

ORDINANCE NO 5-24

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 LAND CONSISTING OF AN 0.02300 ACRE PORTION OF PERMANENT PARCEL NO. 04-00-015-108-043 FROM C-2 FRENCH CREEK / CENTRAL BUSINESS DISTRICT TO R-1 SINGLE-FAMILY RESIDENTIAL DISTRICT

WHEREAS, an application to rezone approximately 0.02300 acres of land (PPN 04-00-015-108-043) located on Holly Lane from C-2 French Creek / Central Business District to R-1 Single Family Residential District was submitted to Planning Commission pursuant to Article VII, Section 2(d) and Article VII, Section 2(e) of the Avon City Charter; and

WHEREAS, the Planning Commission, on December 20, 2023, held a Public Hearing on said amendment; and

WHEREAS, on December 20, 2023, the Planning Commission reviewed the proposed amendment to rezone a portion of the parcel described above, considered the public comments and presentations of all interested parties, and by a vote of Five (5) in favor and Zero (0) opposed, recommended the amendment to Ordinance No. 413-68 to rezone said land from C-2 French Creek / Central Business District to R-1 Single Family Residential District; and

WHEREAS, Council, on January 2, 2024, authorized a Public Hearing; and

WHEREAS, said Public Hearing was duly publicized according to law and was held on February 12, 2024, 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 to, adjoining and abutting on such area, zone, or district proposed to be modified.

WHEREAS, Council finds that the recommendation of Planning Commission is reasonable and in the best interests of the safety, health and welfare of the community and deems it desirable that Ordinance No. 413-68 be so amended.

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 a 0.02300 acre portion of PPN 04-00-015-108-043 located at 2209 Holly Lane be, and the same is hereby rezoned from C-2 French Creek / Central Business District to R-1 Single Family Residential District. In addition, the side yard and rear yard setbacks on the adjacent parcel no. 04-00-015-108-048 shall be twenty (20') feet for a building and five (5') feet for parking all of which is set forth in Exhibit A, which is attached hereto and incorporated herein by this reference. Prior Instrument No. 2022-0891316.

Section 3 - That all provisions of Ordinance No. 413-68 and its various amendments, 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 1-8-24
Second Reading 1-22-24
Third Reading 2-12-24

PASSED: February 12, 2024 DATE SIGNED: February 12, 2024

By: Brian Fischer
Brian Fischer, Council President

DATE APPROVED BY THE MAYOR: February 13, 2024

[Signature]
Bryan K. Jensen, Mayor

APPROVED AS TO FORM:

John A. Gasior
John A. Gasior, Law Director

ATTEST:

Barbara Brooks
Barbara Brooks, Clerk of Council

Posted: February 14, 2024
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. 5-24, passed by the Council of said City on February 12, 2024.

IN WITNESS WHEREOF, I have on this 13th day of February, 2024, 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. 5-24

