

**VILLAGE OF YELLOW SPRINGS
ORDINANCE # 2005-29**

AN ORDINANCE APPROVING AN APPLICATION FOR FINAL PLAT APPROVAL BY PURPLE SAGE, LLC FOR HUGH T. BIRCH III SUBDIVISION, SECTION II.

WHEREAS, the Village of Yellow Springs received an application for final plat approval from Purple Sage, LLC for the development of a single-family residential subdivision known as Hugh T. Birch III Subdivision, Section II (“Subdivision”);

WHEREAS, the Village Planning Commission held a public hearing and reviewed the preliminary and final plats for the Subdivision with consultation from a Consulting Engineer, and Village Solicitor;

WHEREAS, based on public input and technical review, the Village Planning Commission made a recommendation, subject to conditions, to approve the final plat (the “Plat”) for the Subdivision;

WHEREAS, the conditions set forth in the Planning Commissions approval have been satisfied by Purple Sage, LLC and Council desires to approve the Plat by this administrative action pursuant to the provisions of the Zoning Ordinance of the Village of Yellow Springs, Ohio;

NOW, THEREFORE, THE COUNCIL OF THE VILLAGE OF YELLOW SPRINGS, OHIO, HEREBY ORDAINS THAT:

Section 1. The Village Council, based on recommendation of and review by the Planning Commission, hereby approves the Final Plat for Hugh T. Birch III Subdivision, Section II.

Section 2. This Council finds that the general standards for approval of the Final Plat for the proposed Subdivision are met by a preponderance of the evidence presented in this case, only upon compliance with the conditions set forth above in this case.

Section 3. It is hereby found and determined that all formal action of this Council concerning and related to the passage of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and of any of its Committees that resulted in such formal action were in meetings open to the public and in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code.

Section 4. This Ordinance shall become effective at the earliest period allowed by law.

Jocelyn Hardman, President of Council

Passed:

Attest: _____
Deborah Benning, Clerk of Council

Roll Call:

Judith Hempfling _____ Jocelyn Hardman _____

Bruce Rickenbach _____ Karen Wintrow _____