

RESOLUTION NO.: 29 -2010
INTRODUCED BY: O'Toole

A RESOLUTION CONFIRMING THE ACTION OF THE ZONING BOARD OF APPEALS WITH RESPECT TO VARIANCES FOR AN ACCESSORY STRUCTURE AT 4933 KAREN ISLE DRIVE.

WHEREAS, Jerold Hoover, for property located at 4933 Karen Isle Drive in the City of Richmond Heights, filed an application with the Zoning Board of Appeals (Case No. 772) requesting a variance from Zoning Code Section 1173.05(c)(2) and (k) to permit the construction of an accessory shed upon the property; 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 maximum floor area for an accessory structure and the side and rear yard setback requirements of the Code, as set forth in the minutes of the Board's public hearing for Case No. 772; and

WHEREAS, the Planning and Zoning Committee of this Council recommended at its May 5, 2010 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, Jerold Hoover, to Codified Ordinance Section 1173.05(c)(2) and (k) to permit the maximum floor area of the proposed accessory structure to be exceeded by four square feet and to permit a reduction of the side and rear yard setbacks for the accessory structure from ten feet to five feet for the property at 4933 Karen Isle Drive, as set forth in the materials submitted to Zoning Board of Appeals, and based upon the reasons set forth in the April 7, 2010 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 be in 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