

2021-41

**AN ORDINANCE PURSUANT TO SECTION 1240.02 OF THE CODIFIED ORDINANCES OF VERMILION GRANTING A LAND USE (ZONING) VARIANCE TO BROWNHELM CREEK REALTY, LLC, THE BARN AT BROWNHELM CREEK, LLC, KODY HERCHLER, KORY HERCHLER, JAIMEE SENK, AND THOMAS ZACHER IN ORDER TO ALLOW FOR A COMMERCIAL USE ZONING VARIANCE IN THE R-1 ESTATE RESIDENCE DISTRICT, 1440 CLAUS ROAD, PERMANENT PARCEL NUMBER 0100021000061, VERMILION, OHIO.**

**WHEREAS**, the subject premise hereof is in the R-1 Estate Residence District.

**WHEREAS**, Section 1240.02 of the Codified Ordinances of Vermilion enables the Planning Commission to recommend land use variances in individual cases of acceptable standards of community development;

**WHEREAS**, the Vermilion Planning Commission favorably recommended to the Vermilion City Council a Land Use Variance at its regular meeting of June 2, 2021.

**WHEREAS**, this Council finds that good cause exists to grant this zoning exception based upon logical zoning precepts as a suitable land use.

**WHEREAS**, a Public Hearing on this Land Use (Zoning) Variance was held on July 12, 2021.

**NOW, THEREFORE BE IT ORDAINED** by the Council of the City of Vermilion, Counties of Erie and Lorain, State of Ohio:

**SECTION 1:** That acting pursuant to Section 1240.02 of the Codified Ordinances of Vermilion, this City Council hereby grants a Land Use (Zoning) Variance to Brownhelm Creek Realty, LLC, The Barn At Brownhelm Creek, LLC, Kody Herchler, Kory Herchler, Jaimee Senk, and Thomas Zacher to allow for a commercial use zoning variance in the R-1 Estate Residence District, 1440 Claus Road, Permanent Parcel Number 0100021000061. The owners shall comply with all state, county, and local building codes governing such construction.

**SECTION 5:** That this Ordinance shall take effect and be in force from and after the earliest allowed by law.

**PASSED:** \_\_\_\_\_, 2021

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**Steve Herron, President of Council**

**ATTEST:** \_\_\_\_\_, 2021

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**Gwen Fisher, Clerk of Council**

**APPROVED:** \_\_\_\_\_, 2021

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**James Forthofer, Mayor**

*This document prepared as to form:*

By: *Gwen Fisher, Certified Municipal Clerk  
June 3, 2021*