

ORDINANCE NO. 54-21

AN ORDINANCE TO AMEND THE SPECIAL USE PERMIT FOR AVON PROPERTIES INC. (dba. BOB-O-LINK GOLF COURSE) TO ALLOW FOR CONSTRUCTION OF A NEW POLE BARN LOCATED AT 4141 CENTER ROAD AND DECLARING AN EMERGENCY

WHEREAS, Avon Properties Inc., dba. Bob-O-Link Golf Course has operated a golf course with clubhouse facilities at 4141 Center Road since the late 1960s or early 1970s; and

WHEREAS, pursuant to ACO '1262.03(c)(2), golf course operations and their related activities require a Special Use Permit in an R-1 Single Family Residential District; and

WHEREAS, on March 13, 2017, Council passed Ordinance No. 15-17 amending a Special Use Permit granted to Avon Properties Inc., dba. Bob-O-Link Golf Course, to construct a 36' x 40' pole barn and two additions to existing pole barns; and

WHEREAS, Avon Properties Inc. desires to construct a new pole barn requiring an amendment to their existing special use permit; and

WHEREAS, Avon Properties Inc. submitted plans and specifications for the construction of a new 60' x 72' pole barn to the Avon Planning Commission on June 16, 2021; and

WHEREAS, Planning Commission held a public hearing on June 16, 2021, and by a vote of Four (4) in favor, Zero (0) opposed, and One (1) Abstention (Bill Fitch) it voted to recommend to Council the granting of said amendment to the Special Use Permit; and

WHEREAS, having reviewed the plans and specifications for the proposed improvement and the recommendation of Planning Commission, Council deems it in the best interest of the health, safety and welfare of the city that the amended Special Use Permit be granted.

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

Section 1 - That having considered the matter of granting an amendment to the Special Use Permit for Avon Properties Inc., dba. Bob-O-Link Golf Course, to construct a new 60' x 72' pole barn at 4141 Center Road, Council hereby accepts the recommendation of Planning Commission and agrees to grant the amended Special Use Permit for the same pursuant to plans and specifications submitted to Planning Commission on June 16, 2021 and subject to the conditions set forth in this ordinance.

Section 2 - Conditions. 1) That the project proceed pursuant to plans and specifications approved and recommended by the Planning Commission on June 16, 2021; and 2) that the amended Special Use Permit granted herein for the construction of a building as set forth therein 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). Any expansion, development, enlargement, improvement, change in ownership, use or the like, other than maintenance of the property in its current condition, will require an amendment to this Special Use Permit, with a recommendation of Planning Commission and approval by City 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 Avon Properties, Inc. to construct a new pole barn for use in the operation of their golf course (Bob-O-Link) located at 4141 Center Road; therefore, this Ordinance shall be in full force and effect immediately upon its passage and approval by the Mayor.

PASSED: _____ DATE SIGNED: _____

By: _____
Brian Fischer, 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