



City of Powell, Ohio

ORDINANCE 2018-54

Adopted November 20, 2018

AN ORDINANCE WAIVING SECTION 1115.05(e) RELATING TO THE ISSUANCE OF ZONING CERTIFICATES FOR BUILDING CONSTRUCTION WITH REGARD TO VERONA, PHASE 3.

WHEREAS, the developer of Verona, Phase 3 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 include all sanitary sewer improvements; and

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

WHEREAS, Verona, LLC has requested a waiver of Section 1115.05(e) with regard to Phase 3 of such subdivision on the grounds that all improvements are completed except a portion of Advocet Drive that connects to Seldom Seen Road; and

WHEREAS, the developer shall submit an as-built survey of the improvements that shall be approved by the City prior to the issuance of zoning certificates.

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 Verona, Phase 3, are hereby waived, as they relate to issuing zoning certificates prior to substantial completion and conditional acceptance. The total number of lots that are issued for all three (3) phases shall not exceed the total number of platted lots for Phases 1 and 2. Additional zoning certificates beyond the total number of platted lots for Phases 1 and 2 shall not be issued until all improvements associated with Verona Phase 3 are complete and conditionally accepted by the City of Powell. All other requirements of the City shall be completed prior to issuance of zoning certificates.

Section 2: That the requirements of Section 1115.059(e) for Verona, Phase 3, are hereby waived so long as the developer shall comply with all requirements of the Liberty Township Fire Department prior to the commencement of home construction, and completing the Advocet Drive connection to Seldom Seen Road in the Spring of 2019.

Section 3: 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 4: That this Ordinance shall take effect on the earliest date permitted by law.

VOTE ON ORDINANCE 2018-54:

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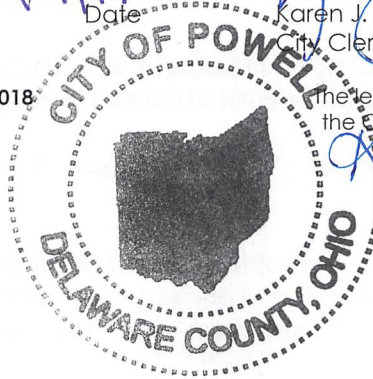
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Jon C. Bennehoof 11/29/2018
Jon C. Bennehoof
Mayor

Karen J. Mitchell
Date
Karen J. Mitchell
City Clerk

12/3/2018
Date

EFFECTIVE DATE: December 20, 2018



The legislation has been posted in accordance with
the City Charter on this date 12/3/2018.
Karen J. Mitchell City Clerk