

ORDINANCE NO. 42-26

**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 17.7 ACRES OF LAND LOCATED
ON THE WEST SIDE OF NAGEL ROAD BETWEEN MIDDLETON & DETROIT
ROADS, PERMANENT PARCEL NOS. 04-00-022-102-044, 04-00-022-102-043, 04-00-022-
102-039, 04-00-022-102-041, 04-00-022-102-042, 04-00-022-102-047 & 04-00-022-102-048
FROM R-1 SINGLE-FAMILY RESIDENTIAL
DISTRICT TO C-4 GENERAL BUSINESS DISTRICT**

WHEREAS, an application to rezone 17.7 acres of land located on the west side of Nagel Road between Middleton and Detroit Roads, from R-1 Single Family Residential District to C-4 General Business District was submitted to Planning Commission pursuant to Article VII, Section 2(d) and Article VII, Section 2(e) of the Avon City Charter; and

WHEREAS, the Planning Commission authorized a Public Hearing on said amendment to Ordinance No. 413-68; and

WHEREAS, a Public Hearing on said amendment was duly publicized according to law and held on April 15, 2026, and by a vote of Zero (0) in favor and Four (4) opposed, Planning Commission issued a negative recommendation on amending Ordinance No. 413-68 to City Council; and

WHEREAS, Council, on April 27, 2026, authorized a Public Hearing; and

WHEREAS, said Public Hearing was duly publicized according to law and was held on May 26, 2026, at 7:25 p.m.; and

WHEREAS, Council, in considering the negative recommendation of Planning Commission, comments from nearby residents and statements by the Administration, finds that amending Ordinance No. 413-68 would not be in the best interests of the health, safety, and welfare of the citizens of Avon.

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 and the 17.7 acres of land on the west side of Nagel Road between Middleton Road and Detroit Roads, Permanent Parcel No. 04-00-022-102-044, 04-00-022-102-043, 04-00-022-102-039, 04-00-022-102-041, 04-00-022-102-042, 04-00-022-102-047 & 04-00-022-102-048, shall be and the same is hereby rezoned from R-1 Single Family Residential District to C-4 General Business District. (See attached [Exhibit A](#) for the proposed site plan and design)

Section 2 – That Council, having received a negative recommendation from Planning Commission, must approve this amendment by two-thirds of its members per Article VII, Section 2(d) of the Charter.

Ordinance No. 42-26 (Con't)

Section 3 - That all other provisions of Ordinance No. 413-68 and its various amendments not specifically amended herein, 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