

**FILED**  
SUBJECT TO FINAL ACCEPTANCE

NOV 08 2023

*Elizabeth A. Avey*  
AUDITOR, JOHNSON COUNTY

City of Franklin Common Council

**ORDINANCE NUMBER 2023-10**

2023-017820  
RECORDED ON  
11/08/2023 01:36:52 PM  
TERESA K. PETRO  
JOHNSON COUNTY RECORDER  
REC FEE: 25.00  
PAGES: 4  
RECORDED AS PRESENTED

AN ORDINANCE APPROVING RESOLUTION NUMBER 2023-15  
OF THE CITY OF FRANKLIN, INDIANA PLAN COMMISSION, REZONING CERTAIN PROPERTY TO  
IBD (Industrial: Business Development)  
(To be known as Phelps 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 2023-15 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).

**WHEREAS**, pursuant to Indiana Code § 36-7-4-605, Resolution 2023-15 has been certified to the City's Common Council; and

**WHEREAS**, the recommendation of the Plan Commission should be adopted; and

**WHEREAS**, the Common Council, after paying reasonable regard to: 1) City of Franklin Comprehensive Plan, 2) the current conditions and the character of current structures and uses in each district, 3) the most desirable use for which the land in each district is adapted, 4) the conservation of property values throughout the City of Franklin's planning jurisdiction, and 5) responsible growth and development, finds 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" is hereby rezoned Industrial: Business Development (IBD).
- 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) following the passage and adoption of this

**Sale Disclosure NOT Required**  
**Johnson County Assessor**

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ordinance by signature of the executive in the manner prescribed by Indiana Code § 36-4-6-16 and will coincide with the effective date of the companion annexation ordinance as adopted by City Council (Ordinance 2023-09: Phelps Annexation).

INTRODUCED on the 5<sup>th</sup> day of September, 2023.

DULY PASSED on this 2 day of October, 2023, 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:

  
Kenneth Austin, President

  
Robert D. Heuchan

  
Anne McGuinness

  
Irene Nalley

  
Jennifer Price

  
Josh Prine

  
Shawn Taylor

Voting Opposed:

\_\_\_\_\_  
Kenneth Austin, President

\_\_\_\_\_  
Robert D. Heuchan

\_\_\_\_\_  
Anne McGuinness

\_\_\_\_\_  
Irene Nalley

\_\_\_\_\_  
Jennifer Price

\_\_\_\_\_  
Josh Prine

\_\_\_\_\_  
Shawn Taylor

Attest:

  
Jayne Rhoades, City 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 and 16, this 2 day of October, 2023 at 6:15 o'clock p.m.

  
Jayne Rhoades, City Clerk-Treasurer

This Ordinance having been passed by the legislative body and presented to me was 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 2 day of October, 2023 at 6:15 o'clock p.m.

  
\_\_\_\_\_  
Steve Barnett, Mayor

Attest:

  
\_\_\_\_\_  
Jayne Rhoades, City Clerk-Treasurer

I affirm, under the penalties for perjury, that I have taken reasonable care to redact each social security number in this document, unless required by law.

Signed 

*Prepared by:*  
*Joanna Tennell, Senior Planner*  
*Department of Planning & Engineering*  
*70 E. Monroe Street*  
*Franklin, IN 46131*

**EXHIBIT "A"**

Part of the East half of the Northwest quarter of Section 2, Township 12 North, Range 4 East of the Second Principal Meridian described as follows:

Beginning on the North line of said half quarter section at a point that is 813.93 feet west of the northeast corner thereof; thence west on and along the North line 150.99 feet to a point that is 4.01 feet East of the centerline of a public road; thence South parallel to and 4.01 feet from said centerline 140.52 feet; thence east parallel to the North line 150.99 feet; thence north parallel to the west line 140.52 feet to the place of beginning.

Including all contiguous areas of public highways and rights-of-way of the public highways which are not already contained within the corporate boundaries of the City of Franklin.