

Dayton Legal Blank Co., Form No. 30045

Resolution No. 2002-15

Passed July 23

2002

**A RESOLUTION INITIATING AN AMENDMENT OT SECTION 1147.14 OF THE POWELL ZONING CODE REGULATING RECREATIONAL STRUCTURES.**

**WHEREAS,** Ordinance 2001-57, passed November 6, 2001, establishing regulations pertaining to recreational structures and placed in Section 1147.14 of the codified ordinances of Powell, and

**WHEREAS,** the City Council has found a need to make amendments to the current code.

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

Section 1: That pursuant to Section 1131.03(b) of the Codified Ordinances of Powell, City Council hereby initiates amendments to Section 1147.14 to provide for a review of the rear yard setback and to provide for "legal nonconforming" status for those recreational structures installed prior to January 1, 2002, except for recreational structures in public right-of-way and easements, which, because of public health and safety issues, should be prohibited for those areas altogether.

Section 2: That the Planning and Zoning Commission shall study these amendments and make a recommendation to Council regarding these or any other amendment they fin necessary to accomplish this goal.

Section 3: That it is hereby found and determined that all formal actions of this Council concerning and relating to passage of this Resolution were adopted in an open meeting of the Council and that all deliberations of this Council and any of the decision making bodies of the Municipality of Powell which resulted in such formal actions were in meetings so open to the public in compliance with all legal requirements of the Municipality of Powell, Delaware County, Ohio.

Section 4: That this Resolution shall take effect at the earliest possible date permitted by law.

**VOTE ON RESOLUTION 2002-15: Y 5 N 0**

Art Schultz 8/6/02  
ART SCHULTZ DATE  
MAYOR

Dawn Nauman 7/31/02  
DAWN NAUMAN DATE  
CLERK OF COUNCIL

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 8/6/02  
Nauman  
Clerk of Council