

ORDINANCE NO. 95-22

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 PORTION OF PERMANENT PARCEL NO. 04-00-022-102-072, CONSISTING OF 12.24 ACRES LOCATED NORTH OF MIDDLETON ROAD AND WEST OF PENDLETON COURT AND A PORTION OF PERMANENT PARCEL NO. 04-00-022-102-006 CONSISTING OF 9.4 ACRES LOCATED SOUTH OF MIDDLETON ROAD AND WEST OF PENDLETON COURT FROM R-1 SINGLE-FAMILY RESIDENTIAL DISTRICT TO C-4 GENERAL BUSINESS DISTRICT

WHEREAS, an application to rezone a portion of the 12.24 acre parcel of land located north of Middleton Road and west of Pendleton Court (PPN 04-00-022-102-072) and a portion of the 9.4 acre parcel of land located south of Middleton Road and west of Pendleton Court (PPN, from R-1 Single Family Residential District to C-4 General Business District was submitted to Planning Commission pursuant to Article VII, Section 2(d) and Article VII, Section 2(e) of the Avon City Charter; and

WHEREAS, both areas of land are situated within the area described in Article VII, Section 2, Subsection (e)(1) of the City Charter and as depicted in Exhibit A to Ordinance No. 95-06; and

WHEREAS, the Planning Commission, on July 20, 2022, held a Public Hearing on said amendment; and

WHEREAS, on July 20, 2022, the Planning Commission reviewed the proposed amendment to rezone portions of the parcels described herein, 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 from R-1 Single Family Residential District to C-4 General Business District; and

WHEREAS, Council, on September 12, 2022, authorized a Public Hearing; and

WHEREAS, said Public Hearing was duly publicized according to law and was held on October 11, 2022 at 7:25 p.m.; and

WHEREAS, 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 subject to the provisions of Article VII, Section (e)(1) of the Charter of the City of Avon, Ohio, from the effective date of this Ordinance, a portion of a 12.24 acre parcel of land located north of Middleton Road and west of Pendleton Court (PPN 04-00-022-102-072) and a portion of the 9.4 acre parcel of land located south of Middleton Road and west of Pendleton Court (PPN 04-00-022-102-006), be the same and is hereby rezoned from R-1 Single Family Residential District to a C-4 General Business District, as more fully described in Exhibit A, which is attached hereto and incorporated herein by this reference.

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: _____

Brian Fischer, Council President

DATE APPROVED BY THE MAYOR: _____

Bryan K. Jensen, Mayor

APPROVED AS TO FORM:

John A. Gasior, Law Director

ATTEST:

Barbara Brooks, Clerk of Council

Ordinance No. 95-22 (Con=t.)

Posted: _____
In Five Places as
Provided by Council

Prepared By:

John A. Gasior, Esq.
Law Director