

City of Franklin Common Council

ORDINANCE NUMBER 2010-05

AN ORDINANCE APPROVING RESOLUTION NUMBER 2010-03
OF THE CITY OF FRANKLIN, INDIANA PLAN COMMISSION, REZONING CERTAIN PROPERTY TO
IBD (INDUSTRIAL: BUSINESS DEVELOPMENT)
(To be known as the RSW Development Rezoning **Commitment Modification**)

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 2010-03 recommended that the City's Common Council amend the Zoning Map and rezone the property described in "Exhibit A" attached hereto, to Industrial: Business Development (IBD) subject to the conditions and written commitments as stated below.

WHEREAS, pursuant to Indiana Code § 36-7-4-602, Resolution 2010-03 has been certified to the City's Common Council; and

WHEREAS, the recommendation of the Plan Commission should be adopted, and the rezoning of the property described in "Exhibit A:" should be approved.

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

1. **Zoning Map Amended:** The subject property described in Exhibit "A" (RSW Development – Lot 6) is hereby re-zoned to Industrial: Business Development (IBD) with the development standards and written commitments and restrictions as follows:
 - a. The following uses, as defined by the City of Franklin Zoning Ordinance, shall be removed from the permitted uses in the above referenced rezoning:
 - i. Telecommunications Tower
 - ii. Auto Sales
 - b. A maximum of 2.25 acres, generally located near the southwest corner of the usable property (outside of the regulatory flood zone), shall be permitted to contain mini warehouses.
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.

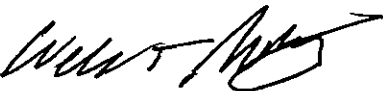
5. **Duration and Effective Date.** The provisions set forth in this ordinance become and will remain in full force and effect (until their repeal by ordinance) on the day of passage and adoption of this ordinance by signature of the executive in the manner prescribed by Indiana Code § 36-4-16-4.

INTRODUCED on the 6th day of April, 2010.

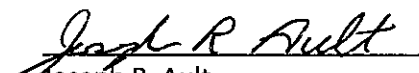
DULY PASSED on this 19 day of April, 2010, by the Common Council of the City of Franklin, Johnson County, Indiana, having been passed by a vote of 6 in Favor and 0 Opposed.

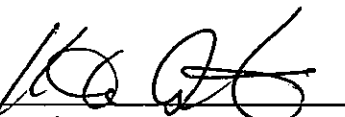
City of Franklin, Indiana, by its Common Council:

Voting Affirmative:


Dr. William T. Murphy, President

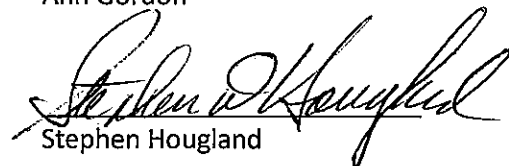

Joseph P. Abban


Joseph R. Ault


Kenneth Austin


Steve Barnett

Absent
Ann Gordon


Stephen Houglan

Voting Opposed:

Dr. William T. Murphy, President

Joseph P. Abban

Joseph R. Ault

Kenneth Austin

Steve Barnett

Ann Gordon

Stephen Houglan

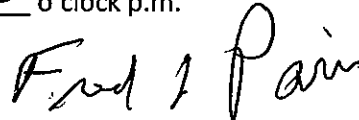
Attest:


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 10:00 o'clock ~~p.m.~~ AM

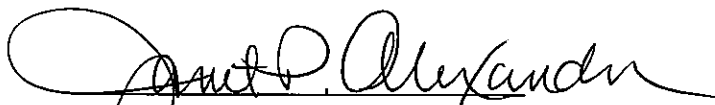

Janet P. Alexander, Clerk-Treasurer

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 2:30 o'clock p.m.



Fred Paris, Mayor

Attest:


Janet P. Alexander, Clerk-Treasurer

Prepared by:
Krista Linke, Director of Planning and Economic Development