

ORDINANCE NO. 79-14

**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 THREE (3) PARCELS
OF LAND CONSISTING OF APPROXIMATELY 1.2782 ACRES (TOTAL) LOCATED
ON THE SOUTH SIDE OF JUST IMAGINE DRIVE, PERMANENT PARCEL
NOS. 10-04-00-028-102-152; 10-04-00-028-102-153; 10-04-00-028-102-157
FROM M-1 GENERAL INDUSTRIAL DISTRICT TO M-1/C-4
GENERAL INDUSTRIAL/GENERAL BUSINESS DISTRICT OVERLAY**

WHEREAS, an application to rezone approximately 1.2782 acres of land located on the south side of Just Imagine Drive, located in an M-1 General Industrial District to M-1/C4 General Industrial/General Business District overlay was submitted to Planning Commission pursuant to Article VII, Section 2(d) of the Avon City Charter; and

WHEREAS, the Planning Commission, on June 18, 2014, held a Public Hearing on said amendment; and

WHEREAS, on June 18, 2014, Planning Commission reviewed the proposed amendment to rezone the parcels of land as further described herein and considered the public comments and presentations of all interested parties and by a vote of four (4) in favor and zero (0) opposed recommended the amendment to Ordinance No. 413-68 to allow approximately 1.2782 acres of land located on the south side of Just Imagine Drive, currently zoned M-1 General Industrial District to be rezoned to M-1/C4 General Industrial/General Business District overlay; and

WHEREAS, Council on July 14, 2014, authorized a Public Hearing; and

WHEREAS, said Public Hearing was duly publicized according to law and was held on September 8, 2014 at 7:25 P.M.; and

WHEREAS, notice of the time and place of such Public Hearing has been given to record title holders of property immediately adjacent to, adjoining and abutting on such area, zone, or district proposed to be modified.

WHEREAS, Council finds that the recommendation of Planning Commission is reasonable and in the best interests of the safety, health and welfare of the City and deems it desirable that Ordinance No. 413-68 be amended to rezone a portion of land consisting of approximately 1.2782 acres on the south side of Just Imagine Drive, located in M-1 General Industrial District to M-1/C4 General Industrial/General Business District overlay.

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 as provided hereafter.

Ordinance No. 79-14 (Con't.)

Section 2 - That from the effective date of this Ordinance, an area of land, made-up of approximately 1.2782 acres located on the south side of Just Imagine Drive and consisting of Permanent Parcel Nos. 10-04-00-028-102-152; 10-04-00-028-102-153; and 10-04-00-028-102-157 and more fully described in Exhibit A, is hereby rezoned from M-1 General Industrial District to M-1/C4 General Industrial/General Business District overlay.

Section 3 - That all provisions of Ordinance No. 413-68 and its various amendments, 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: _____
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

Ordinance No. 79-14 (Con't.)

Posted: _____
In Five Places as
Provided by Council

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