

ORDINANCE NO. 42-24

**AN ORDINANCE TO AMEND THE SPECIAL USE PERMIT GRANTED TO
THE CITY OF AVON/AVON FIRE DEPARTMENT FOR CONSTRUCTION
AND INSTALLATION OF A 672 SQ. FT. - THREE STORY TRAINING
FACILITY LOCATED AT 36185 DETROIT ROAD
AND DECLARING AN EMERGENCY**

WHEREAS, pursuant to ACO §1262.03(b)(6), the operation of public safety facilities in a residential district requires a Special Use Permit in accordance with §1280.04(n); and

WHEREAS, the City of Avon/Avon Fire Department applied for and was granted a Special Use Permit pursuant to Ordinance No.102-02 to construct and operate a fire station at 36185 Detroit Road; and

WHEREAS, Council has previously approved amendments to said Special Use Permit in Ordinance Nos. 32-05 and 84-10; and

WHEREAS, Ordinance No. 26-19 which passed on April 8, 2019, granted an amendment to said Special Use Permit to allow for the construction of a training tower behind the Fire Station. Due to the Covid-19 pandemic, the training tower was never constructed and pursuant to §1230.09(b), the Special Use permit expired one year from the date of enactment; and

WHEREAS, it is now necessary to again amend said Special Use Permit to include the construction and installation of a 672 sq. ft. - three story fire training facility to be located at 36185 Detroit Road behind the Fire Station; and

WHEREAS, following a public hearing on March 20, 2024, Planning Commission voted to recommend approval of the amendment to the Special Use Permit by a vote of Four (4) to Zero (0); and

WHEREAS, having reviewed the plans and specifications as submitted, together with the recommendation of Planning Commission, Council deems it in the best interest of the health, safety, and welfare of the community that the Special Use Permit be amended.

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

Section 1 - That having considered the matter of amending the Special Use Permit to include the construction and installation of a 672 square foot-three story training tower to be located 36185 Detroit Road (behind the Fire Station), Council hereby accepts the recommendations of the Planning Commission and agrees to amend the Special Use Permit for the construction and installation of said facility. (See, attached [Exhibit A](#))

Section 2 - Conditions. 1) That the project shall proceed pursuant to plans and specifications approved by the Planning Commission on March 20, 2024; and 2) that the Special Use Permit granted herein is conditioned upon applicant meeting all applicable requirements set

forth in 1230.09, 1280.02, 1280.03, and 1280.04(n) of the Codified Ordinances of the City of Avon. Any expansion, development, enlargement, improvement, change or the like, other than as set forth herein, 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 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 to include the construction and installation of a 672 sq. ft. - three story fire training facility to be located at 36185 Detroit Road, behind the Fire Station; 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