

ORDINANCE NO. 92-24

**AN ORDINANCE TO AMEND A SPECIAL USE PERMIT GRANTED TO
CARAVON GOLF COMPANY, LTD (RED TAIL GOLF CLUB) TO
INCLUDE INSTALLATION OF A SHORT GAME PRACTICE GREEN ON
A PARCEL OF LAND LEASED FROM GEORGIA PROPERTIES (PP# 04-00-025-000-
484) AND LOCATED ON THE EAST SIDE OF NAGEL ROAD
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, has a Special Use Permit to operate a golf course, club house, tennis courts, swimming pool and other amenities at its facility pursuant to Ordinance No. 54-99, passed May 10, 1999; and

WHEREAS, Council has since passed Ordinance Nos. 69-10; 100-15; 95-16; 18-18; and 41-24 to make amendments to that Special Use Permit; and

WHEREAS, it is again necessary to amend the Special Use Permit to include the installation of a short game practice green on a parcel of land leased from Georgia Properties (PP# 04-00-025-000-484); and

WHEREAS, the Planning Commission held a public hearing on September 18, 2024, and by a vote of Five (5) 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 installation, maintenance and operation of a short game practice green on a parcel of land it leases from Georgia Properties (PP# 04-00-025-000-484) located on the east side of Nagel Road adjacent to and south of the existing driving range, as per the plans, specifications, lease and drawings recommended to be approved by the Planning Commission on September 18, 2024 all of which are set forth in [Exhibit A](#), attached hereto and made a part of this Special Use Permit by reference.

Section 2 - Conditions. 1) That the project proceed pursuant to plans and specifications approved and recommended by the Planning Commission on September 18, 2024; and 2) that the amended Special Use Permit granted herein for the installation of a short game practice green on the east side of Nagel Road, PP# 04-00-025-000-484 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 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 to Caravon Golf Company, Ltd., (Red Tail Golf Club) to include installation of a short game practice green on a parcel of land leased from Georgia Properties (PP# 04-00-025-000-484); 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