

ORDINANCE 2004-35

Passed June 15, 2004

AN ORDINANCE APPROVING AN AMENDMENT TO AN APPROVED FINAL DEVELOPMENT PLAN FOR YAGER LANDSCAPING, ALLOWING A 2,160 SQUARE FEET ADDITION TO AN EXISTING 3,072 SQUARE FEET OFFICE-WAREHOUSE STRUCTURE AND VARIOUS SITE IMPROVEMENTS ON 0.83 ACRE.

WHEREAS, the Planning and Zoning Commission of the Municipality of Powell having recommended approval of an amendment to the Final Development Plan for Yager Landscaping on April 14, 2004, and

WHEREAS, the amendment to the Final Development Plan having been submitted to Council by the Planning and Zoning Commission pursuant to the provisions of Section 1143.11(r) of the Codified Ordinances of Powell, and

WHEREAS, Council having determined the implementation and approval of the amendment to the Final Development Plan which is attached hereto and incorporated herein by reference is in the best interest of the residents of the Municipality of Powell.

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

Section 1: That the Final Development Plan for Yager Landscaping which is attached hereto and incorporated herein by reference is accepted and approved by the Council of the Municipality of Powell, subject to the following conditions as recommended by the Planning and Zoning Commission:

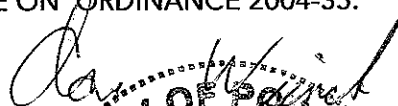
1. That the paved surface be extended at least to the end of the proposed addition, preferably to the entry into the outdoor storage area defined on the site plan.
2. That a landscape and buffer area a minimum of twenty feet in width be provided along the rear property line and a landscape plan be submitted and approved by Staff.
3. That the privacy fence along the rear property line be repaired or totally replaced in kind.
4. That the applicant remove all junk and unused materials and equipment, including the shed, from the outdoor storage area. A dumpster area shall be identified and utilized for yard waste created by the business.
5. That all materials and equipment, other than trucks and vehicles, be stored either in an enclosed storage or in the outdoor storage area during non-business hours.
6. That revised site plan showing existing and proposed fence alignments be submitted and approved by Staff.
7. That no chain link fence be visible from the public right-of-way.
8. That the brick wainscoting that is shown on the east side of the proposed addition not be required.

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 Municipality of Powell, Delaware County, Ohio.

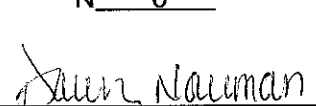
Section 3: That this Ordinance shall take effect on the earliest possible date permitted by law.

VOTE RULE SUSPENSION
VOTE ON ORDINANCE 2004-35:

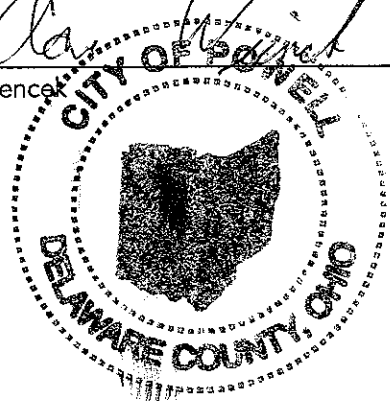
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Y 6 N 0




Dan Wiencek 6/24/04
Mayor Date



Dawn Nauman 6/24/04
Clerk of Council Date



This legislation has been posted in accordance with the City Charter on this date 7/1/04


Clerk of Council