

RESOLUTION NO.: 4-2007
INTRODUCED BY: Steffen

**A RESOLUTION CONFIRMING THE ACTION OF THE ZONING
BOARD OF APPEALS WITH RESPECT TO A SETBACK VARIANCE
AT 754 RICHMOND ROAD.**

WHEREAS, Cardinal Community Credit Union, for property located at 754 Richmond Road in the City of Richmond Heights, filed an application with the Zoning Board of Appeals (Case No. 743) requesting a variance from the required setback from a public right-of-way to permit the extension of a canopy over an existing drive through facility thereby reducing the current nonconforming setback of 25 feet, 8 inches to 21 feet, 8 inches; the requirement of Zoning Code Section 1173.04 is for a setback of 50 feet; and

WHEREAS, pursuant to Section 1185.07 of the Zoning Code, the Zoning Board of Appeals recommended that the Council grant the variance to the setback requirement as set forth in the minutes of the Board's public hearing for Case No. 743; and

WHEREAS, the Planning and Zoning Committee of this Council recommended at its January 2, 2007 meeting that the setback variance 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 requested variance to the applicant, Cardinal Community Credit Union, from Codified Ordinance Section 1173.04 to permit the extension of the canopy over the existing drive through facility resulting in a 21 foot, 8 inch setback at 754 Richmond Road, as set forth on the plan submitted to the Zoning Board of Appeals, and based upon the reasons set forth in the December 6, 2006 minutes of said Board be, and the same is hereby, confirmed. Council finds that there exists a practical difficulty which outweighs the limitations set forth in the Zoning Code and the granting of the variance is not contrary to the public purpose and intent of the Zoning Code.

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 of 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