

ORDINANCE NO. 90.07

AN ORDINANCE TO PROVIDE FOR ALLOWING ENCROACHMENTS
ON SETBACKS; TO PROVIDE FOR REPEAL OF EXISTING ORDINANCES; TO
PROVIDE FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES

BE IT ORDAINED by the Board of Commissioners of Henry County,
Georgia, and it is hereby ordained by authority of same as follows:

That the provisions of Henry County Zoning Ordinance, Article V,
Section 503, and Section 508, Subsection Number 4 be amended by deleting
same in its entirety and in lieu thereof, inserting the following:

SECTION 503: PERMITTED ENCROACHMENTS UPON YARD SETBACKS

Architectural features such as cornices, eaves, steps, gutters and fire
escapes may project up to three (3) feet beyond a required setback line,
except where such projections would obstruct driveways which are used or
may be used for access of service and/or emergency vehicles; provided,
however, in the case of automobile service stations, motels, and similar
uses which serve the motoring public, canopies shall be allowed over a
driveway or walkway within the front yard not to extend from the
principal building to a point any closer than fifteen (15) feet from the
street right-of-way line or future right-of-way line as designated by
the Master Thoroughfare Plan element of the Henry County Comprehensive
Land Use Plan.

SECTION 508: YARD FENCING OR WALLS

4. Rural residence fences maximum height five (5) feet in the front yard; eight (8) feet in the rear yard.

BE IT ORDAINED, that all resolutions, ordinances or parts of ordinances in conflict herewith are, to the extent of such conflict, hereby repealed.

BE IT ORDAINED, that the Chairman of the Board of Commissioners be authorized to sign this ordinance on behalf of the Board of Commissioners of Henry County, Georgia.

BE IT FURTHER ORDAINED, that this provision shall become effective on the 19 day of September, 1990.

PASSED AND ADOPTED, by the Board of Commissioners of Henry County, Georgia, this the 19 day of September, 1990.

HENRY COUNTY BOARD OF COMMISSIONERS

BY: 

DAVE CRAWFORD, CHAIRMAN

ATTEST:


SUSAN B. CRAIG, DEPUTY CLERK

- A) There shall be no more than four (4) signs at a three (3) way road intersection and no more than six (6) signs located at a four (4) way road intersection.
- B) There shall be a limit of no more than three (3) signs per project and no more than one (1) sign per project per road intersection.
- C) All signs shall be removed when 95% of the homes in the subdivision are constructed and sold.
- D) There shall be a permit fee of \$35.00 for each sign and the permit number shall be affixed to the sign.
- E) All pre-existing non-conforming signs shall be removed from the road intersections prior to the erection of a new conforming sign.

SECTION 1206: WEEKEND DIRECTIONAL REAL ESTATE SIGNS

1. Definition - Weekend directional real estate signs are those signs erected between 3:00 P.M. Friday and removed no later than 11:59 P.M. Sunday which convey directions to a specific real estate event.
2. Location - Weekend directional real estate signs shall be allowed in all Henry County zoning districts. Such signs shall be located on private property with the permission of the property owner. They shall not be located on the street right-of-way and must be no closer than ten (10) feet from the edge of the pavement. Weekend directional real estate signs shall not be located less than three hundred (300) feet from any other such sign. They shall not be affixed to trees, poles or other signs.

3. Construction - All weekend directional real estate signs shall be constructed of weather resistant material.
4. Limitation - Weekend directional real estate signs shall have a maximum area of three (3) square feet per face. The height of such signs shall not exceed four (4) feet. Each such sign shall be legibly marked with the name of the owner or the party responsible for its removal.

SECTION 1207: INCIDENTAL SIGNS

The following signs are permitted in any zoning district subject to the provisions listed herein (sign permit not required).

