

**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 tree sales

**AFFECTED DISTRICT:** District 1

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

**TITLE OF AGENDA ITEM:** TU 10-5-07, Davie Police Athletic League/Home Depot, 2300 South University Drive, Davie, FL 33324

**REPORT IN BRIEF:** The applicant (Davie Police Athletic League) is requesting approval of a temporary use permit for the sale of Christmas trees. The Christmas tree sales canopy is going to be located southwest of the Home Depot's building at the Tower Shops, in the parking lot. The canopy is to be surrounded by a temporary chain-link fence. The applicant has received approval from the Home Depot to erect the canopy and sell the Christmas trees in the parking lot. Home Depot has also provided Davie Police Athletic League permission to use the store's restroom facilities. Vehicular access to the site is on the west side of Tower Shops Center via University Drive, and on the south side via Nova Drive. The Town of Davie Land Development Code Section 17-8, seasonal sales, defines the permitted period and the necessary facilities provided on 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 of the request is from November 23 thru December 24, 2007. The hours of operation are Monday thru Thursday from 8 a.m. to 9 p.m., on Friday and Saturday from 8 a.m. to 10 p.m., and Sunday from 8 a.m. to 8 p.m.

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 Christmas tree sale 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 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 te

**PREVIOUS ACTIONS:** None

**CONCURRENCES:** n/a

**FISCAL IMPACT:** not applicable

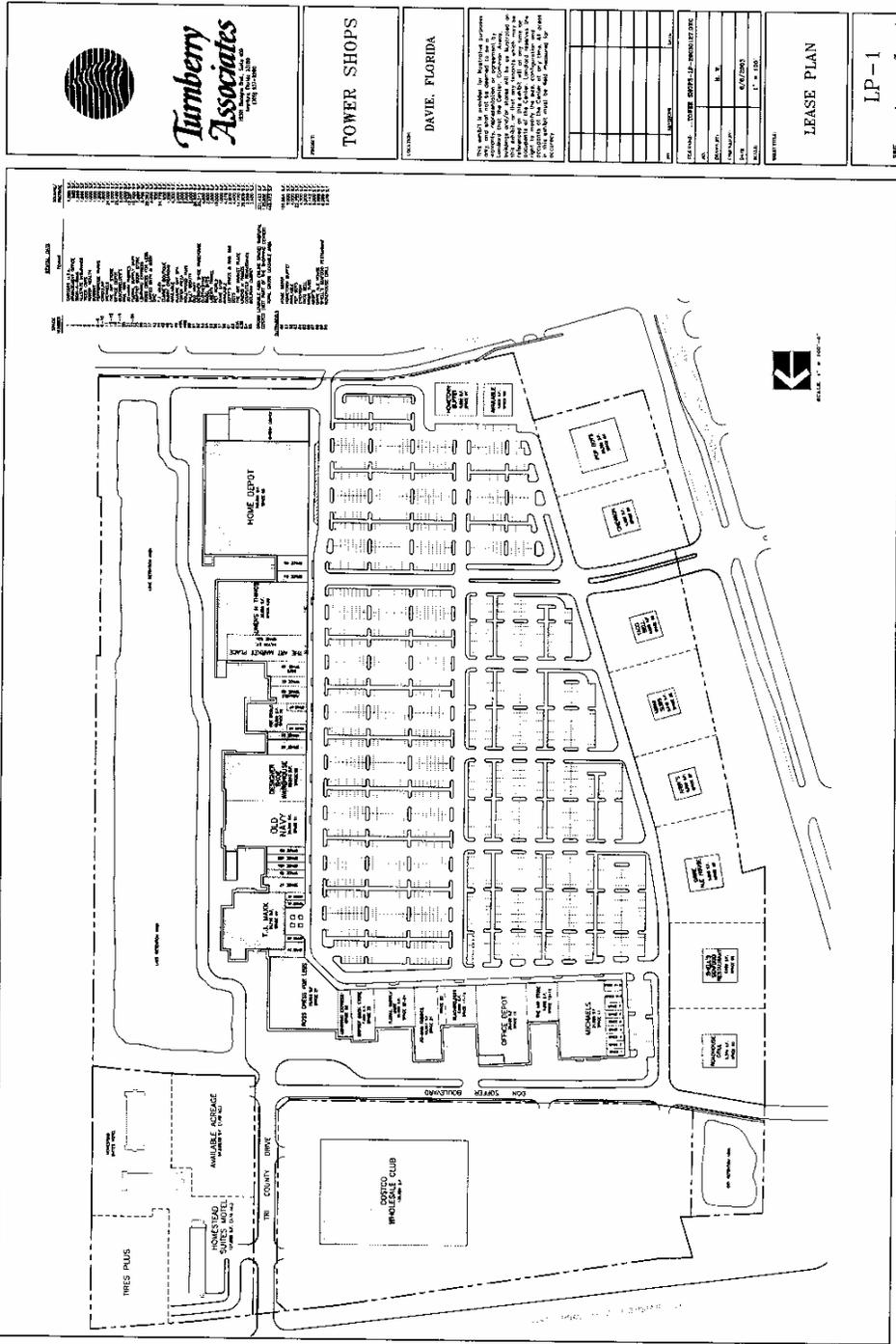
Has request been budgeted? n/a

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

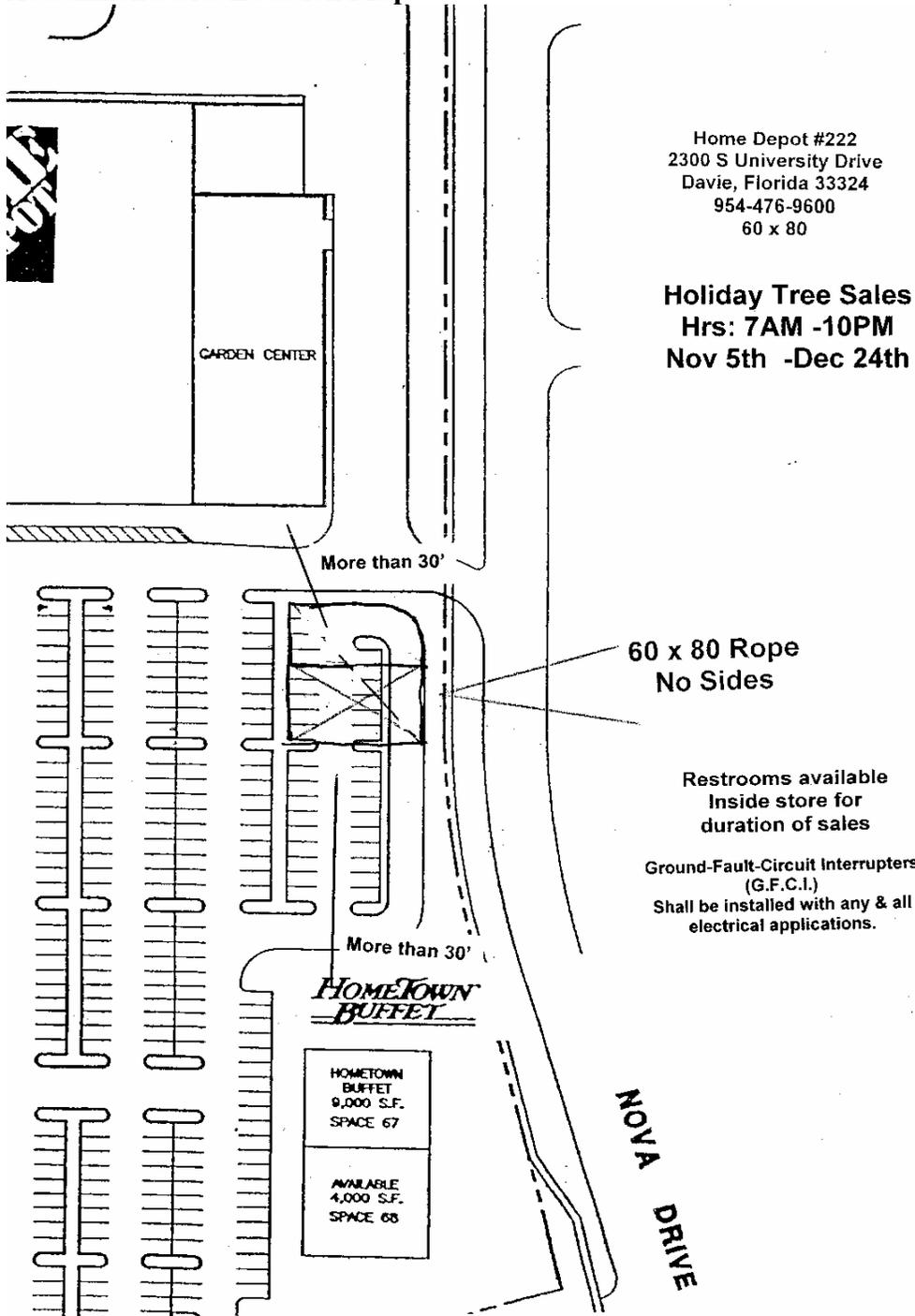
**Attachment(s):** Site plan, Product Site location map, Zoning and Aerial map



