

ORDINANCE NO. 3-14

**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 A PORTION OF A
CERTAIN PARCEL OF LAND CONSISTING OF APPROXIMATELY
7.4237 ACRES LOCATED AT THE SOUTHEAST CORNER OF NAGEL ROAD
AND AVON ROAD, FROM R-1 SINGLE-FAMILY RESIDENTIAL DISTRICT
TO C-4 GENERAL BUSINESS DISTRICT AND FURTHER IDENTIFIED
AS PERMANENT PARCEL NO. 10-04-00-027-101-187**

WHEREAS, an application to rezone approximately 7.4237 acres of land located at the southeast corner of Nagel Road and Avon Road from R-1 Single-Family Residential to C-4 General Business District was submitted to Planning Commission pursuant to Article VII, Section 2(d) of the Avon City Charter; and

WHEREAS, the Planning Commission, on November 20, 2013, held a Public Hearing on said amendment; and

WHEREAS, on December 18, 2013, the Planning Commission reviewed the proposed amendment to rezone this parcel of land as further described herein and considered the public comments and presentations of all interested parties and by a vote of Five (5) in favor and Zero (0) opposed recommended to Council the amendment to Ordinance No. 413-68 to allow approximately 7.4237 acres of land located at the southeast corner of Nagel Road and Avon Road, currently in an R-1 Single-Family Residential District to be rezoned C-4 General Business District; and

WHEREAS, Council on January 13, 2014 authorized a Public Hearing; and

WHEREAS, said Public Hearing was duly publicized according to law and was held on February 10, 2014 at 7:10 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, adjoining and abutting on such area, zone, or district proposed to be changed.

WHEREAS, Council finds that the recommendation of Planning Commission is reasonable and in the best interests of the safety, health and welfare of the City; and deems it desirable that Ordinance No. 413-68 be amended to rezone a portion of land consisting of approximately 7.4237 acres located at the southeast corner of Nagel Road and Avon Road, located in R-1 Single-Family Residential District to C-4 General Business District.

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. 3-14 (Con't.)

Section 2 - That from the effective date of this Ordinance, a section of land consisting of approximately 7.4237 acres located at the southeast corner of Nagel Road and Avon Road and further identified as a portion of Permanent Parcel No. 10-04-00-027-101-187 and more fully described in Exhibit A, is hereby rezoned from R-1 Single-Family Residential to C-4 General Business District.

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: _____
Craig Witherspoon, Council President

DATE APPROVED BY THE MAYOR: _____

Bryan K. Jensen, Mayor

APPROVED AS TO FORM:

John A. Gasior, Law Director
City of Avon, Ohio

Ordinance No. 3-14 (Con't.)

ATTEST:

Ellen R. Young
Clerk of Council

Posted: _____
In Five Places as
Provided by Council

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