

**TOWN OF DAVIE  
TOWN COUNCIL AGENDA REPORT**

**TO:** Mayor and Councilmembers  
**FROM/PHONE:** Mark Kutney, AICP, Development Services Director/(954) 797-1101  
**SUBJECT:** TU 8-5-02, Simmons Company, 8858 State Road 84, Davie, FL 33324  
**AFFECTED DISTRICT:** District 3

**TITLE OF AGENDA ITEM:** Temporary Use Permit for Simmons Company D.B.A. World of Sleep Mattress Outlet

**REPORT IN BRIEF:** The applicant is requesting approval of an after-the-fact temporary use permit to have a truckload sale event. This event will be selling mattresses off of the truck which will be parked in the parking lot located in the Pine Island Ridge Plaza. The event occurred from August 28, 2002 thru September 2, 2002 from 10:00 am to 7:00 pm. Access to the site was available from Pine Island Road. The Planning and Zoning Department contacted Code Enforcement and the Police Department with any concerns they might have before the event occurred. A satisfactory site plan accurately depicting all details of the request has been reviewed and is attached by the Development Review Committee including Development Services Department, Police Department, Fire Department, Building Department, Code Enforcement, and Engineering Department.

**DURATION OF EVENT:** The duration and hours of the request was August 28, 2002 to September 2, 2002 from 10:00 am to 7:00 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 Simmons Company D.B.A. World of Sleep Mattress Outlet 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.

**PREVIOUS ACTIONS:** None

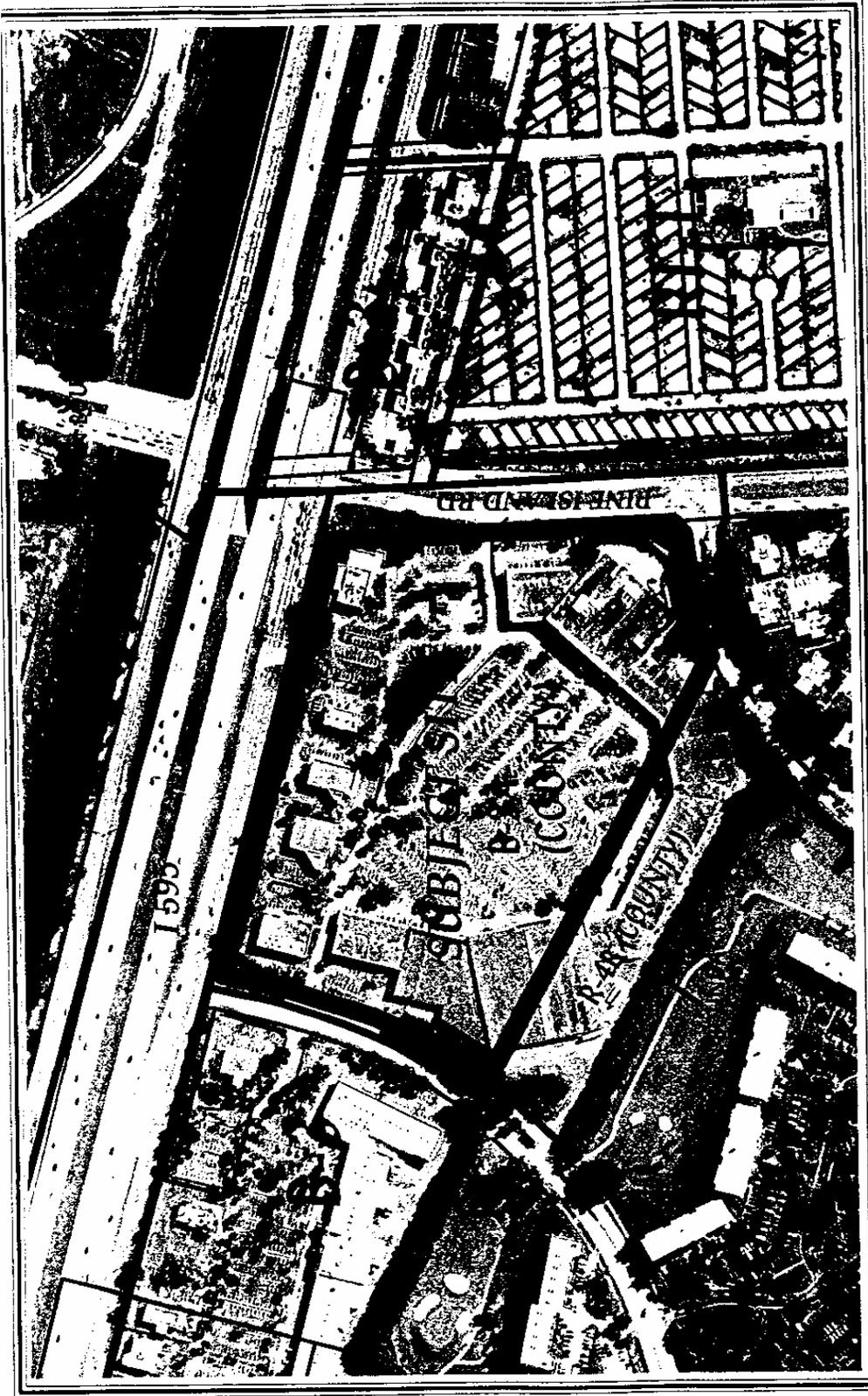
**CONCURRENCES:** The Development Review Committee members have reviewed the application and have no objections to the request.

