

ORDINANCE NO 45-24

AN ORDINANCE TO AMEND THE SPECIAL USE PERMIT GRANTED TO THE CITY OF AVON FOR A PUBLIC PARK LOCATED AT 3701 VETERANS MEMORIAL PARKWAY AND KNOWN AS VETERANS MEMORIAL PARK TO INCLUDE ADDITIONAL IMPROVEMENTS AND DECLARING AN EMERGENCY

WHEREAS, zoning regulations for the City of Avon require a Special Use Permit for the construction, maintenance and operation of public parks and public recreational facilities in an R-1 Single Family Residential District pursuant to ACO §1262.03(c)(3); and

WHEREAS, the City of Avon applied for and was granted a Special Use Permit pursuant to Ordinance No. 112-00 to construct, maintain and operate a public park and recreational facility at 3701 Veterans Memorial Parkway (formerly, 38975 Detroit Road) and presently known as Veterans Memorial Park; and

WHEREAS, Council has previously approved amendments to said Special Use Permit in Ordinance Nos. 33-05, 177-05, 58-06, 151-07, 29-08, 56-13, 61-14, 54-16, and 86-21; and

WHEREAS, it is now necessary to again amend said Special Use Permit to construct a storage facility at Veterans Memorial Park; and

WHEREAS, an application for an amended Special Use Permit was submitted to Planning Commission along with plans and specifications for the storage facility; and

WHEREAS, following a public hearing on March 20, 2024, Planning Commission voted to recommend approval of the amendment to the Special Use Permit by a vote of Four (4) to Zero (0); and

WHEREAS, Council, after reviewing the application, plans, and specifications, together with the recommendation of the Planning Commission, deems it in the best interests of the health, safety, and welfare of the community that the Special Use Permit be amended.

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

Section 1 - That Council hereby accepts the recommendation of Planning Commission and grants an amendment to the Special Use Permit to the City of Avon for the construction of a 768 sq. ft. storage facility at Veterans Park located at 3701 Veterans Memorial Parkway, pursuant to plans and specifications approved by Planning Commission on March 20, 2024 and subject to the conditions set forth in this ordinance. (See attached Exhibit A)

Section 2 - Conditions. 1) That project proceed pursuant to plans and specifications approved and recommended by the Planning Commission on March 20, 2024; 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 Chapter 1230 and Sections 1280.02, 1280.03, 1280.04(o), and 1280.06(z) of the Codified Ordinances of the City of

Avon. Any expansion, development, enlargement, improvement, change in 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 construct a storage facility at Veterans Memorial Park; therefore, this Ordinance shall be in full force and effect immediately upon its passage and approval by the Mayor.

PASSED: April 1, 2024

DATE SIGNED: April 1, 2024

By: Brian Fischer
Brian Fischer, Council President

DATE APPROVED BY THE MAYOR April 8, 2024

[Signature]
Bryan K. Jensen, Mayor

APPROVED AS TO FORM:

John A. Gasior
John A. Gasior, Law Director

ATTEST:

Barbara J. Brooks
Barbara Brooks, Clerk of Council

POSTED: April 10, 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. 45-24, passed by the Council of said City on April 1st, 2024.

IN WITNESS WHEREOF, I have on this 9th day of April 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. 45-24

Date: 2/23/2024 - 1:53 PM

Design ID: 335751779589

Estimate ID: 10799

Estimated Price: \$13,118.32

*Today's estimated price. Future pricing may go up or down. Tax, labor, and delivery not included.

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Design & BuyTM GARAGE

How to recall and purchase your design at home:



OR

1. On Menards.com, enter "Design & Buy" in the search bar
2. Select the Garage Designer
3. Recall your design by entering Design ID: 335751779589
4. Follow the on-screen purchasing instructions

How to purchase your design at the store:

1. Enter Design ID: 335751779589 at the Design-It Center Kiosk in the Building Materials Department
2. Follow the on-screen purchasing instructions

