

RESOLUTION

WHEREAS, on January 20, 2015, the Warren County Area Plan Commission made a favorable recommendation on a proposal to amend the zoning ordinance of Warren County in the following particular:

An amendment to Section 1.5.1 of the Wind Energy Conversion Systems (WECS) Siting Regulations revising the setback for road right-of-way, measured from the center of the WECS to the edge of the right-of-way, as follows, to-wit:

The greater of three hundred fifty (350) feet or 1.1 times the total height of the WECS tower where the blade is at its highest point, as measured from the center of the WECS to the edge of the right-of-way.

A copy of the full text of Wind Energy Conversion Systems (WECS) Siting Regulations, together with the proposed amendment, is on file in the office of the Warren County Area Plan Commission and may be inspected or copied upon request.

The revised regulation will apply to all WECS properties situated in Warren County, Indiana.

WHEREAS, February 2, 2015, is the first regularly scheduled meeting of the Warren County Commissioners, the legislative body of said county, after the recommendation of said Area Plan Commission was certified to it and there was sufficient time for notice to be given; and

WHEREAS, notice was given under IC 5-14-1.5-5 of the Warren County Commissioners' intention to consider said proposal at such meeting.

NOW, THEREFORE, IT IS RESOLVED by the Warren County Commissioners, Warren County, Indiana:

That the proposal to amend the zoning ordinances of Warren County in the following particular:

An amendment to Section 1.5.1 of the Wind Energy Conversion Systems (WECS) Siting Regulations revising the setback for road right-of-way, measured from the center of the WECS to the edge of the right-of-way, as follows, to-wit:

The greater of three hundred fifty (350) feet or 1.1 times the total height of the WECS tower where the blade is at its highest point, as measured from the center of the WECS to the edge of the right-of-way.

A copy of the full text of Wind Energy Conversion Systems (WECS) Siting Regulations, together with the proposed amendment, is on file in the office of the Warren County Area Plan Commission and may be inspected or copied upon request.

AMKENDMENT TWO:

An amendment deleting in its entirety Section 1.11.3.C of the Wind Energy Conversion Systems (WECS) Siting Regulations relating to the noise profile of a COMMERCIAL WECS.

AMENDMENT THREE:

An amendment to Section 1.19 of the Wind Energy conversion Systems (WECS) Siting Regulations entitled "Right to Appeal", repealing the existing provision and stating as follows:

All persons aggrieved by a decision of the Zoning Office to revoke or fail to renew a WECS permit or certificate shall have the right to appeal the decision to the Board of Zoning Appeals within thirty (30) days after the decision. All persons aggrieved by a decision of the Board of Zoning Appeals to approve or deny a WECS Special Use permit application may directly bring an action in the Warren Circuit Court for review of the decision within thirty (30) days after the decision.

AMENDMENT FOUR:

An amendment to Section 1.11.5 of the Wind Energy Conversion Systems (WECS) Siting Regulations entitled "Fees", to add Exhibit A stating as follows:

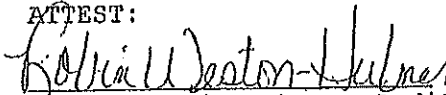
COMMERCIAL WECS FEES:

WECS Application Fee	\$20,000.00
WECS Improvement Location Permit	\$1,750.00 per megawatt (MW) capacity, which will be prorated for fractional MW capacity

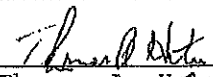
be and is hereby approved.

Resolution adopted this 4<sup>th</sup> day of August, 2016.

ATTEST:

  
Robin Weston-Hubner, Auditor

WARREN COUNTY COMMISSIONERS:

  
Thomas A. Hetrick

  
Steven C. Eberly

  
Anton "Tony" Briles