

ORDINANCE NO. 97-13

AN ORDINANCE GRANTING A SPECIAL USE PERMIT TO THE AVON LOCAL SCHOOL DISTRICT FOR THE CONSTRUCTION AND DEVELOPMENT OF A MIDDLE SCHOOL AND CAMPUS TO BE LOCATED AT 3445 LONG ROAD AND DECLARING AN EMERGENCY

WHEREAS, pursuant to Avon Codified Ordinance §1262.03(b)(8), the Avon Local School District has requested a Special Use Permit for the construction of a new Middle School and related campus facilities within an R-1 Residential District to be located at 3445 Long Road in the City of Avon; and

WHEREAS, on June 19, 2013 the School District submitted an application and presented plans and specifications for the construction of said facilities to Planning Commission; and

WHEREAS, Planning Commission held a public hearing on June 19, 2013 and by a vote of Five (5) in favor and zero (0) opposed, recommended approval of the Special Use Permit to the Avon Local School District for the construction of a new Middle School and related campus facilities to be located at 3445 Long Road;; and

WHEREAS, this Special Use Permit requires approval of City Council; and

WHEREAS, Council, after reviewing the application, plans and specifications, together with the recommendation of the Planning Commission, deems it in the best interests of the health, safety and welfare of the community 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 the Avon Local School District is hereby granted a Special Use Permit for the construction of a new Middle School and related campus facilities to be located at 3445 Long Road as per the general site plan approved by Planning Commission on June 19, 2013, which is incorporated herein and made a part of this Special Use Permit by this reference.

Section 2 - Conditions. That the Special Use Permit granted herein is conditioned upon (1) the applicant meeting all applicable requirements set forth in 1280.02, 1280.03, 1280.05(r) and 1280.06(g) of the Codified Ordinances of the City of Avon and (2) that 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 this Special Use Permit to the Avon Local School District for the construction of a new Middle School and related campus facilities to be located at 3445 Long Road; therefore, this Ordinance shall be in full force and effect immediately upon its passage and approval by the Mayor.

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

ATTEST:

Ellen R. Young
Clerk of Council

Posted: _____
In Five Places as
Provided by Council

Prepared By:

John A. Gasior, Esq.
Law Director