



**City of Powell, Ohio**

**ORDINANCE 2016-12**

Adopted March 15, 2016

**AN ORDINANCE WAIVING SECTION 1115.05(e) RELATING TO THE ISSUANCE OF ZONING CERTIFICATES FOR BUILDING CONSTRUCTION WITH REGARD TO THE RESERVE AT SCIOTO GLENN, PHASE 2.**

**WHEREAS,** the developer of the Reserve at Scioto Glenn, Phase 2 is undertaking certain public improvements; and

**WHEREAS,** public improvements of this project are subject to Section 1115.05(e), which requires substantial completion and conditional acceptance of the improvements prior to issuance of any zoning certificates for building construction such improvements including all sanitary sewer improvements; and

**WHEREAS,** Council has the authority and desires to waive such requirement; and

**WHEREAS,** the Reserve at Scioto Glenn, LLC has submitted a written request for waiver of Section 1115.05(e) with regard to all lots within Phase 2 of such subdivision, which written request is attached hereto as Exhibit "A" and incorporated herein by reference, on the grounds that all improvements are completed except offsite sanitary sewer improvements required by the Delaware County Sanitary Engineer; and

**WHEREAS,** the Delaware County Sanitary Engineer and the Board of County Commissioners are supportive of the developer's request as set forth in correspondence dated February 1, 2016;

**NOW THEREFORE BE IT ORDAINED BY THE CITY OF POWELL, DELAWARE COUNTY, OHIO AS FOLLOWS:**

**Section 1:** That the requirements of Section 1115.05(e) for the Reserve at Scioto Glenn, Phase 2 are hereby waived, as they relate only to the sanitary sewer improvements. All other requirements of the City shall be completed prior to issuance of zoning certificates.

**Section 2:** It is hereby found and determined that all formal actions of this Council concerning and relating to passage of this Ordinance were adopted in an open meeting of the Council and that all deliberations of this Council and any of its committees which resulted in such formal actions were in meetings so open to the public in compliance with all legal requirements of the City of Powell, Delaware County, Ohio.

**Section 3:** That this Ordinance shall take effect on the earliest date permitted by law.

**VOTE ON RULES SUSPENSION:** Y 6 N 1 (Newcomb)

**City Council**

Brian Lorenz, Mayor

Jon Bennehoof

Frank Bertone

Tom Counts

Jim Hrivnak

Brendan Newcomb

Daniel Swartwout

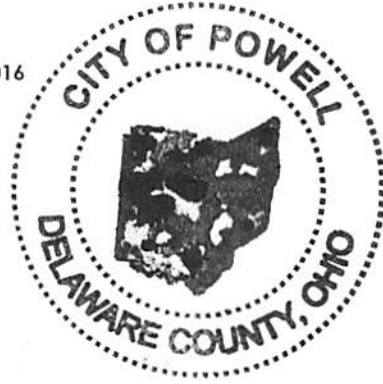
VOTE ON ORDINANCE 2016-12: Y 7

N 0

Brian Lorenz 4/5/16  
Date  
Brian Lorenz  
Mayor

Karen J. Mitchell 4/6/2016  
Date  
Karen J. Mitchell  
City Clerk

EFFECTIVE DATE: April 14, 2016



The legislation has been posted in accordance with the City Charter on this date 4/6/2016.  
City Clerk

Karen J. Mitchell  
City Clerk

**City Council**

Brian Lorenz, Mayor

Jon Bennehoof

Frank Bertone

Tom Counts

Jim Hrivnak

Brendan Newcomb

Daniel Swartwout