

ORDINANCE NO. 32-25

**AN ORDINANCE AUTHORIZING AN AMENDMENT
TO THE FINAL PLAT AND SUBDIVIDER'S AGREEMENT
FOR RED TAIL SUBDIVISION NO. 17
AND DECLARING AN EMERGENCY**

WHEREAS, Council previously approved the Final Plat and Subdivider's Agreement for Red Tail Subdivision No. 17 pursuant to Ordinance No. 72-22 which passed on September 6, 2022; and

WHEREAS, Timothy D. & Barbara Vala have presented an amended preliminary plat and an amended final plat for Red Tail Subdivision No. 17 to the Planning Commission for approval and recommendation to Council requesting consolidation of sublots 620 and 621 to create subplot 639; and

WHEREAS, following a public hearing on April 16, 2025, Planning Commission, by a vote of Five (5) to Zero (0), approved the amended preliminary plat and recommended to Council approval of the amended final plat of Red Tail Subdivision No. 17; and

WHEREAS, Council, having reviewed the amended final plat for Red Tail Subdivision No. 17 and after discussion, review and further consideration, has deemed it in the best interests of the health, safety, and welfare of the citizens of Avon to accept said amendment and thereby allow the lot consolidation to go forward.

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

Section 1 - That the final plat for Red Tail Subdivision No. 17 is hereby amended to allow for the consolidation of sublots 620 and 621 to create subplot 639, as set forth in the amended final plat which was presented to Planning Commission on April 16, 2025, a copy of which is attached hereto and incorporated herein as Exhibits A-1 & A-2.

Section 2 - All terms and conditions set forth in the original Subdivider's Agreement for Red Tail Subdivision No. 17 and which are not inconsistent herewith, shall remain in full force and effect.

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 final plat for Red Tail Subdivision No. 17 to permit a lot consolidation thereby reducing the overall number of lots in

this phase of the subdivision; therefore, this Ordinance shall be in full force and effect immediately upon its passage and approval by the Mayor.

PASSED: April 28, 2025

DATE SIGNED: April 28, 2025

By: Brian Fischer
Brian Fischer, Council President

DATE APPROVED BY THE MAYOR: April 29, 2025

Bryan K. Jensen
Bryan K. Jensen, Mayor

APPROVED AS TO FORM:

John A. Gasior
John A. Gasior, Law Director
City of Avon, Ohio

ATTEST:

Barbara J. Brooks
Barbara J. Brooks, Clerk of Council

Posted: April 30, 2025
Electronically and at City Hall as
Provided by Council

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

I, Barbara J. Brooks, Clerk of the Council of the City of Avon, Ohio, hereby certify this document to be a true and exact copy of Ordinance No. 32-25, passed by the Council of said City on April 28, 2025.

IN WITNESS WHEREOF, I have on this 29th day of April 2025, affixed my signature and official seal.

Barbara J. Brooks
Barbara J. Brooks, Clerk of the Council
of the City of Avon, Ohio

EXHIBIT A-1 TO ORDINANCE NO. 32-25

THE NUMBERS SHOWN IN ORANGE REPRESENT ACTUAL SUBLOT NUMBERS AS FILED ON REDTAIL NO. 17 FINAL PLAT WITH COUNTY TAX MAP DEPARTMENT.

AMENDED RED TAIL DEVELOPMENT SUBDIVISION NO. 17 REVISED PRELIMINARY PLAT

IN
ORIGINAL AVON TOWNSHIP SECTION NO. 25
NOW IN
THE CITY OF AVON, OHIO
FOR
CARNEGIE RESIDENTIAL DEVELOPMENT CORP.
BY
THE HENRY G. REITZ ENGINEERING CO.
27500 DETROIT RD.
CLEVELAND, OH 44130
SCALE: 1"=100' SEPTEMBER 2021
REVISED 10/18/2021
REVISED 2/18/2022
REVISED 4/12/2022
REVISED 5/11/2022

LEGEND

 DOWNSIDE EXISTING SANITARY SEWER
 DOWNSIDE EXISTING STORM SEWER
 DOWNSIDE EXISTING WATER MAIN
 SETBACK LINE (20' FRONT OR REAR & 5' SIDES UNLESS OTHERWISE NOTED ON P. 12)

GRAPHIC SCALE 1" = 100'
 0 50 100 200

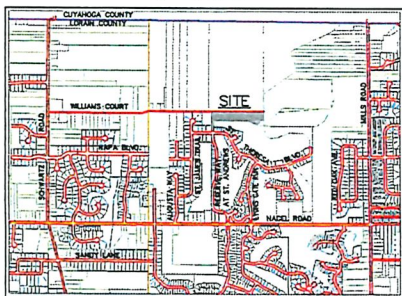
RED TAIL NO. 17
 PROPOSED PROJECT TOTAL AREA = 8.41 AC.
 WITH 18 PROPOSED LOTS = 2.28 UNITS/AC.

