

RESOLUTION NO.: 117 -2023
INTRODUCED BY: Alexander

**A RESOLUTION CONFIRMING THE ACTION OF THE ZONING
BOARD OF APPEALS WITH RESPECT TO THE REQUEST FOR A
VARIANCE TO ZONING CODE SECTION 1165.03(a)(11) FOR THE
GASOLINE SELF-SERVE FILLING STATION AT 798 RICHMOND
ROAD.**

WHEREAS, Majors Management, LLC, for the located at 798 Richmond Road in the City of Richmond Heights, filed an application with the Zoning Board of Appeals (Case No. 851) requesting a variance from Codified Ordinance Section 1165.03(a)(11) to permit the provision of only one unisex lavatory at a gasoline self-serve filling station at this property when said Code section requires two lavatories for both men and women separated by sound proof walls;

WHEREAS, pursuant to Section 1185.07 of Ordinance No. 72-72, the Planning and Zoning Ordinance of the City, the Zoning Board of Appeals recommended at its regular meeting on August 2, 2023, that this Council approve the requested variance based upon the reasons set forth in the minutes for Case No. 851;

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 approval of the requested variance from Codified Ordinance Section 1165.03(a)(11) to permit the provision of only one unisex lavatory at a gasoline self-serve filling station at 798 Richmond Road when said Code section requires two lavatories for both men and women according to the plan submitted to the Board, be, and the same is hereby, confirmed. Council finds that a practical difficulty exists to support the variance.

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

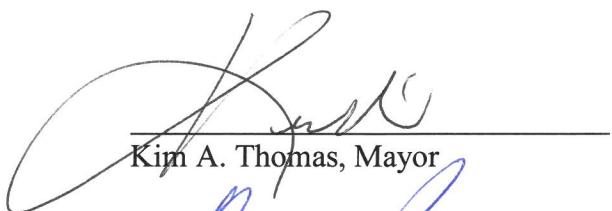
Section 3: It is found and determined that all formal actions of this Council concerning and relating to the adoption of this Resolution were adopted in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

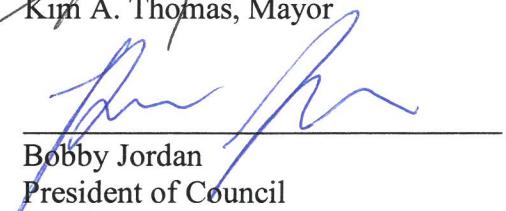
Section 4: This Resolution shall take effect and be in force from and after the earliest period allowed by law.

PASSED: August 22, 2023

APPROVED: August 22, 2023

ATTEST: Donnie Hunter
Donnie L. Hunter
Clerk of Council


Kim A. Thomas, Mayor


Bobby Jordan
President of Council