

ORDINANCE NUMBER 2010-06
OF THE CITY OF FRANKLIN, INDIANA

AN ORDINANCE APPROVING RESOLUTION NUMBER 2010-08
OF THE CITY OF FRANKLIN, INDIANA PLAN COMMISSION, REZONING CERTAIN PROPERTY WITHIN THE
CITY OF FRANKLIN
(To be known as the Indiana Masonic Home PUD Detail Plan Rezoning)

WHEREAS, the City of Franklin, Indiana Plan Commission (referred to hereafter as the "Plan Commission") is an advisory Plan Commission to the City of Franklin, Indiana (referred to hereafter as the "City"), and has, by Resolution number 2010-08 (a copy of which is attached and referred to hereafter as Resolution Number 2010-08), recommended that the City's Common Council amend the Zoning Ordinance rezoning the subject property to establish PUD developmental standards for the Indiana Masonic Home PUD; and

WHEREAS, pursuant to Indiana Code § 36-7-4-602, Resolution 2010-08 has been certified to the City's Common Council; and

WHEREAS, the developmental standards for the Indiana Masonic Home PUD described in "Exhibit A" should apply to the property described in "Exhibit B;" and

WHEREAS, the recommendation of the Plan Commission should be adopted, and the proposed revisions to the City of Franklin Zoning Ordinance should be approved with the following written commitment:

The **INDIANA MASONIC HOME** will grant the **CITY OF FRANKLIN** and its agents, employees and contractors the right to enter onto the Property for the purpose of performing **INSPECTION AND/OR MAINTENANCE OF THE DETENTION POND**

NOW, THEREFORE, THE COMMON COUNCIL OF THE CITY OF FRANKLIN, INDIANA, ORDAINS AND ENACTS THE FOLLOWING:

1. **Zoning Ordinance Amended:** The subject property described in "Exhibit B" is hereby zoned Indiana Masonic Home PUD, Planned Unit Development with the following written commitment as follows:
 - A. The Indiana Masonic Home will grant the City of Franklin and its agents, employees and contractors the right to enter onto the property for the purpose of performing inspections and/or maintenance of the detention pond (See attached Right of Entry Agreement - EXHIBIT C).
2. **Construction of Clause Headings.** The clause headings appearing in this ordinance have been provided for convenience and reference, and do not purport and will not be deemed to define, limit, or extend the scope or intent of the clauses to which the headings pertain.
3. **Repeal of Conflicting Ordinances.** The provisions of all other ordinances in conflict with the provisions of this ordinance are of no further force or effect upon the remaining provisions of this ordinance.

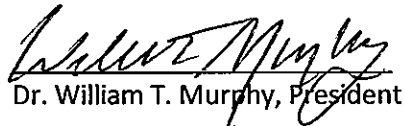
4. **Severability of Provisions.** If any part of this ordinance is held to be invalid, such part will be deemed severable and its validity will have no effect upon the remaining provisions of this ordinance.
5. **Duration and Effective Date.** The provisions set forth in this ordinance become and will remain in full force and effect (until their repeal by ordinance) on the day of passage and adoption of this ordinance by signature of the executive in the manner prescribed by Indiana Code § 36-4-16-4.

INTRODUCED & FILED on the 3rd day of May, 2010.

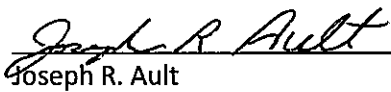
DULY PASSED on this 3 day of May, 2010, by the Common Council of the City of Franklin, Johnson County, Indiana, having been passed by a vote of 7 in Favor and 0 Opposed.

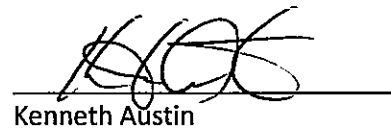
City of Franklin, Indiana, by its Common Council:

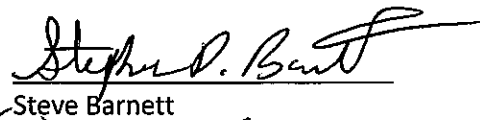
Voting Affirmative:

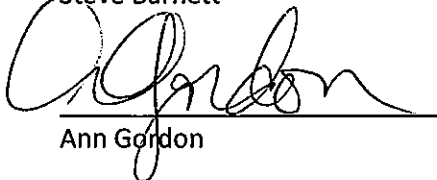

Dr. William T. Murphy, President


Joseph P. Abban


Joseph R. Ault


Kenneth Austin


Steve Barnett


Ann Gordon

Voting Opposed:

Dr. William T. Murphy, President

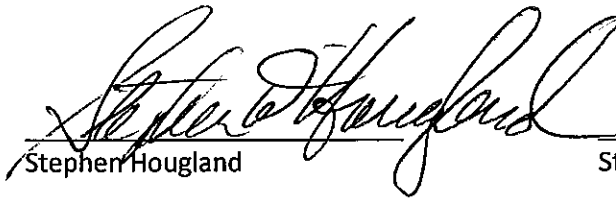
Joseph P. Abban

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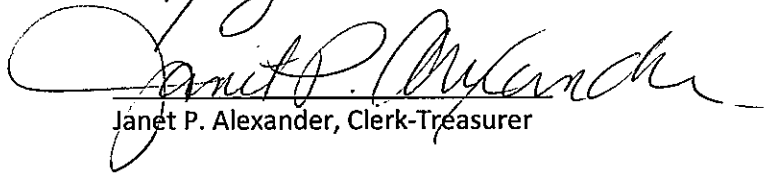

Stephen Hougland

Stephen Hougland

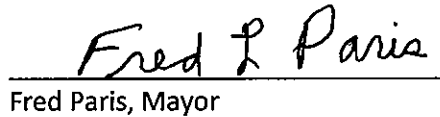
Attest:


Janet P. Alexander, Clerk-Treasurer

Presented by me to the Mayor of the City of Franklin for his approval or veto pursuant to Indiana Code § 36-4-6-15,16, this 3 day of May at 8:00 clock p.m.


Janet P. Alexander, Clerk-Treasurer

This Ordinance having been passed by the legislative body and presented to me this [Approved by me and duly adopted, pursuant to Indiana Code § 36-4-6-16(a)(1)] [Vetoed, pursuant to Indiana Code § 36-4-6-16(a)(2), this 3 day of May at 8:00 clock p.m.


Fred Paris, Mayor

Attest:


Janet P. Alexander, Clerk-Treasurer

Prepared by:

Krista Linke, Director of Planning and Economic Development