

# **TOWN OF DAVIE**

## **TOWN COUNCIL AGENDA REPORT**

**TO:** Mayor and Councilmembers

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

**PREPARED BY:** Philip Bachers, Planner

**SUBJECT:** Special Permit for a temporary office trailer pursuant to Land Development Code §12-35 Special Uses, which allows unique and unanticipated uses to be reviewed as a Special Permit.

**AFFECTED DISTRICT:** District 1

**TITLE OF AGENDA ITEM:** Bradford Marine, SE 2-3-06

**REPORT IN BRIEF:** The Bradford Marine Property is an industrial use site that suffered extensive damage to their offices during the 2005 hurricane season. The Special Permit application for a temporary use office trailer is to allow their business to continue operation while new permanent office space is constructed. The timeframe requested is for up to 36 months, the expected duration of the permitting/building of the new office space. The Special Permit, if approved, allows for up to 18 months duration for the approved use, with a possible renewal of up to 18 months with the agreement of the Town Council, §12-34(P)(1)(c). The proposed location for the temporary trailer is accessible by emergency vehicles, lies well-within the required setbacks (it is far to the interior of the site), has designated parking already existing in close proximity, and will allow the continued function of a significant economic engine (the yacht yard) which has operated since 1966.

**PREVIOUS ACTIONS:** On May 3, 2006, Town Council approved a temporary use permit (TU 2-3-06) for an office trailer at Bradford Marine. The Special Permit procedure allows the office trailer to stay at the location for a longer timeframe than allowed by the temporary permit.

**CONCURRENCES:** At the Planning & Zoning Board meeting, January 10, 2007, Mr. Stevens made a motion, seconded by Vice-Chair McLaughlin, to approve SE 2-3-06, Bradford Marine Special Permit application. Motion carried 5-0.

**FISCAL IMPACT:** n/a

Has request been budgeted? n/a

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

**Attachment(s):** Staff Report

**Application:** SE 2-3-06 / 06-50 / Bradford Marine  
**Exhibit "A"**

**Revisions:**  
**Original Report Date:** January 3, 2007

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**TOWN OF DAVIE**  
**Development Services Department**  
**Planning and Zoning Division**  
*Staff Report and Recommendation*

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**Applicant Information**

**Owner:** Dieter Cosman  
**Address:** 3051 W. State Road 84  
**City:** Davie, FL 33312  
**Phone:** (954) 791-3800

**Petitioner:**  
**Name:** Gene Douglas  
**Address:** 3051 W. State Road 84  
**City:** Davie, FL 33312  
**Phone:** (954) 791-3800

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**Background Information**

**Date of Notification:** January 3, 2007                      **Number of Notifications:** 5

**Application Request:** Special Permit for a temporary office trailer pursuant to Land Development Code §12-35 Special Uses, which allows unique and unanticipated uses to be reviewed as a Special Permit.

**Address/Location:** 3051 W. State Road 84, Davie

**Future Land Use**  
**Plan Map Designation:** Industrial

**Zoning:** M-2, Medium Industrial District

**Existing/Proposed Use:** Industrial (boatyard)/temporary office trailer

**Net Parcel Size:** approximately 14.65 acres

	<b><u>Surrounding Uses:</u></b>	<b><u>Surrounding Land Use Plan Map Designations:</u></b>
<b>North:</b>	Not in Town of Davie	Not in Town of Davie
<b>South:</b>	I-595/S.R. 84	Transportation
<b>East:</b>	Not in Town of Davie	Not in Town of Davie
<b>West:</b>	Roscioli Yachts	Industrial

**Surrounding Zoning:**  
**North:** Not in Town of Davie  
**South:** Transportation  
**East:** Not in Town of Davie  
**West:** M-2 Medium Industrial District

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### Zoning History

**Related Zoning History:** The property was annexed into the Town of Davie on June 19, 1996.

**Previous Requests on the same Property:** On May 3, 2006, Town Council approved a temporary use permit (TU 2-3-06) for an office trailer at Bradford Marine. The Special Permit procedure allows the office trailer to stay at the location for a longer timeframe than allowed by the temporary permit.

**Concurrent Requests on the same Property:** None

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### Applicable Codes and Ordinances

*§12-308 of the Land Development Code*, review for special permits.

