

RESOLUTION NO.: 161-2024

INTRODUCED BY: All of Council and Mayor Thomas

**A RESOLUTION TO CONFIRM THE ACTION OF THE ZONING  
BOARD OF APPEALS WITH RESPECT TO THE REQUEST FOR SIZE  
VARIANCES TO ZONING CODE SECTION 1179.05 FOR BOTH A  
MONUMENT SIGN AND A BUILDING IDENTIFICATION SIGN AT 5100  
WILSON MILLS ROAD.**

WHEREAS, Apex Pinnacle Services, LLC, on behalf of the owner, Dave's Market, for the property located at 5100 Wilson Mills Road in the City of Richmond Heights, filed an application with the Zoning Board of Appeals (Case No. 858) requesting variances from Codified Ordinance Sections 1179.05(b)(4) and 1179.05(d)(1)(a) to permit the erection and display of a monument sign and a building-mounted identification sign for the business known as Dave's Market which exceed the 200-square foot maximum sign area of the Code;

WHEREAS, pursuant to Section 1185.07 of Ordinance No. 72-72, the Planning and Zoning Ordinance of the City, the Zoning Board of Appeals ("ZBA") recommended at its regular meeting on November 6, 2024, that this Council approve the requested variances based upon the reasons set forth in the minutes for ZBA Case No. 858;

WHEREAS, the Planning and Zoning Committee of this Council unanimously recommended the approval of the requested variances to the entire Council at its regular meeting on November 19, 2024;

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

Section 1: This Council hereby confirms the action of the Zoning Board of Appeals of the City in its Case No. 858 in recommending the approval of the requested variances from Codified Ordinance Sections 1179.05(a)(4) and 1179.05(d)(1)(a) to permit the erection and display of a monument sign and a building-mounted identification sign for the business known as Dave's Market at 5100 Wilson Mills Road which exceed the 200-square foot maximum sign area of the Code and in compliance with the plans as approved by the Commissioner of Building. Council finds that a practical difficulty exists to support the variances as set forth in the minutes of the Zoning Board of Appeals.

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

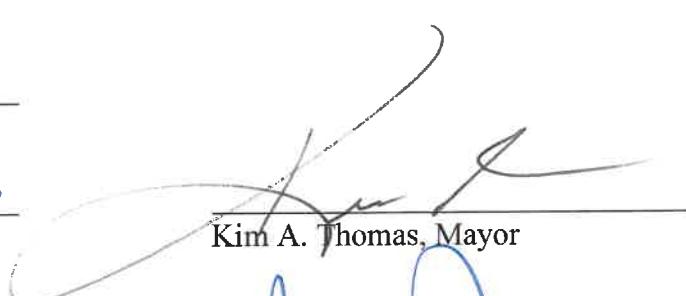
Section 3: It is found and determined that all formal actions of this Council concerning and relating to the adoption of this Resolution were adopted in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

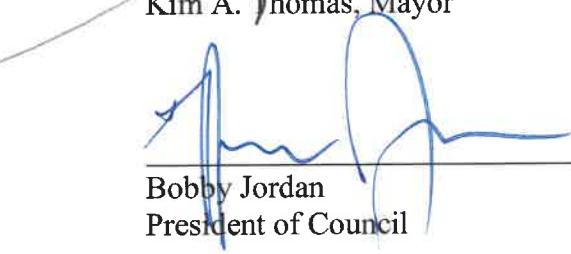
Section 4: This Resolution shall take effect and be in force from and after the earliest period allowed by law.

PASSED: November 26, 2024

APPROVED: November 26, 2024

ATTEST: Tracey Blair  
Tracey Blair  
Clerk of Council

  
Kim A. Thomas, Mayor

  
Bobby Jordan  
President of Council