

RESOLUTION NO.: 26 -2012  
INTRODUCED BY: Alexander

**A RESOLUTION CONFIRMING THE ACTION OF ZONING  
BOARD OF APPEALS WITH RESPECT TO A VARIANCE FOR A  
WALL SIGN AT RICHMOND TOWN SQUARE, 671 RICHMOND  
ROAD.**

WHEREAS, Agite Sign & Lighting, on behalf of Planet Fitness, filed an application with the Zoning Board of Appeals (Case No. 794) requesting a variance from the sign regulations of Zoning Code Section 1179.05(a) to permit a wall sign with a sign face area of 219 square feet rather than the 200 square feet permitted in this B-2 Commercial Zoning District at a proposed fitness center in the Richmond Town Square Mall at 671 Richmond Road.

WHEREAS, pursuant to Section 1185.05 of the Zoning Code, the Zoning Board of Appeals recommended to Council the granting of the variance based upon the reasons set forth in the Minutes of the Board's public hearing for Case No. 794;

WHEREAS, the Committee of the Whole of this Council has reviewed the Zoning Board of Appeals recommendation and has recommended to the entire Council the granting of the variance of 19 square feet from the sign face area regulations;

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 granting of the variance for the commercial establishment known as Planet Fitness, located at 671 Richmond Road, to permit a wall sign as proposed in the application and materials submitted to the Zoning Board of Appeals with a 219-square foot sign face rather than the 200 square feet maximum area provided by Section 1179.05(a), be, and the same is hereby, confirmed.

Section 2: This Council finds the recommendation of the Zoning Board of Appeals is supported by reliable, substantial and probative evidence, 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:\_\_\_\_\_

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Daniel J. Ursu, Mayor

APPROVED:\_\_\_\_\_

ATTEST:\_\_\_\_\_

Betsy Traben  
Clerk of Council

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David H. Roche  
President of Council