

Bond Case Briefs

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ZONING - OHIO

State ex rel. Ebersole v. Powell

Supreme Court of Ohio - September 19, 2014 - N.E.3d - 2014 -Ohio- 4078

Residents sought writ of mandamus to compel city council and city clerk to place proposed amendment to city charter on election ballot.

The Supreme Court of Ohio held that proposed amendment to city charter, which would have rendered a commission composed of five private citizens responsible for recommending a new comprehensive zoning and development plan to city council, was an unlawful delegation of legislative power, where city council would have been required to consider commission's recommendation and to adopt a final plan, final plan could make adjustments to commission recommendation only to extent that adjustments were consistent with commission's findings, and amendment did not set forth any standards to govern those findings.