

RESOLUTION NO.: 7 -2011
INTRODUCED BY: O'Toole

A RESOLUTION CONFIRMING THE ACTION OF THE ZONING
BOARD OF APPEALS WITH RESPECT TO SETBACK VARIANCES
FOR A BUILDING ADDITION AT 25875 CHARDON ROAD.

WHEREAS, M.A.C.E. Association, for property located at 25875 Chardon Road in the City of Richmond Heights, filed an application with the Zoning Board of Appeals (Case No. 780) requesting variances from Zoning Code Section 1173.03 for yard setback variances from two road frontages to permit the construction of a building addition; and

WHEREAS, pursuant to Section 1185.07 of the Zoning Code, the Zoning Board of Appeals recommended that the Council grant the variances to the front yard setback requirements of the Code so as to permit a 45-foot setback from Chardon Road and a 22-foot setback from Chardonview Road instead of the 75 feet required by the Zoning Code, as set forth in the minutes of the Board's public hearing for Case No. 780; and

WHEREAS, the Planning and Zoning Committee of this Council recommended at its March 1, 2011 meeting that the variances 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 granting of the variances requested by the applicant, M.A.C.E. Association, from Codified Ordinance Section 1173.03 to permit building setbacks for a proposed addition to be 44 feet from Chardon Road and 22 feet from Chardonview Road rather than the required 75-foot setback, as set forth in the materials submitted to the Zoning Board of Appeals and based upon the reasons set forth in the February 2, 2011 minutes of said Board, be, and the same is hereby, confirmed. Council finds 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 public purpose and intent of the Zoning Code.

Section 2: The Clerk is instructed to mail a copy of this Resolution to the applicant.

Section 3: 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 4: 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