

ORDINANCE NO. 71-16

AN ORDINANCE TO AMEND THE SPECIAL USE PERMIT FOR THE CITY OF AVON TO CONSTRUCT A REPLACEMENT SIGN AT 36225 DETROIT ROAD TO BE USED BY THE UNITED STATES POSTAL SERVICE AND THE CITY OF AVON AQUATIC CENTER AND DECLARING AN EMERGENCY

WHEREAS, the zoning regulations for the City of Avon require public facilities located in an R-1 zoning district to obtain a Special Use Permit pursuant to ACO §1280.04(n); and

WHEREAS, pursuant to Ordinance No. 14-08 which passed on March 10, 2008, the City of Avon was granted a Special Use Permit to construct a municipal building to be leased to the United States Postal Service located at 36225 Detroit Road, in an R-1 zoning district, which Council granted

WHEREAS, it is now necessary to amend said Special Use Permit to replace the current monument sign with a new monument sign advertising both the United States Post Office and new City of Avon Aquatic Center; and

WHEREAS, the City submitted plans and specifications for the construction of said monument sign on their property to the Avon Planning Commission on May 18, 2016; and

WHEREAS, Planning Commission held a public hearing on May 18, 2016 and by a vote of Five (5) to Zero (0), recommended the amended Special Use Permit; and

WHEREAS, the granting of this amended Special Use Permit requires approval of City Council; 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 accepts the recommendation of the Planning Commission and amends the Special Use Permit for the City of Avon to replace the current monument sign with a new monument sign identifying the United States Postal Service and the newly created City of Avon Aquatic Center located in the vicinity of 36225 Detroit Road as per the plans and specifications submitted to the Planning Commission on May 18, 2016.

Section 2 - *Conditions.* 1) That the project proceed pursuant to plans and specifications approved and recommended by the Planning Commission on May 18, 2016; 2) that the amended Special Use Permit granted herein for the replacement sign for the United States Post Office and the City of Avon Aquatic Center is conditioned upon applicant meeting all applicable requirements of the Avon Codified Ordinances, including, but not limited to, those set forth in 1262.03(b), 1280.02, 1280.03, 1280.04(p) and 1280.06(g) of the Codified Ordinances of the City of Avon. Any other expansion, development, enlargement, improvement, change in ownership,

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use or the like, other than maintenance of the property in its current condition, will require an additional amendment to this Special Use Permit, with a recommendation of Planning Commission and approval by 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 a Special Use Permit for the City of Avon to construct a replacement sign for the United States Postal Service and the new City of Avon Aquatic Center; therefore, this Ordinance shall be in full force and effect immediately upon its passage and approval by the Mayor.

PASSED: _____ DATE SIGNED: _____

By: _____
Craig L. Witherspoon, Council President

DATE APPROVED BY THE MAYOR: _____

Bryan K. Jensen, Mayor

APPROVED AS TO FORM:

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

ATTEST:

Barbara J. Brooks, Clerk of Council

Posted: _____
In Five Places as
Provided by Council

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