

RESOLUTION NO.: 26 -2014  
INTRODUCED BY: Alexander

**A RESOLUTION CONFIRMING THE ACTION OF THE ZONING BOARD  
OF APPEALS WITH RESPECT TO A VARIANCE FOR A GROUND SIGN  
AT 26901 CHARDON ROAD.**

WHEREAS, Muslim Association of Cleveland East, for property located at 26901 Chardon Road in the City of Richmond Heights, filed an application with the Zoning Board of Appeals (Case No. 807) requesting a variance from the Zoning Code requirements for a ground sign to be erected seven feet, three inches from the public right-of-way instead of the required 15 feet as set forth in Zoning Code Section 1179.06(a); and

WHEREAS, pursuant to Section 1185.05 of the Zoning Code, the Planning and Zoning Ordinance of the City, the Zoning Board of Appeals recommended to Council the granting of the aforesaid variance based upon the reasons set forth in the minutes of the Board's public hearing for Case No. 807; and

WHEREAS, the Planning and Zoning Committee of this Council has reviewed the Zoning Board of Appeals recommendation and has recommended to the entire Council the granting of the aforesaid variance;

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 a variance to the applicant, Muslim Association of Cleveland East, for property located at 26901 Chardon Road to permit the erection of a ground sign in a location that will decrease the minimum setback of the sign from the public right-of-way from the required minimum of 15 feet to 7 feet, 3 inches, as set forth in Section 1179.06(a) of the Zoning Code, and which action is based upon the reasons set forth in the March 5, 2014 minutes of said Board be, and the same is hereby, confirmed. This Council finds the recommendation of the Zoning Board of Appeals is supported by reliable, substantial and probative evidence, that there exists a partial difficulty which outweighs the limitations set forth in the Zoning Code, particularly due to the configuration and frontage of the property, and the granting of the variance is not contrary to the 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 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:\_\_\_\_\_

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Miesha Wilson Headen, Mayor

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

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

Betsy Traben  
Clerk of Council

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David H. Roche  
President of Council