*§12-35 of the Land Development Code*, Special uses are those uses which have some special impact or uniqueness such that their effect on the surrounding environment cannot be determined in advance of the use being proposed for a particular location. A request for such use shall take the form of an application for special permit, processed in accordance with the regulations contained in Article X.

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### Comprehensive Plan Considerations

#### **Planning Area:**

The subject property is within Planning Area 7, which is the smallest of the planning districts. It encompasses that which was once Hacienda Village. The Town annexed this area in the late 1980's. Bordered on the north by the New River Canal and on the south by State Road 84, the area stretches approximately one mile east of State Road 7 and includes the Hacienda Flores and Pond Apple Slough wetland mitigation sites, owned by Broward County and FDOT respectively. The wetland mitigation sites were required to offset the loss and degradation of wetlands from the construction of the Broward County Resource Recovery Facility and I-595.

Most of the planning area is designated for conservation use due to the large mitigation site area. A portion of the North New River Canal frontage is designated and used for marine industrial development, part of the state-designated Marina Mile. A higher-density residential development, Hacienda Cove, occupies the westernmost portion of the planning area.

Planning Area 7 offers the unique opportunity of extending marina Mile development further into Davie. The area also poses unique problems relative to provision of public safety services

due to its isolated location at the eastern edge of the Town, and the difficulty of commercially or industrially developing the area due to the proximity of wetlands and waterfront homes in the Lauderdale Isles subdivision which lies along the north bank of the North New River Canal.

**Broward County Land Use Plan:** The property is in Flexibility Zone 81.

**Applicable Goals, Objectives & Policies:**

*Future Land Use Plan, Policy Group 9: Industrial and Employment Center Use; Policy 9-1:* The Industrial category shall provide for the development of diversified facilities necessary to promote strong economic and employment bases for the town.

*Future Land Use Plan, Policy Group 9: Industrial and Employment Center Use; Policy 9-2:* The town shall endeavor to expand its economic base through expansion of the industrial and manufacturing sectors of its economy.

*Future Land Use Plan, Policy Group 9: Industrial and Employment Center Use; Policy 9-4:* Industrial land uses shall be located with access to primary transportation facilities, particularly interstates, highways, rail corridors, commercial airports, and navigable waterways. Consistent with policy 9-2, vacant land with such access shall be examined for potential industrial development.

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**Application Details**

The petitioner has requested a special permit to allow a temporary office trailer while repair work is performed to office space damaged as a result of the 2005 hurricane season. Business operations would be conducted within the temporary trailer which is the subject of this application.

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**Public Participation**

The public participation process provides the ability for citizens of the Town of Davie to actively participate in the Town's development procedures. In accord with the Town of Davie Code, the petitioner provided a letter from the only property owner within the required buffer distance whose parcel(s) lie partly or wholly within the Town of Davie, and that property owner, whose adjoining parcel is the base for Roscioli Yachts, has no objection to the proposed use. A letter from Roscioli Yachts is part of the file for this application. Under TOD §12-319.7 (A)(5) this satisfies the public participation requirement.

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**Staff Analysis**

The Bradford Marine Property is an industrial use site that suffered extensive damage to their offices during the 2005 hurricane season. The Special Permit application for a temporary use office trailer is to allow their business to continue operation while new permanent office space is constructed. The timeframe requested is for up to 36 months, the expected duration of the permitting/building of the new office space. The Special Permit, if approved, allows for up to 18 months duration for the approved use, with a possible renewal of up to 18 months with the

agreement of the Town Council, §12-34(P)(1)(c). The proposed location for the temporary trailer is accessible by emergency vehicles, lies well-within the required setbacks (it is far to the interior of the site), has designated parking already existing in close proximity, and will allow the continued function of a significant economic engine (the yacht yard) which has operated since 1966.