**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, Hold Harmless Agreement.

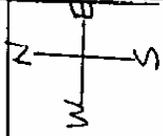




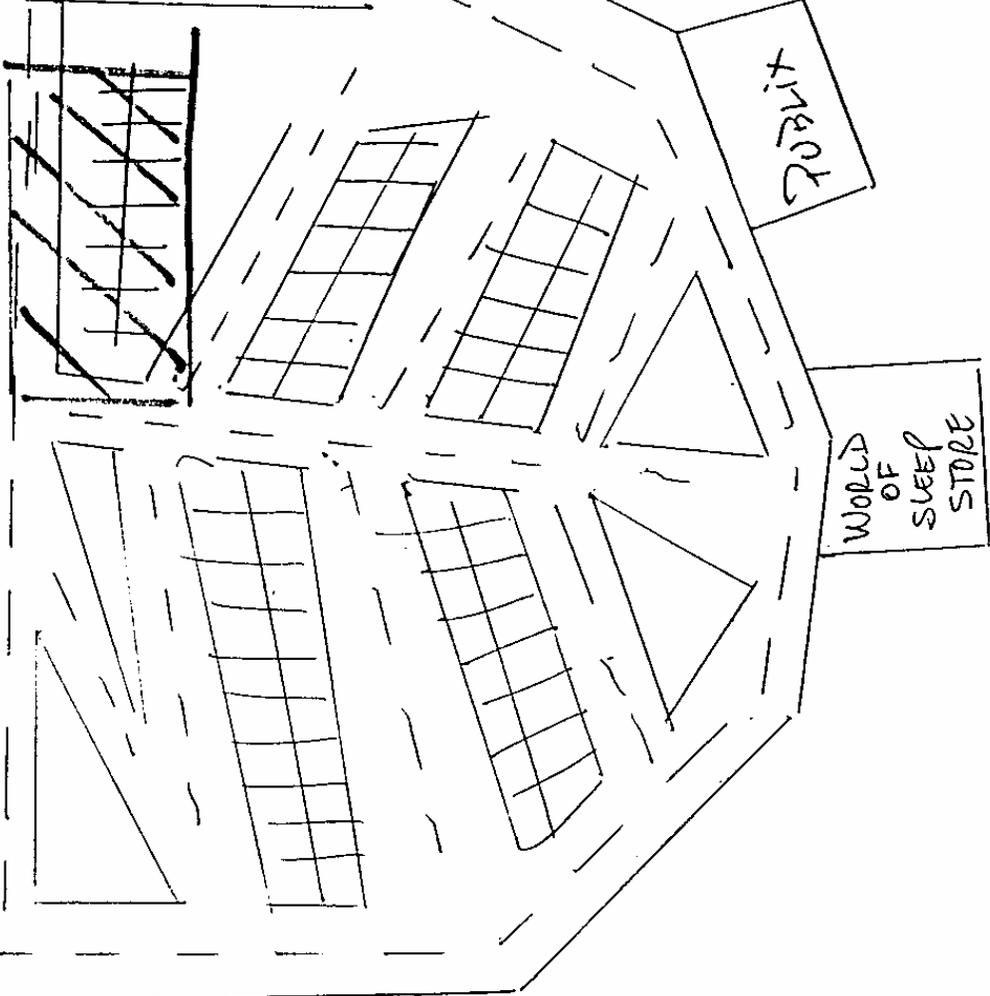
Planning & Zoning Division - GIS

Temporary Use  
TU 8-5-02  
Subject Site and Aerial Map  
Date Flown: 12/31/01

PINE ISLAND



STATE ROAD 84



EXPO CENTER



**DEVELOPMENT SERVICES DEPARTMENT**

Administration (954-797-1101)  
Planning & Zoning (954-797-1103)  
Building & Occupational Licensing (954-797-1111)  
Code Enforcement (954-797-1121)  
Engineering (954-797-1133)

**TOWN OF DAVIE** 6591 ORANGE DRIVE, DAVIE, FLORIDA 33314-3399 (954) 797-1000

**IDENTIFICATION AND HOLD HARMLESS AGREEMENT**

The undersigned, as owner/builder of the following described property, acknowledges that it is the responsibility of the owner/builder to contact all utility companies as to the location of utility lines in easements ( To obtain release letters from all utility companies please call 1-800-432-4770 -U.N.C.L.E. (Utility Notification Center)). The undersigned acknowledges that the Town of Davie shall have no liability or responsibility in the event of breakage of any lines or utility structures of any kind. In the event of damage to utility structures or lines, the undersigned agrees to hold harmless and indemnify the Town of Davie for all claims made against the Town by virtue of the damage. This indemnification shall include payment of reasonable attorney's fee to the town in defense of any such action.

