

ORDINANCE NO. 60-25

**AN ORDINANCE GRANTING A SPECIAL USE PERMIT TO LAWRENCE
KRYSTOWSKI TO ALLOW FOR THE CREATION OF A FLAG LOT
IN AN R-1 RESIDENTIAL DISTRICT ADJACENT
TO 3489 MOON ROAD (NORTH SIDE)
AND DECLARING AN EMERGENCY**

WHEREAS, Avon Codified Ordinance §1262.04(b) requires a Special Use Permit for the development of a flag lot in the R-1 zoning district; and

WHEREAS, Lawrence Krystowski owns 4.4056 acres of property in the R-1 zoning district on the north side at 38830, Detroit Road, to wit: PPN 04-00-002-102-056; and

WHEREAS, Krystowski seeks to split this 4.4056 acre parcel into two separate parcels, one of which will be a 1.2745 acre parcel that is located at 38830 Detroit Road, the other being the remainder of that parcel consisting of 3.1311 acres with 39.75 feet of frontage on Moon Road, and

WHEREAS, Krystowski also seeks to split off 0.2702 acres from PPN 04-00-002-102-041 owned by GTRE NO 101, LLC and consolidate it into the 3.1311 acre remainder thereby adding 20.25 feet of frontage on Moon Road and creating a flag lot just to the north of 3489 Moon Road; and

WHEREAS, Krystowski has presented plans to Planning Commission on June 18, 2025 proposing the creation of this flag lot off of Moon Road, adjacent to 3489 Moon Road consisting of 0.2702 acres of PPN 04-00-002-102-041 and 3.1311 acres of PPN 04-00-013-002-056 for a total lot size of 3.4013 acres; and

WHEREAS, Planning Commission held a public hearing on June 18, 2025 and by a vote of Five (5) to Zero (0) recommended granting the lot splits and the Special Use Permit for the creation of a flag lot off of Moon Road as further described herein; and

WHEREAS, the granting of this Special Use Permit requires approval by Council.

WHEREAS, having reviewed the plans for the proposed creation of the flag lot as submitted and the recommendation of Planning Commission, Council deems it in the best interest of the health, safety, and welfare of the city that 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 having considered the matter of granting a Special Use Permit in an R-1 Residential District to Lawrence Krystowski to create a 3.4013 acre flag lot off of Moon Road, just north of 3489 Moon Road, Council hereby accepts the recommendation of the Planning Commission and agrees to grant said Special Use Permit, as set forth in the attached [Exhibit A](#) incorporated herein by this reference, subject to the conditions set forth in this ordinance.

Section 2 - Conditions. 1) That the creation of the flag lot shall proceed pursuant to the lot split plans and specifications approved and recommended by the Planning Commission at its June 18, 2025 meeting; and 2) the Special Use Permit granted herein is conditioned upon applicant and any subsequent owner meeting all applicable requirements set forth in the Avon Codified Ordinances, especially Sections 1230.09, 1280.02, 1280.03, 1280.04(i) and 1280.06(l). Except as otherwise provided herein, any expansion, development, enlargement, improvement, change or the like, other than utilization of the property as a permitted use in R-1 and compliance with all R-1 zoning requirements set forth in Chapter 1262, e.g., maintaining the required setbacks for dwelling units or accessory buildings for that zoning district, will require an amendment to this Special Use Permit, with a recommendation from Planning Commission and approval by City Council.

Section 3 – Owner agrees that a certified copy of this ordinance will be referenced in or attached to both deeds created by the lot split so that the conditions set forth herein will run with the land.

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 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 authorize a Special Use Permit for the creation of a flag lot just north of 3489 Moon Road (3.4013 acres); 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 J. Brooks, Clerk of Council

POSTED:

Electronically and at City Hall as
Provided by Council

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