

ORDINANCE NO. 78-23

AN ORDINANCE TO AMEND THE SPECIAL USE PERMITS FOR THE CITY OF AVON TO REPLACE AND INSTALL A MONUMENT SIGN AT EACH OF THESE PUBLIC FACILITIES: THE AVON FIRE DEPARTMENT LOCATED AT 36185 DETROIT ROAD, THE AVON POLICE DEPARTMENT LOCATED AT 36145 DETROIT ROAD, AND THE U.S. POST OFFICE & AVON AQUATIC CENTER LOCATED IN THE VICINTY OF 36225 DETROIT ROAD AND DECLARING AN EMERGENCY

WHEREAS, the zoning regulations for the City of Avon require public facilities located in an R-1 zoning district to obtain a Special Use Permit pursuant to ACO '1262.03(b)(6) and (c)(3); and

WHEREAS, pursuant to Ordinance No. 102-02 passed on June 10, 2002, the City of Avon was granted a Special Use Permit to construct and operate a fire station at 36185 Detroit Road; and

WHEREAS, Ordinance No. 32-05 which passed on February 28, 2005 amended Ordinance No. 102-02 to add a shed for storage of fire/safety equipment and supplies on the fire station property; and

WHEREAS, pursuant to Ordinance No. 32-07 passed on March 26, 2007, the City was granted a Special Use Permit to construct and operate a police station and a detached storage building located at 36145 Detroit Road; and

WHEREAS, pursuant to Ordinance No. 14-08 passed on March 10, 2008, the City of Avon was granted a Special Use Permit to construct a municipal building to be leased to the U.S. Postal Service located at 36225 Detroit Road; and

WHEREAS, Ordinance No. 71-16 passed on June 13, 2016 amended Ordinance No. 14-08 to allow for the construction of a replacement sign at 36225 Detroit to be used by the U.S. Postal Service and the City of Avon Aquatic Center; and

WHEREAS, it is now necessary to amend said Special Use Permits by replacing and installing a monument sign at each of these public facilities to wit: the Avon Fire Department located at 36185 Detroit Road, the Avon Police Department located at 36145 Detroit Road, and the U.S. Post Office & Avon Aquatic Center located at 36225 Detroit Road; and

WHEREAS, the City submitted plans and specifications for the construction of said signage on their property to the Avon Planning Commission on May 17, 2023; and

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

WHEREAS, the granting of the amended Special Use Permits requires approval of City Council; 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 amendments to the Special Use Permits be granted.

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

Section 1 - That Council accepts the recommendation of the Planning Commission and amends the Special Use Permits for the City of Avon to replace and install a monument signs at each of these public facilities: the Avon Fire Station located at 36185 Detroit Road, the Avon Police Station located at 36145 Detroit Road and the U.S. Postal Service and City of Avon Aquatic Center located in the vicinity of 36225 Detroit Road as per the plans and specifications submitted to the Planning Commission on May 17, 2023. (see attached [Exhibit A](#))

Section 2 - Conditions. 1) That the project proceed pursuant to plans and specifications approved and recommended by the Planning Commission on May 17, 2023; 2) that the amended Special Use Permits granted herein for the replacement and installation of these signs for the Avon Fire Station, the Avon Police Station, the U.S. Post Office and the City of Avon Aquatic Center is conditioned upon applicant meeting all applicable requirements of the Avon Codified Ordinances, including, but not limited to, those set forth in Chapter 1230 and Sections 1262.03(b)(6) & (c)(3), 1280.02, 1280.03, 1280.04(m) & (n) and 1280.06(y), (z), & (aa) of the Codified Ordinances of the City of Avon. Any other 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 amend the Special Use Permits for the City of Avon to replace and install a monument sign at each of these public facilities: the Avon Fire Station located at 36185 Detroit Road, the Avon Police Station located at 36145 Detroit Road and the U.S. Postal Service and City of Avon Aquatic Center located at 36225 Detroit 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

APPROVED BY THE MAYOR _____

Bryan K. Jensen, Mayor

APPROVED AS TO FORM:

John A. Gasior, Law Director

ATTEST:

Barbara J. Brooks, Clerk of Council

POSTED: _____
Electronically and at City Hall
Provided by Council

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