

RESOLUTION NO.: 83 -2012
INTRODUCED BY: Alexander

A RESOLUTION CONFIRMING THE ACTION OF THE ZONING BOARD OF APPEALS WITH RESPECT TO A VARIANCE FOR A GARAGE AT 479 RICHMOND ROAD.

WHEREAS, Anna Colella, for property located at 479 Richmond Road in the City of Richmond Heights, filed an application with the Zoning Board of Appeals (Case No. 799) requesting a variance from Zoning Code Section 1135.04(c)(1) to permit the construction of a detached garage upon the property that is proposed to exceed the maximum permitted floor area in the Code; 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 maximum floor area requirement of the Code, as set forth in the minutes of the Board's public hearing for Case No. 799; and

WHEREAS, the Planning and Zoning Committee of this Council recommended at its October 2, 2012 meeting that the 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 variance requested by the applicant, Anna Colella, to Codified Ordinance Section 1135.04(c)(1) to permit the maximum floor area of the proposed detached garage to be 26 feet x 36 feet rather than the maximum floor area permitted of 24 feet x 36 feet for the property at 479 Richmond Road, as set forth in the materials submitted to the Council; and based upon the reasons set forth in the September 5, 2012 minutes of said Board, be, and the same is hereby, confirmed. Council finds 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 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: _____

Daniel J. Ursu, Mayor

APPROVED: _____

ATTEST: _____

Betsy Traben
Clerk of Council

David H. Roche
President of Council