1. Real estate signs not exceeding six (6) square feet in residential areas which advertise the sale, rental or lease on the premises upon which said signs are located and that only one (1) sign be permitted for each street on which the building or property faces.
2. Professional name plates not exceeding one (1) square foot in area.
3. Bulletin boards not over thirty-two (32) square feet in area for public, civic, charitable or religious institutions when the same are located on the premises of said institutions. A maximum of four (4) off premise directional signs no larger than four (4) square feet located on private property with permission of the property owner are allowed for the above institutions.
4. Signs denoting the architect, lender, engineer or contractor, when placed upon work under construction and not exceeding thirty-two (32) square feet in area.
5. Occupational signs denoting only the name and profession of an occupant in a commercial building and not exceeding two (2) square

feet in area.

6. Signs not exceeding twelve (12) square feet in area giving information concerning the location or use of accessory off street parking facilities or loading and unloading facilities.
7. Signs indicating bus stops, taxi stands, and similar transportation facilities.
8. Traffic control signs on private property not to exceed four (4) square feet in area.
9. Political signs shall not exceed thirty-two (32) square feet in area, and shall not be located on utility poles, trees or natural objects. Signs are to be located on private property only with permission of the property owner and shall conform with all sign setback requirements. Political signs shall be removed by the candidate, property owner or occupier where such sign is located within three (3) days after such candidate has been finally elected or defeated. This Sub-section shall become effective January 1, 1991.
10. Garage sale signs not to exceed four (4) square feet in area when mounted on a substantial frame and erected on private property with owner's approval. A twenty-five dollar (\$25.00) removal deposit is required prior to erection. Deposit to be returned by the County subsequent to sale completion and sign removed.
11. Memorial signs, historical signs or tablets, names of buildings and date of erection when cut into any masonry surface or when constructed of bronze or other combustible material. Traffic or other municipal signs, legal notices, railroad crossing signs, danger and such temporary emergency or non-advertising signs as may

be approved by the Board of Commissioners of Henry County.

SECTION 1208: SIGNS PROHIBITED

The following signs are expressly prohibited in all zoning districts:

1. Signs imitating warning signals are prohibited. No sign shall display lights resembling the flashing lights customarily used in traffic signals or in police, fire, ambulance or rescue vehicles; nor shall any signs use the words, slogans, dimensional shape or size, of any governmental traffic sign.
2. No signs, except traffic signs and signals and informational signs erected or authorized by a public agency, are permitted within any street or highway right-of-way.
3. Signs painted or attached to natural features such as trees or rocks, telephone poles, utility poles or fence posts are prohibited.
4. Signs within three hundred (300) feet of any officially designated historical site or monument, except signs pertaining to that particular site of monument are prohibited.

SECTION 1209: INTERSTATE SIGNS

All signs located on sites abutting or visible from the Interstate right-of-ways shall conform with Georgia Code Annotated Section 32-6-70, et seq. (The Georgia Outdoor Advertising Code) and shall meet all federal and state requirements necessary to obtain a permit from the Georgia Department of Transportation under said code. In instances where the sign controls of this ordinance are more strict, the regulations of this ordinance shall apply.

Any sign located on an Interstate Highway which advertises an activity, business, product or service which has ceased operation or production shall be removed within six (6) months of the discontinuance of said activity, business, product or service.

SECTION 1210: SIGN SETBACKS AND RESTRICTIONS

The following regulations govern the location of all signs within Henry County.

1. Signs shall be required to be located within the required front yard of a principal structure, and shall not be permitted to extend beyond the front property line into the street right-of-way, and shall not be closer than twenty (20) feet to the edge of the zoned pavement. The location of signs shall not interfere with the view of a traffic signal or traffic vision as provided by Section 1209, Paragraph 2.
2. No sign may be located in a manner which can obstruct or interfere with the view of a traffic signal. No sign may be located within one hundred (100) feet of an intersection of a public road if the sign obstructs the vision of a motorist within the distance of one hundred (100) feet of the intersection or causes confusion with a traffic control sign or a signal by reason of color, lighting or other means.
3. In order to erect a second point of business sign a use must have frontage on two (2) publicly dedicated streets with each including a legal curb cut. In addition, there must be a minimum lot area of one (1) acre to permit a second such sign to be erected. In those instances where one (1) of the street frontages is on a street serving a residential subdivision, a second sign shall be prohibited. If any applicant has an existing sign that does not conform to the County's sign regulations, the sign in violation

shall be brought into conformance prior to a permit being issued for a second sign.

