

**ORDINANCE NO. 114-23**

**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 APPROXIMATELY 10.7364 ACRES OF  
LAND CONSISTING OF A 10.6661 ACRE PORTION OF PERMANENT  
PARCEL NO. 04-00-022-102-072 AND A 0.0703 ACRE PORTION OF  
PERMANENT PARCEL NO. 04-00-022-102-006 BOTH OF WHICH ARE  
LOCATED JUST WEST OF THE MIDDLETON ROAD TERMINUS  
FROM R-1 SINGLE-FAMILY RESIDENTIAL DISTRICT  
TO C-4 GENERAL BUSINESS DISTRICT**

**WHEREAS**, an application to rezone approximately 10.7364 acres of land (PPN 04-00-022-102-072) and approximately 0.0703 acres of land (PPN 04-00-022-102-006) located at the western terminus of Middleton Road 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 October 18, 2023, held a Public Hearing on said amendment; and

**WHEREAS**, on October 18, 2023, the Planning Commission reviewed the proposed amendment to rezone portions of the parcels described above, 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 November 6, 2023, authorized a Public Hearing; and

**WHEREAS**, said Public Hearing was duly publicized according to law and was held on December 11, 2023 at 7:20 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 community and deems it desirable that Ordinance No. 413-68 be so 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.

Ordinance No. 114-23 (Con't.)

Section 2 – That approximately 10.7364 acres of land (PPN 04-00-022-102-072) and approximately 0.0703 acres of land (PPN 04-00-022-102-006) located at the western terminus of Middleton Road be, and the same are, hereby rezoned from R-1 Single Family Residential District to C-4 General Business District as set forth in [Exhibit A](#) which is attached hereto and incorporated herein by this reference. This land is contained within the area designated by Article VII, Section 2(e)(1) of the Avon City Charter.

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. 114-23 (Con't.)

Posted: \_\_\_\_\_  
Electronically and at City Hall as  
Provided by Council

Prepared By:

John A. Gasior, Esq.  
Law Director