

This legislation has been printed in accordance with
the City Charter of Powell, Ohio, dated 6/21/05.

Sdr
Clerk of Council

ORDINANCE 2005-29
Passed June 7, 2005

AN ORDINANCE AMENDING THE ZONING CODE OF THE CITY OF POWELL, REVISING SECTION 1135.03 AND SECTION 1135.04 OF THE POWELL ZONING CODE RELATED TO CONTENTS OF ZONING CERTIFICATE APPLICATIONS AND ISSUANCE OF ZONING CERTIFICATES AS THEY RELATE TO COMPLIANCE WITH DEED RESTRICTIONS AND COVENANTS

WHEREAS, Council has determined that there is an inconsistency between the Zoning Code and Building Code requirements related to compliance with Deed Restriction and Covenants in the Zoning Certificate and Building Permit application process, and

WHEREAS, in an effort to eliminate such inconsistency, it is desirable to amend Section 1135.03 and 1135.04 of the Zoning Code of the Municipality of Powell for the purpose of adding certain specifications as set forth on the attachment hereto, and

WHEREAS, The Planning and Zoning Commission has reviewed the proposed amendments and held a public hearing on May 11, 2005, and has given Council recommendation of approval.

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

Section 1: That the attached Zoning Code amendments are hereby added to the Codified Ordinances of the Municipality of Powell as set forth on the attachment hereto which is incorporated herein by reference.

Section 2: 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 3: That this Ordinance shall take effect at the earliest period allowed by law.

VOTE ON ORDINANCE 2005-29:

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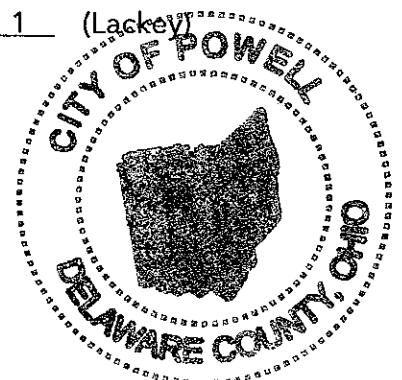
N 1 (Lackey)

Dan Wiencek
Dan Wiencek
Mayor

6/9/05
Date

Dawn Nauman
Dawn Nauman
Clerk of Council

6/20/05
Date



1135.03 CONTENTS OF APPLICATION FOR ZONING CERTIFICATE.

- (a) Application for a zoning certificate shall be made in writing and be signed by the owner or applicant attesting to the truth and exactness of all information supplied on the application. Each application shall clearly state that the certificate shall expire and may be revoked if work has not begun within six (6) months or substantially completed within one (1) year. At a minimum, the application shall contain the following information and be accompanied by all required fees:
- (1) Name, address, and phone number of applicant;
 - (2) Legal description of property;
 - (3) Existing use;
 - (4) Proposed use;
 - (5) Zoning district;
 - (6) Plans in triplicate drawn to scale, showing the actual dimensions and the shape of the lot to be built upon; the exact size and location of existing buildings on the lot, if any; the location and dimensions of the proposed building(s) or alteration; front, side, and rear yard setbacks;
 - (7) Building heights;
 - (8) Location and design of access drives;
 - (9) Number of dwelling units;
 - (10) If applicable, application for a sign permit or a conditional, special, or temporary use permit, unless previously submitted;
 - (11) A separate off-street parking and loading plan indicating the number of off-street parking spaces or loading spaces, and their layout, as specified in this Zoning Ordinance, and other such information;
 - (12) Such other documentation as may be necessary to determine compliance with all the applicable provisions of, and to provide for the enforcement of, this Zoning Ordinance;
 - (13) In every case where the lot is not served and is not proposed to be served with public water supply and/or the disposal of sanitary wastes by means of public sewers, the application shall be accompanied by a certificate of approval by the Delaware County Health Department for the proposed method of water supply and/or disposal of sanitary wastes.
 - (14) DOCUMENTATION THAT THE PROPOSAL HAS BEEN SUBMITTED IN WRITING TO THE HOMEOWNERS ASSOCIATION INVOLVED WITH THE PROPERTY IN QUESTION, IF ARCHITECTURAL REVIEW IS REQUIRED BY DEED RESTRICTION AND COVENANT, AND THAT SUCH SUBMITTAL WAS RECEIVED BY THE ASSOCIATION.