PERMIT NUMBER \_\_\_\_\_ ADDRESS 8858 STRS 84 DAVIE FL 33324

Also known as: \_\_\_\_\_ Lot #: \_\_\_\_\_

Block #: \_\_\_\_\_

SUBDIVISION: \_\_\_\_\_

Signature of Owner/Builder: [Signature]

The foregoing instrument was acknowledge before me this August 26 day of 2002

by Armando Hidalgo <sup>Not</sup> who is personally know to me or who has produced

Driver License #340-014-72-020 as identification and who did take an oath.

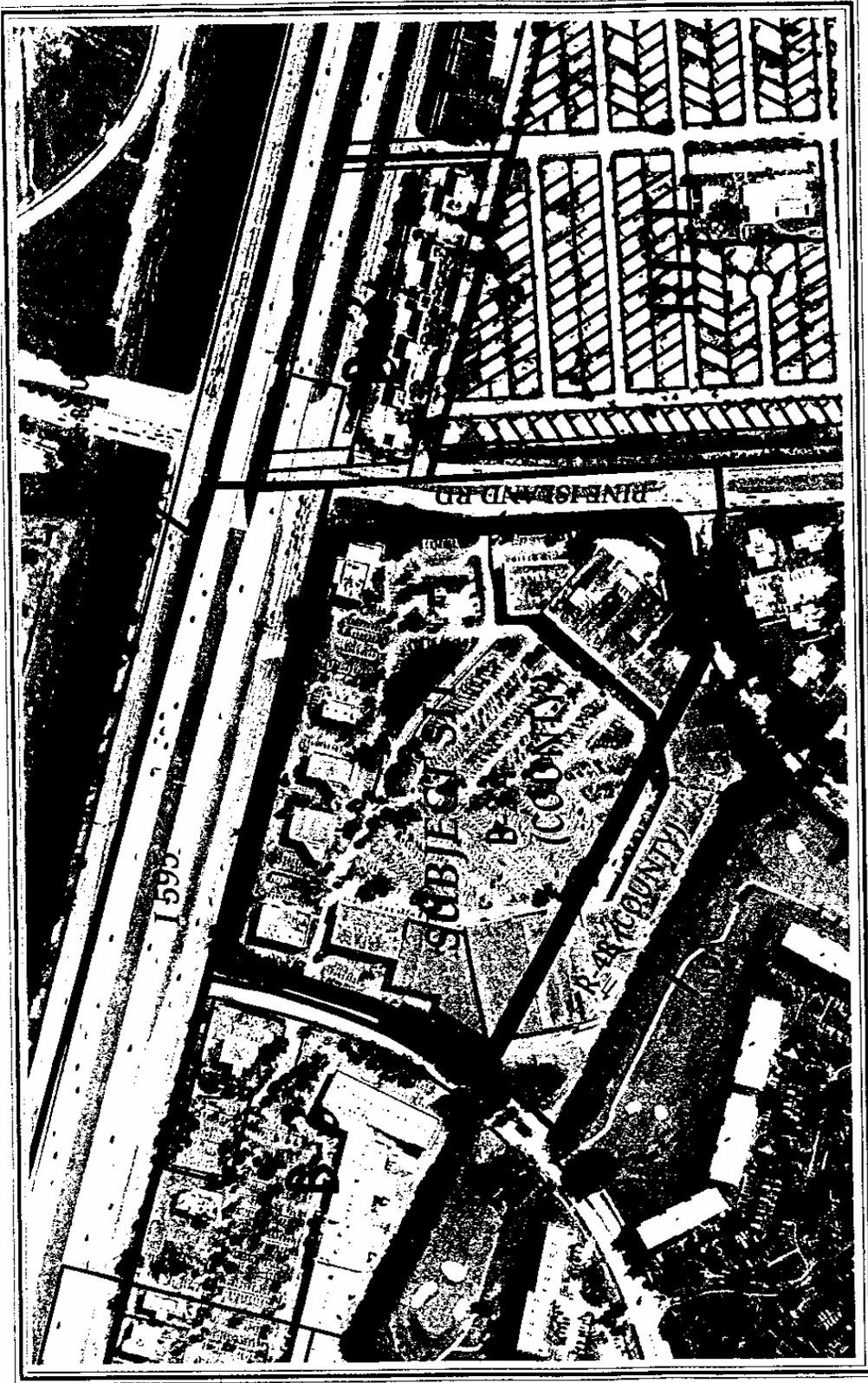
NOTARY PUBLIC:

