

ORDINANCE NO. 113-13

**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 FIVE (5) PARCELS OF LAND CONSISTING OF
APPROXIMATELY 11.38 ACRES LOCATED BETWEEN 36691 AND 36991
AMERICAN WAY, PERMANENT PARCEL NOS. 10-04-00-016-103-064;
10-04-00-009-000-139; 10-04-00-009-000-140; 10-04-00-009-000-141
AND 10-04-00-009-000-142 FROM O-1 PLANNED OFFICE
TO C-4 GENERAL BUSINESS DISTRICT**

WHEREAS, an application to rezone five (5) parcels of land consisting of approximately 11.38 acres and located between 36691 and 36991 American Way from O-1 Planned Office to C-4 General Business District was submitted to Planning Commission by its owner, Brady-Cam I, LLC, pursuant to Article VII, Section 2(d) of the Avon City Charter; and

WHEREAS, the Planning Commission, on August 21, 2013, held a Public Hearing on said amendment; and

WHEREAS, on August 21, 2013, the Planning Commission reviewed the proposed amendment to rezone the 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 five (5) parcels of land consisting of approximately 11.38 acres and located between 36691 and 36991 American Way to be rezoned from O-1 Planned Office to C-4 General Business District; and

WHEREAS, Council on September 9, 2013 authorized a Public Hearing; and

WHEREAS, said Public Hearing was duly publicized according to law and was held on October 15, 2013 at 7:20 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 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 five (5) parcels of land consisting of approximately 11.38 acres between 36691 and 36991 American Way to be rezoned from O-1 Planned Office 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.

Ordinance No. 113-13 (Con't.)

Section 2 - That from the effective date of this Ordinance, five (5) parcels of land consisting of approximately 11.38 acres located at between 36691 and 36991 American Way and identified as Permanent Parcel Nos. 10-04-00-016-103-064; 10-04-00-009-000-139; 10-04-00-009-000-140; 10-04-00-009-000-141 and 10-04-00-009-000-142 and more fully described in the attached Exhibit A (five pages), are hereby rezoned from O-1 Planned Office to C-4 General Business District.

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, 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

Posted: _____
In Five Places as
Provided by Council

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