

ORDINANCE NO. 69-13

**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 TWO (2) PARCELS OF
LAND CONSISTING OF APPROXIMATELY 9.226 ACRES (TOTAL) LOCATED AT
THE SOUTHWEST CORNER OF CHESTER ROAD & LEAR-NAGEL ROAD,
PERMANENT PARCEL NOS. 10-04-00-021-000-280 AND 10-04-00-021-000-268 FROM
M-1 GENERAL INDUSTRIAL DISTRICT TO M-1,O-2, AND C-4
GENERAL INDUSTRIAL/PLANNED RESEARCH OFFICE PARK/GENERAL
BUSINESS DISTRICT OVERLAY**

WHEREAS, an application to rezone approximately 9.226 acres of land located on the south side of Just Imagine Drive, located in an M-1 General Industrial District to M-1/O-2/C-4 General Industrial/Planned Research Office Park/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 May 15, 2013, held a Public Hearing on said amendment; and

WHEREAS, on May 15, 2013, the Planning Commission reviewed the proposed amendment to rezone these parcels 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 the amendment to Ordinance No. 413-68 to allow approximately 9.226 acres of land located at the southwest corner of Chester Road and Lear-Nagel Road, currently in an M-1 General Industrial District to be rezoned to M-1/O-2/C-4 General Industrial/Planned Research Office Park/General Business District Overlay; and

WHEREAS, Council on May 28, 2013 authorized a Public Hearing; and

WHEREAS, said Public Hearing was duly publicized according to law and was held on June 24, 2013 at 7:15 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 9.226 acres at the corner of Chester Road and Lear-Nagel Road, located in M-1 General Industrial District to M-1/O-2/C-4 General Industrial/Planned Research Office Park/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.

Section 2 - That from the effective date of this Ordinance, an area of land, made-up of approximately 9.226 acres located at the corner of Chester Road and Lear-Nagel Road and consisting of Permanent Parcel Nos. 10-04-00-021-000-280 and 10-04-00-021-000-268 and more fully described in Exhibit A, is hereby rezoned from M-1 General Industrial District to M-1/O-2/C-4 General Industrial/Planned Research Office Park/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: _____
Daniel S. Zegarac, President of Council

DATE APPROVED BY THE MAYOR: _____

James A. Smith, 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