

ORDINANCE NO. 14-15

AN ORDINANCE AUTHORIZING AN AMENDMENT TO THE FINAL PLAT AND SUBDIVIDER'S AGREEMENT FOR RED TAIL SUBDIVISION NO. 13 AND DECLARING AN EMERGENCY

WHEREAS, Buckingham Home Builder and Land, LLC (Buckingham) has presented an amended preliminary plat and an amended final plat for Red Tail Subdivision No. 13 to the Planning Commission for approval and recommendation to Council requesting a lot consolidation of sublots 544 and 545 to create subplot 557 and the consolidation of sublots 548 and 549 to create subplot 558; and

WHEREAS, following a public hearing on January 21, 2015, Planning Commission, by a vote of five (5) to zero (0), approved the amended preliminary plat and recommended to Council approval of the amended final plat of Red Tail Subdivision No. 13; and

WHEREAS, Council, having reviewed the amended final plat for Red Tail Subdivision No. 13 and after discussion, review and further consideration, has deemed it in the best interests of the health, safety and welfare of the citizens of Avon to accept said amendment and thereby allow the lot consolidation to go forward.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF AVON, LORAIN COUNTY, OHIO:

Section 1 - That the final plat for Red Tail Subdivision No. 13 is hereby amended to allow for the consolidation of sublots 544 and 545 to create subplot 557 and the consolidation of sublots 548 and 549 to create subplot 558, as set forth in the amended final plat which was presented to Planning Commission on January 21, 2015, a copy of which is attached hereto and incorporated herein as Exhibit A.

Section 2 - All terms and conditions set forth in the original Subdivider's Agreement for Red Tail Subdivision No. 13 and which are not inconsistent herewith, shall remain in full force and effect.

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 the final plat for Red Tail Subdivision No. 13 to permit a lot consolidation thereby reducing the number of lots in this

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phase of Red Tail Subdivision; therefore, this Ordinance shall be in full force and effect immediately upon its passage and approval by the Mayor.

PASSED: _____ DATE SIGNED: _____

By: _____
Craig Witherspoon, President of Council

DATE APPROVED BY THE MAYOR: _____

Bryan K. Jensen, 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