

**TOWN OF DAVIE**  
**TOWN COUNCIL AGENDA REPORT**

**TO:** Mayor and Councilmembers

**FROM/PHONE:** Mark Kutney, AICP, Development Services Director/ (954) 797-1101

**PREPARED BY:** Carlo F. Galluccio III, Planning Aide

**SUBJECT:** Temporary Use Permit for Christmas Trees Sales

**AFFECTED DISTRICT:** District 2

**ITEM REQUEST:** **Schedule for Council Meeting**

**TITLE OF AGENDA ITEM:** TU 10-3-07 / 08-5 / Davie Merchants Industrial Association Inc

**REPORT IN BRIEF:** The applicant (Davie Merchants Industrial Association Inc.) is requesting approval of a temporary use permit for activities associated with selling of Christmas trees under a tent for the holiday season. 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 Review Committee Members and is attached. The duration and hours of the request is from November 22 to December 24, 2007 from 8:00 am to 10:00 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 specified in the report in brief.
- (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 Marshal.

**PREVIOUS ACTIONS:** none

**CONCURRENCES:** n/a

**FISCAL IMPACT:** not applicable

Has request been budgeted? n/a

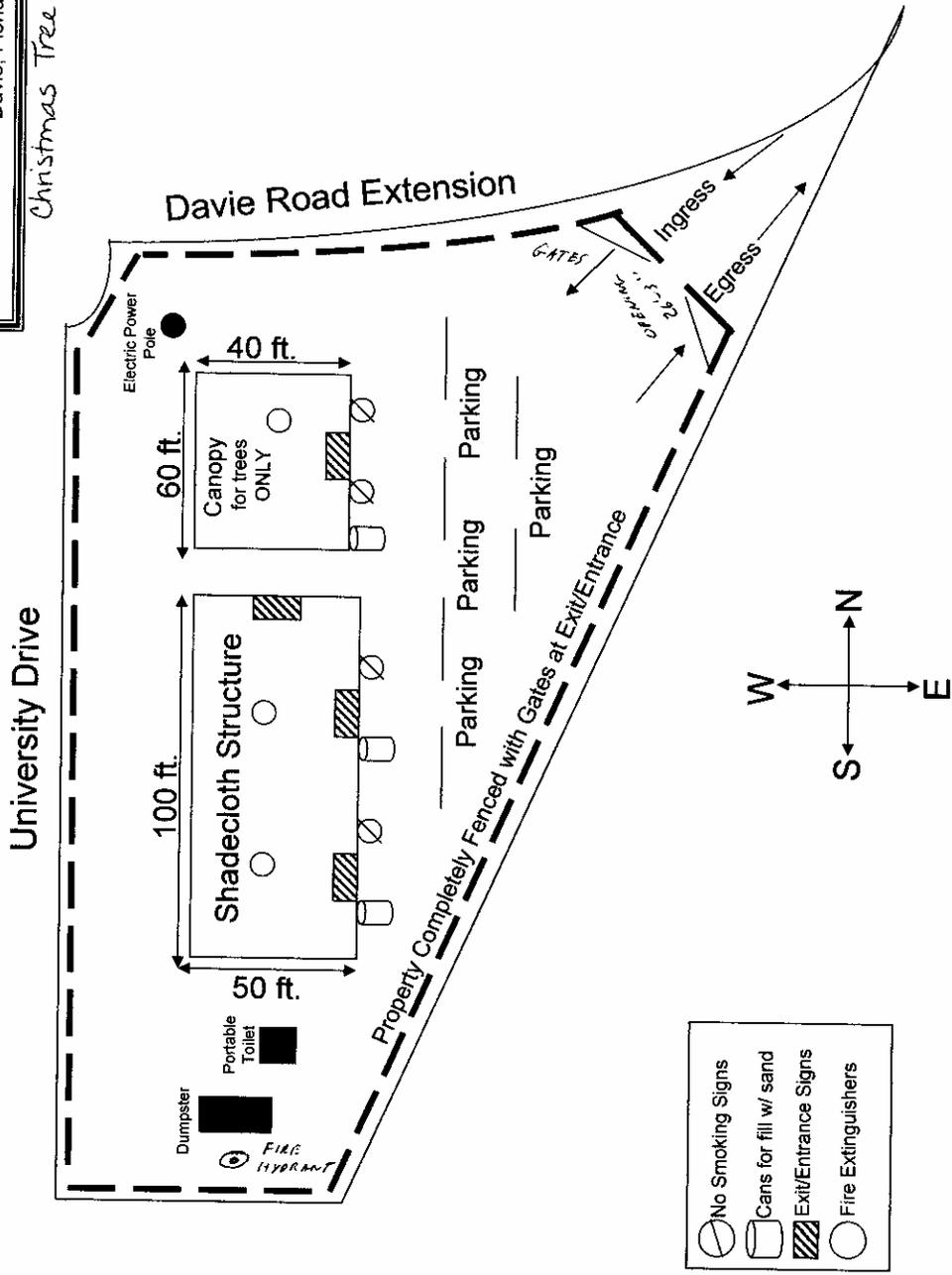
**RECOMMENDATION(S):** Staff finds the subject application complete and suitable for transmittal to Town Council for further consideration.

**Attachment(s):** Site Plan, Survey, zoning & aerial map

Attachment: Site plan

**Site Plan:** Sheridan Professional Center  
 2701-2751 North University Drive  
 Davie, Florida 33324

*Christmas Tree Sales*







Attachment: Zoning and Aerial Map

