

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.

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 11-13-23
Second Reading 11-27-23
Third Reading 12-11-23

PASSED: December 11, 2023 DATE SIGNED: December 11, 2023

By: Brian Fischer
Brian Fischer, Council President

DATE APPROVED BY THE MAYOR: December 12, 2023

Bryan K. Jensen
Bryan K. Jensen, Mayor

APPROVED AS TO FORM:

John A. Gasior
John A. Gasior, Law Director

ATTEST:

Barbara Brooks
Barbara Brooks, Clerk of Council

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

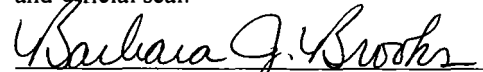
Posted: December 13, 2023
Electronically and at City Hall as
Provided by Council

Prepared By:

John A. Gasior, Esq.
Law Director

I, Barbara J. Brooks, Clerk of the Council of the City of Avon, Ohio, hereby certify this document to be a true and exact copy of Ordinance No. 114-23, passed by the Council of said City on December 11, 2023.

IN WITNESS WHEREOF, I have on this 12th day of December, 2023, affixed my signature and official seal.



Barbara J. Brooks, Clerk of the Council
of the City of Avon, Ohio

REZONING EXHIBIT
FOR

KNOWN AS BEING PART OF ORIGINAL AVON TOWNSHIP
SECTION NO. 22, NOW SITUATED IN THE

CITY OF AVON
COUNTY OF LORAIN - STATE OF OHIO

McSteen

LAND SURVEYORS
1415 East 286th Street Wickliffe, OH 44092
Phone: 440.585.9800 www.mcsteen.com



GRAPHIC SCALE

0 75 150

1 INCH = 150 FEET

Ⓢ CENTERLINE

R/W RIGHT-OF-WAY

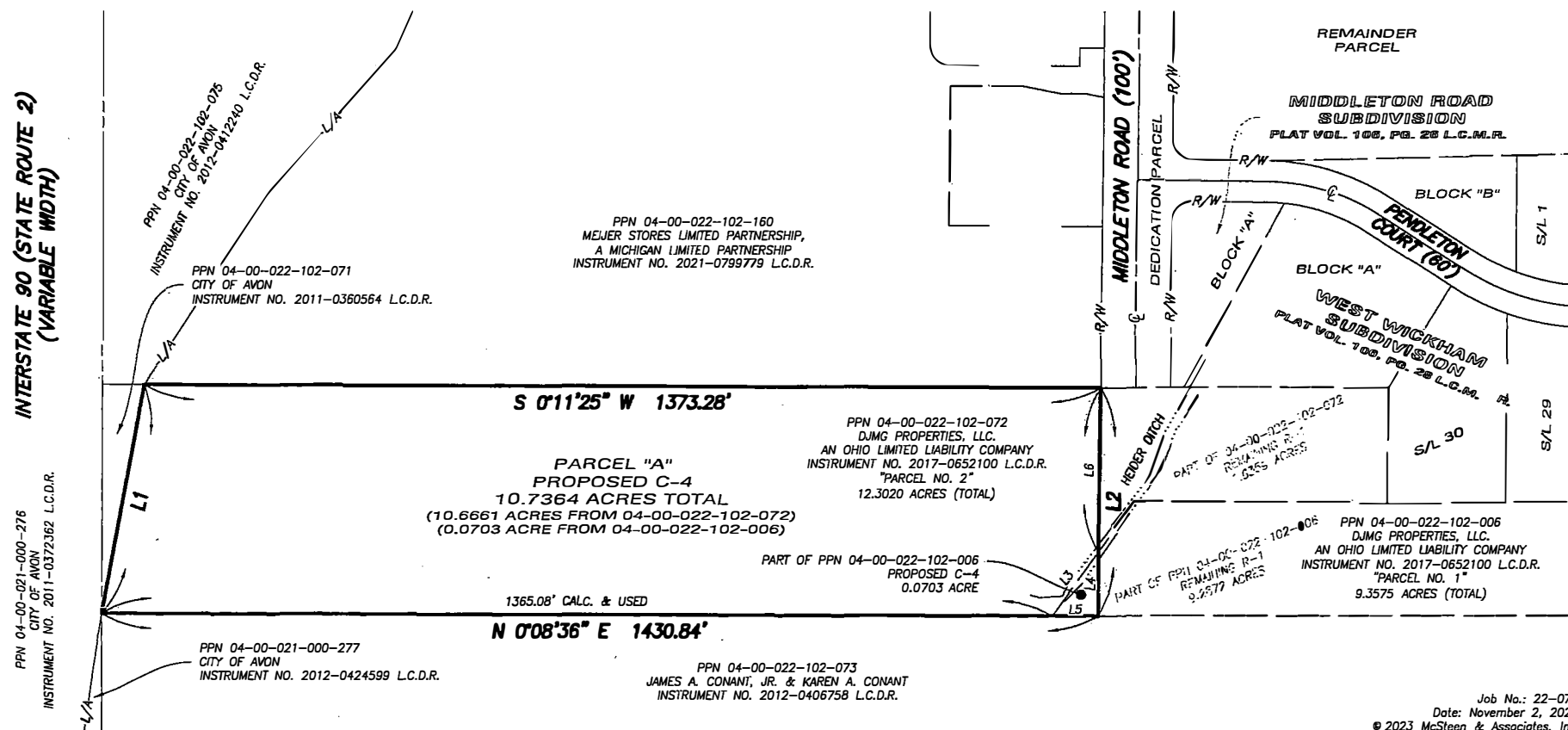
L/A LIMITED ACCESS

L.C.M.R. LORAIN COUNTY MAP RECORDS

L.C.D.R. LORAIN COUNTY DEED RECORDS

EDGE OF WATER

LINE	BEARING	DISTANCE
L1	S 79°32'10" E	339.61' CALC. & USED (339.72' REC.)
L2	N 89°17'32" W	333.00'
L3	S 54°15'32" E	114.55'
L4	N 89°17'32" W	93.15'
L5	N 0°08'36" E	65.76'
L6	N 89°17'32" W	239.85'



Job No.: 22-078
Date: November 2, 2023
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