



## Legislation Text

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**File #:** ID 2018-297, **Version:** 1

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**TO:** Mayor and City Commission

**FROM:** Samuel A. May, City Manager

**DATE:** June 20, 2018

### DISCUSSION AND POSSIBLE ACTION - SHADE CANOPY INSTALLATIONS

**BACKGROUND:** A business owner in an industrial zoning district was cited by Code Compliance for erecting a temporary shade canopy in front of the business without first obtaining a building permit. The Zoning Code requires a permit for all structures, and currently provides no exceptions for temporary structures. Due to the nature and design of this existing canopy, it is highly unlikely that the canopy would be able to be permitted by the Building Department. The property owner has offered to take the canopy down each day, or install wheels on the canopy, but the Zoning Code would still require a building permit. The business owner is left with the options of:

- 1) Apply for a variance and try to demonstrate a hardship to the Board of Adjustment for permission to erect this canopy without a permit; or
- 2) Request a text amendment to the Zoning Code to allow temporary shade structures, which would be subject to City Commission approval; or
- 3) Remove the shade structure.

### RECOMMENDATION:

### FISCAL IMPACT:

### CONTACT PERSON: