

TOWN OF DAVIE TOWN COUNCIL AGENDA REPORT

TO: Mayor and Councilmembers

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

Prepared by: Philip Bachers, Planner I

SUBJECT: TU 9-5-05, E.A.S.E Foundation / Home Depot, 2300 South University Drive, Davie, FL 33324

AFFECTED DISTRICT: District 2

TITLE OF AGENDA ITEM: Temporary Use Permit for Christmas tree sale

REPORT IN BRIEF: The applicant (E.A.S.E. Foundation) is requesting approval of a temporary use permit for the sale of Christmas trees. The Christmas tree sales tent is going to be located on the southern portion of Tower Shop's parking lot. The applicant has received approval from the Tower Shops to erect the tent and sell the Christmas trees in the parking lot. Home Depot has also provided E.A.S.E. permission to use the store's restroom facilities. The Town of Davie Land Development Code Section 17-8, Seasonal sales, defines the permitted period and the necessary facilities provided on site. The Development Review Committee reviewed a satisfactory site plan, which accurately depicted all details of the request.

DURATION OF EVENT: The duration and hours of the request is November 25, 2005 to December 20, 2005, Mon.-Thur. 8 a.m. - 9 p.m., Fri.-Sat. 8 a.m. - 10 p.m., and Sun. 8 a.m. - 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 from November 25, 2005 to December 20, 2005, Mon.-Thur. 8 a.m. – 9 p.m., Fri.-Sat. 8 a.m. - 10 p.m., and Sun. 8 a.m. – 9 p.m.

(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.

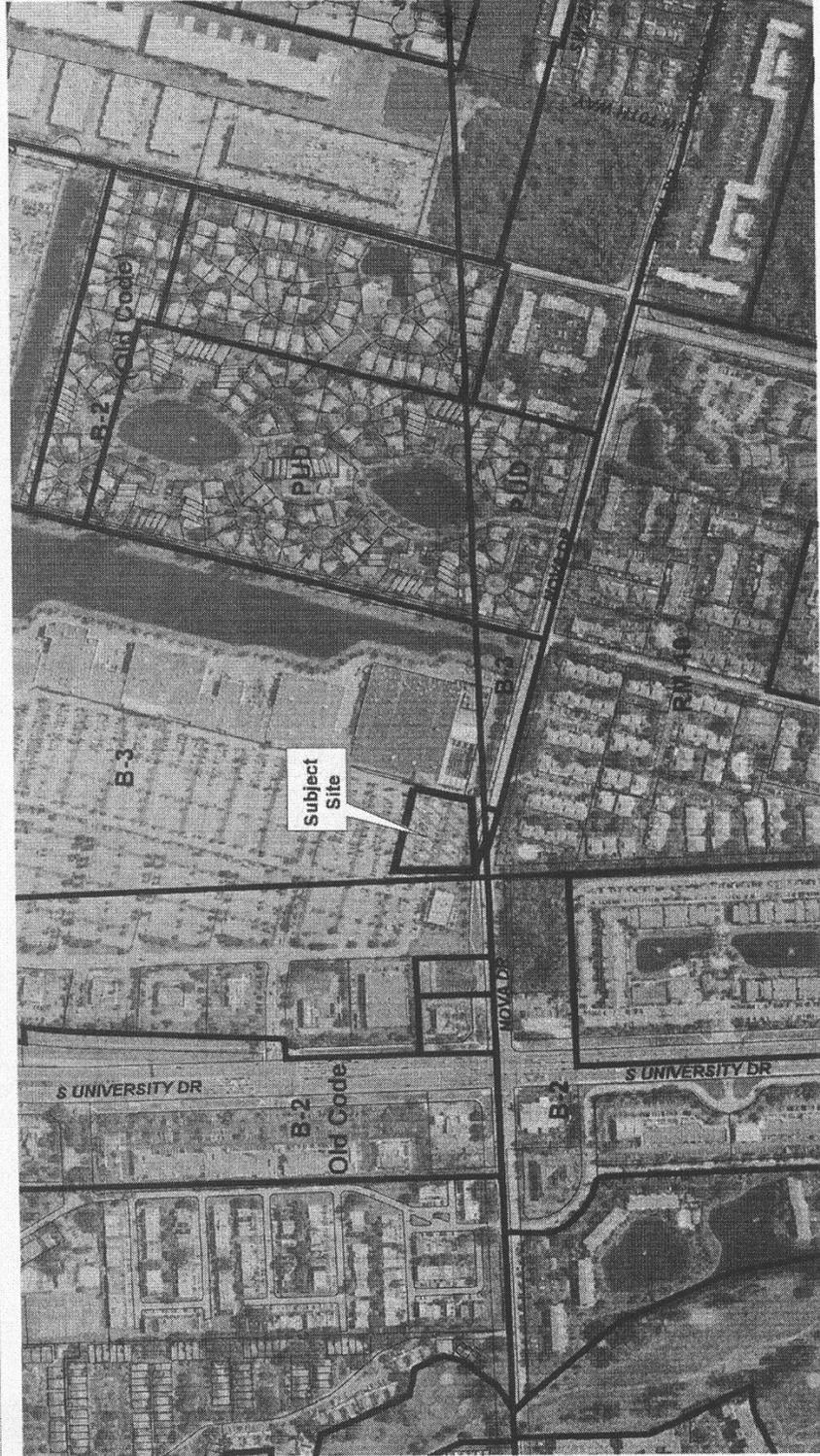
PREVIOUS ACTIONS: None

CONCURRENCES: The Development Review Committee members have reviewed the application and have no objections to the request.

