



AAP– Airport Approach Protection

Purpose Statement: [17.305.01](#)

The Airport Approach Protection regulations are adopted under the authority granted by the Department of Aeronautics and Astronautics, Chapter 114, Section 114.136, Wisconsin Statutes.

A. Height Zones.

No structure shall be constructed, altered or located and no trees shall be allowed to grow to a height in excess of the height limit indicated on the maps referred to in section [17.305.02](#) except as may be authorized by section [17.305.03.G 1](#). These restrictions shall not apply to legal fences or farm crops which are cut at least once a year.

B. Other Restrictions.

1. Use Restrictions. Notwithstanding the provisions of section [17.305.03 A.](#), no use may be made of land in any zone governed by the Chapter in such a manner as to create electrical interference with radio communication between the airport and aircraft, make it difficult for pilots to distinguish between airport lights and others, result in glare in the eyes of pilots using the airport or impair the vicinity of the airport, or otherwise endanger the landing, taking off, or maneuvering of aircraft.
2. Development Restrictions. Notwithstanding the provisions of section [17.305.03 A.](#), no zoning permit for new, altered, or enlarged principal structures will be issued for any property located in any zone governed by this Chapter unless the provisions of the “Noise and Avigation Easement and Non-suit Covenant” are incorporated into such zoning permit.

C. Permits.

1. Proposed Structures. Except for accessory structures meeting the height requirements below, no structure shall be constructed, erected or installed in any zone created by section [17.305.02](#). A until the owner or his/her agent has applied for and obtained a permit from the Zoning Administrator. Application for the permit shall indicate the use of the proposed structure and shall describe and locate the use with sufficient accuracy to determine whether the structure will conform to these regulations. The Zoning Administrator shall issue the permit if all provisions of this Chapter are complied with. The permit shall be posted in a prominent place on the premises prior to and during the period of construction, erection, installation or establishment.

Height Limitations for Accessory Structures – Permit Exemption.

- a. Any accessory structure which is to be constructed within ½ mile of the airport boundary and which will be less than 20 feet high from the lowest point on the ground next to the structure and the highest point on the structure, including any appurtenances, shall be exempt from obtaining a permit.
- b. Any accessory structure which is to be constructed from ½ mile to the 3 mile limit of the “Zoning Map for Central Wisconsin Airport, Marathon County, WI” and which will be less than 50 feet high from the lowest point on the ground next to the structure and the highest point on the structure, including any appurtenances shall be exempt from obtaining a permit.
- c. Accessory structures exceeding these limits including structural or architectural members, masts, poles, antennae, electronic broadcasting or receiving equipment and similar structures shall obtain a permit prior to construction or erection.

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2. Existing Uses. Before any nonconforming structure may be replaced or a structural addition is made, a permit shall be obtained as prescribed by section 17.305.03 C. 1. authorizing the change, replacement or addition. The permit shall be issued if the structure will not become a greater hazard to air navigation than it was on the effective date of 12/29/1971, or than it was when the application for permit is made.

D. Nonconforming Uses, Structures and Vegetation.

1. Pre-Existing Non-conforming Uses. The regulations prescribed in Section 17.305.02 A. and 17.305.03 A. shall not be construed to require the removal, lowering or other change or alteration of any nonconforming structure, or otherwise interfere with the continuance of any non-conforming use, except as otherwise provided by Section 17.305.03 C. 2..
2. Changes. Nothing contained in this Chapter shall require any change in the construction, alteration or intended use of any structure, if the construction or alteration was begun prior to the effective date of 12/29/1971 and if such is diligently prosecuted.
3. Removal. This section shall not interfere with the removal of nonconforming uses by purchase or the use of eminent domain. The Airport Manager shall have the right to trim, prune or remove, at owners' (Marathon and Portage Counties) expense, any tree which was planted after adoption of this Chapter and found in violation of the height restriction for the zone in which it is located.

E. Administration.

The Zoning Administrator or designee shall administer and enforce the regulations prescribed herein. Applications for permits and variances shall be made to the Zoning Administrator using forms furnished by his/her or designee. Applications shall be decided within 10 days unless F.A.A. approval is requested by the Zoning Administrator. Application for action by the Board of Adjustment shall be transmitted by the Zoning Administrator to the Board for hearing and decision using procedures contained in Title 8.