

RESOLUTION NO.: 73 -2016
INTRODUCED BY: Alexander

A RESOLUTION CONFIRMING THE ACTION OF THE ZONING BOARD OF APPEALS TO APPROVE A VARIANCE TO PERMIT AN ELECTRONIC SIGN.

WHEREAS, the Christian Assembly Church, for property located at 25595 Chardon Road in the City of Richmond Heights, filed an application with the Zoning Board of Appeals requesting a variance from Section 1179.065(a)(4) of the Codified Ordinances of the City to erect an electronic message display sign in a residentially-zoned district closer than the Code required minimum 200-foot setback from the lot line of a residentially-zoned or used property; and

WHEREAS, pursuant to Section 1185.07 of the Zoning Code, the Zoning Board of Appeals recommended that the Council approve the requested variance with conditions, based upon the reasons set forth in the minutes of the Board's public hearing for this case on July 20, 2016; and

WHEREAS, the Planning and Zoning Committee of this Council recommended at its meeting on August 9, 2016 that the variance be granted.

NOW, THEREFORE, Be It Resolved by the Council of the City of Richmond Heights, State of Ohio, that:

Section 1: The action of the Zoning Board of Appeals of the City in recommending the approval of the requested variance to the applicant, Christian Assembly Church, from Codified Ordinance Section 1179.065(a)(4) to permit the erection of a new electronic message display sign at 25595 Chardon Road, and which is based upon the reasons set forth in the July 20, 2016 minutes of said Board is hereby confirmed but with the following conditions:

- a. The new sign shall be mounted on the foundation of the existing sign on the property; and
- b. The electronic message display on the sign shall only be operated during the hours specified in the City's Codified Ordinances.

Section 2: Council finds there exists a practical difficulty which outweighs the limitations set forth in the Zoning Code and the granting of the variance is not contrary to the purpose and intent of the Zoning Code.

Section 3: The Clerk is instructed to mail a copy of this Resolution to the applicant.

Section 4: It is found and determined that all formal actions of this Council concerning and relating to the adoption of this Resolution were adopted in an open meeting of

this Council, and that all deliberations of this Council and any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

Section 5: This Resolution shall take effect and be in force from and after the earliest period allowed by law.

PASSED: _____, 2016

David H. Roche, Mayor

APPROVED: _____, 2016

ATTEST: _____
Betsy Traben
Clerk of Council

Eloise Cotton-Henry
President of Council