

# RECORD OF ORDINANCES

Ordinance No. 2001-41

Passed August 7, YEAR 2001

## AN ORDINANCE APPROVING AN ADMINISTRATIVE REVIEW OF THE LAKES OF POWELL SECTION 5 & 6 DEVELOPMENT PLAN.

**WHEREAS**, Ordinance 98-28 approved an addition to the Comprehensive Plan for the development of 97 single-family homes on 47.94 acres that contained stipulations in Section 1 Paragraph 2 that the developer complete the portion of Murphy Parkway in front of the developer's property, and

**WHEREAS**, Ordinance 98-58 approved the Final Development Plan for Lakes of Powell Section 5 & 6 wherein Section 1 Paragraph 9 stipulates that the east side of the development plan could alter due to the future study of the alignment of Murphy Parkway and Liberty Road, and

**WHEREAS**, Ordinance 2001-19 approved the Murphy Parkway/Liberty Street Alignment Study, and

**WHEREAS**, the developer has proposed, as attached hereto and incorporated herein by reference, a payment to the City in lieu of constructing the roadway improvement so that the City can coordinate the entire roadway improvement at one time, and

**WHEREAS**, Section 1143.11 (u) allows for administrative reviews to assure substantial compliance with the final approved development plan, and,

**WHEREAS**, on June 13, 2001, the Planning and Zoning Commission reviewed this Administrative Review and recommended approval,

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

Section 1: That the Council of the City of Powell hereby accepts the payment of \$100,611.00 from M/I Schottenstein Homes as their total participation in the improvement of Murphy Parkway in front of their property, as stipulated in Ordinance 98-28.

Section 2: That the Council of the City of Powell hereby approves this agreement as an administrative review of an approved development plan as allowed by Section 1143.11 (u) of the Planning and Zoning Code.

Section 3: That the Sales Literature and Plat for the Lakes of Powell Section 6 (2) shall be submitted to the City Zoning Official identifying the realignment of Murphy Parkway

Section 4: That it is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance were adopted in an open meeting of the Council and that all deliberations of the Council and any of the decision making bodies of the Municipality of Powell which resulted in such formal actions were in meetings open to the public in compliance with all legal requirements of the Municipality of Powell, Delaware County, Ohio.

Section 5: That this Ordinance shall take effect at the earliest period allowed by law.

VOTE ON RULE SUSPENSION: Y      N     

VOTE ON ORDINANCE 2001-41: Y 5 N 1 (Nolan)

Mark F. Klein Date  
Mayor

This ordinance or resolution has been posted in three (3) public places as defined in ordinance 94-11 dated 4-3-94 on this date 8/10/01

Dawn Nauman Date  
Clerk of Council

[Signature]  
Clerk of Council