

RESOLUTION NO.: 27 -2014
INTRODUCED BY: Alexander

A RESOLUTION CONFIRMING THE ACTION OF THE ZONING BOARD OF APPEALS WITH RESPECT TO VARIANCES FOR AN ACCESSORY STRUCTURE AT 25595 CHARDON ROAD.

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 (Case No. 806) requesting variances from Zoning Code Sections 1135.04(c)(1) and 1173.05(k) to permit the construction of an accessory garage upon the subject property at a height of twenty-two feet and within the required side yard setback; and

WHEREAS, the Zoning Board of Appeals recommended at its March 26, 2014 regular meeting that the variances be granted to permit the construction of an accessory garage twenty-two feet in height and four and one half feet from the side yard property line instead of the permitted maximum height of one story or fifteen feet in height as required by Zoning Code Section 1135.04(c)(1) and instead of the required 10-foot side yard setback required by Section 1173.05(k), all as set forth in the minutes of the Board's public hearing for Case No. 806; and

WHEREAS, the Planning and Zoning Committee of this Council recommended at its April 1, 2014 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 actions of the Zoning Board of Appeals of the City in recommending the granting of the variances requested by the applicant, Christian Assembly Church, to Codified Ordinance Sections 1135.04(c)(1) and 1173.05(k) to permit the construction of an accessory structure at 25595 Chardon Road, as set forth in the materials submitted to the Zoning Board of Appeals, and based upon the reasons set forth in the March 26, 2014 minutes of said Board, be, and the same are 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: _____
Miesha Wilson Headen, Mayor

APPROVED: _____

ATTEST: _____
Betsy Traben _____ David H. Roche _____
Clerk of Council President of Council