

RESOLUTION NO.: 91 -2022  
INTRODUCED BY: Alexander

A RESOLUTION CONFIRMING THE ACTION OF THE ZONING BOARD OF APPEALS WITH RESPECT TO A VARIANCE FOR A SIDE YARD SETBACK AT 430 CARY JAY BOULEVARD.

WHEREAS, James R. Endres, the owner of property located at 430 Cary Jay Boulevard in the City of Richmond Heights, filed an application with the Zoning Board of Appeals (Case No. 847) requesting a variance from the Zoning Code provision set forth in Chapter 1173 requiring a ten-foot side yard setback to allow a five-foot setback for a new garage, a decrease of five feet, which would not substantially alter the essential character of the neighborhood or interfere with the future development of adjoining properties;

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. 847;

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, James R. Endres, for property located at 430 Cary Jay Boulevard to permit a decrease of five feet in the ten-foot side yard setback requirement set forth in Chapter 1173 of the Zoning Code to allow a five-foot side yard setback for the new garage, which action is based upon the reasons set forth in the July 6, 2022 minutes of said Board, is hereby confirmed. This Council finds the recommendation of the Zoning Board of Appeals is supported by reliable, substantial and probative evidence, and the granting of the variance is not contrary to the purpose and intent of the Zoning Code.

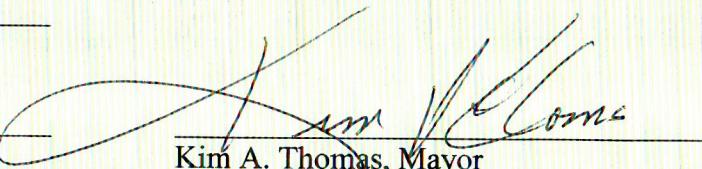
Section 2: The Clerk is hereby instructed to mail a copy of this Resolution to the applicant.

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.

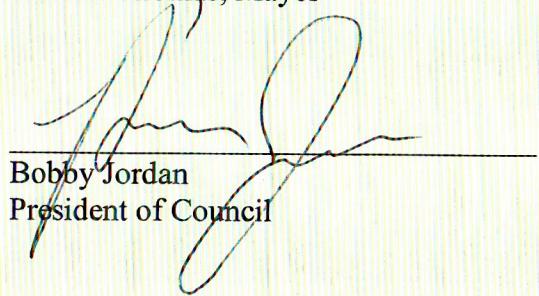
PASSED: 7-26-22

APPROVED: 7-26-22

  
Kim A. Thomas, Mayor

ATTEST: Betsy Traben

Betsy Traben  
Clerk of Council

  
Bobby Jordan  
President of Council