SUMMARY:
 OF LOTS DEVELOPED AND PROPOSED TO DATE
 THAT ARE TRIBUTARY TO EAST COURSE LAKES

BLK. #	ACRES	TOT. UNITS
6	30	22
7	10	80
11	10	80
11	38	80
13	6	80
13	6	80
18	23	80
18	23	80
SUBTOTAL	194	80
#17 PROP.	1	80
#17 PROP.	6	20
#17 SUBD.	13	80
GRAND TOTAL	213	80

**THIS IS AN AMENDMENT
TO THE PRELIMINARY
PLAN PREPARED BY
THE HENRY G. REITZ
ENGINEERING CO. AND
APPROVED ON 05/18/22**

AREA MAP
 SCALE: 1" = 1000'



STORMWATER MANAGEMENT:

ORIGINAL 6/8/1998 RETENTION CALCULATIONS DEMONSTRATED THAT LAKE SYSTEM DESIGNED FOR THE EASTERN GOLF COURSE PROVIDED SUFFICIENT VOLUME FOR 146-92/2307 LOTS & 150-50/4120 LOTS
 = 284 TOTAL LOTS WITH 71' AVE. WIDTH
 ACTUAL NUMBER OF LOTS DEV. & PROP. TO DATE (SEE ABOVE RIGHT) = 213 TOTAL LOTS WITH 88' AVE. WIDTH
 ENTIRE AREA IN THIS PHASE IS IN THE CROSS-HATCHED "FUTURE RESIDENTIAL DEVELOPMENT AREAS ACCOUNTED FOR IN THE WATER QUALITY VOLUME DESIGN" SHOWN ON SHEET 14/77 OF THE RED TAIL DEV. NO. 13 PLANS
 FROM 2/5/2018 STORM WATER MANAGEMENT REPORT (PHASE 15) "THE EXISTING WATER QUALITY POND OUTLET STRUCTURE IN LAKE II WAS SIZED FOR THE WATER QUALITY VOLUME IN THIS AND FUTURE PHASES"
 THE WATER QUALITY VOLUME CALCULATION FOR THE EXISTING STRUCTURE IN LAKE II (APPROVED JUNE, 2013) IS SHOWN ON SHEET 18/24 OF THE RED TAIL DEV. NO. 13 PLANS
 ACCORDING TO THE ABOVE RETENTION INFORMATION NO ADDITIONAL RETENTION OR WATER QUALITY VOLUME IS REQUIRED FOR THIS PROPOSED SUBDIVISION PHASE.

SANITARY SEWER SERVICE:

ALL NEW LOTS TO HAVE ACCESS TO A PROPOSED EXTENSION OF THE RED TAIL DEVELOPMENT SANITARY SEWERS FOR SERVICE DISPOSAL. THE PROPOSED SEWERS WILL BE EXTENDED AT THE MAXIMUM DEPTH POSSIBLE BY UTILIZING THE MINIMUM SLOPE PERMISSIBLE BY OHIO E.P.A.
 THE DEPTH OF THE EXISTING SEWERS THAT ARE TO BE EXTENDED WILL PREVENT MOST OF THE LATERALS FROM EXCEEDING THE MINIMUM STANDARD OF DEPTH OF 4' AT THE RIGHT-OF-WAY LINE. HOWEVER EXTRA STEPS BETWEEN GARAGE AND FIRST FLOOR CAN BE USED TO OBTAIN GRAVITY SERVICE TO SOME ADDITIONAL BASEMENTS.
 LOTS WITH NO COMBINATION OF EXTRA STEPS OR ADDITIONAL LOT FILL WILL PROVIDE SUFFICIENT DEPTH FOR GRAVITY SERVICE TO BASEMENTS. THE BUILDING WILL ACKNOWLEDGE THE NECESSITY FOR GRINDY PUMPS FOR ANY BASEMENT LEVEL SANITARY FACILITIES.

