

ORDINANCE NO. 28-15

**AN ORDINANCE TO AMEND THE SPECIAL USE PERMIT FOR
JACKAL JAYCOX, LLC TO ALLOW CONSTRUCTION OF
A SINGLE-FAMILY RESIDENTIAL DWELLING ON A
FLAG LOT AT 2714 JAYCOX ROAD
AND DECLARING AN EMERGENCY**

WHEREAS, zoning regulations for the City of Avon, viz., ACO §1262.04(b), requires a Special Use Permit for the development of a flag lot; and

WHEREAS, AJC Land One, LLC petitioned City Council and received a Special Use Permit for a flag lot at 2714 Jaycox Road pursuant to Ordinance No. 9-14 passed on January 13, 2014; and

WHEREAS, Jackal Jaycox, LLC, (hereinafter referred to as “Jackal”) purchased the property from AJC Land One, LLC on August 29, 2014; and

WHEREAS, Jackal, in their application to Planning Commission to amend the Special Use Permit on February 18, 2015, presented a survey map identifying the area in which it intends to develop/construct a single-family dwelling and appurtenances thereto; and

WHEREAS, Planning Commission held a public hearing on February 18, 2015, and by a vote of four (4) in favor and zero (0) opposed voted to recommend to Council the granting of said amendment to the Special Use Permit; and

WHEREAS, having reviewed the application and survey map for the proposed single-family dwelling at 2714 Jaycox Road presented by Jackal 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 an amendment to the Special Use Permit for Jackal Jaycox, LLC to develop/construct a single-family dwelling unit and appurtenances thereto on the flag lot they own at 2714 Jaycox Road, Council hereby accepts the recommendation of the Planning Commission and agrees to amend said Special Use Permit to allow for the development/construction of these permitted and accessory uses in the R-1 District, subject to the conditions set forth in this ordinance.

Section 2 - Conditions. 1) that the project proceed pursuant to the application and survey map approved by the Planning Commission at its February 18, 2015 meeting; and 2) that the amended Special Use Permit granted herein is conditioned upon applicant meeting all applicable requirements set forth in 1280.02, 1280.03, 1280.04(i) and 1280.06(l) and all necessary building

permits. Except as otherwise provided in Section 1, supra., any expansion, enlargement, improvement, change in the use or the like, other than maintenance of the property as a single-family dwelling unit, 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 a Special Use Permit for Jackal Jaycox, LLC at 2714 Jaycox Road construct a single-family residential dwelling on said flag lot; therefore, this Ordinance shall be in full force and effect immediately upon its passage and approval by the Mayor.

PASSED: _____ DATE SIGNED: _____

By: _____
Craig L. Witherspoon, Council President

DATE APPROVED BY THE MAYOR: _____

Bryan K. Jensen, Mayor

APPROVED AS TO FORM:

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

ATTEST:

Ellen R. Young
Clerk of Council

POSTED: _____
In Five Places as
Provided by Council

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