

ORDINANCE NO. 32-25

**AN ORDINANCE AUTHORIZING AN AMENDMENT
TO THE FINAL PLAT AND SUBDIVIDER'S AGREEMENT
FOR RED TAIL SUBDIVISION NO. 17
AND DECLARING AN EMERGENCY**

WHEREAS, Council previously approved the Final Plat and Subdivider's Agreement for Red Tail Subdivision No. 17 pursuant to Ordinance No. 72-22 which passed on September 6, 2022; and

WHEREAS, Timothy D. & Barbara Vala have presented an amended preliminary plat and an amended final plat for Red Tail Subdivision No. 17 to the Planning Commission for approval and recommendation to Council requesting consolidation of sublots 620 and 621 to create subplot 639; and

WHEREAS, following a public hearing on April 16, 2025, Planning Commission, by a vote of Five (5) to Zero (0), approved the amended preliminary plat and recommended to Council approval of the amended final plat of Red Tail Subdivision No. 17; and

WHEREAS, Council, having reviewed the amended final plat for Red Tail Subdivision No. 17 and after discussion, review and further consideration, has deemed it in the best interests of the health, safety, and welfare of the citizens of Avon to accept said amendment and thereby allow the lot consolidation to go forward.

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

Section 1 - That the final plat for Red Tail Subdivision No. 17 is hereby amended to allow for the consolidation of sublots 620 and 621 to create subplot 639, as set forth in the amended final plat which was presented to Planning Commission on April 16, 2025, a copy of which is attached hereto and incorporated herein as [Exhibits A-1 & A-2](#).

Section 2 - All terms and conditions set forth in the original Subdivider's Agreement for Red Tail Subdivision No. 17 and which are not inconsistent herewith, shall remain in full force and effect.

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 final plat for Red Tail Subdivision No. 17 to permit a lot consolidation thereby reducing the overall number of lots in

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this phase of the subdivision; 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
City of Avon, Ohio

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