NOTES:

- ENTIRE PROJECT AND SURROUNDING LAND ZONED R-1 BUT PROJECT IS ENTIRELY WITHIN THE LIMITS OF THE APPROVED RED TAIL CONCEPTUAL MASTER PLAN (DATED APRIL 25, 1998, REVISED MAY 11, 1999) AND AS SUCH IS ORIGINATED FOR DEVELOPMENT WITH LOTS WITH NON-STANDARD DIMENSIONS AND SETBACKS.
- STREETS TO BE 60' WIDE PUBLIC RIGHT-OF-WAYS IMPROVED TO CITY STANDARDS.
- NEW STREETS TO HAVE MINIMUM 24" WIDE CONCRETE PAVEMENT AND SIDEWALKS TO BE A MINIMUM OF 5' WIDE.
- ST. GREGORY WAY IS TO HAVE SIDEWALKS ON BOTH SIDES EXCEPT A CROSS-WALK TO THE PROPOSED MAIL C.B.U. SINCE THERE WILL BE NO OTHER REASON FOR PEDESTRIAN ACCESS ON THE EAST SIDE.
- ALL LOTS TO HAVE ACCESS TO A NEAR YARD DRAIN INSTALLED WITH STREET IMPROVEMENTS.
- ALL LOT OWNERS TO BE REQUIRED TO BE MEMBERS OF THE HOMEOWNERS ASSOCIATION.
- CONDOMINIUM BLOCK "EET" IS TO BE A MINIMUM OF 10' WIDE ALONG THE REAR OF ALL LOTS AND BETWEEN LOTS 822/253, 830/261 AND ALSO SIDE OF LOT 833. BLOCKS "EET" AND "EOT" ARE TO BE DEEDED TO A HOMEOWNERS ASSOCIATION AND THE ASSOCIATION AND THE GOLF COURSE MANAGEMENT COMPANY WILL HAVE PRIMARY MAINTENANCE RESPONSIBILITY FOR THE STORM SEWERS AFTER THEY LEAVE THE PUBLIC RIGHT-OF-WAY. A BLANKET ACCESS EASEMENT IS TO BE GRANTED OVER BLOCK "EET" AND "EOT" TO THE CITY FOR EMERGENCY MAINTENANCE TO STORMWATER IMPROVEMENTS IF NEEDED.
- THE CITY HAS PRIMARY MAINTENANCE RESPONSIBILITY FOR THE DITCH ALONG EXISTING WILLIAMS COURT BECAUSE IT IS WITHIN AN EXISTING PUBLIC RIGHT-OF-WAY.
- SURROUNDING BUILDINGS TAVERN FROM LOHMAN COUNTY AUDITOR'S G.L.S. MAPPING. CONTOUR LINES OBSERVED 2/2021.
- ENTIRE PROJECT WITHIN F.E.M.A. UNSHADED ZONE "C" (AREAS DETERMINED TO BE OUTSIDE OF THE 0.2% ANNUAL CHANCE FLOODLAND PER F.E.M.A. PANEL 3805000810B, EFFECTIVE DATE AUGUST 18, 2008).
- A 12" WIDE UTILITY EASEMENT (NOT SHOWN) WILL BE PROVIDED ADJACENT TO BOTH SIDES OF ALL NEW PUBLIC RIGHT-OF-WAYS FOR USE BY PRIVATE UTILITY COMPANIES.
- BLOCK "EET" IS REDEVELOPED LAND TO BE KEPT IN THE DEVELOPMENT COMPANY'S OWNERSHIP FOR POSSIBLE FUTURE DEVELOPMENT IN THE EVENT THAT THE CITY CHOOSES TO VACATE WILLIAMS COURT.
- THE 2.37 ACRE REDEVELOPED LAND SOUTH OF THIS PROJECT PHASE IS TO BE RECEIVED FOR A PHASE 18 DEVELOPMENT WITH AN EXTENSION OF ST. GREGORY WAY THAT WILL CONNECT TO THE END OF ST. THERESA BLVD. IN RED TAIL DEVELOPMENT NO. 15.
- RECORD BOUNDARY DIMENSIONS ARE FROM THE RED TAIL DEVELOPMENT NO. 13 PLAT.