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## **Staff Findings of Fact**

### **Review for Special Permits:**

#### **Section 12-308(A) (1) (a):**

#### **The following findings of facts apply to the special permit request:**

- (i) The proposed change is not contrary to the adopted comprehensive plan, as amended, or any element or portion thereof;

*The proposed temporary office trailer is an appropriate use under the industrial classification found in the Town of Davie Future Land Use Plan.*

- (ii) The proposed change will not create an unrelated or incompatible use;

*The proposed use is isolated from the Town by limited-access transportation corridors or bodies of water on the east, north, and south. Land to the west is also industrially-zoned, and operates also as a yacht repair facility under separate ownership.*

- (iii) The proposed change will not adversely affect living conditions in the neighborhood or the town;

*The proposed use for a temporary office trailer will not have adverse impacts on living conditions in the neighborhood or in the Town as the surrounding occupancies are industrially-zoned or transportation corridors, and are not residential.*

- (iv) The proposed change will not create or excessively increase automobile and vehicular traffic congestion above that which would be anticipated with permitted intensities or densities of the underlying land use plan designation, or otherwise affect public safety;

*The current zoning of M-2Medium Industrial District anticipates a frequent use of the site for incoming/outgoing traffic. It is adjacent to major arterial limited-access roadways and/or state routes, so volume of traffic into other parts of the town to or from the site is minimized due to its location at the NE periphery of the town.*

- (v) The proposed change will not adversely affect surrounding property values;

*The proposed temporary office trailer use will not have impact on surrounding property values the as property surrounding the site is industrially-zoned, or transportation-zoned, and the use is temporary.*

- (vi) The proposed change will not be a deterrent to the improvement or development of other property in accord with existing regulations;

*The proposed temporary office trailer use would not deter any of the surrounding property owners from developing or improving their properties, as the surrounding properties will not be negatively impacted either visually or by additional traffic issues. The surrounding properties are major transportation corridors for limited-access highways, or are industrially-zoned.*

- (vii) The proposed change does not constitute a grant of special privilege to an individual owner as contrasted with the welfare of the general public.

*This request is a use that may be permitted if it is determined by the Town Council to be compatible with the surrounding uses.*

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### **Planning and Zoning Board Recommendation**

At the Planning & Zoning Board meeting, January 10, 2007, Mr. Stevens made a motion, seconded by Vice-Chair McLaughlin, to approve SE 2-3-06, Bradford Marine Special Permit application. Motion carried 5-0.

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### **Staff Recommendation**

Staff finds the subject application complete and suitable for transmittal to the Town Council for further consideration.

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### **Exhibits**

1. Justification Letter
2. Letter from adjoining business—"no objection"
3. Public Participation Mailing List
4. Notice of Public Hearing on Petition for Special Permit
5. Site Plan
6. Future Land Use Plan Map
7. Zoning and Aerial Map

Prepared by: \_\_\_\_\_

Reviewed by: \_\_\_\_\_

## Exhibit 1 (*Justification Letter*)

24 February, 2006

Town of Davie  
Town Council and  
Planning and Zoning Board

Re: Bradford Marine, Inc. – Special Permit Application – Temporary Office Facilities

Dear Sirs:

1. Bradford Marine, Inc. ("Bradford Marine") is a well-known yacht repair and services company founded in 1966.
2. Since its inception, Bradford Marine's shipyard and corporate offices have been located at 3051 State Road 84 in the Town of Davie.
3. Prior to Hurricane Wilma, in addition to its main corporate offices, Bradford Marine owned a 4,000 square foot houseboat barge that provided offices for its professional services personnel.
4. During Hurricane Wilma, this houseboat barge sank and was a total loss.
5. As a result, Bradford Marine had to make emergency arrangements to provide offices for these personnel until temporary offices could be provided while permanent offices were constructed.
6. Bradford Marine is applying to the Town of Davie for a Special Permit to locate an office trailer on-site at its corporate offices.
7. Bradford Marine has reviewed the provisions of the Town of Davie Ordinance, Section 12-308, and in Bradford Marine's view, the proposed project will not contravene any of the provisions or requirements thereof.
8. This office trailer would house Bradford Marine's professional services personnel until permanent offices are constructed.
9. Bradford Marine has engaged the services of an architect to design and develop plans for the reconstruction of its existing corporate offices.
10. This reconstruction would increase available office space at Bradford Marine and will enable the company to regain the office space that was lost as a result of Hurricane Wilma.

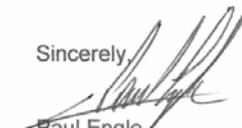
11. This reconstruction is expected to take over twenty four (24) to thirty six (36) months, and this is the reason why this office trailer is needed.

We request that this Special Permit be approved as expeditiously as possible.

Please let us know if any additional information is needed.

Thank you for your consideration.

