

ORDINANCE NO. 9-14

**AN ORDINANCE GRANTING A SPECIAL USE PERMIT TO
AJC LAND ONE, LLC TO ALLOW FOR THE CREATION
OF 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 creation/development of a flag lot; and

WHEREAS, AJC Land One, LLC has presented plans for the consolidation of land, the splitting of parcels and the creation of a flag lot pursuant to his application for a Special Use Permit to the Planning Commission on September 18, 2013; and

WHEREAS, Planning Commission held a public hearing on September 18, 2013, and by a vote of five (5) to zero (0) recommended granting the consolidation of parcels, the lot split and the Special Use Permit for a flag lot; and

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 to AJC Land One, LLC for a 1.2521 acre flag lot at 2714 Jaycox Road (see attached Exhibit A), Council hereby accepts the recommendation of the Planning Commission and agrees to grant said Special Use Permit, subject to the conditions set forth in this ordinance.

Section 2 - Conditions. 1) that the project proceed pursuant to plans and specifications approved and recommended by the Planning Commission at its September 18, 2013 meeting; and 2) that the 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). Except as otherwise provided in Section 1, supra., any expansion, development, enlargement, improvement, change or the like, other than maintenance of the property in its current condition, 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 grant a Special Use Permit for the creation of a 1.2521 acre flag lot at 2714 Jaycox Road, (AJC Land One, LLC, owner); therefore, this Ordinance shall be in full force and effect immediately upon its passage and approval by the Mayor.

PASSED: _____ DATE SIGNED: _____

By: _____
Craig Witherspoon, Council President

DATE APPROVED BY THE MAYOR: _____

Bryan K. Jensen, Mayor

APPROVED AS TO FORM:

John A. Gasior, Law Director

ATTEST:

Ellen R. Young
Clerk of Council

POSTED: _____
In Five Places as
Provided by Council

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