

ORDINANCE NO. 112-23

**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, Lawrence J. and Mary Kay Rak, own 9.3642 acres of land in the R-1 Single-Family District fronting on Long Road to the south and Split Rail Lane to the north, all of which is located in Sanitary Sewer District No. 4; and

WHEREAS, none of this acreage is currently serviced by the City's sanitary sewer infrastructure; and

WHEREAS, the southern terminus of Split Rail Lane within the Halstead Village Subdivision marks the end of the Core Sanitary Sewer District; and

WHEREAS, the Raks are proposing to remove approximately 6.6590 acres of their property that abuts Split Rail Lane to the north and place it in the Core Sanitary Sewer District leaving approximately 2.7052 acres in District No. 4; and

WHEREAS, the Raks proposed this modification to the Sanitary Sewer Master Plan to enable them to split-off the 6.6590 parcel at the south end of Split Rail Lane and sell it to someone interested in constructing one single-family dwelling with a sanitary sewer connection to the Core Sanitary Sewer District; and

WHEREAS, Planning Commission, on October 18, 2023 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 public hearings on December 11, 2023 7: 25 p.m. on said request; and

WHEREAS, Council finds that it is reasonable and in the best interests of the health, safety and welfare of the citizens of Avon to approve this modification to the Sanitary Sewer Master Plan thereby enabling the Raks to remove 6.6509 acres of their land from Sanitary Sewer District No. 4 and place it into the Core Sewer District thereby enabling the sale of the property at a later date to someone interested in constructing one single-family home at the south end of Split Rail Lane which will thereby reduce the overall housing density of the City and more rationally divide lands into appropriate sewer districts.

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 6.6509 acres of land located in Sanitary Sewer District 4 to be moved into the Core Sanitary Service District as described in Exhibit "A" which is attached hereto and incorporated herein by reference. Said amendment is being granted herein only for the purpose of permitting a lot split facilitating construction of one single-family dwelling unit. In exchange

for the granting of this modification, the Raks, as the current owners, agree to deed restrict the property appropriately before any future sale.

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.

Section 3 - That this Ordinance shall take effect and be in force at the earliest date allowed by law.

First Reading 11-13-23
Second Reading 11-27-23
Third Reading 12-11-23

PASSED: December 11, 2023

DATE SIGNED: December 11, 2023

By: Brian Fischer
Brian Fischer, Council President

DATE APPROVED BY THE MAYOR: December 12, 2023

[Signature]

Bryan K. Jensen, Mayor

APPROVED AS TO FORM:

John A. Gasior
John A. Gasior, Law Director

ATTEST:

Barbara J. Brooks
Barbara J. Brooks, Clerk of Council

Posted: December 13, 2023
Electronically and at City Hall as
Provided by Council

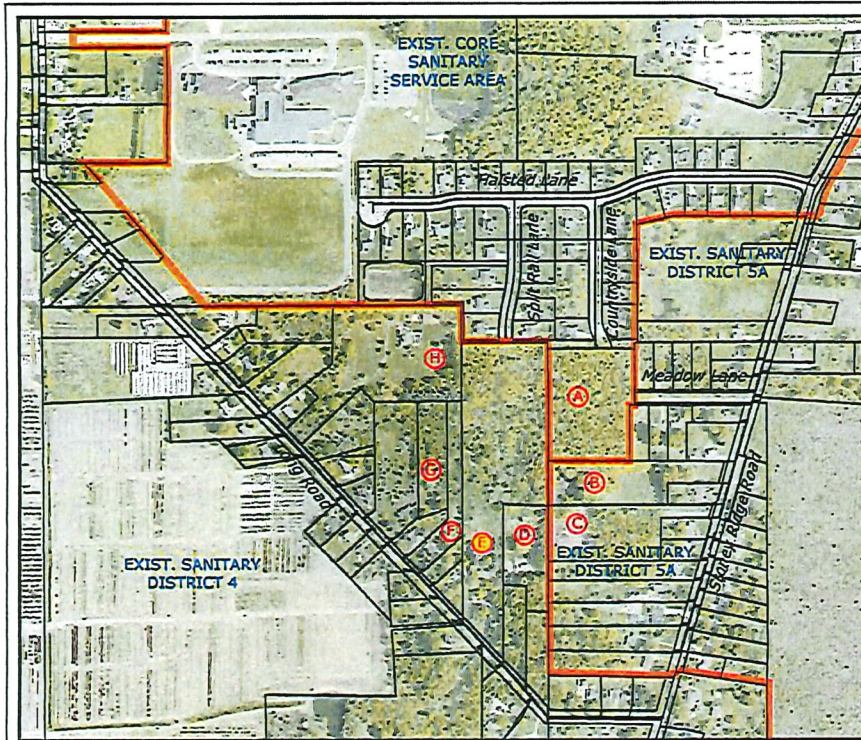
Prepared By:
John A. Gasior, Esq.
Law Director

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. 112-23, passed by the Council of said City on December 11, 2023.

