

ORDINANCE NO. 120-24

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 13.2836 ACRE PARCEL OF LAND LOCATED BETWEEN AVON ROAD AND MIDDLETON ROAD, PERMANENT PARCEL NO. 10-04-00-027-101-204 FROM R-1 SINGLE-FAMILY RESIDENTIAL TO R-3 MULTI-FAMILY RESIDENTIAL DISTRICT

WHEREAS, the owner, Liberty Development Company, submitted an application to rezone the 13.2836-acre parcel of land located between Avon Road and Middleton Road, Permanent Parcel No. 10-04-00-027-101-204 from R-1 Single-Family Residential to R-3 Multi-Family Residential District 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 November 20, 2024, held a Public Hearing on said amendment; and

WHEREAS, on November 20, 2024, after conducting the public hearing, 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 Four (4) in favor and Zero (0) opposed, recommended the amendment to Ordinance No. 413-68 to allow the 13.2836 acres of land located between Avon Road and Middleton Road, Permanent Parcel No. 10-04-00-027-101-204 to be rezoned from R-1 Single-Family Residential to R-3 Multi-Family Residential District; and

WHEREAS, Council, on December 2, 2024, authorized a Public Hearing; and

WHEREAS, said Public Hearing was duly publicized according to law and was held on January 13, 2025, 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 citizens of Avon and deems it desirable that Ordinance No. 413-68 be amended to rezone the 13.2836 acres of land located between Avon Road and Middleton Road, Permanent Parcel No. 10-04-00-027-101-204 from R-1 Single-Family Residential to R-3 Multi-Family Residential 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 13.2836 acres of land located between Avon Road and Middleton Road, shall be, and the same is hereby rezoned from R-1 Single-Family Residential to R-3 Multi-Family Residential District, Permanent Parcel No. 10-04-00-027-101-204, conditioned upon the Developer designing the parcel, accepting the Declaration of Restrictions and executing the Cooperative Agreement with the City of Avon, all as set forth 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

ATTEST:

Barbara Brooks, Clerk of Council

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

Prepared By:
John A. Gasior, Esq.
Law Director