



**ORDINANCE 2019-59**  
Adopted January 7, 2020

**AN ORDINANCE WAIVING SECTION 1115.05(e) RELATING TO THE ISSUANCE OF ZONING CERTIFICATES FOR BUILDING CONSTRUCTION WITH REGARD TO ONE LOT AT HARPERS POINTE.**

**WHEREAS,** the developer of Harpers Pointe 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; and

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

**WHEREAS,** Harpers Pointe has submitted a written request for waiver of Section 1115.05(e) with regard to either lot 2, 46, or 47 of such subdivision, which written request is attached hereto as Exhibit "A" and incorporated herein by reference;

**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 Harpers Pointe, 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. 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.

Section 2: The developer may construct a model home on either lot 2, 46, or 47.

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.

**VOTE ON ORDINANCE 2019-59: Y 7 N 0**

Jon C. Bennehoof  
Jon C. Bennehoof  
Mayor  
Date 1/21/2020

Karen J. Mitchell  
Karen J. Mitchell  
City Clerk  
Date 1/21/2020

**EFFECTIVE DATE: February 6, 2020**



The legislation has been posted in accordance with the City Charter on this date 1/22/2020  
Karen J. Mitchell  
City Clerk