SECTION 1211: FILING PROCEDURE AND PERMIT ISSUANCE

The procedure outlined herein shall be complied with by all persons erecting signs within the corporate limits of the County.

1. All signs erected, replaced, modified or relocated shall be in conformance with all Ordinances and Codes of Henry County. A permit shall be secured from the Building Department Director prior to erection of any sign. This permit is to be issued prior to installation or modification of any sign. No permit shall be required for any change of copy on a sign, provided, no modification is made to the size or location of the sign.
2. Application for permits to erect, hang or place a sign shall be submitted on forms obtainable from the Building Department Director. Each application shall be accompanied by plans showing the area of the sign, size and character and the method of illumination, if any, the exact location proposed for such sign and in the case of a projecting sign, the proposed method of fastening said sign to the building structure, the vertical distance between such sign and the finished grade, and the horizontal distance between such sign and the street right-of-way line.

The application shall also include a photograph or line drawing of the face of the sign showing exactly what is to be portrayed. Each applicant shall, upon the request of the Building Department Director, submit any additional information deemed necessary by said Building Department Director.

The County shall complete review of the application within thirty (30) days, notifying the applicant of its decision. If approved,

the County shall issue a sign permit to the applicant. If denied, the applicant may reapply, correcting deficiencies in the original application or file notice of appeal to the Board of Commissioners within thirty (30) days of denial.

3. The Board of Commissioners shall establish a schedule of fees, charges and expenses relating to signs. The schedule of fees shall be posted in the office of the Building Department Director and may be altered or amended only by the Board of Commissioners.

Signs listed as exceptions in Section 1206 are not required to pay a fee.

4. All lighted signs must be erected and maintained to preclude light spill onto adjacent residential properties by being located not less than fifty (50) feet from the nearest residence property line or residential district and being shielded, if necessary.

SECTION 1212: UNLAWFUL SIGNS

The Director of Code Enforcement shall inspect, at any time, each sign regulated by the provisions herein. Should any sign be installed or maintained improperly or should any violation of these provisions be noted, the Director of Code Enforcement shall notify the owner or lessee of said sign in writing of the reasons for non-compliance. The Director of Code Enforcement is empowered to revoke any permit issued upon failure of sign owner or lessee to comply with provisions of these regulations. The owner or lessee shall have three (3) business days from receipt of notice to bring sign into compliance or it may be removed by the County at the expense of the owner or lessee. The Director of Code Enforcement shall not be required to provide written notice to owners or lessees of signs addressed in Section 1204, nor shall the three (3) day compliance period apply.

All prohibited signs located on public right-of-ways are hereby declared litter and may be removed and disposed of in the Henry County Landfill by any Henry County employee.

SECTION 1213: NON-CONFORMING SIGNS

Non-conforming signs shall be removed by the owner or lessee within a period of five (5) years from the date of adoption of this Ordinance.

No conforming sign shall be erected on the same lot having an existing non-conforming sign until the non-conforming sign is removed or brought into conformance.

Signs which advertise a discontinued use of a building shall be removed within ninety (90) days from the date the use was terminated. If such signs are not removed within this time period, they shall be removed at the direction of the Building Department Director. The cost of the removal shall be placed as a lien against the property until such cost is paid.

BE IT ORDAINED, that all resolutions, ordinances or parts of ordinances in conflict herewith are, to the extent of such conflict, hereby repealed.

BE IT ORDAINED, that the Chairman of the Board of Commissioners be authorized to sign this Ordinance on behalf of the Board of Commissioners of Henry County, Georgia.


BE IT FURTHER ORDAINED, that this Ordinance shall become effective upon signature by the Chairman of the Board of Commissioners.

PASSED AND ADOPTED, by the Board of Commissioners of Henry County,
Georgia, this the 19 day of September, 1990.

