

ORDINANCE NO. 114-13

AN ORDINANCE AMENDING A SPECIAL USE PERMIT FOR THE AVON LOCAL SCHOOL DISTRICT TO INCLUDE THE CONSTRUCTION AND DEVELOPMENT OF AVON MIDDLE SCHOOL AND CAMPUS TO BE LOCATED AT 3445 LONG ROAD, ALONG WITH PARKING LOT 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, the Avon Board of Education was granted a Special Use Permit to locate a public middle school at 3445 Long Road, Avon, within an R-1 Residential District pursuant to Ordinance No. 97-13 passed July 8, 2013; and

WHEREAS, it is now necessary to amend said Special Use Permit to include the actual construction and operation of the new Avon Middle School, parking facilities and other campus amenities at 3445 Long Road; and

WHEREAS, on August 21, 2013 the School District submitted an application and presented detailed plans and specifications for the construction of said facilities to Planning Commission; and

WHEREAS, Planning Commission held a public hearing on August 21, 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 and operation of a new Middle School and related campus facilities to be located at 3445 Long Road; and

WHEREAS, Council, after reviewing the application, plans and specifications and the recommendation of the Planning Commission, deems it in the best interests of the health, safety and welfare of the community that the amendment to 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 Council hereby accepts the recommendation of the Planning Commission and pursuant to ACO §1280.04(b)(8) amends the Special Use Permit for Avon Board of Education to construct and operate a new Middle School and related campus facilities at 3445 Long Road as per the plans and specifications submitted and approved by the Planning Commission and made a part of this Special Use Permit by 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, 1280.04(r) and 1280.06(g) of the Codified Ordinances of the City of Avon and (2) that any expansion,

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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 amend this Special Use Permit for the Avon Local School District to construct and operate a new Middle School and related campus facilities 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: _____

By: _____
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