

ORDINANCE NO. 79-23

**AN ORDINANCE AUTHORIZING AN AMENDMENT
TO THE FINAL PLAT FOR RED TAIL SUBDIVISION NO. 15
AND DECLARING AN EMERGENCY**

WHEREAS, Colin MacLean of 4314 St. Theresa Boulevard - (Sublot No. 588) and Elizabeth Kitzel of 4322 St. Theresa Boulevard - (Sublot No. 586) have presented an amended final plat for Red Tail Subdivision No. 15 to the Planning Commission for approval and recommendation to Council requesting a lot split and consolidation of sublots 586, 587 & 588 into two (2) sublots 617 & 618, each consisting of additional 6,110.00 sq. ft. after the consolidation; and

WHEREAS, following a review of the amended final plat on May 17, 2023, Planning Commission, by a vote of five (5) to zero (0), recommended approval of the amended final plat for Red Tail No. 15 to Council recommending the property owners to split Sublot Nos. 586, 587 & 588 and consolidate portions of each into two (2) sublots Nos. 617 & 618; and

WHEREAS, Council, having reviewed the amended final plat for Red Tail Subdivision No. 15 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 split and consolidation.

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

Section 1 - That the final plat and Subdivider's Agreement for Red Tail Subdivision No. 15 is hereby amended to allow for Sublots 586, 587 & 588 to be split into three (3) segments and each segment to be consolidated into new Sublots 617 & 618, as set forth in the amended final plat which was presented to Planning Commission on May 17, 2023, a copy of which is attached hereto and incorporated herein as Exhibit A.

Section 2 - All terms and conditions set forth in the original Subdivider's Agreement for Red Tail Subdivision No. 15 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 and Subdivider's Agreement for Red Tail Subdivision No. 15 to permit Sublot Nos. 586, 587 & 588 to be split into

Ordinance No. 79-23 (Con't)

three (3) segments and to permit each segment to be consolidated into Sublot Nos. 617 & 618; therefore, this Ordinance shall be in full force and effect immediately upon its passage and approval by the Mayor.

PASSED: June 12, 2023

DATE SIGNED: June 12, 2023

By: Brian Fischer
Brian Fischer, Council President

DATE APPROVED BY THE MAYOR June 13, 2023

[Signature]
Bryan K. Jensen, Mayor

APPROVED AS TO FORM:

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

ATTEST:

Barbara Brooks
Barbara Brooks, Clerk of Council

POSTED June 14, 2023
Electronically and at City Hall as
Provided by Council

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

I, Barbara J. Brooks, Clerk of the Council of the City of Avon, Ohio, hereby certify this document to be a true and exact copy of Ordinance No. 79-23, passed by the Council of said City on June 12, 2023.

IN WITNESS WHEREOF, I have on this 13th day of June, 2023, affixed my signature and official seal.

Barbara J. Brooks
Barbara J. Brooks, Clerk of the Council
of the City of Avon, Ohio

