

RESOLUTION NO.: 46 -2012
INTRODUCED BY: Alexander

A RESOLUTION CONFIRMING THE ACTION OF THE ZONING
BOARD OF APPEALS WITH RESPECT TO VARIANCES FOR SIGNS
AT RICHMOND TOWN SQUARE MALL, 691 RICHMOND ROAD.

WHEREAS, the company Sign-Lite, on behalf of a proposed tenant, Caesar Burkes, and the property owner, Simon Properties, filed an application with the Zoning Board of Appeals (Case No. 796) requesting variances from the sign regulations of Zoning Code Section 1179.05(a), (c)(2), and (d) to permit: (1) a projecting sign with a sign face area of 83 square feet rather than the maximum 6 square feet permitted; (2) a projecting sign installed at a height of 27 feet instead of the permitted maximum height of 14 feet; and (3) the addition of signage to two nonconforming monument signs of 17.66 square feet each for a proposed restaurant in the Richmond Town Square Mall at 691 Richmond Road in the B-2 Commercial Zoning District;

WHEREAS, pursuant to Section 1185.05 of the Zoning Code, the Zoning Board of Appeals recommended to Council the granting of the variances based upon the reasons set forth in the Minutes of the Board's public hearing for Case No. 796;

WHEREAS, the Planning and Zoning Committee of this Council has reviewed the Zoning Board of Appeals recommendations and has recommended to the entire Council the granting of the variances being requested;

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

Section 1: The actions of the Zoning Board of Appeals of the City in recommending the granting of the variances for the proposed restaurant to be known as The Pit, located at 691 Richmond Road, to permit the signage as set forth above in the preamble to this Resolution and as proposed in the application and materials submitted to the Zoning Board of Appeals in its Case No. 796 be, and the same are hereby, confirmed.

Section 2: This Council finds the recommendations of the Zoning Board of Appeals are 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 variances 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: _____

Daniel J. Ursu, Mayor

APPROVED: _____

ATTEST: _____

Betsy Traben
Clerk of Council

David H. Roche
President of Council