

ORDINANCE NO. 98-18

**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 CERTAIN PARCEL OF LAND CONSISTING
OF APPROXIMATELY 17.9 ACRES LOCATED AT 36850 CHESTER ROAD,
FURTHER IDENTIFIED AS PERMANENT PARCEL NO. 10-04-00-009-000-150,
FROM M-1 GENERAL INDUSTRIAL DISTRICT TO R-3 MULTI-FAMILY
RESIDENTIAL DISTRICT**

WHEREAS, an application to rezone approximately 17.9 acres of land located 36850 Chester Road from M-1 General Industrial to R-3 Multi-Family Residential was submitted to Planning Commission pursuant to Article VII, Section 2(d) of the Avon City Charter; and

WHEREAS, the Planning Commission, on November 21, 2018, held a Public Hearing on said amendment; and

WHEREAS, on November 21, 2018, 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, voted **NOT** to recommend to Council the amendment to Ordinance No. 413-68 to rezone approximately 17.9 acres of land at 36850 Chester Road from M-1 General Industrial District to R-3 Multi-Family Residential District

WHEREAS, Council on December 3, 2018 authorized a Public Hearing; and

WHEREAS, said Public Hearing was duly publicized according to law and was held on January 14, 2019 at 7:25 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 citizens of Avon.

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 from the effective date of this Ordinance, a section of land consisting of approximately 17.9 acres located at 36850 Chester Road and further identified as Permanent Parcel No. 10-04-00-009-000-150 and more fully described in Exhibit A, is hereby rezoned from M-1 General Industrial District to R-3 Multi-Family Residential.

Section 3 - That all provisions of Ordinance No. 413-68 and its various amendments,

Ordinance No. 98-18 (Con't)

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

ATTEST:

Barbara Brooks
Clerk of Council

Posted: _____
In Five Places as
Provided by Council

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