

RESOLUTION NO.: 9 -2008
INTRODUCED BY: Morgan

**A RESOLUTION CONFIRMING THE ACTION OF THE ZONING BOARD
OF APPEALS WITH RESPECT TO A VARIANCE FOR A WALL SIGN AT
5140 WILSON MILLS ROAD.**

WHEREAS, Hilltop Plaza LLC and its tenant, Great Clips, located at 5140 Wilson Mills Road in the City of Richmond Heights, filed an application with the Zoning Board of Appeals (Case No. 756) requesting a variance to permit an additional 28 square feet of sign area for a wall sign in contravention of Section 1179.05(a) and Table 1179.05(a) which set forth the maximum area for wall signs in business zoning districts; and

WHEREAS, pursuant to Section 1185.05 of Ordinance No. 72-72, the Planning and Zoning Ordinance of the City, the Zoning Board of Appeals recommended to Council the granting of the variance based upon the reasons set forth in the Minutes of the Board's public hearing for Case No. 756; and

WHEREAS, the Planning and Zoning Committee of this Council has reviewed the Zoning Board of Appeals recommendation on the variance 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 the variance to the applicants, Hilltop Plaza LLC and Great Clips, located at 5140 Wilson Mills Road, to permit an increase in the sign area of the wall sign at said location for Great Clips by 28 square feet from the maximum permitted area set forth in Section 1179.05(a) and Table 1179.05(a) of the Zoning Code, and which is based upon the reasons set forth in the December 5, 2007 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, there exists a practical difficulty which outweighs the limitations set forth in the Zoning Code 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 applicants.

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: _____

Daniel J. Ursu, Mayor

APPROVED: _____

ATTEST: _____

Betsy Traben
Clerk of Council

David H. Roche
President of Council