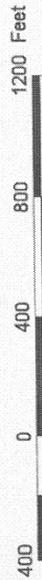
FISCAL IMPACT: None

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

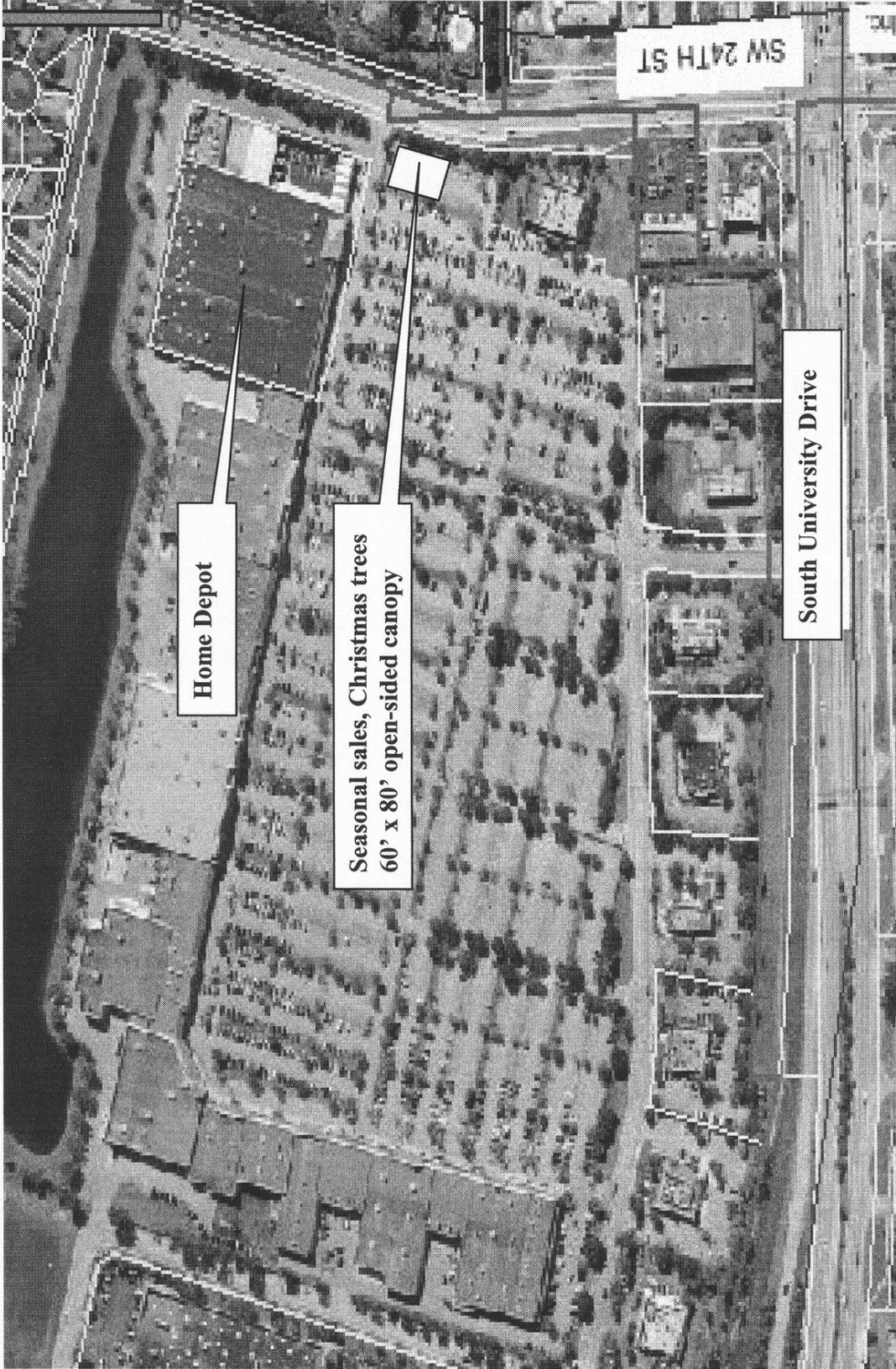
Attachment(s): Subject site map, Site plan



Temporary Use Application TU 9-5-05
 Subject Site, Zoning & Aerial Map
 E.A.S.E. Foundation/ Home Depot
 2300 S. University Dr.
 seasonal sales



Planning & Zoning Division - GIS



TU 9-5-05 E.A.S.E. Foundation / Home Depot seasonal sales of Christmas trees Nov. 25-Dec. 20, 2005
2300 S. University Dr.
Scale: not to scale