

Legislative Analysis



AIRPORT ZONING: TALL STRUCTURES PERMIT

Mitchell Bean, Director
Phone: (517) 373-8080
<http://www.house.mi.gov/hfa>

Senate Bill 430 as passed by the Senate

Sponsor: Sen. Gerald Van Woerkom

House Committee: Intergovernmental and Regional Affairs

Senate Committee: Local, Urban, and State Affairs

Complete to 6-22-09

A SUMMARY OF SENATE BILL 430 AS PASSED BY THE SENATE 5-5-09

The bill would amend the Airport Zoning Act so that in certain circumstances a permit or variance for the construction, establishment, alteration, or repair of a structure, or for the growth of a tree, would be granted automatically.

Specifically, the bill would apply to an application for a permit under Section 23 or a variance under Section 24. Applications would be considered granted if all of the following applied:

- The applicant had been granted a permit for the activity under the Tall Structure Act.
- The applicant had been granted any necessary permits or other approvals from the Federal Aviation Administration.
- The administrative agency authorized to enforce the airport zoning regulations had neither granted nor denied the application after 90 days had elapsed since the application was filed in compliance with applicable zoning regulations.

[Under Section 23, airport zoning regulations adopted under the Airport Zoning Act by a joint airport zoning board must require that a permit be obtained before any new structure or use may be constructed or established and before any existing use or structure may be substantially changed, altered, or repaired. Under Section 24, a person may apply for a variance from the zoning regulations in order to put up a structure, increase the height of a structure, permit the growth of a tree, or otherwise use property in violation of the airport zoning regulations.]

MCL 259.454a

FISCAL IMPACT:

The bill does not appear to have any significant fiscal impact.

Legislative Analyst: J. Hunault

■ This analysis was prepared by nonpartisan House staff for use by House members in their deliberations, and does not constitute an official statement of legislative intent.