

ORDINANCE NO. 101-17

**AN ORDINANCE GRANTING A SPECIAL USE PERMIT FOR PROPERTY OWNED
BY SAMM PROPERTIES VI, LLC, LOCATED NORTH OF 998 CENTER ROAD TO
CONSTRUCT A MINI SELF-STORAGE FACILITY
AND DECLARING AN EMERGENCY**

WHEREAS, ACO §1280.05(o) requires a property owner to obtain a Special Use Permit to construct and operate a self storage facility in an M-1 zoning district; and

WHEREAS, SAMM Properties, VI, LLC are the owners of property immediately north of 998 Center Road and seek a Special Use Permit to construct and operate a mini self-storage facility at said location; and

WHEREAS, SAMM Properties, VI, LLC, by and through Storage Zone Enterprises, submitted an application, together with plans and specifications for said self-storage facility to the Planning Commission; and

WHEREAS, the Planning Commission held a public hearing on November 15, 2017 and by a vote of five (5) to zero (0), recommended approval of the Special Use Permit; and

WHEREAS, having reviewed the plans and operation of the proposed facility as submitted and the recommendation of Planning Commission, Council deems it in the best interest of the health, safety and welfare of the city that a Special Use Permit be granted.

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

Section 1 - That having considered the matter of granting a Special Use Permit for property immediately north of 998 Center Road to SAMM Properties VI, LLC to construct and operate a mini self-storage facility at said location, Council hereby accepts the recommendation of the Planning Commission and agrees to grant said Special Use Permit to facilitate the construction and operation of a mini self-storage facility at said location subject to the conditions set forth in this ordinance.

Section 2 - Conditions. 1) That project proceed pursuant to plans and specifications approved and recommended by the Planning Commission at its November 15, 2017 meeting; 2) that the Special Use Permit granted herein is conditioned upon applicant meeting all applicable requirements of the Avon Codified Ordinances, including, but not limited to, those set forth in 1230.09, 1280.02, 1280.03, 1280.05(o) and 1280.06(t) of the Codified Ordinances of the City of Avon. Any expansion, development, enlargement, improvement, change in ownership, use or the like, other than maintenance of the property in its current condition, will require an additional amendment to this Special Use Permit, with a recommendation of Planning Commission and approval by Council.

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 grant a Special Use Permit for the construction and operation a mini self- storage facility in an M-1 zoning district located immediately north of 998 Center Road; therefore, this Ordinance shall be in full force and effect immediately upon its passage and approval by the Mayor.

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

ATTEST:

Barbara Brooks
Clerk of Council

POSTED: _____
In Five Places as
Provided by Council

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