

ORDINANCE NO. 95-16

**AN ORDINANCE TO AMEND A SPECIAL USE PERMIT GRANTED TO
CARAVON GOLF COMPANY, LTD (RED TAIL GOLF CLUB) TO INCLUDE
CONSTRUCTION OF A COMFORT STATION TO BE LOCATED BEHIND THE
TEEING GROUNDS AT HOLE 4 ON THE PREMISES OF
RED TAIL GOLF COURSE AT 4400 NAGLE ROAD
AND DECLARING AN EMERGENCY**

WHEREAS, Caravon Golf Company, Ltd., (Red Tail Golf Club), located at 4400 Nagel Road in an R-1 Residential District, operates a golf course, club house, tennis courts, swimming pool and other accessory uses at its facility pursuant to a Special Use Permit granted in Ordinance No. 54-99, passed May 10, 1999; and

WHEREAS, Council has since passed Ordinance Nos. 69-10 and 100-15 to make amendments to that Special Use Permit allowing certain amenities to be added to the course; and

WHEREAS, it is now necessary to amend the Special Use Permit to include the construction of a comfort station consisting of a 476 sq. ft. pad and 140 sq. ft. building to be located behind the teeing grounds at hole 4 on the premises of Red Tail Golf Course at 4400 Nagle Road; and

WHEREAS, the Planning Commission held a public hearing on August 17, 2016, and by a vote of Five (5) to Zero (0), recommended amending the Special Use Permit; 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 amends the Special Use Permit for Caravon Golf Company, Ltd. (Red Tail Golf Club) to include the construction of a comfort station consisting of a 476 sq. ft. pad and 140 sq. ft. building to be located behind the teeing grounds of hole 4 on the premises of Red Tail Golf Course at 4400 Nagel Road, as per the plans and specifications submitted and approved by the Planning Commission on August 17, 2016 and made a part of this Special Use Permit by reference.

Section 2 - Conditions. 1) That the amendment to the Special Use Permit granted herein is conditioned upon applicant meeting all applicable requirements of the Avon Codified Ordinances including, but not limited to, those set forth in 1280.02, 1280.03, 1280.04(j) and 1280.06(n) of the Codified Ordinances of the City of Avon; and (2) any other expansion, development, enlargement, improvement, change 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 the Special Use Permit for Caravon Golf Company, Ltd., (Red Tail Golf Club) to include construction of a comfort station to be located behind the tee of hole 4 on the grounds of Red Tail Golf Course at 4400 Nagle Road; 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