

ORDINANCE NO. 94-14

**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, AV Associates, L.P., subdivider of Avondale Subdivision No. 1 (hereinafter referred to as “Subdivider”), is proposing to develop land in the vicinity of 38490 Detroit Road (the former Avondale Golf Course); and

WHEREAS, the development of this land will require the installation of a sanitary sewer at a depth sufficient to pass beneath Kline Ditch to serve portions of Sanitary Sewer District No. 4 that extend west of Kline Ditch; and

WHEREAS, the City would prefer that Sanitary Sewer District No. 4 be modified to remove approximately 43.45 acres of land currently in Sewer District No. 4 into Sewer District No. 3; and

WHEREAS, said modification will reduce the cost of future sewer installations to homeowners and/or the City in both District 3 and District 4; and

WHEREAS, Planning Commission, on July 30, 2014 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 a public hearing on September 8, 2014 at 7:20 p.m. on said request.

WHEREAS, Council deems it in the best interests of the City and in the best interests of the property owners located in both District 3 and District 4 to approve this modification to the Sanitary Sewer Master Plan.

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 43.45 acres of land located in District 4 to be moved to District 3, all of which is further described in Exhibit “A,” which is attached hereto and incorporated herein by reference.

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.

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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: _____
Craig L. Witherspoon, Council President

DATE APPROVED BY THE MAYOR: _____

Bryan K. Jensen, Mayor

APPROVED AS TO FORM:

John A. Gasior, Law Director

ATTEST:

Ellen R. Young
Clerk of Council

Posted: _____
In Five Places as
Provided by Council

Prepared By:

John A. Gasior, Esq.
Law Director