

RESOLUTION NO.: 64 -2009  
INTRODUCED BY: Morgan

**A RESOLUTION CONFIRMING THE ACTION OF ZONING BOARD OF APPEALS WITH RESPECT TO A VARIANCE FOR A COMMERCIAL GROUND SIGN AT RICHMOND ROAD AND AEC PARKWAY.**

WHEREAS, Curtiss Wright Partners, on behalf of the Cuyahoga County Airport, located at 26361 Curtiss Wright Boulevard in the City of Richmond Heights, filed an application with the Zoning Board of Appeals (Case No. 765) requesting a variance from the sign regulations of Zoning Code Section 1179.05(d) to permit a sign with a sign face area of 40 square feet rather than the 32 square feet permitted in this I-1 Office Industrial Zoning District and for a variance from Section 1179.07(b) to permit an off site sign; and

WHEREAS, pursuant to Section 1185.05 of the Zoning Code, the Zoning Board of Appeals recommended to Council the granting of the variance based upon the reasons set forth in the Minutes of the Board's public hearing for Case No. 765; and

WHEREAS, the Planning & Zoning Committee of this Council has reviewed the Zoning Board of Appeals recommendation and received the advice of the Director of Law with respect to these variances, and has recommended to the entire Council the granting of the variance of 8 square feet from the sign face area regulations and has determined that a variance from the offsite sign prohibition is not necessary in this instance because the businesses which are to be identified on the ground sign are located on the same lot as the proposed location of the sign;

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 variance to the applicant, Curtiss Wright Partners on behalf of Cuyahoga County Airport, located at 26361 Curtiss Wright Boulevard, to permit a ground sign near the corner of Richmond Road and AEC Parkway as proposed in the application and materials submitted to the Zoning Board of Appeals with a 40-square foot sign face rather than the 32 square feet maximum area provided by Section 1179.05(d), be, and the same is hereby, confirmed.

Section 2: This Council finds the recommendation of the Zoning Board of Appeals is supported by reliable, substantial and probative evidence, 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 purpose and intent of the Zoning Code. The variance is granted with the condition that the sign which is the subject of this variance be approved by the Architectural Board of Review, and include appropriate landscaping at the base of the sign as determined by the Building Department in consultation with the City's Landscape Architect.

Section 3: The Clerk is hereby instructed to mail a copy of this Resolution to the Applicant.

Section 4: 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 5: This Resolution shall take effect and be in force from and after the earliest period allowed by law.

PASSED: \_\_\_\_\_

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Daniel J. Ursu, Mayor

APPROVED: \_\_\_\_\_

ATTEST: \_\_\_\_\_

Betsy Traben  
Clerk of Council

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David H. Roche  
President of Council