

Thomas Kendziora
Airport Manager/Zoning
Administrator

301 N. Main St, Adrian, MI 49221
p: 517-264-4508 | f:517-264-4512
airport.manager@lenawee.mi.us



MEMBERS

MEETING LOCATION

Zoning Board: David Aungst, Beth Blanco, Terry Collins, James Daly, Dustin Krasny, Kevon Martis, David Stimpson, Ralph Tillotson, James Van Doren

Zoning Board of Appeals: Dave LaMontaine, Roger Johnson, Glenn Preston, Ryan Rank, Nancy Jenkins-Arno, Eric Rogers (*alternate*)

Commission Chambers

Second Floor, Old Court House
301 N. Main St,
Adrian, MI 49221

Minutes: Monday, March 31, 2025

I. Call to Order

The joint meeting was called to order at 2:00pm by Board Chairman Jim Van Doren.

Present: *Comissioners: Terry Collins, Kevon Martis, Jim Van Doren, Ralph Tillotson, Dave Aungst, Beth Blanco*

Also Present: *Administrator Kim Murphy, Deputy Administrator Shannon Elliott, Marketing & Communications Coordinator Jen Ambrose, Airport Manager Thomas Kendziora, Stephanie Ward & Luke from Mead & Hunt, Glenn Preston, Roger Johnson, Ryan Rank*

Roll call done:

Airport Zoning Board Present: *(6) Aungst, Collins, Martis, Tillotson, VanDoren, (Blanco arrived during the meeting); Absent:(3) Jim Daly, Dustin Krasny, Dave Stimpson*

Airport Zoning Board of Appeals Present: *(3) Roger Johnson, Glenn Preston, Ryan Rank; Absent:(2) Dave LaMontaine, Nancy Jenkins-Arno, alternate-Eric Rogers*

II. New Business

Administrator Murphy opened the discussion by providing an overview of what is included in the packet. The Airport Zoning Ordinance was originally adopted in 1979, amended in 2005, and has not been amended since. Included in the packet is a revised version of the ordinance, with proposed changes in red, from corporation counsel.

Murphy explained the process of amending the Airport Zoning Ordinance, which includes a public hearing. Attached are a number of maps that can be used as a point of reference when determining the 10-mile radius.

For the Zoning Board of Appeals, a draft of an Organization and Procedures Manual is included. This document is new to the County, and is similar to neighboring counties. Administrator Murphy requests that any comments, questions, or additions should come forward to her before final adoption by the Airport Zoning Board of Appeals.

A. Stephanie Ward, Aviation Manager Mead & Hunt

Stephanie Ward, Aviation Planning Manager from Mead & Hunt presented information to the joint board members. The goal of the meeting and future meetings is to assist with educating both boards about their role(s).

Lenawee County is one of the few in Michigan, that has a Zoning Ordinance. The current zoning ordinance has not been reviewed in many years, and now is a perfect time to do so. The County Board of Commissioners serve as the Airport Zoning Board, for the duration of their Commissioner term. The Airport Zoning Board is responsible for reviewing and approving the County Zoning Ordinance changes; thereafter, the role is mostly complete. The board is required to meet once per year.

The County Zoning Ordinance is for all properties within a 10-mile radius of the Lenawee County Airport.

The Airport Zoning Board of Appeals meets on an as-needed basis. Ward explained that when an application is submitted to the Zoning Administrator and if it is rejected, according to the County Zoning Ordinance, the applicant has a right to appeal. The appeal would be submitted to the Zoning Board of Appeals (ZBA).

Included in the packet is a draft of the Ordinance, various maps, and the Zoning Board of Appeals Organization and Procedures manual. During the review of the appeal, the ZBA would use the documents as a benchmark to make a decision.

Ward further discussed the process of appeals from the FAA. From her experience, she has seen that appeals include a mention that the project has been approved by the FAA.