Sincerely,



Paul Engle  
President

022306

022306

Exhibit 2 ( Letter from adjoining business-“no objection”)



**BRADFORD MARINE**  
FORT LAUDERDALE

2 January, 2007

Mr. Robert Roscioli  
President  
Roscioli Yachting Center, Inc.  
(Formerly known as Roscioli Yacht Refinishing  
and Stone Harbor, Inc.)  
3201 State Road 84  
Ft. Lauderdale, FL 33312

Re: Bradford Marine, Inc. – Special Permit Application with the Town of Davie for the Temporary Placement of an Office Trailer.

Dear Mr. Roscioli:

This letter will serve as notice that Bradford Marine, Inc. has filed a Special Permit Application with the Town of Davie for the temporary placement of a small office trailer at its facility at 3051 State Road 84, Ft. Lauderdale, FL 33312. A copy of this application is attached hereto.

This application will be considered by the Planning & Zoning Board of the Town of Davie and, if approved, will then be considered by the Town Council.

You have indicated that you have no objections to the issuance of this Special Permit, and we would appreciate your signing the enclosed copy of this letter confirming this.

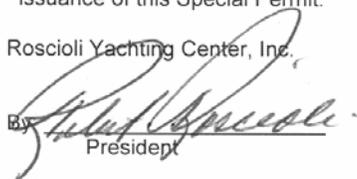
Thank you for your cooperation and assistance.

Sincerely,

Gene Douglas  
Vice President – Administration &  
General Counsel

We have no objections to the  
issuance of this Special Permit.

Roscioli Yachting Center, Inc.

By   
President

122006

Bradford Marine, Inc.

WORLD'S LARGEST UNDERCOVER YACHT REPAIR FACILITY  
3051 State Road 84 • Fort Lauderdale, FL 33312 • Tel (954) 791-3800 • Fax (954) 583-9938

**Exhibit 3 (Public Participation Mailing List)**

**SE 2-3-06**

ROSCIOLI YACHT REFINISHING  
3201 W STATE ROAD 84  
DAVIE FL 33312-4817

**SE 2-3-06**

CITY OF PLANTATION  
CITY CLERK  
400 NW 73 AVE.  
PLANTATION, FL33317

**SE 2-3-06**

STONE HARBOR INC  
3201 W STATE ROAD 84  
FORT LAUDERDALE FL 33312-  
4817

**SE 2-3-06**

CITY OF FT. LAUDERDALE  
CITY CLERK  
100 N. ANDREWS AVE.  
FT. LAUDERDALE 33301

**SE 2-3-06**

BROWARD COUNTY  
REAL PROPERTY, ROOM 326  
115 S ANDREWS AVE  
FT LAUDERDALE, FL 33301-1801

**Exhibit 4 (Notice of Public Hearing on Petition for Special Permit)**

TOWN OF DAVIE  
6591 Orange Drive  
Davie, Florida 33314

**NOTICE OF PUBLIC HEARING ON PETITION FOR SPECIAL PERMIT**

The Planning and Zoning Board and the Town Council of the Town of Davie will hold public hearings in the meeting room of the Davie Town Hall, 6591 Orange Drive, Davie, Florida on the dates hereinafter specified. This item will be discussed at 7:00 p.m. or as soon thereafter as practicable. Comments of any interested party relative to this matter may be submitted in writing and/or presented at the hearing.

PETITIONER/OWNER: Gene Douglas/Bradford Marine

DATE OF PLANNING & ZONING BOARD HEARING: January 10, 2007

DATE OF TOWN COUNCIL HEARING: February 7, 2007

LOCATION DESCRIPTION: 3051 W. State Rd. 84

REQUEST: Placement of a modular unit to be used as an office while construction of a primary structure is being performed.

