

ORDINANCE NO. 112-23

**AN ORDINANCE APPROVING MODIFICATIONS TO THE
SANITARY SEWER MASTER PLAN AND ADOPTING SAID MODIFICATIONS AS
REVISIONS TO THE OFFICIAL SANITARY SEWER MASTER PLAN
FOR THE CITY OF AVON**

WHEREAS, Lawrence J. and Mary Kay Rak, own 9.3642 acres of land in the R-1 Single-Family District fronting on Long Road to the south and Split Rail Lane to the north, all of which is located in Sanitary Sewer District No. 4; and

WHEREAS, none of this acreage is currently serviced by the City's sanitary sewer infrastructure; and

WHEREAS, the southern terminus of Split Rail Lane within the Halstead Village Subdivision marks the end of the Core Sanitary Sewer District; and

WHEREAS, the Raks are proposing to remove approximately 6.6590 acres of their property that abuts Split Rail Lane to the north and place it in the Core Sanitary Sewer District leaving approximately 2.7052 acres in District No. 4; and

WHEREAS, the Raks proposed this modification to the Sanitary Sewer Master Plan to enable them to split-off the 6.6590 parcel at the south end of Split Rail Lane and sell it to someone interested in constructing one single-family dwelling with a sanitary sewer connection to the Core Sanitary Sewer District; and

WHEREAS, Planning Commission, on October 18, 2023 held a public hearing and considered the application to amend the Sanitary Sewer Master Plan as set forth above and by a vote of Five (5) in favor and Zero (0) opposed, approved said application; and

WHEREAS, Council held public hearings on December 11, 2023 7: 25 p.m. on said request; and

WHEREAS, Council finds that it is reasonable and in the best interests of the health, safety and welfare of the citizens of Avon to approve this modification to the Sanitary Sewer Master Plan thereby enabling the Raks to remove 6.6509 acres of their land from Sanitary Sewer District No. 4 and place it into the Core Sewer District thereby enabling the sale of the property at a later date to someone interested in constructing one single-family home at the south end of Split Rail Lane which will thereby reduce the overall housing density of the City and more rationally divide lands into appropriate sewer districts.

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

Section 1 - That the Sanitary Sewer Master Plan for the City of Avon is hereby amended to allow approximately 6.6509 acres of land located in Sanitary Sewer District 4 to be moved into the Core Sanitary Service District as described in [Exhibit "A"](#) which is attached hereto and incorporated herein by reference. Said amendment is being granted herein only for the purpose of permitting a lot split facilitating construction of one single-family dwelling unit. In exchange

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for the granting of this modification, the Raks, as the current owners, agree to deed restrict the property appropriately before any future sale.

Section 2 – 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 3 - 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 J. Brooks, Clerk of Council

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

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