

RESOLUTION NO.: 122-2017
INTRODUCED BY: Alexander

A RESOLUTION CONFIRMING THE ACTION OF THE ZONING BOARD OF APPEALS REGARDING THE GRANTING OF VARIANCES AT 26180 CHARDON ROAD FOR A DOLLAR GENERAL RETAIL STORE.

WHEREAS, Dollar General, for property located at 26180 Chardon Road in the City of Richmond Heights, filed an application with the Zoning Board of Appeals (Case No. 824) requesting variances from Zoning Code Sections 1173.05(i), 1173.04, 1175.05, and 1177.02 to permit the construction of a new building for a Dollar General retail store upon the subject property with a side yard setback of 7.6 feet, a building setback of 53.7 feet, 30 parking spaces, and a 16.4 foot deep landscaped yard; and

WHEREAS, the Zoning Board of Appeals recommended at its October 18, 2017 regular meeting that the variances be granted to permit the construction of a new building for a Dollar General retail store, 7.6 feet from the side lot line instead of 15 feet as required by Section 1173.05(i); a 53.7 foot building setback instead of 75 feet as required by Section 1173.04; 30 parking spaces instead of 37 as required by Section 1175.05; and a 16.4 foot deep landscaped yard instead of 20 feet as required by Section 1177.02, all as set forth in the minutes of the Board's public hearing for Case No. 824; and

WHEREAS, the Planning and Zoning Committee of this Council recommended at its November 14, 2017 special meeting that the variances be granted.

NOW, THEREFORE, Be It Resolved by the Council of the City of Richmond Heights, State of Ohio, that:

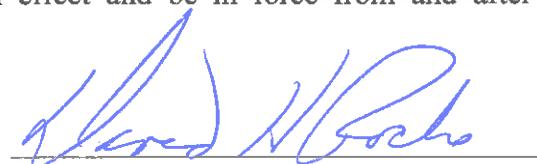
Section 1: The actions of the Zoning Board of Appeals of the City in recommending the granting of the variances requested by the applicant, Dollar General, to Codified Ordinance Sections 1173.05(i), 1173.04, 1175.05 and 1177.02 to permit the construction of a new building at 26180 Chardon Road for a Dollar General retail store, as set forth in the materials submitted to the Zoning Board of Appeals, and based upon the reasons set forth in the October 18, 2017 minutes of said Board, be, and the same are 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: 11/28/17



David H. Roche

David H. Roche, Mayor

APPROVED: 11/28/17

ATTEST: Betsy Traben

Betsy Traben
Clerk of Council



Eloise Cotton-Henry

Eloise Cotton-Henry
President of Council