THIS MATTER SHOULD BE REFERRED TO AS: SE 2-3-06, Bradford Marine

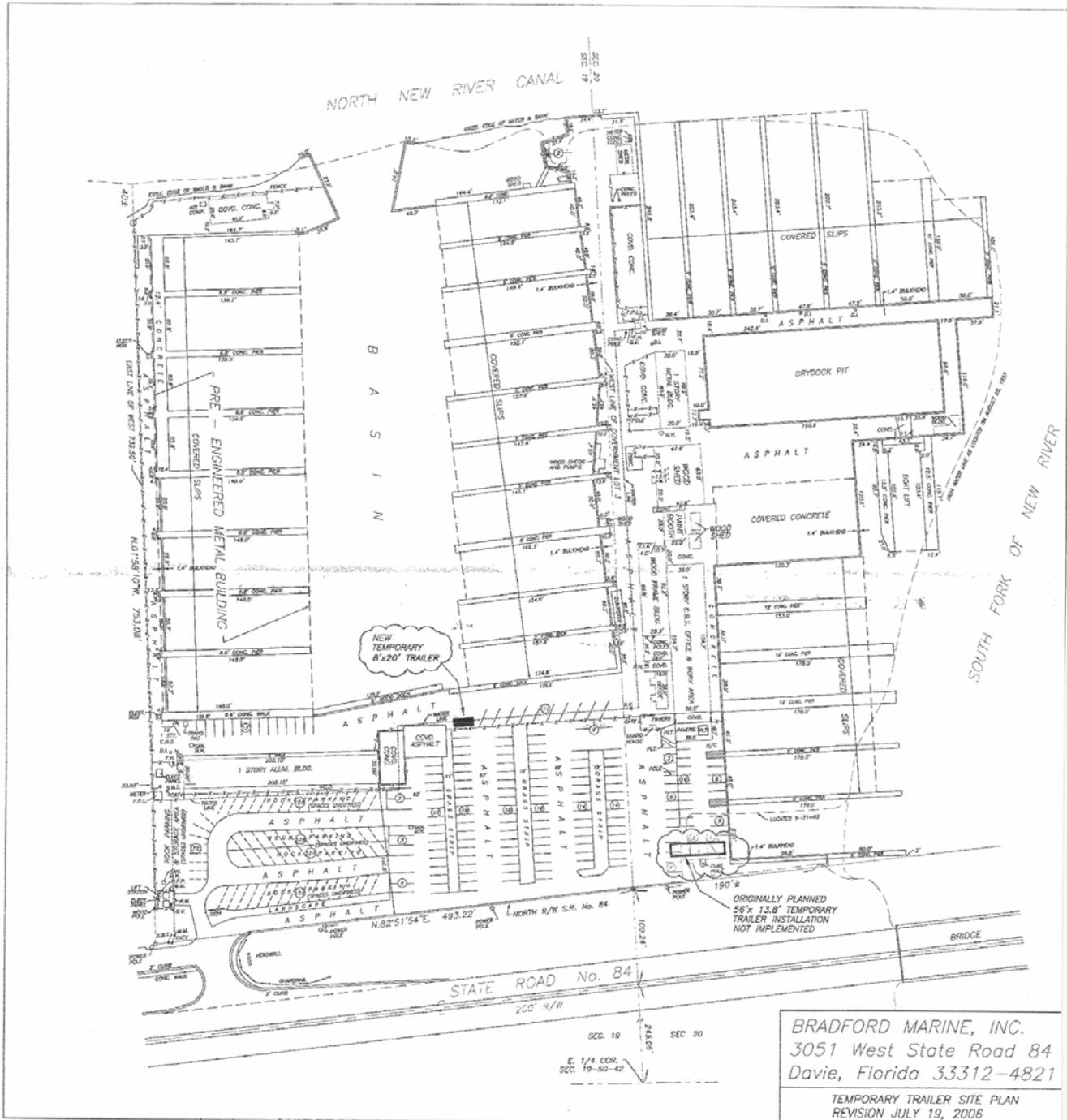
FOR FURTHER INFORMATION, CALL THE PLANNING AND ZONING DEPARTMENT AT (954) 797-1103.

ANY PERSON WISHING TO APPEAL ANY DECISION MADE BY THIS BOARD OR COMMITTEE WITH RESPECT TO ANY MATTER CONSIDERED AT SUCH MEETINGS OR HEARINGS WILL NEED A RECORD OF THE PROCEEDINGS, AND FOR SUCH PURPOSES MAY NEED TO ENSURE THAT A VERBATIM RECORD OF THE PROCEEDING IS MADE, WHICH RECORD INCLUDE THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS MADE.

