

ORDINANCE NO. 75-24

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 2.58 ACRE PARCEL OF LAND LOCATED ON DETROIT ROAD, NEAR JAYCOX (ACROSS FROM MARTIN'S DELI), PERMANENT PARCEL NO. 10-04-00-022-102-083 FROM R-1 SINGLE-FAMILY RESIDENTIAL TO C-1 NEIGHBORHOOD BUSINESS DISTRICT (WASILKO)

WHEREAS, the owner, Gregg Wasilko, submitted an application to rezone the 2.58-acre parcel of land located on the north side of Detroit Road, near Jaycox (across from Martin's Deli), Permanent Parcel No. 10-04-00-022-102-083 from R-1 Single-Family Residential to C-1 Neighborhood Business District was submitted to Planning Commission pursuant to Article VII, Section 2(d) and Article VII, Section 2(e)(3) of the Avon City Charter; and

WHEREAS, the Planning Commission, on June 19, 2024, held a Public Hearing on said amendment; and

WHEREAS, on June 19, 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 2.58 acres of land located on the north side of Detroit Road, near Jaycox (across from Martin's Deli), Permanent Parcel No. 10-04-00-022-102-083 to be rezoned from R-1 Single-Family Residential to C-1 Neighborhood Business District; and

WHEREAS, Council, on July 1, 2024, authorized a Public Hearing; and

WHEREAS, said Public Hearing was duly publicized according to law and was held on September 9, 2024, at 7:15 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 Avon's citizens and deems it desirable that Ordinance No. 413-68 be amended to rezone the 2.58 acres of land located on the north side of Detroit Road, near Jaycox (across from Martin's Deli), Permanent Parcel No. 10-04-00-022-102-083 from R-1 Single-Family Residential to C-1 Neighborhood Business District. (Wasilko property)

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 2.58 acres of land located on the north side of Detroit Road, near Jaycox (across from Martin's Deli) be, and the same is hereby rezoned from R-1 Single-Family Residential to C-1 Neighborhood Business District, Permanent Parcel No. 10-04-00-022-102-083, the parcel being more fully described in [Exhibit A](#), which is attached hereto and incorporated herein by this reference. Said parcel of land consists of less than five (5) acres and is adjacent to property that is already zoned commercial. As such, it does not require an affirmative vote of the majority of the electors at a general election.

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. 75-24 (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