

ORDINANCE NO. 18-13

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 CERTAIN PARCELS OF LAND CONSISTING OF APPROXIMATELY 3.57 ACRES LOCATED AT 37181 CHESTER ROAD FROM R-3 MULTI-FAMILY RESIDENTIAL DISTRICT TO C-4 GENERAL BUSINESS DISTRICT AND FURTHER IDENTIFIED AS PERMANENT PARCEL NOS. 10-04-00-009-000-095 & 10-04-00-009-000-102

WHEREAS, an application to rezone approximately 3.57 acres of land located at 37181 Chester Road, from R-3 Multi-Family Residential District to C-4 General Business District was submitted to Planning Commission pursuant to Article VII, Section 2(d) of the Avon City Charter; and

WHEREAS, the Planning Commission, on January 16, 2013, held a Public Hearing on said amendment; and

WHEREAS, on January 16, 2013, the Planning Commission reviewed the proposed amendment to rezone the parcel of land as further described herein and considered the public comments and presentations of all interested parties and by a vote of Five (5) in favor and Zero (0) opposed recommended amendment of Ordinance No. 413-68 to allow approximately 3.57 acres of land located at 37181 Chester Road, currently in an R-3 Multi-Family Residential District to be rezoned to C-4 General Business District; and

WHEREAS, Council on February 4, 2013 authorized a Public Hearing; and

WHEREAS, said Public Hearing was duly publicized according to law and was held on March 11, 2013 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, adjoining and abutting on such area, zone, or district proposed to be changed.

WHEREAS, Council, having taken into consideration the recommendation of the Planning Commission, finds it is reasonable and in the best interests of the safety, health and welfare of the City to amend Ordinance No. 413-68 to rezone land consisting of approximately 3.57 acres located at 37181 Chester Road, currently in an R-3 Multi-Family Residential District to C-4 General Business District.

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.

Section 2 - That from the effective date of this Ordinance, a section of land consisting of approximately 3.57 acres located at 37181 Chester Road and further identified as Permanent Parcel Nos. 10-04-00-009-000-095 & 10-04-00-009-000-102 and which is more fully described in Exhibit A, is hereby rezoned from R-3 Multi-Family Residential District to C-4 General Business District.

Section 3 - That all other 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: _____
Daniel S. Zegarac, Council President

DATE APPROVED BY THE MAYOR: _____

James A. Smith, Mayor

APPROVED AS TO FORM:

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

ATTEST:

Ellen R. Young
Clerk of Council

Ordinance No. 18-13 (Con't.)

Posted: _____
In Five Places as
Provided by Council

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