

RESOLUTION NO.: 30 -2010
INTRODUCED BY: O'Toole

A RESOLUTION CONFIRMING THE ACTION OF THE ZONING
BOARD OF APPEALS WITH RESPECT TO VARIANCES FOR SIGNS
AT THE BUSINESS LOCATED AT 5100 WILSON MILLS ROAD.

WHEREAS, Sign-Lite SLS Services, representing Dave's Supermarkets, located at 5100 Wilson Mills Road in the City of Richmond Heights, filed an application with the Zoning Board of Appeals (Case No. 773) requesting variances from Zoning Code Section 1179.05(a) and (b)(3)(A) and (B) to permit additional commercial signage at the premises so as to allow the primary sign to be 325.9 square feet instead of the permitted 106.75 square feet, to allow a secondary commercial sign to be 139.9 square feet instead of the permitted 64 square feet, and to allow signage on four exterior walls instead of on two exterior walls (hereinafter collectively referred to as the "Variances"); and

WHEREAS, pursuant to Section 1185.07 of the Zoning Code, the Zoning Board of Appeals recommended that the Council grant the Variances to the sign requirements as set forth in the minutes of the Board's public hearing for Case No. 773; and

WHEREAS, the Planning and Zoning Committee of this Council recommended at its May 5, 2010 meeting that the Variances 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 Variances requested by the applicant, Sign-Lite SLS Services, representing Dave's Supermarkets, from Codified Ordinance Section 1179.05(a) and (b)(3)(A) and (B) to permit the Variances set forth in the preamble to this Resolution at 5100 Wilson Mills Road, as set forth in materials submitted to the Zoning Board of Appeals, and based upon the reasons set forth in the April 7, 2010 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 Variances 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