

ORDINANCE NO. 52-19

**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 A 0.8607 PORTION OF A 2.8048 ACRE
PARCEL OF LAND OWNED BY SHIRE GLENN GREEN, LLC AND
LOCATED ON THE NORTH SIDE OF AVON ROAD, PERMANENT
PARCEL NO. 10-04-00-028-102-067 FROM R-1 SINGLE FAMILY
RESIDENTIAL DISTRICT TO O-1 PLANNED OFFICE DISTRICT**

WHEREAS, Article VII, Section 2(d) governs the rezoning of land currently zoned Residential to a designation other than Residential when that property lies south of I-90 but north of Detroit Road; and

WHEREAS, on April 10, 2017, Council passed Ordinance No. 13-17 to rezone approximately 1.8506 acres of a 4.6554 acre parcel of land (listed as 4.45 acres at that time), Permanent Parcel No. 04-00-028-102-067, from R-1 Single Family Residential District to O-1 Planned Office District. This land lies south of I-90 and north of Detroit Road along the north side of Avon Road; and

WHEREAS, on April 26, 2019 an application to rezone approximately 0.8607 additional acres of land currently owned by Shire Glenn Green, LLC at the same location from R-1 Single Family Residential District to O-1 Planned Office District was submitted to Planning Commission; and

WHEREAS, the Planning Commission, on May 15, 2019, held a Public Hearing on said amendment; and

WHEREAS, on May 15, 2019, Planning Commission reviewed the proposed amendment to rezone the additional 0.8607 acres of land 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 rezone said land R-1 Single Family Residential District To O-1 Planned Office District; and

WHEREAS, Council on June 3, 2019 authorized a Public Hearing; and

WHEREAS, said Public Hearing was duly publicized according to law and was held on July 8, 2019 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.

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.

Section 2 - That from the effective date of this Ordinance, 0.8607 acres of the remaining 2.8048 acre parcel of land owned by Shire Glenn Green, LLC and located on the north side of Avon Road, and known as being Permanent Parcel No. 10-04-00-028-102-067 and more fully described in Exhibit A, be rezoned from R-1 Single Family Residential District To O-1 Planned Office District leaving approximately 1.9441 acres remaining.

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 - This Ordinance shall take effect and be in force at the earliest date allowed by law, i.e., upon approval by the City's electors at a subsequent General Election pursuant to the Charter of the City of Avon, Article VII, Section 2(e).

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

Ordinance No. 52-19 (Con't.)

ATTEST:

Barbara J. Brooks
Clerk of Council

Posted: _____
In Five Places as
Provided by Council

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