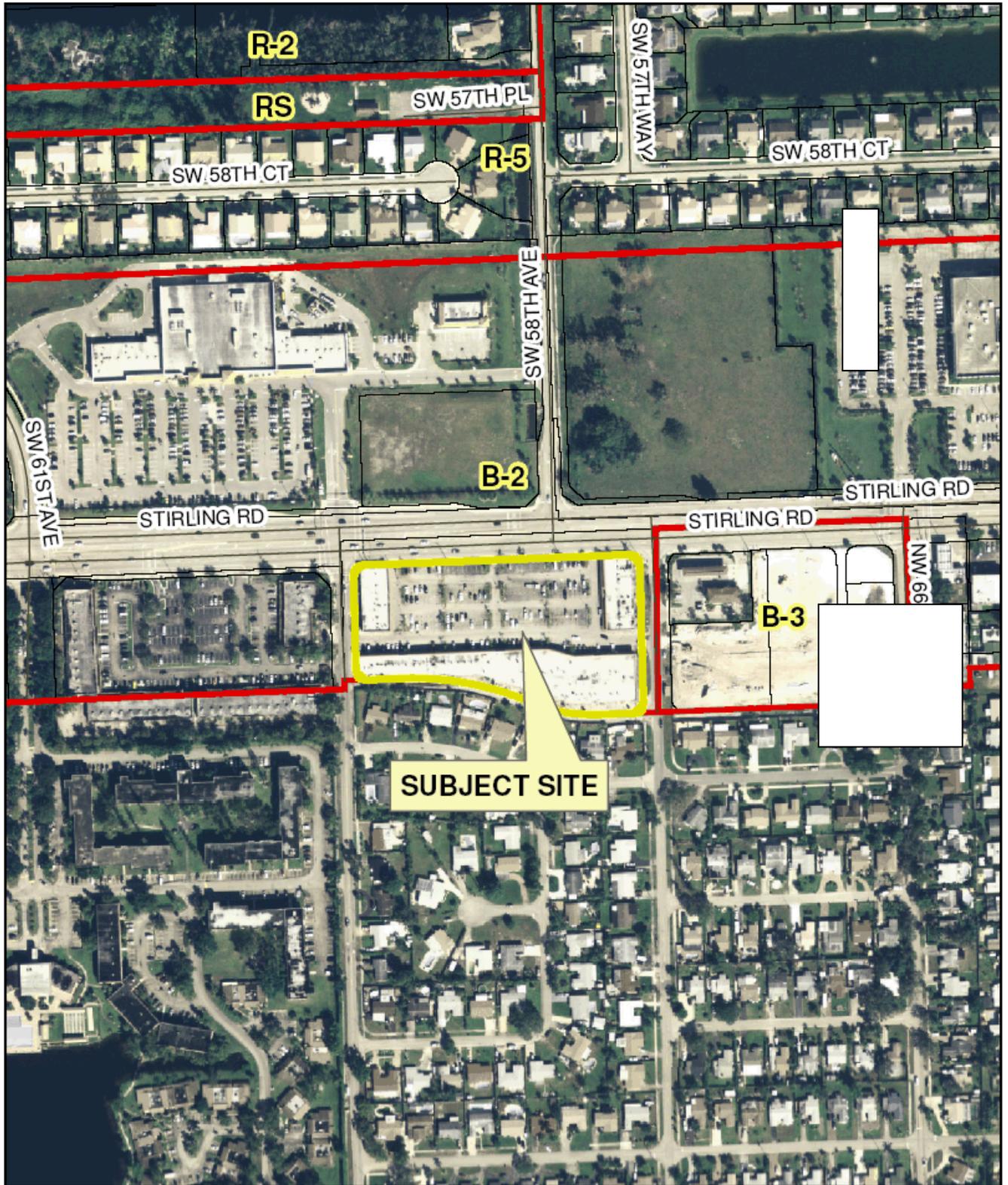
Attachment: Site plan



**Attachment: Site Location Map**



Attachment: Zoning and Aerial Map



	<p>Date Flown: 12/2006</p> <p style="text-align: center;">N</p> <p style="text-align: center;">0    150    300    600 Feet</p> <p>Prepared by the Town of Davie GIS Division</p>	<p style="text-align: center;">Temporary Use TU 4-02-07 Zoning and Aerial Map</p> <p>Prepared by: ID Date Prepared: 5/16/07</p>
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