*Persons with disabilities requiring accommodations in order to participate should contact the Town Clerk at (954)797-1023 at least five business days prior to the meeting to request such accommodation. If you are hearing or speech impaired, please contact the Florida Relay Service by using the following numbers: 1-800-955-8770 (voice) or 1-800-955-8771 (TDD).*

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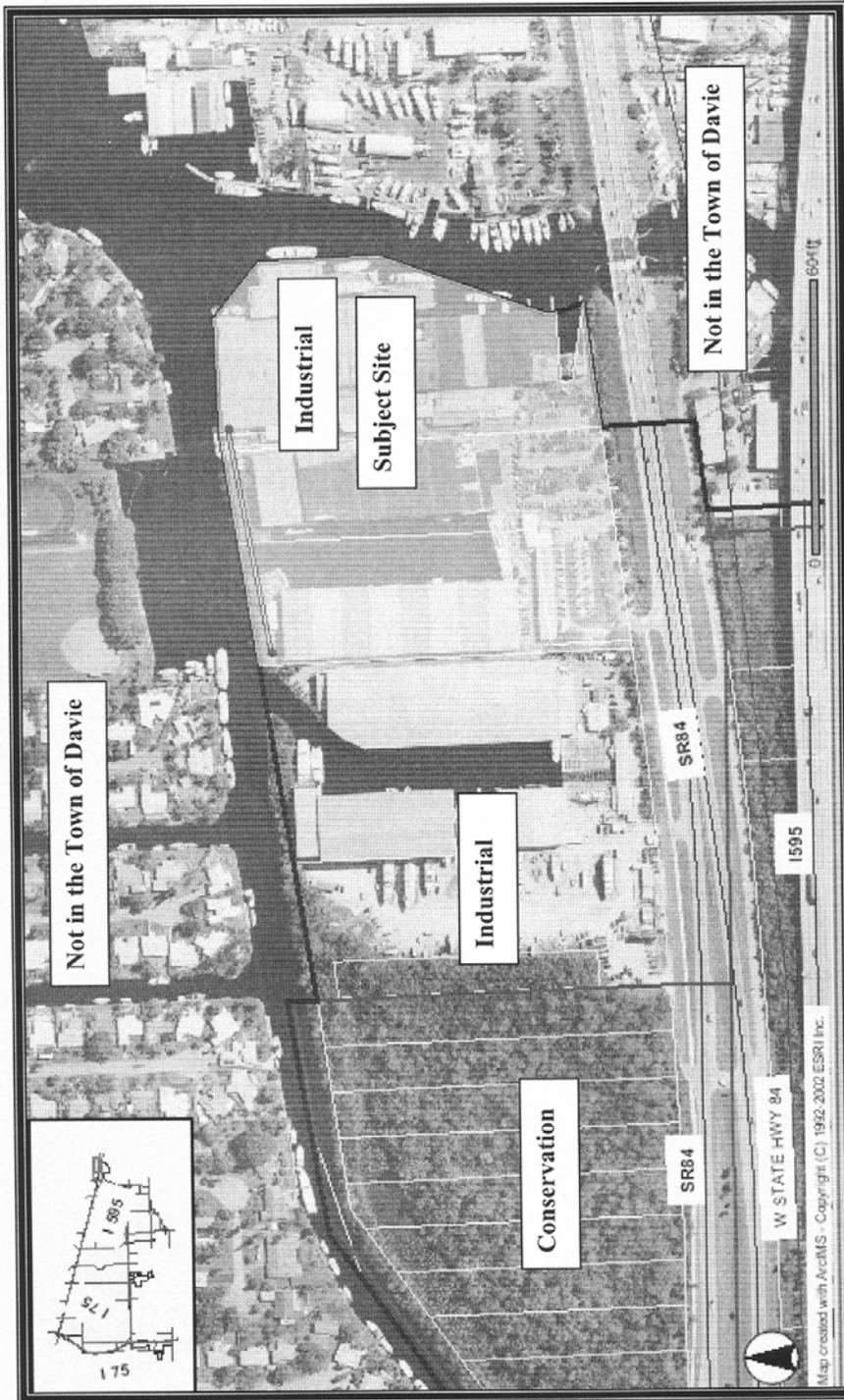
Exhibit 5 (Site Plan)



BRADFORD MARINE, INC.  
 3051 West State Road 84  
 Davie, Florida 33312-4821

TEMPORARY TRAILER SITE PLAN  
 REVISION JULY 19, 2006

Exhibit 6 (Future Land Use Plan Map)