BOARD OF COMMISSIONERS OF
HENRY COUNTY, GEORGIA

BY: 
DAVE CRAWFORD, CHAIRMAN

ATTEST:


SUSAN B. CRAIG, DEPUTY CLERK

ORDINANCE NO. 90-04

AN ORDINANCE TO PROVIDE A LISTING OF ZONING DISTRICTS; TO PROVIDE FOR REPEAL OF EXISTING ORDINANCE; TO PROVIDE FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES

BE IT ORDAINED by the Board of Commissioners of Henry County, Georgia, and it is hereby ordained by authority of same as follows:

That the provisions of Henry County Zoning Ordinance, Article III, Section 304, be amended by deleting same in its entirety and in lieu thereof, inserting the following:

SECTION 304: ZONING DISTRICTS LISTED

For purposes of this Ordinance the unincorporated land area of Henry County and the incorporated areas of the Cities of Locust Grove, Hampton, and Stockbridge are divided into zoning districts designated and defined as follows:

- RA: Residential-Agricultural District - Low density residential development in conjunction with limited agricultural endeavor.
- R-1: Single-Family Residence District - Low density residential development on septic tanks or public water and sewerage systems.
- R-2: Single-Family Residence District - Low density residential development on septic tanks or public water and sewerage systems.

- R-3: Single-Family Residence District - Moderate density residential development on lots served by public water and sewerage systems when part of a planned development project.
- RD: Two-Family Residence District - Moderate density residential development limited to duplex dwellings on lots served by public water and sewerage systems.
- RM: Multiple-Family Residence District - Moderate density residential multiple-family development on lots served by public water and sewerage systems.
- RMH: Mobile Home Development District - Moderate density residential development of mobile home parks and subdivisions where there is adequate land area and public water with individual/public sewerage systems.
- OI: Office - Institutional District: Businesses and institutions limited to office and closely related commercial activities.
- C-1: Neighborhood Commercial District - Businesses serving the day-to-day needs of discrete portions of Henry County.
- C-2: General Commercial District - Businesses serving the general shopping needs of County residents.
- C-3: Heavy Commercial District - Businesses of a regional commercial nature typified by larger land areas, access to major arterial thoroughfares, and having the need to provide for orderly outside storage of materials.
- M-1: Light Manufacturing District - Manufacturing uses that are nuisance free and not generators of hazardous wastes.

- M-2: Heavy Manufacturing District - Manufacturing uses requiring larger land areas and the need to incorporate substantial outside storage of products and materials.
- PD: Planned Development District - An overlay district to provide for innovative development and siting techniques for planned residential, office, commercial or industrial uses.
- FP: Flood-Protective District - An overlay district reflecting provisions of the FEMA flood-prone area studies, incorporating by reference the boundaries of the FIRM flood maps depicting the limits of the 100 year flood.
- TOWPD: Towaliga Watershed Protection District - An overlay district with regulations for protection of the Towaliga River and tributaries in its drainage basin and protection of Henry County water resources.
- TUWPD: Tussahaw Watershed Protection District - An overlay district with regulations for the protection of the Tussahaw Creek and tributaries in its drainage basin and protection of Henry County water resources.
- WCWPD: Walnut Creek Watershed Protection District - An overlay district with regulations for the protection of the Walnut Creek and tributaries in its drainage basin and protection of Henry County water resources.

BE IT ORDAINED, that all resolutions, ordinances or parts of ordinances in conflict herewith are, to the extent of such conflict, hereby repealed.

BE IT ORDAINED, that the Chairman of the Board of Commissioners be authorized to sign this ordinance on behalf of the Board of Commissioners of Henry County, Georgia.

BE IT FURTHER ORDAINED, that this provision shall become effective on the 19 day of September, 1990.

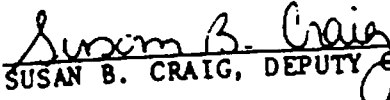
PASSED AND ADOPTED, by the Board of Commissioners of Henry County, Georgia, this the 19 day of September, 1990.

