



# CITY COUNCIL AGENDA ACTION FORM

<b>AGENDA DATE:</b>	09/28/2021		
<b>AGENDA SUBJECT:</b>	Discussion, consideration, and possible action regarding a variance request to allow a mobile food vendor to conduct business when special circumstances prevent the mobile food vendor from complying with or make it too burdensome to comply with all the requirements of the City's Mobile Food Vendor Ordinance as written; to allow both the stationary and commissary location of the mobile food unit be listed as the property at 1307 NE Barnard Street, Acres 0.304, Tract C7-6, Abst A136, MILAM CO SCH LD.		
<b>PREPARED BY:</b>	Rowena West	<b>DATE SUBMITTED:</b>	09/20/2021
<b>EXHIBITS:</b>	Mobile Food Vendor Variance Application; Property Owner notification letter; 200' surrounding property map; Property owner responses; Property lease agreement Photos # 1-14 (proposed placement of mobile food unit);and, Proposed site map layout		
<b>BUDGETARY IMPACT:</b>	<b>Required Expenditure:</b>	\$00.00	
	<b>Amount Budgeted:</b>	\$00.00	
	<b>Appropriation Required:</b>	\$00.00	
<b>CITY ADMINISTRATOR APPROVAL:</b>			
<b>SUMMARY:</b>	<p>Application received 8/20/21. Public notification was published on 8/27/21. 1 applicant notification letter and 14 property owner letters representing 15 separate properties were sent by certified mail on 9/10/21. Of those; the applicant letter has been confirmed as received, 9 property owner letters have been confirmed as received, 5 unconfirmed received and 2 favorable property owner responses have been returned.</p> <p>A variance from the requirements in 4.09.005(a) that the Mobile Food Vendor may not be located within 200' of the boundary line of any residential district and 4.09.006 that during the hours from 11 p.m. to 6 a.m. that the mobile unit shall be removed from its stationary location and properly stored at its commissary location is being requested.</p>		
<b>RECOMMENDED ACTION:</b>			
	Move to approve or deny as presented.		