Required Inspections

Footer

PRE POUR SLAB

FRAMING

FINAL

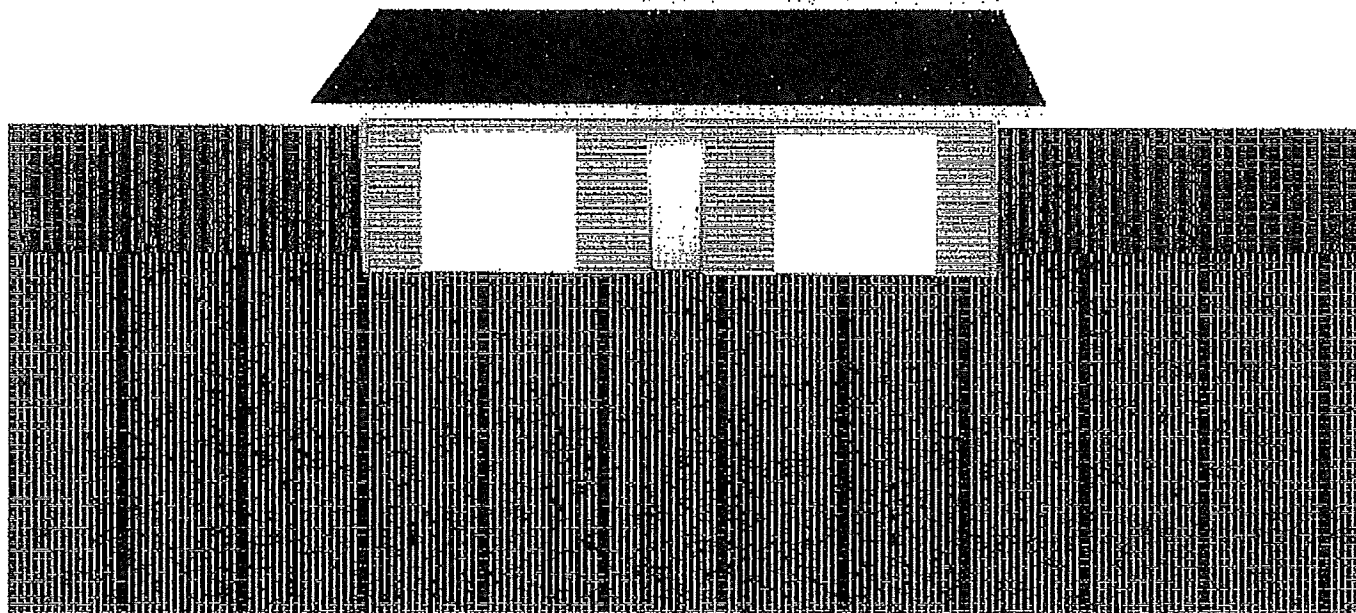
THE DRAWINGS AND PLANS APPROVED,
SUBJECT TO FULL COMPLIANCE WITH ALL REQUIREMENTS
OF THE CITY OF AVON BUILDING AND ZONING CODES,
CHAPTERS 3781 & 3791 O.R.C. AND O.B.C.

CONSTRUCTION AND ERECTION IN VIOLATION OF
ABOVE WILL NULLIFY AND VOID THIS APPROVAL.

APPLICANT AS NOTED

C.B.O. E. HANSON

DATE 3/7/24



Floor type (concrete, dirt, gravel) is NOT included in estimated price. The floor type is used in the calculation of materials needed. Labor, foundation, steel beams, paint, electrical, heating, plumbing, and delivery are also NOT included in estimated price. This is an estimate. It is only for general price information. This is not an offer and there can be no legally binding contract between the parties based on this estimate. The prices stated herein are subject to change depending upon the market conditions. The prices stated on this estimate are not firm for any time period unless specifically written otherwise on this form. The availability of materials is subject to inventory conditions.

MENARDS IS NOT RESPONSIBLE FOR ANY LOSS INCURRED BY THE GUEST WHO RELIES ON PRICES SET FORTH HEREIN OR ON THE AVAILABILITY OF ANY MATERIALS STATED HEREIN. All information on this form, other than price, has been provided by the guest and Menards is not responsible for any errors in the information on this estimate, including but not limited to quantity, dimension and quality. Please examine this estimate carefully.

MENARDS MAKES NO REPRESENTATIONS, ORAL, WRITTEN OR OTHERWISE THAT THE MATERIALS LISTED ARE SUITABLE FOR ANY PURPOSE BEING CONSIDERED BY THE GUEST. BECAUSE OF WIDE VARIATIONS IN CODES, THERE ARE NO REPRESENTATIONS THAT THE MATERIALS LISTED HEREIN MEET YOUR CODE REQUIREMENTS. THE PLANS AND/OR DESIGNS PROVIDED ARE NOT ENGINEERED. LOCAL CODE OR ZONING REGULATIONS MAY REQUIRE SUCH STRUCTURES TO BE PROFESSIONALLY ENGINEERED AND CERTIFIED PRIOR TO CONSTRUCTION.

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