

ORDINANCE NO. 74-16

**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 THE FRONT PORTION OF A PARCEL OF
LAND CONSISTING OF APPROXIMATELY 2.2466 ACRES LOCATED
AT 36460 CHESTER ROAD, PERMANENT PARCEL NO. 10-04-00-016-101-127
FROM C-1 NEIGHBORHOOD BUSINESS DISTRICT TO C-1 NEIGHBORHOOD
BUSINESS/R-3 MULTIFAMILY DISTRICT**

WHEREAS, an application to rezone the front portion of a parcel of land consisting of approximately 2.2466 acres located at 36460 Chester Road in an C-1 Neighborhood Business District to C-1 Neighborhood Business/R-3 Multifamily 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 April 20, 2016, held a Public Hearing on said amendment; and

WHEREAS, on May 18, 2016, the Planning Commission reviewed the proposed amendment to rezone this parcel 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 the front portion of a parcel of land consisting of approximately 2.2466 acres of land located at 36460 Chester Road, located in an C-1 Neighborhood Business to be rezoned C-1 Neighborhood Business/R-3 Multifamily District overlay; and

WHEREAS, Council, on June 6, 2016, authorized a Public Hearing; and

WHEREAS, said Public Hearing was duly publicized according to law and was held on July 11, 2016 at 7:25 P.M.; and

WHEREAS, a 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 the front portion of a parcel of land consisting of approximately 2.2466 acres located at 36460 Chester Road from C-1 Neighborhood Business to C-1 Neighborhood Business/R-3 Multifamily 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.

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Section 2 - That from the effective date of this Ordinance, an area of land, made-up of approximately 2.2466 acres located at 34640 Chester Road and consisting of front portion of Permanent Parcel No. 10-04-00-016-101-127 and more fully described in Exhibit A, is hereby rezoned from C-1 Neighborhood Business to C-1 Neighborhood Business/R-3 Multifamily 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: _____
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

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ATTEST:

Barbara J. Brooks, Clerk of Council

Posted: _____
In Five Places as
Provided by Council

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