

ORDINANCE NO. 41-24

AN ORDINANCE TO AMEND A SPECIAL USE PERMIT GRANTED TO CARAVON GOLF COMPANY, LTD (RED TAIL GOLF CLUB) TO INCLUDE CONSTRUCTION OF A 2,560 SQ. FT. MAINTENANCE BUILDING ON CROWN COLONY DRIVE AND DECLARING AN EMERGENCY

WHEREAS, pursuant to Avon Codified Ordinance §1262.03(c)(2), golf courses require a Special Use Permit to operate in an R-1 Residential District; and

WHEREAS, Caravon Golf Company, Ltd., (Red Tail Golf Club), located at 4400 Nagel Road in an R-1 Residential District, operates a golf course, club house, tennis courts, swimming pool and other special uses at its facility pursuant to a Special Use Permit granted in Ordinance No. 54-99, passed May 10, 1999; and

WHEREAS, Council has passed Ordinance Nos. 69-10; 100-15; 95-16; and 18-18 to make amendments to that Special Use Permit; and

WHEREAS, it is again necessary to amend the Special Use Permit to include the construction of a 2,560 sq. ft. maintenance building located on three (3) parcels of land, two of which are owned by Carnegie Residential Development Corporation (PP#s 04-00-024-116-171 and 04-00-024-116-172) and one is owned by Georgia Properties (PP# 04-00-024-116-146) all of which are located just east of 34323 Crown Colony Dr.; and

WHEREAS, the Planning Commission held a public hearing on March 20, 2024, and by a vote of Four (4) 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 amends the Special Use Permit for Caravon Golf Company, Ltd. (Red Tail Golf Club) to include the construction of a 2,560 sq. ft. maintenance building located just east of 34323 Crown Colony Dr. on portions of property owned by Carnegie Residential Development Corporation (PP#s 04-00-024-116-171 and 04-00-024-116-172) and Georgia Properties (PP# 04-00-024-116-146) as per the plans and specifications submitted and approved by the Planning Commission on March 20, 2024 and made a part of this Special Use Permit by reference. (See, attached [Exhibit A](#))

Section 2 - Conditions. 1) That the project proceed pursuant to plans and specifications approved and recommended by the Planning Commission on March 20, 2024; and 2) that the amended Special Use Permit granted herein for the construction of a 2,560 sq. ft. maintenance building is conditioned upon applicant meeting all applicable requirements of the Avon Codified Ordinances including, but not limited to, those set forth in previous special use legislation as well

as the adhering to the requirements of Chapter 1264, 1280.02, 1208.03, 1280.04(l) and 1280.06(n). Any expansion, development, enlargement, improvement, change or the like, other than maintenance of the property in its current condition, will require an amendment to this Special Use Permit, with a recommendation of Planning Commission and approval by City 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 Caravon Golf Company, Ltd., (Red Tail Golf Club) to include construction of a 2,560 sq. ft. maintenance building off of Crown Colony Drive; 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 Brooks, Clerk of Council

POSTED: _____

Electronically and at City Hall as
Provided by Council

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