

ORDINANCE NO. 46-24

AN ORDINANCE TO AMEND THE SPECIAL USE PERMIT GRANTED TO PROVIDENCE EVANGELICAL FREE CHURCH, INC., (a.k.a. PROVIDENCE CHURCH), TO INCLUDE THE EXPANSION OF THE PARKING LOT IN THE FRONT AND REAR AND AN EMERGENCY EXIT ALONG THE WEST SIDE OF THEIR PROPERTY LOCATED AT 35295 DETROIT ROAD AND DECLARING AN EMERGENCY

WHEREAS, Providence Evangelical Free Church, Inc. (‘Providence Church’), was granted a Special Use Permit to operate a church facility, including a place of worship, classrooms, meeting rooms, offices, kitchen, and other accessory uses on their premises located at 35295 Detroit Road, within an R-1 Residential District pursuant to Ordinance No. 42-01 which passed April 9, 2001; and

WHEREAS, over the years, Council has amended the Special Use Permit for Providence Church to include the following: Ordinance Nos. 84-02 (church steeple), 214-03 (illuminated ground sign), and 191-04 (parking lot addition); and

WHEREAS, it is now necessary to amend said Special Use Permit to allow for the expansion of the parking lot in the front and rear of the church and include an emergency exit along the west side of their property located at 35295 Detroit Road; and

WHEREAS, the Planning Commission held a public hearing on January 17, 2024, and later that same evening, by a vote of Four (4) in favor and One (1) opposed, recommended amending the Special Use Permit to City Council; 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 Providence Church to allow for the expansion of the parking lot in the front and rear of the church and include an emergency exit along the west side of their property located at 35295 Detroit Road located within an R-1 Residential District as per the plans and specifications submitted and approved by the Planning Commission 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 Planning Commission on January 17, 2024; and 2) that the Special Use Permit granted herein is conditioned upon the applicant meeting all applicable requirements set forth in Chapters 1230 & 1264, Section 1280.02, 1280.03, 1280.04(d), and 1280.06(g) of the Codified Ordinances of the City of Avon. 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 Providence Church to allow for the expansion of their parking lot in the front and rear of the church include an emergency exit along the west side of their property located at 35295 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