

ORDINANCE NO. 75-23

AN ORDINANCE GRANTING A SPECIAL USE PERMIT FOR PROPERTY OWNED AND OPERATED BY BROTHERS MANAGEMENT COMPANY, LLC, (dba MILLER ROAD SELF STORAGE), LOCATED AT 1220 MILLER ROAD TO CONSTRUCT AND OPERATE A MINI SELF-STORAGE FACILITY AND DECLARING AN EMERGENCY

WHEREAS, Brothers Management Company, LLC, (dba Miller Road Self Storage) is the owner of property located at 1220 Miller Road in the M-1 General Industrial District and seeks to construct and operate a mini self-storage facility at said location; and

WHEREAS, ACO '1280.05(p) requires a property owner to obtain a Special Use Permit to construct and operate a self-storage facility in an M-1 General Industrial District; and

WHEREAS, Brothers Management Company, LLC submitted an application, together with plans and specifications for said self-storage facility to the Planning Commission on May 17, 2023; and

WHEREAS, the Planning Commission held a public hearing on May 17, 2023 and by a vote of Five (5) to Zero (0), recommended approval of the Special Use Permit; and

WHEREAS, having reviewed the plans and operation of the proposed facility as submitted and the recommendation of Planning Commission, Council deems it in the best interest of the health, safety and welfare of the city that a Special Use Permit be granted subject to certain conditions.

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

Section 1 - That Council, having considered the matter of granting a Special Use Permit to Brothers Management Company, LLC, (dba Miller Road Self Storage) for property it owns and operates at 1220 Miller Road in the M-1 General Industrial District, hereby accepts the recommendation of the Planning Commission and agrees to grant said Special Use Permit to the owner to construct and operate a mini self-storage facility at said location pursuant to plans and specifications submitted and approved by Planning Commission on May 17, 2023 and as set forth in attached [Exhibit A](#), all of which are made a part of this Special Use Permit by reference and subject to the conditions set forth in this ordinance.

Section 2 - Conditions. 1) That project proceed pursuant to plans and specifications approved and recommended by the Planning Commission at its May 17, 2023 meeting; 2) that 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 Chapter 1230, 1280.02, 1280.03, 1280.05(p) and 1280.06(t) of the Codified Ordinances of the City of Avon. 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 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 grant a Special Use Permit to Brothers Management Company, LLC (dba Miller Road Self Storage) for the construction and operation of a mini self-storage facility in an M-1 General Industrial district located at 1220 Miller 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

ATTEST:

Barbara Brooks, Clerk of Council

POSTED: _____
Electronically and at City Hall as
Provided by Council

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