORD COUNTY RECORDS
  7. S.I. DEED
  8. A.P. REC
  9. D.C. VARIANCE CASEMENT
  10. P.C.A. PERMANENT CONTROL POINT
  11. B. PERMANENT REFERENCE POINTS
  12. 0.47' HIGH PINE C' CUR. 1.9" DIA. (UNLESS NOTED OTHERWISE)
  13. DOTTED LINE INDICATES NON-VEHICULAR ACCESS LINE
  14. FOUNDATIONS AND UNDERGROUND UTILITIES NOT LOCATED
  15. NO UTILITY ABOVE GROUND ENCUMBRANCES EXCEPT AS NOTED

PORTION OF TRACT 43  
 "A.J. BENDLES SUBDIVISION"  
 (1-27 PAGE)



FLOOD INSURANCE NOTES:  
 ZONE AH  
 BASE FLOOD ELEVATION 5  
 COMMUNITY FLOOD NO. 125115 0305 F  
 PER MAP DATED AUG 14, 1992  
 HIGHEST FLOOD ELEVATION 10'  
 AVERAGE SITE GRADE 6.0

LOCATION MAP  
 1/4 SEC. 5, TWP. 51 S., RGE. 41 E.  
 (NOT TO SCALE)

**JR COPY**  
 DATED  
 APR 10, 2006

Certified to Prima Properties Corporation  
 This is to certify that this survey was made (1) in accordance with "Minimum Standard Detail" Requirements for ALTA/ACSM Land Title Surveys", jointly established and adopted by ALTA and ACSM in 1992, and includes Items 1, 2, 3, 4, 5, 6, 10, 11, 13, 14 and 15 of Table A thereof, and (2) pursuant to the Accuracy Standards (as adopted by ALTA and ACSM and in effect on the date of this certification) of

NOTE:  
 PROPERTY IS ZONE C-4 - HEAVY (HIGH)  
 MINIMUM STANDARD DETAIL  
 SETBACKS PER CITY OF HOLLYWOOD CODE  
 FRONT: NO SETBACK REQUIREMENT  
 SIDE: 5'-0" TO LAWSUITE OR PERMITS OFFICIALS

**Town of Davie Fire Rescue**  
**Office of Fire Marshal**

**Conditions for the Sale of Natural Trees or other Commodities**

**Canopies/Tents**

- (1) Canopies may not be used for general storage of any items not associated with the sale of trees. Canopies may not be used for sleeping purposes.**
- (2) (a) All fabrics, curtains, cloth, rope, netting and decorative material used for, or in, or on, a canopy shall be rendered flameproof.  
(b) Canopies required to be of flameproof material which shall be inspected by the Fire Official. Flame proofing certificate to be attached to Application for Building Permit.**
- (3) (a) All canopies at grade shall be erected to withstand a minimum wind pressure or suction of ten pounds per square foot.  
(b) All lighting shall be by electricity no flame lighting allow.  
(c) Exits shall be spaced no more than 75 feet apart.  
(d) Aisles shall not be less than 44 inches in width, provided such aisles shall not be less in width than the combined width of aisles they connect.  
(e) Canopies shall not be less than 30 feet from side or rear property lines, and 30 feet or more from other buildings on the same property.  
(f) "NO SMOKING" Signs shall be placed at the entrance and throughout the interior  
(g) Illuminated "EXIT" Signs shall be placed above each exit.  
(h) An Extinguishments Container (Five Gallon container filled half way with sand) shall be used to extinguish tobacco products prior to entering. Said containers shall be placed at each entrance.  
(i) Emergency lighting shall installed 84" to 96" above finished floor/grade**

**Fire Extinguishers**

- (1) One 2A10BC is required for each 2,500 square feet of floor area, but not Less than one to each path of egress or within a travel distance of not exceeding 50 feet.  
(a) The installation, maintenance and use of portable fire extinguishers shall comply with the Standard for Installation, Maintenance and Use of Portable Fire Extinguishers, NFPA 10, as set forth in Section 402.**

**Miscellaneous**

- (1) Ground Fault Indicators (GF) shall be installed with any and all electrical applications. (Lights, Cash Registers, etc.)**
- (2) There shall be NO PARKING in designated fire lanes to load trees.**

**"HAVE A FIRE SAFE HOLIDAY"**

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