APPROVALS

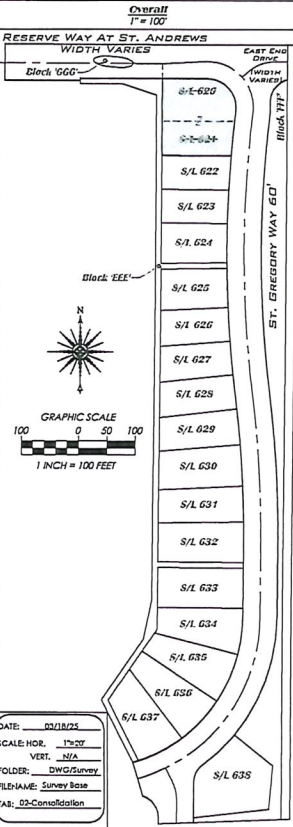
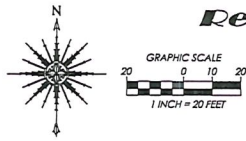
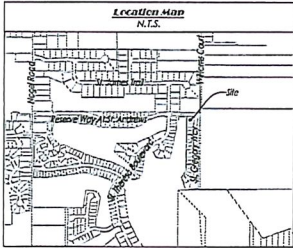
BY _____ DATE _____
 FOR PRIMER
 PLANNING COORDINATOR
 BY _____ DATE _____
 Emily Hansen
 CHIEF BUILDING OFFICIAL
 BY _____ DATE _____
 Ryan E. Cummins, P.E.
 City of Avon Consulting Engineer

RED TAIL #17
 PAGE 1 OF 2

EXHIBIT A-2 TO ORDINANCE NO. 32-25

Final Plat of Red Tail Development Subdivision No. 17 Represents Partial Revised Plat

Situated in the City of Avon, County of Lorain, and State of Ohio, and known as being a Re-Subdivision of Sublots 620 & 621 of Red Tail Development Subdivision No. 17 as recorded in Volume 114, Page 33 of Lorain County Plat Records, and further known as being part of Section No. 25, Original Avon Township, Being Township No. 7 in the 16th Range of Townships in the Connecticut Western Reserve, March, 2025 Scale 1"=20'



Survey Abbreviations:

- (A.F.N.) = AUTOMATIC FILE NUMBER
- (A.C.T.) = ACTUAL DISTANCE
- (C.A.L.C.) = CALCULATED DISTANCE
- (C.L.) = CENTERLINE
- (C.S.R.) = CITY SURVEY RECORDS
- (D.D.) = DEED DISTANCE
- (D.R.) = DEED RECORD
- (D.C.) = DOCUMENT NUMBER
- (E.N.C.R.) = ENCROACHMENT
- (F.D.) = FOUND
- (I.N.) = INSTRUMENT NUMBER
- (M.D.) = MEASURED DISTANCE
- (M.O.B.A.) = MONUMENT BOX ASSEMBLY
- (O.D.) = OBSERVED DISTANCE
- (O.L.) = ORIGINAL LOT LINE
- (O.R.) = OFFICIAL RECORD
- (P.L.) = PROPERTY LINE
- (P.P.N.) = PERMANENT PARCEL NUMBER
- (P.C.) = POINT OF CURVATURE
- (P.T.) = POINT OF TANGENCY
- (P.O.B.) = PLACE OF BEGINNING
- (P.P.O.B.) = PRINCIPAL PLACE OF BEGINNING
- (R.D.) = RECORD DISTANCE
- (R.P.) = RECORDED PLAT
- (R.W.) = RIGHT-OF-WAY
- (T.A.) = TURNED ANGLE
- (S.L.) = SUBLOT

Survey References:

- COUNTY TAX MAPS (AS NOTED)
- COUNTY RECORD DEEDS (AS NOTED)
- COUNTY RECORD PLATS (AS NOTED)
- COUNTY ROAD RECORDS (AS NOTED)
- SURVEY PERFORMED BY (AS NOTED)

Setbacks:

- MINIMUM FRONT SETBACK = 20'
- MINIMUM SIDEYARD = 5'
- MINIMUM REARYARD = 20'
- MINIMUM CORNER SETBACK = 20'

Monument Legend:

- MON. BOX ASSEMBLY FOUND (AS NOTED)
- EMPTY MON. BOX ASSEMBLY FOUND (AS NOTED)
- STONE FOUND (AS NOTED)
- IRON PIPE FOUND (AS NOTED)
- IRON PIN FOUND (AS NOTED)
- 5/8" IRON PIN FOUND I.D. CAP POLARIS #7388
- 5/8" x 30" IRON PIN SET W/LD. CAP POLARIS #7388
- DRILL HOLE FOUND (AS NOTED)
- DRILL HOLE SET (AS NOTED)
- P.K. NAIL FOUND (AS NOTED)
- P.K. NAIL SET (AS NOTED)

