

AN ORDINANCE TO REZONE PERMANENT PARCEL NUMBER 04-00-018-128-232 AND PERMANENT PARCEL NUMBER 04-00-018-128-224 FROM A B-1 LIMITED BUSINESS DISTRICT TO AN R-3 MULTI-FAMILY RESIDENCE DISTRICT AND DECLARING AN EMERGENCY.

WHEREAS, Planning Commission has at its meeting of September 7, 2022 approved a request to rezone a parcel of property owned by Kopf Properties Ltd, located in Towne Center, designated by the County Auditor as PPN 04-00-018-128-232 and PPN 04-00-018-128-224, and more particularly described in Exhibit A attached hereto and made a part hereof (the "Property");

NOW THEREFORE, BE IT ORDAINED BY THE COUNCIL OF
THE CITY OF AVON LAKE, STATE OF OHIO:

Section No. 1: That the Property, which is presently zoned B-1 Limited Business District, be and it is hereby rezoned to R-3 Multi-Family Residence District.

Section No. 2: That the official zoning map and the Planning and Zoning Code of the City of Avon Lake be, and it is hereby amended accordingly, and the Municipal Engineer is directed to make the necessary changes thereto.

Section No. 3: That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council and that all deliberations of this Council and any of its committees which 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 No. 4: That this Ordinance is hereby declared to be an emergency measure to allow the property owner to develop the property and contribute to the economic development of Avon Lake, thus for the health, safety, and welfare of the residents of Avon Lake. Therefore, this Ordinance shall be in full force and effect from and immediately after its passage and approval by the Mayor.

1st reading: 9/12/2022

2nd reading:

3rd reading:

PASSED: 9/26/2022

/s/ Martin E. O'Donnell
President of Council

POSTED: 9/30/2022

APPROVED: 9/27/2022

ATTEST: /s/ Valerie E. Rosmarin
Clerk of Council

/s/ Gregory J. Zilka
Mayor

THE HENRY G. REITZ ENGINEERING COMPANY

Civil Engineers & Surveyors

Stuart W. Saylor, *P.E., P.S., Pres.*

4214 Rocky River Drive

TELEPHONE: 216-251-3033

James T. Saylor, *P.E., P.S., Vice Pres.*

Cleveland, Ohio 44135

Linda S. Rerko, *Sec. & Treas.*

EMAIL: reitz@reitzeng.com

July 12, 2022

Description of Towne Center Land to be Rezoned to R-3

Situated in the City of Avon Lake, County of Lorain and State of Ohio. Being known as part of Avon Township Section No. 18, and more definitely described as follows:

Beginning a monument box found set at the intersection of the centerline of Walker Road and the centerline of the Avon-Belden Road;

Thence North 89d 59' 55" West in the centerline of Walker Road, a distance of 1729.94 feet;

Thence North 00d 03' 52" West a distance of 50.00 feet to the principal place of beginning;

Thence continuing North 0d 03' 52" West a distance of 375.00 feet;

Thence South 89d 59' 55" East, a distance of 27.11 feet;

Thence, North 00d 00' 00" West, a distance of 10.08 feet to a point of curvature;

Thence, on the arc of a curve which deflects to the right, a distance of 163.37 feet to a point of tangency of said curve; said curve has a radius of 104.00 feet, a central angle 90d 00' 05" and a chord of 147.08 feet which bears North 45d 00' 03" East;

Thence, South 89d 59' 55" East, a distance of 46.33 feet to a point of curvature;

Thence, on the arc of a curve which deflects to the left, a distance of 162.32 feet to a point of tangency of said curve; said curve has a radius of 186.00 feet, a central angle of 50d 00' 00" and a chord of 157.21 feet which bears North 65d 00' 05" East;

Thence, North 40d 00' 05" East, a distance of 273.15 feet to a point of curvature;

Thence, on the arc of a curve which deflects to the right, a distance of 64.58 feet to a point of tangency of said curve; said curve has a radius of 74.00 feet, a central angle of 49d 59' 54" and a chord of 62.55 feet which bears North 65d 00' 03" East;

Thence, North 90d 00' 00" East, a distance of 176.79 feet;

Thence, South 00d 02' 04" West a distance of 543.21 feet;

Thence North 89d 59' 55" West, a distance of 673.51 feet;

Thence South 00d 03' 52" East a distance of 232.00 feet;

Thence in the arc of a curve which deflects to the left, a distance of 17.11 feet to a point; said curve has a radius of 51.28 feet, a central angle of 19d 06' 50" and a chord of 17.03 feet which bears South 20d 00' 58" East;

Thence North 89d 59' 55" West in a line parallel with and 50.00 feet distant Northerly from the centerline of Walker Road, a distance of 60.81 feet to the principal place of beginning and containing 6.5868 acres of land, be the same more or less, but subject to all legal highways and easements of record.

Note: This legal description was compiled from deed records and is not based on a boundary survey.