SIGN: Ann Romano

PRINT: Ann Romano

My Commission Expires:

 Ann Romano  
My Commission DD065633  
Expires October 18, 2005



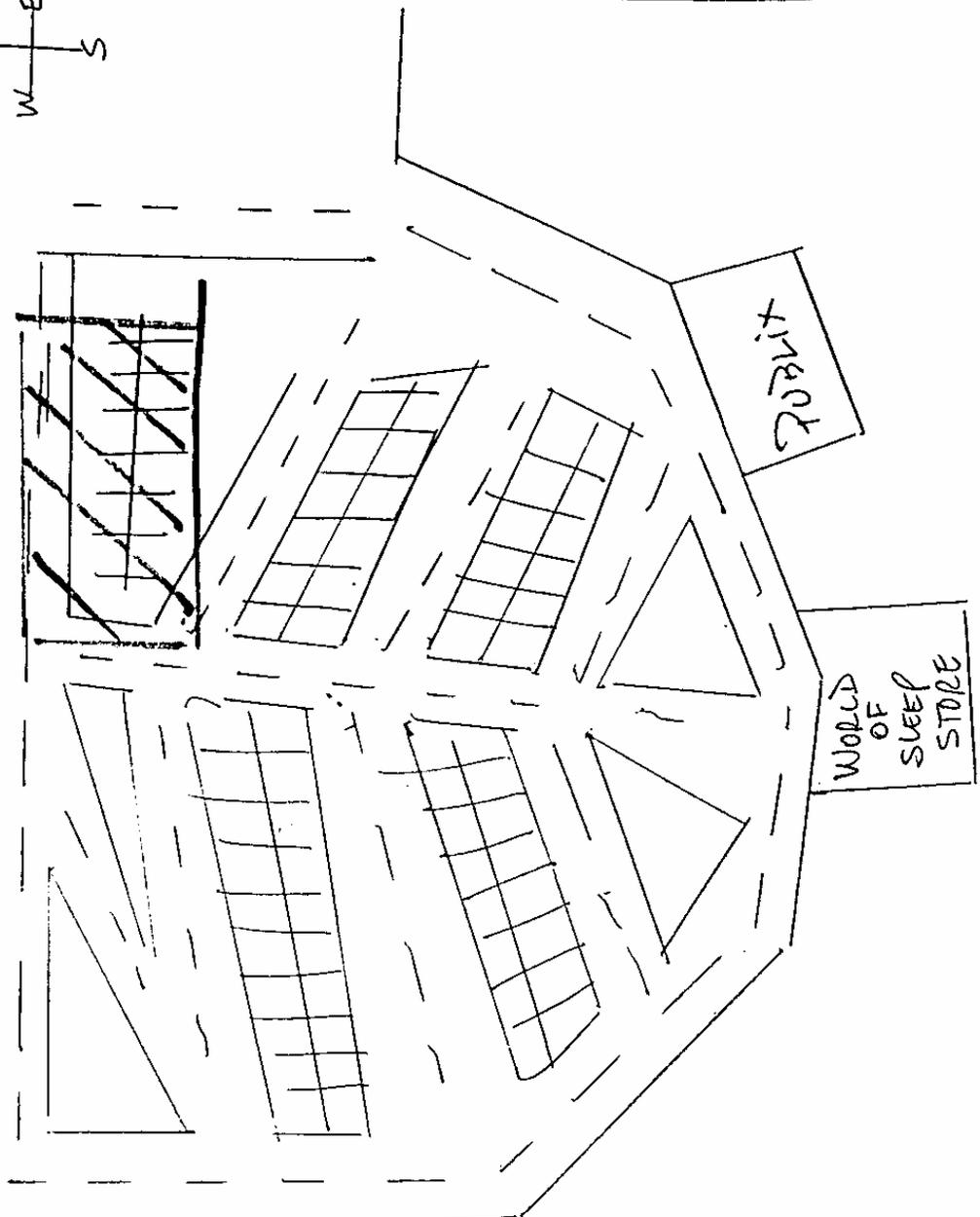
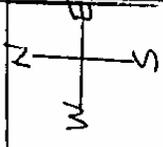
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Block #: \_\_\_\_\_

SUBDIVISION: \_\_\_\_\_

Signature of Owner/Builder: [Signature]

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by Armando Hidalgo who is Not personally know to me or who has produced

Driver License #340-014-12-020 as identification and who did take an oath.

NOTARY PUBLIC:

SIGN: Ann Romano

PRINT: Ann Romano

My Commission Expires:



Ann Romano  
My Commission D0065633  
Expires October 18, 2005