

ORDINANCE NO. 59-24

**AN ORDINANCE TO AMEND ORDINANCE NO. 413-68, PASSED
JANUARY 15, 1969, COMMONLY KNOWN AS THE ZONING ORDINANCE
OF THE CITY OF AVON, OHIO, AS AMENDED, REZONING THE NORTHERN
13.6414 ACRES OF LAND LOCATED AT 34440 DETROIT ROAD, PERMANENT
PARCEL NO. 10-04-00-022-102-162 FROM R-1 SINGLE-FAMILY RESIDENTIAL TO
C-4 GENERAL BUSINESS DISTRICT**

WHEREAS, an application to rezone the northern 13.6414 acres of land located at 34440 Detroit Road, Permanent Parcel No. 10-04-00-022-102-162 from R-1 Single-Family Residential to C-4 General Business District was submitted to Planning Commission pursuant to Article VII, Section 2(d) and Article VII, Section 2(e)(1) of the Avon City Charter; and

WHEREAS, the Planning Commission, on April 17, 2024, held a Public Hearing on said amendment; and

WHEREAS, on May 15, 2024, the Planning Commission reviewed the proposed amendment to rezone this parcel of land as further described herein and considered the public comments and presentations of all interested parties and by a vote of Five (5) in favor and Zero (0) opposed, recommended the amendment to Ordinance No. 413-68 to allow the northern 13.6414 acres of land located at 34440 Detroit Road, Permanent Parcel No. 10-04-00-022-102-162 from R-1 Single-Family Residential to C-4 General Business District; and

WHEREAS, Council, on May 28, 2024, authorized a Public Hearing; and

WHEREAS, said Public Hearing was duly publicized according to law and was held on June 24, 2024, at 7:25 P.M.; and

WHEREAS, notice of the time and place of such Public Hearing has been given to record title holders of property immediately adjacent to, adjoining and abutting on such area, zone, or district proposed to be modified.

WHEREAS, Council finds that the recommendation of Planning Commission is reasonable and in the best interests of the safety, health, and welfare of the City and deems it desirable that Ordinance No. 413-68 be amended to rezone the northern 13.6414 acres of land located at 34440 Detroit Road, Permanent Parcel No. 10-04-00-022-102-162 from R-1 Single-Family Residential to C-4 General Business District.

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

Section 1 - That Ordinance No. 413-68, passed January 15, 1969, commonly known as the Zoning Ordinance of the City of Avon, Ohio, as amended, shall be further amended as provided hereafter.

Section 2 - That from the effective date of this Ordinance the northern 13.6414 acres of land located at 34440 Detroit Road be, and the same is hereby rezoned from R-1 Single-Family Residential to C-4 General Business District, Permanent Parcel No. 10-04-00-022-102-162, as more fully described in [Exhibit A](#), which is attached hereto and incorporated herein by this reference.

Section 3 - That all provisions of Ordinance No. 413-68 and its various amendments, shall remain in full force and effect.

Section 4 - 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 5 - That this Ordinance shall take effect and be in force at the earliest date allowed by law.

First Reading _____
Second Reading _____
Third Reading _____

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

Ordinance No. 59-24 (Con't.)

ATTEST:

Barbara Brooks, Clerk of Council

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

Prepared By:

John A. Gasior, Esq.
Law Director