

RESOLUTION NO.: 96-2024

INTRODUCED BY: Justice

**A RESOLUTION CONFIRMING THE ACTION OF THE ZONING BOARD OF APPEALS WITH RESPECT TO THE REQUEST FOR VARIANCES TO ZONING CODE SECTIONS 1165.03(a)(11) TO CONSTRUCT A STORAGE SHED AT 382 BALMORAL DRIVE.**

WHEREAS, the owners, Stephen A and Denise M. DiMare, for the property located at 382 Balmoral Drive in the City of Richmond Heights, filed an application with the Zoning Board of Appeals (Case No. 855) requesting variances from Codified Ordinance Sections 1135.04 (c)(2) B. and 1173.05 (k) to permit the construction of a storage shed at this residentially -zoned and used property when said Code sections limit the shed size to a maximum of 120 square feet (192 square feet is requested) and require the shed to be ten (10) feet set back from the side yard boundary (a three-foot setback is requested);

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 June 5, 2024, that this Council approve the requested variances based upon the reasons set forth in the minutes for Case No. 855;

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 its Case No. 855 in recommending the approval of the requested variances from Codified Ordinance Sections 1135.04 (c)(2) B. and 1173.05 (k) to permit the construction of a 192 square foot storage shed three feet from the side yard at 382 Balmoral Drive is hereby confirmed. Council finds that a practical difficulty exists to support the variances.

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

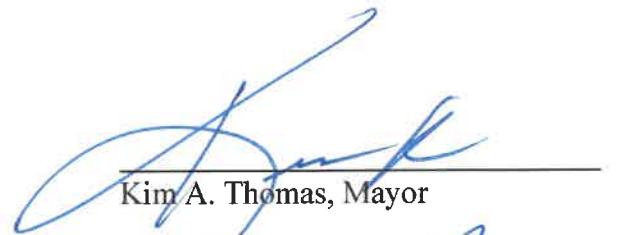
Section 3: It is found and determined that all formal actions of this Council concerning and relating to the adoption of this Resolution were adopted in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in such formal action, were in meetings 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: June 25, 2024

APPROVED: June 25, 2024

ATTEST: Tracey Blair  
Tracey Blair  
Clerk of Council



Kim A. Thomas, Mayor



Bobby Jordan  
President of Council