

ORDINANCE NO. 91-20

**AN ORDINANCE TO AUTHORIZE AN AMENDMENT TO THE FINAL PLAT
FOR THE GILBERT FORTHOFFER SUBDIVISION NO. 6
AND DECLARING AN EMERGENCY**

WHEREAS, Janet L. Lowry is the owner of two (2) parcels of land located at 34675 Detroit Road, Permanent Parcels Nos. 04-00-022-105-001 and 04-00-022-105-002. These parcels represent Sublots Nos. 16 and 17, respectively, in the Gilbert Forthofer Subdivision No. 6; and

WHEREAS, the City of Avon and Ms. Lowry have agreed that as part of her compensation for the property she is conveying to the City on Detroit Road for the sanitary sewer and Detroit Road widening projects, the City would facilitate consolidation of her two lots and thus eliminate the assessment on the southernmost vacant parcel of land (Sublot No. 17); and

WHEREAS, the City, on behalf of Ms. Lowry, presented the proposed lot consolidation in the form of an amended final plat of the Gilbert Forthofer Subdivision No. 6 combining Sublots 16 and 17 into new Sublot 78 to the Planning Commission for approval and recommendation to Council; and

WHEREAS, following a public hearing on September 16, 2020, Planning Commission, by a vote of five (5) to zero (0), approved the lot consolidation and recommended to Council approval of the amended final plat of Gilbert Forthofer Subdivision No. 6; and

WHEREAS, Council, having reviewed the amended final plat for Gilbert Forthofer Subdivision No. 6 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 final plat amendment and thereby allow the lot consolidation to go forward.

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

Section 1 - That the final plat for the Gilbert Forthofer Subdivision No. 6 is hereby amended to allow for the consolidation of sublots 16 and 17 to create subplot 78, as set forth on the amended final plat which was presented to Planning Commission on September 16, 2020, a copy of which is attached hereto and incorporated herein as Exhibit A.

Section 2 - All terms and conditions set forth on the original plat or in the original Subdivider=s Agreement for Gilbert Forthofer Subdivision No. 6 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 for Gilbert Forthofer Subdivision No. 6 to permit a lot consolidation thereby combining sublots 16 and 17 into Sublot 78 phase of Gilbert Forthofer Subdivision; therefore, this Ordinance shall be in full force and effect immediately upon its passage and approval by the Mayor.

PASSED: _____ DATE SIGNED: _____

By: _____
Brian Fischer, 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 J. Brooks
Clerk of Council

Posted: _____
In Five Places as
Provided by Council

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