

RESOLUTION NO. _____

**RESOLUTION INITIATING PROPOSAL TO
AMEND THE HENRY COUNTY CODE**

WHEREAS, the legislative body of a unit may initiate a proposal to amend the text of a unit's zoning code; and,

WHEREAS, the Board of Commissioners of Henry County is the legislative body for Henry County, and,

WHEREAS, the Board of Commissioners wishes to initiate a proposal to amend the text of Chapter 154 of Henry County's Zoning Code.

NOW THEREFORE BE IT RESOLVED, as follows:

1. A proposal is initiated to amend Section 154.019 (A) of the Henry County Code as set forth on the attached Exhibit "A".

2. The proposal to amend the Zoning Code in accordance with this Resolution is hereby referred to the Henry County Planning Commission to conduct a public hearing and make a recommendation to the Board of Commissioners required by law.

ALL OF WHICH IS RESOLVED this ____ of _____, 2020.

BOARD OF COMMISSIONERS OF HENRY COUNTY

ATTEST:

Debra G. Walker

EXHIBIT A

§ 154.091 SETBACK REQUIREMENTS.

(A) *Commerical*

(1) No WECS or Meteorological Tower shall be constructed within any setback, dedicated public easement, or dedicated public right-of-way, without the prior written authorization from the Henry County Commissioners and the holder of any easement.

(2) The location of any WECS or Meteorological Tower may not be closer than ~~1.5 times the sum~~ three thousand three hundred feet (3,300') ~~of the WECS Tower Height~~ from any property boundary line, dedicated roadway, railroad right-of-way, or overhead electrical transmission or distribution lines.

~~(3) — The location of any WECS Tower may not be closer than the greater of: (a) 1,500 feet; or (b) three (3) times the WECS Tower Height, from a Primary Building/Structure, measured from the center of the WECS Tower foundation at the base of the WECS Tower to the nearest edge of the Primary Building/Structure.~~

~~(3) —~~ The location of any WECS Tower may not be closer than ~~five (5) times the WECS Tower Height~~ three thousand three hundred feet (3,300') from the limits of an incorporated municipality, or the property boundary line of a Public School, hospital, or nursing home. Distance shall be measured from the center of the foundation at the base of the WECS to the closest municipal boundary line or property boundary line.

~~(54)~~ The setback requirements set forth in this division (A) applicable to a particular WECS Tower may, with the written consent of each abutting Participating Property Owner, Non-Participating Property Owner, incorporated municipality, Public School, hospital or nursing home be reduced to a distance of no less than 1.1 times the WECS Tower Height or 550 feet from a municipal boundary, ~~— or —~~ property boundary line ~~or Primary Structure~~. A written consent shall be effective until decommissioning of the particular WECS Tower(s) for which the consent applies, shall include the legal description of the affected property with a cross reference to the current deed of record, shall bind the consenting property owner's heirs, assigns, and successors, and shall be recorded in the office of the Henry County Recorder.

~~(56)~~ For purpose of this Section 9.7, distances shall be measured from the center of the foundation at the base of a Tower.

