

RESOLUTION NO. 117-2024(PD),
First Reading

By Mayor Seren

A Resolution memorializing Council's approval of a use variance concerning the property at 1774 Lee Rd., pursuant to Chapter 1115.07(i) of the Codified Ordinances of the City of Cleveland Heights, as described in BZA Cal. No. 3582; and declaring the necessity that this legislation become immediately effective as an emergency measure.

WHEREAS, Sara Bartlett (Applicant) applied for Use Variance on April, 19, 2024 (Cal. No. 3582) concerning the property located at 1774 Lee Rd. in Cleveland Heights, OH 44118 (Property).

WHEREAS, the Board of Zoning Appeals (BZA) heard the Applicant's use variance request on May 15, 2024 with a report from City staff including additional recommendations. BZA approved via a 3-0 roll call vote, finding that there was sufficient evidence put forth to demonstrate that denial of the variance would result in unnecessary hardship for the Applicant; and

WHEREAS, a certified copy of the finding of the Board regarding Cal. 3582 was filed with the Clerk of Council on May 21, 2024; and

WHEREAS, on June 17th, 2024 City Council's Committee of the Whole was presented with the City's staff report concerning the Property, the findings of BZA, as well as an opportunity to interview the Applicant. Given such an opportunity Committee of the Whole affirmed the decision of BZA via a 6-0 roll call vote.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Cleveland Heights, Ohio, that:

SECTION 1. This Council hereby finds and determines that the use variance required in Cal. No. 3582 is approved and final as recommended by the BZA Use Variance Approval Findings and the Staff Report, as it relates to the Property effective immediately.

SECTION 2. Notice of the passage of this Resolution shall be given by publishing the title and abstract of its contents, prepared by the Director of Law, once in one newspaper of general circulation in the City of Cleveland Heights.

SECTION 3. It is necessary that this Resolution become immediately effective as an emergency measure necessary for the preservation of the public peace, health and safety of the inhabitants of the City of Cleveland Heights, such emergency being the need for council to give approval within 45 days of the filing of the certified copy of the BZA findings with the Clerk of Council, pursuant to Ordinance 1115.07(i). Wherefore, provided it receives the affirmative vote of five or more of the members elected or appointed to this Council, this Resolution shall take effect and be in force

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immediately upon its passage; otherwise, it shall take effect and be in force from and after the earliest time allowed by law.



TONY CUDA
President of the Council



ADDIE BALESTER
Clerk of Council

PASSED: June 24, 2024

Presented to Mayor: 06/25/2024

Approved by Mayor: 06/27/2024



KAHLIL SEREN
Mayor