PARCEL CURVE TABLE - Rec./Mid.					
CURVE	LENGTH	RADIUS	DELTA	CHORD	BEARING
C1	135.52'	80.00'	97°03'34"	119.89'	N41°16'17"W
C2	501.74'	2000.00'	14°22'26"	500.43'	S0°04'21"W
C3	84.70'	30.00'	97°03'34"	74.93'	N41°16'17"W
C4	79.89'	2030.00'	2°15'17"	79.88'	S6°07'54"W
C5	19.62'	2030.00'	0°33'13"	19.61'	S6°58'23"W
C6	60.27'	2030.00'	1°42'04"	60.27'	S5°51'30"W

Owners Acceptance:

WE, THE UNDERSIGNED OWNERS OF THE LAND SHOWN HEREON, DO HEREBY CERTIFY THAT THIS PLAT CORRECTLY REPRESENTS RED TAIL DEVELOPMENT SUBDIVISION NO. 17 PARTIAL REVISED PLAT, A RE-SUBDIVISION OF SUBLOTS 620 & 621 INCLUSIVE, AND DO HEREBY ACCEPT THIS REVISED PLAT OF SAME.

TIMOTHY D. VALA

BARBARA VALA

NOTARY:
STATE OF OHIO
COUNTY OF _____

BEFORE ME A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, PERSONALLY APPEARED THE ABOVE NAMED OWNER WHO ACKNOWLEDGED THAT THEY DID SIGN THE FOREGOING INSTRUMENT AND THAT IT WAS THEIR OWN FREE ACT AND DEED.

IN WITNESS WHEREOF I HAVE HERETO SET MY HAND AND OFFICIAL SEAL

AT _____, OHIO THIS _____ DAY OF _____, 2025.

NOTARY PUBLIC

MY COMMISSION EXPIRES

Approvals:

THIS PLAT IS APPROVED FOR RECORDING PURPOSES ONLY
THIS _____ DAY OF _____, 2025.

RYAN CUMMINS, P.E. - CITY OF AVON ENGINEER

THIS PLAT IS APPROVED FOR RECORDING PURPOSES ONLY
THIS _____ DAY OF _____, 2025.

CAROLYN WITHERSPOON - CITY OF AVON PLANNING COMMISSION CHAIRPERSON

THIS PLAT IS APPROVED FOR RECORDING PURPOSES ONLY
THIS _____ DAY OF _____, 2025. THIS
APPROVAL DOES NOT CONSTITUTE AN ACCEPTANCE OF THE DEDICATION OF ANY
PUBLIC STREET OR HIGHWAY DEDICATED HEREON.

BRIAN FISCHER - CITY OF AVON COUNCIL PRESIDENT

Boundary Certification:

I HEREBY CERTIFY THAT I HAVE SURVEYED THE PREMISES AND PREPARED THE ATTACHED PLAT IN ACCORDANCE WITH THE PROVISIONS OF CHAPTER 4733-37 OF THE OHIO ADMINISTRATIVE CODE. THE DIMENSIONS ARE IN FEET AND DECIMAL PARTS THEREOF. ALL OF WHICH ARE CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF. IRON MONUMENTS OR PINS AS INDICATED WERE FOUND OR SET AS SHOWN HEREON. THE TERM CERTIFY AS USED IN THIS STATEMENT IS UNDERSTOOD TO BE THE PROFESSIONAL OPINION OF THE SURVEYOR WHICH IS FORMULATED ON HIS BEST KNOWLEDGE, INFORMATION AND BELIEF, AND AS SUCH, IT DOES NOT CONSTITUTE A GUARANTEE OR WARRANTY, EITHER EXPRESSED OR IMPLIED. THIS PLAT WAS PREPARED WITHOUT THE BENEFIT OF AN ABSTRACT OF TITLE AND IS SUBJECT TO ANY STATE OF FACTS REVEALED BY AN EXAMINATION OF THE SAME. BEARINGS REFER TO THE OHIO STATE COORDINATE SYSTEM OF 1983 (NORTH ZONE) BASED ON THE CDOT CORRS/VRS SYSTEM NAD83 (2011) DATUM. ALL IRON PINS SET ARE 5/8 INCH DIAMETER WITH 30 INCH LONG REBAR WITH IDENTIFICATION CAP "POLARIS 7388" AS SHOWN HEREON ().

Richard A. Thompson Jr.
RICHARD A. THOMPSON, JR.
OHIO PROFESSIONAL SURVEYOR #7388
DATE: 03/18/25



**POLARIS ENGINEERING
and SURVEYING, INC.**
3460 CHARDON ROAD - SUITE D
WILLOUGHBY HILLS, OHIO 44094
(440) 944-4433 (440) 944-3722 (Fax)
www.polaris-es.com

CONTRACT NO.

24262

SHEET	OF
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