

TEMPORARY ORDINANCE NO. 4-10

PERMANENT ORDINANCE NO. _____

AN ORDINANCE TO RESTORE THE RIGHT OF ONE DIRECT ACCESS DRIVEWAY ONTO WEST FAIR AVENUE FROM RESERVE D OF THE OVERLOOK SECTION 1 DEVELOPMENT

WHEREAS, City Council previously passed Ordinance 5-05 accepting the plat for the development known as The Overlook Section 1, as now filed in Plat Cabinet 2, Slot 146 in the Fairfield County Recorder's records; and

WHEREAS, with the execution of the aforesaid plat the developer waived and released all rights of direct vehicular access or claims thereof from Reserve D of said The Overlook Section 1 onto West Fair Avenue to the City of Lancaster; and

WHEREAS, a new developer of said Reserve D proposes a different type of development for that part of Reserve D that adjoins West Fair Avenue, and

WHEREAS, the Planning Commission of the City of Lancaster, during its January 14, 2010 meeting, approved one driveway access onto West Fair Avenue from said Reserve D, contingent upon the approval of the driveway by the Mayor's Safety Committee; and

WHEREAS, the Mayor's Safety Committee, during its January 29, 2010 meeting, approved on driveway from said Reserve D onto West Fair Avenue, provided the driveway not exceed thirty-five feet wide as measured at the property line;

BE IT ORDAINED by the Council of the City of Lancaster, State of Ohio

SECTION 1. That the right for one direct access driveway from Reserve D of The Overlook Section 1 onto West Fair Avenue be hereby restored, provided that said driveway not exceed thirty-five feet in width as measured at the property line.

SECTION 2. That this ordinance shall take effect and be in force from and after the earliest period allowed by law after its passage by Council and approval by the Mayor.

Passed: _____ after _____ reading. Vote: Yeas _____ Nays _____

Date Approved: _____

President of Council

Clerk: _____

Mayor

Offered by: _____

Second by: _____

Requested by Planning, Zoning and Economic Development Committee