

ORDINANCE NO. 61-25

AN ORDINANCE GRANTING A SPECIAL USE PERMIT TO CENTRAL SOUTH, LTD. TO ALLOW FOR THE CREATION OF TWO (2) FLAG LOTS IN AN R-1 RESIDENTIAL DISTRICT ON STONEY RIDGE ROAD 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 Residential zoning district; and

WHEREAS, Central South, Ltd., (“Central”) owns 6.1773 acres of land in the R-1 zoning district, PPN 04-00-011-108-167; and

WHEREAS, said parcel has approximately 160 feet of frontage on Stoney Ridge Road and 60 feet of frontage on Glendenning; and

WHEREAS, Central seeks to split this parcel into three separate lots: Parcel “B” consisting of 1.9561 acres fronting Glendenning at its western terminus, and two flag lots fronting Stoney Ridge Road, namely, Parcel “A” consisting of 2.3955 acres with 75 feet of frontage and Parcel “C” consisting of 1.8257 acres with 85 feet of frontage; and

WHEREAS, on May 15, 2025, Central submitted an application to Planning Commission seeking approval of this split; and

WHEREAS, Planning Commission, on June 18, 2025, approved the splitting of PPN 04-00-011-108-167 into three sublots, Parcel “A” consisting of 2.3955 acres, Parcel “B” consisting of 1.9561 acres and Parcel “C” consisting of 1.8257 acres. Parcels A and C are flag lots and require special use permits to be approved by Council; and

WHEREAS, Planning Commission held a public hearing on June 18, 2025 and by a vote of Five (5) to Zero (0) recommended to Council approval of the Special Use Permits for the creation of the two (2) single family flag lots along Stoney Ridge Road, viz., Parcel A and Parcel C; and

WHEREAS, the granting of these Special Use Permits requires approval by Council.

WHEREAS, having reviewed the plans for the creation of two (2) flag lots together with 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 Permits 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 Special Use Permits to Central South, Ltd. to develop Parcel A as a flag lot and Parcel C as a flag lot to facilitate the construction two (2) single-family dwellings, 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 development of the two (2) flag lots proceed pursuant to the lot split plans and specifications approved and recommended by the Planning Commission at its June 18, 2025; 2) Prior to the sale of any of these lots, Central South agrees to enter into a Developer's Agreement with the City of Avon to install, at its own expense, an 8 inch sanitary sewer from Glendenning to the Stoney Ridge Road Right of Way (east), which, upon completion, shall be accepted by the City of Avon and placed within a dedicated twenty (20) foot wide sanitary sewer easement. Once the sanitary sewer has been accepted by the City and the easement recorded, Central South can transfer ownership of any one or all of these three lots; (3) 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 all 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 Special Use Permits for the development of two (2) single family flag lots, identified as Parcel "A" and Parcel "C" in Exhibit A, along Stoney Ridge Road; 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