However, Ward stated the FAA does not approve a new development, they have a right to determine if: 1:) there is an obstruction, 2:) it is not an obstruction, or 3:) an obstruction that can be mitigated. Ward states this is an important key to remember.

The FAA does not have any regulatory ability to say "yes or no" and they can only comment on "the impact of airspace".

Ward further explained the role of State of Michigan; the state mirrors what the FAA does and follows the Michigan Tall Structure Act. The State will evaluate the same criteria and, as part of their review, they have to ask the Zoning Board, what our opinion is. The State of MI cannot implement the Tall Structure Act, until they ask us our position on the project, since Lenawee has a Zoning Ordinance.

Evaluations should be made based on what is in Lenawee County Zoning ordinance.

Ward provided an overview of the maps.

Height limitations are included.

- Anything in green marks the 10-mile radius, and are the approach areas to the airport.
- The next radius is the 3-mile radius, which has a flat surface; it has an allowable elevation of 150 feet, above the airport. However, applications are requested for anything more than 25 feet, to ensure compliance. Allowable height is one component, but the ordinance also considers compatible land use.
- 0 miles- 6 miles - items that are over 25 feet

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- 6.32 miles- 10 miles - items that are over 100 feet

Ward also recommends that if the Ordinance is reviewed and approved, a notification letter to residents within that radius is recommended. Ward has found that many times, residents/businesses within that 10-mile radius often are not aware of the requested review. The County does have a Federal Grant assurance, and the County is required to protect against obstructions to approaches and incompatible land uses. By amending the County Ordinance, it will keep the County in compliance with the Federal Grant Assurances.

Discussion opened up. Ward stated the State of Michigan does have the authority to say "yes or no" to a project. However, they typically follow what the local ordinance recommends.

Comm. Martis questioned if there is an ability for the County Zoning Ordinance to cover additional municipal airports. Ward discussed that if it is a public-use airport, those airports have an airport approach plan. If the Zoning Board is interested in including this in the ordinance, Mead & Hunt could assist with creating it. Non-public airports would be handled separately.

Ward additionally reviewed the land use components that are also reviewed during an application review process.

Comm. Van Doren reminded us that our board represents the entire County of Lenawee, with over 99,000 residents.

Discussions were held regarding future meetings; the Zoning Board could meet prior to a Board of Commissioners meeting. ZBA could meet on a different date.

Murphy discussed that typically two readings are required. However, she has verified that the adoption of the amended ordinance can be done after the public hearing is done.

Discussion was held regarding the County being contacted regarding a solar ordinance. Murphy explained that the County does not have a CREO. However, it does not mean the local municipality does not have one.

Mr. Rank questioned if the County Ordinance would affect existing municipal ordinances that are close to the airport? Ward-reviewed Exhibit E, which includes the review of land use restrictions. This graphic includes the airport approach area, and the land use restrictions. Any property within those ranges, since the adoption of Exhibit E, would review anything that is "denser" than what is already there. There are 5 different zones and descriptions of approved land use for those areas.

A discussion was held regarding the "glare" from solar panels. Ward discussed how solar glare is a topic and technology has evolved. She recommends a glare analysis be done by the applicant, in addition, asking the FAA to also request this from the applicant. Ward stated they also look at the placement of the panels, with regard to the glare. Is the panel rotating or static, etc.

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If a municipality is fielding a building permit, how does the airport find out something is being built, within the radius? Ward recommends providing education to all local municipalities that fall within the 10-mile boundary after the ordinance is amended/adopted. Any building project should come to the Airport Zoning Administrator for review/approval.

- B. Airport Ordinance
- C. Exhibit A
- D. Exhibit B
- E. Zoning Board of Appeals Organization and Procedures Manual

III. Public Comment

No public comment.

IV. Member Comment

Comm. Aungst voiced his appreciation for this informational meeting.

V. Adjournment

Motion by Collins, seconded by Martis to adjourn at 2:48pm. Motion carried.