IN WITNESS WHEREOF, I have on this 12th day of December, 2023, affixed my signature and official seal.

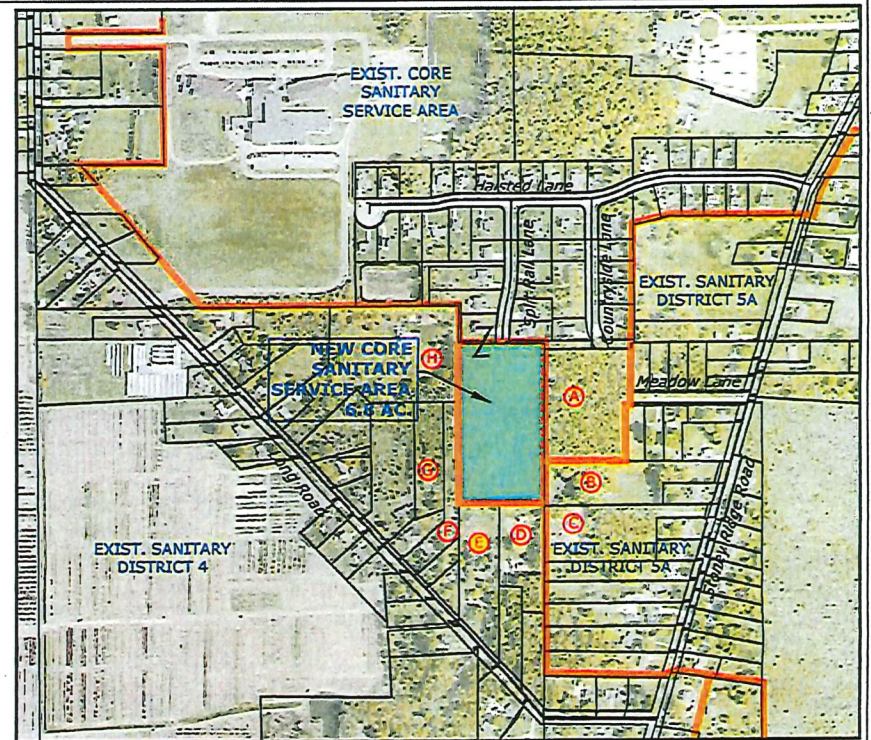
Barbara J. Brooks
Barbara J. Brooks, Clerk of the Council
of the City of Avon, Ohio

EXHIBIT A TO ORDINANCE NO. 112-23



EXISTING DISTRICT PLAN

SCALE 1"=500'



PROPOSED DISTRICT PLAN

SCALE 1"=500'



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SUITE D
WILLOUGHBY HILLS, OH 44094
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(440) 944-3722 (Fax)
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SURROUNDING OWNER INFO	
(A)	ADAM H. & ANDRA L. SNAVELY PPN: 04-00-012-102-072 3430 STONEY RIDGE RD.
(B)	HERBERT H. & MARGARET A. STOCKARD PPN: 04-00-012-102-048 3798 STONEY RIDGE RD.
(C)	APRIL L. & BRENT RIEMAN PPN: 04-00-012-102-047 3802 STONEY RIDGE RD.
(D)	MARIE E. SNAVELY PPN: 04-00-012-102-052 3911 LONG RD.
(E)	LAWRENCE J. & MARY KAY RAK PPN: 04-00-012-102-053 3859 LONG RD.
(F)	KURT W. & KATHLEEN J. SCHATZOW-SCHNEIDER PPN: 04-00-012-102-066 3825 LONG RD.
(G)	CHARLES & CAROLE A. HAYNARD PPN: 04-00-012-102-050 3801 LONG RD.
(H)	BRENT H. & AMI M. CASPER PPN: 04-00-012-102-063 3737 LONG RD.



PROPOSED SANITARY
DISTRICT MODIFICATION
CITY OF AVON - LORAIN COUNTY - OHIO

PREPARED FOR
NICK RAK
37094 MEADOW LANE
AVON, OH 44011
PH: (440) 503-2471

DATE: 10/10/2012
SCALE: HOR. 1"=500'
FOLDER: Q:\04\012\012-053
FILENAME: 012-053 District
TAB: 11x17
DRAWN: RMK

POLARIS PROJECT No. 09123