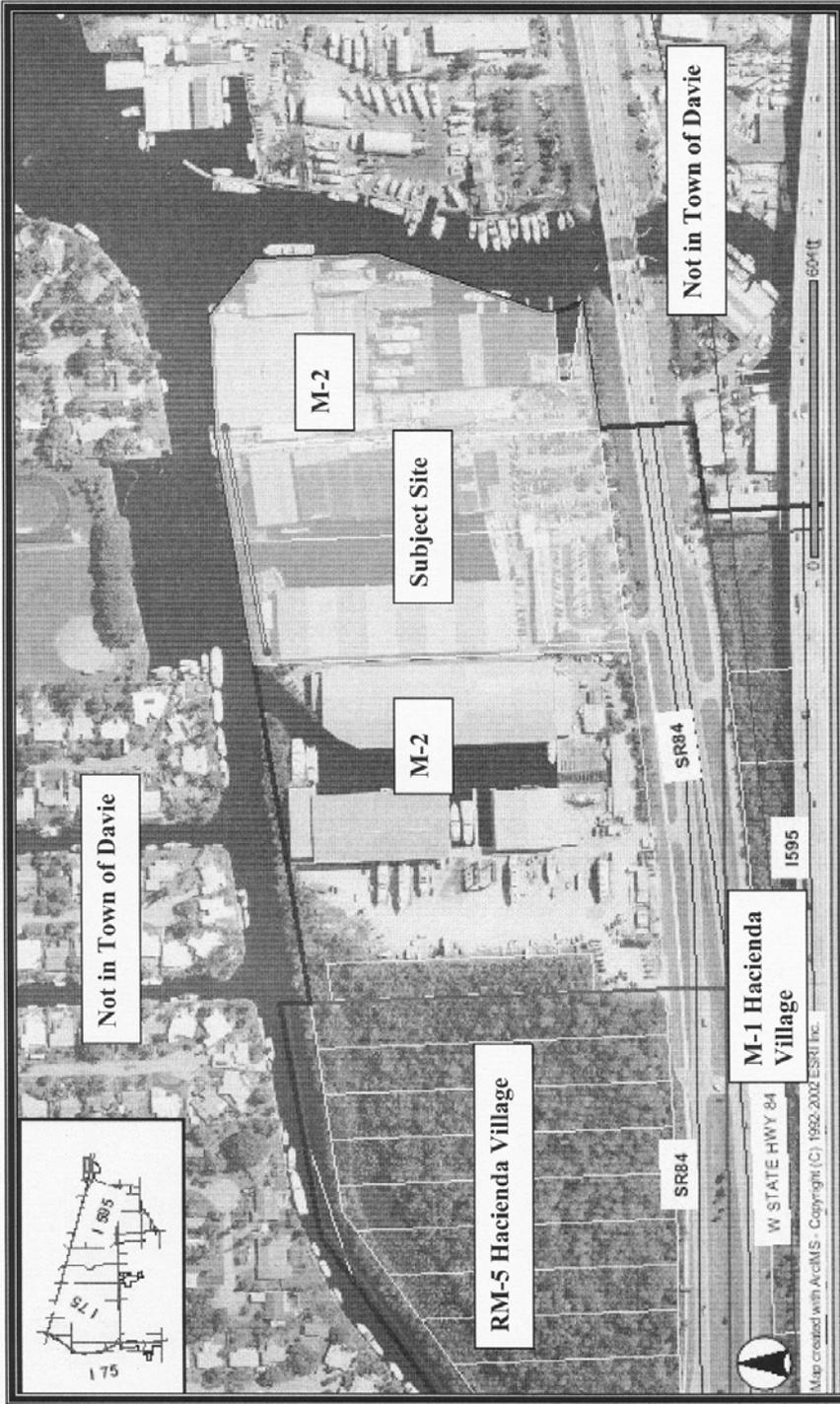


Town of Davie  
Development Services Department  
Planning & Zoning Division  
Future Land Use Map



SE 2-3-06 Special Permit  
Bradford Marine  
3051 West State Road 84

Exhibit 7 (Subject site, zoning, and aerial map)



Town of Davie  
Development Services Department  
Planning & Zoning Division  
Subject site, zoning, aerial map



SE 2-3-06 Special Permit  
Bradford Marine  
3051 West State Road 84