

ORDINANCE NO. 14-24

AN ORDINANCE TO AMEND THE SPECIAL USE PERMIT GRANTED TO THE AVON LOCAL SCHOOL DISTRICT TO ALLOW FOR THE CONSTRUCTION OF A NEW DRIVEWAY FROM DETROIT ROAD TO AVON HIGH SCHOOL LOCATED AT 37545 DETROIT ROAD AND DECLARING AN EMERGENCY

WHEREAS, the Avon Local School District was granted a Special Use Permit to operate a public high school at 37545 Detroit Road, Avon, within an R-1 Residential District pursuant to Ordinance No. 40-96 passed May 13, 1996; and

WHEREAS, over the years, Council has amended the Special Use Permit for the Avon High School to include the following: Ordinance Nos. 5-02 (baseball and soccer fields, tennis courts, a thirty-six (36) car parking lot), 180-05 (recyclable materials container), 115-06 (to permit grading and filling for an addition to the high school), 26-07 (an 80,000 sq. ft. building addition, more parking spaces and installation of six new light poles), 42-11 (more parking spaces at Deer Run/Hunters Trail entrance), 81-16 (installation of a baseball scoreboard), 3-20, (construction of a performing arts center) and Ord. 38-22 (three tennis courts, five pickle ball courts and lighting); and

WHEREAS, it is now necessary to amend said Special Use Permit to allow for the construction of a new driveway from Detroit Road to the high school campus located at 37545 Detroit Road (west of the current driveway); and

WHEREAS, the Planning Commission held a public hearing on January 17, 2024, and later that same evening, by a vote of Five (5) to Zero (0), recommended amending the Special Use Permit; and

WHEREAS, Council, after reviewing the application, plans and specifications and the recommendation of the Planning Commission, deems it in the best interests of the health, safety, and welfare of the community that the amendment to the Special Use Permit be granted.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF AVON, LORAIN COUNTY, OHIO:

Section 1 - That Council hereby accepts the recommendation of the Planning Commission and pursuant to ACO §1280.04(t) amends the Special Use Permit for Avon Local School District to allow for the construction of a new driveway from Detroit Road to the high school campus at 37545 Detroit Road located within an R-1 Residential District as set forth in the attached [Exhibit A](#), incorporated herein by this reference. The project shall proceed as per the plans and specifications submitted and approved by the Planning Commission and made a part of this Special Use Permit by this reference.

Section 2 - Conditions. 1) The Special Use Permit granted herein is conditioned upon applicant meeting all applicable requirements of the Avon Codified Ordinances, including but not limited to, those set forth in Chapter 1230 and Sections 1280.02, 1280.03, and 1280.04(t), and 1280.06(g). Any expansion, development, enlargement, improvement, change in ownership, use

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or the like, other than maintenance of the property in its current condition, will require an additional amendment to this Special Use Permit, with a recommendation of Planning Commission and approval by Council.

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

Section 4 - That this Ordinance is hereby declared to be an emergency measure necessary for the preservation of the public peace, health, safety and welfare of the citizens of the City of Avon, the immediate emergency being the necessity to amend the Special Use Permit for Avon Local School District to construct a new driveway from Detroit Road to the high school campus located at 37545 Detroit Road; therefore, this Ordinance shall be in full force and effect immediately upon its passage and approval by the Mayor.

PASSED: _____ DATE SIGNED: _____

By: _____
Brian Fischer, Council President

DATE APPROVED BY THE MAYOR _____

Bryan K. Jensen, Mayor

APPROVED AS TO FORM:

John A. Gasior, Law Director

ATTEST:

Barbara J. Brooks, Clerk of Council

POSTED: _____
Electronically and at City Hall as
Provided by Council

Prepared by:
John A. Gasior, Esq.
Law Director