HENRY COUNTY BOARD OF COMMISSIONERS

BY: 

DAVE CRAWFORD, CHAIRMAN

ATTEST:


SUSAN B. CRAIG, DEPUTY CLERK

ORDINANCE NO. 90-05

AN ORDINANCE TO PROVIDE FOR ESTABLISHING THE MINIMUM LOT SIZE FOR RESIDENCES USING SEPTIC SYSTEMS; TO PROVIDE FOR REPEAL OF EXISTING CONFLICTING ORDINANCES; TO PROVIDE FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES

BE IT ORDAINED by the Board of Commissioners of Henry County, Georgia, and it is hereby ordained by authority of same as follows:

That the provisions of Henry County Zoning Ordinance, Article IV, Section 409, be amended by deleting same in its entirety and in lieu thereof, inserting the following:

SECTION 409: MINIMUM LOT SIZE FOR RESIDENCES USING SEPTIC SYSTEMS

All residential buildings utilizing a septic tank shall be on a lot of not less than 25,000 square feet with a minimum lot width of 125 feet and must be served by a public water system, regardless of any zoning classification which permits smaller lot sizes. With respect to existing platted lots, the Henry County Board of Health will evaluate each individual request for a permit on a case-by-case basis. This restriction on lot size does not apply to residential development served by public sewerage systems.

BE IT ORDAINED, that all resolutions, ordinances or parts of ordinances in conflict herewith are, to the extent of such conflict, hereby repealed.

BE IT ORDAINED, that the Chairman of the Board of Commissioners be authorized to sign this ordinance on behalf of the Board of Commissioners of Henry County, Georgia.

BE IT FURTHER ORDAINED, that this provision shall become effective on the 19 day of September, 1990.

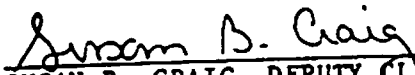
PASSED AND ADOPTED, by the Board of Commissioners of Henry County, Georgia, this the 19 day of September, 1990.

HENRY COUNTY BOARD OF COMMISSIONERS

BY: 

DAVE CRAWFORD, CHAIRMAN

ATTEST:


SUSAN B. CRAIG, DEPUTY CLERK

ORDINANCE NO. 90-06

AN ORDINANCE TO PROVIDE FOR SUBDIVISION APPROVAL; TO PROVIDE FOR
ACCESSORY STRUCTURES; TO PROVIDE FOR AN EFFECTIVE DATE;
AND FOR OTHER PURPOSES

BE IT ORDAINED by the Board of Commissioners of Henry County,
Georgia, and it is hereby ordained by authority of same as follows:

That the provisions of Henry County Zoning Ordinance, Article IV,
Sections 417 and 420 (2) and (4), be amended by deleting same in their
entirety and in lieu thereof, inserting the following:

SECTION 417: SUBDIVISION APPROVAL

No approval will be granted for a subdivision, or subsequent phase or
addition to an existing subdivision, unless the property is served by a
paved County road, with right-of-way sufficient to meet the requirements
of the Henry County Subdivision Ordinance.

SECTION 420: ACCESSORY USES OR STRUCTURES

Accessory structures and uses shall be on the same lot and subordinate
to the principal use or structure as follows:

2. Shall be set back not less than three (3) feet from any property
line, when located in a rear yard. Accessory structures in
subdivisions with recorded easements for drainage, sanitary sewer,
and utilities shall not be permitted within the easement.
4. Accessory structures in residential districts shall not be used for
any type of commercial operation, except in conjunction with a home
occupation when approved by conditional use permit as authorized in
Section 613 - Home Occupations.

BE IT ORDAINED, that all resolutions, ordinances or parts of ordinances in conflict herewith are, to the extent of such conflict, hereby repealed.

BE IT ORDAINED, that the Chairman of the Board of Commissioners be authorized to sign this Ordinance on behalf of the Board of Commissioners of Henry County, Georgia.


BE IT FURTHER ORDAINED, that this Ordinance shall become effective upon signature by the Chairman of the Board of Commissioners.

PASSED AND ADOPTED, by the Board of Commissioners of Henry County, Georgia, this the 19 day of September, 1990.

BOARD OF COMMISSIONERS OF
HENRY COUNTY, GEORGIA

BY: 
DAVE CRAWFORD, CHAIRMAN

ATTEST:


SUSAN B. CRAIG, DEPUTY CLERK