

**ARTICLE 12  
AIRPORT ZONING REGULATIONS**

**11-1201. LOCATIONS, BOUNDARIES, ZONES AND HEIGHT RESTRICTIONS**

The vicinity of the Kimball Airport, located in Section 18, Township 14 North, Range 55 West, in Kimball County, Nebraska, from the boundaries of such airport to a distance of three (3) statute miles in all directions from the adjacent boundaries of the airport, is hereby declared an airport hazard area and is hereby zoned as follows:

**Subdivision 1. Hazard Area Description.**

The Hazard Area consists of Operation Zones, Approach Zones, Turning Zones and Transition Zones. The outer boundary of the Hazard Area is composed of a series of connected tangents and simple curves which also constitute the outer boundaries of the Approach and Turning Zones.

**Subdivision 2. Zone Description.**

- a. The Operation Zones shall be located along each existing or proposed runway landing strip or other portion of the airfield used regularly, or to be used regularly, for the landing or taking off of airplanes and shall begin or end at each end of each landing strip and 200 feet beyond the end of each runway and shall be 1000 feet in width for each instrument runway or landing strip and 500 feet in width for all other runways and landing strips.
- b. The Approach Zone shall begin at the ends of their respective Operation Zones and shall extend and expand uniformly centered along the extended centerline of the respective runway or landing strip, to the outer boundary of the Approach Zone at a rate of 30 feet of width for each 100 feet of horizontal length for the instrument runway or landing strip and 20 feet of width for each 100 feet of horizontal length for all other runways.

The Inner Area of each Approach Zone shall be that portion of the Approach Zone beginning at the end of the respective or proposed Operation Zone and extending to the intersection of the controlling glide angle with a plane 150 feet above the highest elevation of the end of the respective runway or landing strip.

The Outer Area of each Approach Zone shall be the area between the outer limit of the Inner Area of the Approach Zone and the outer limit of the Approach Zone.

- c. The Transition Zone shall be the areas bounded by the Operation Zones and the Hazard Area, the sides of the contiguous inner areas of approach zones and the outer limits of the Transition Zones; said outer limits of the Transition Zones being the intersections, at elevations of 150 feet above the highest elevation at the ends or edges of the closest runway or landing strip, or proposed runway or landing strip, of a series of contiguous planes originating from bases established by the Operation Zones of the Hazard Area and the edges of adjacent inner areas of approach zones; said planes rising from their respective bases along lines perpendicular to the centerline of the landing strip or runway at the rate of one (1) foot vertically to seven (7) feet horizontally to the lines of intersection previously referred to.
- d. The Turning Zone shall compromise all portions of the Hazard Area not contained in the Operation Zones, Approach Zones and in the Transition Zones. The outer limits of the Turning Zones shall be a series of points forming a line which is the horizontal distance of three (3) statute miles from the nearest points along the Airport property lines.

### Subdivision 3. Height Restrictions.

No building, transmission line, communication line, pole, tree, smokestack, chimney, wires, tower or other structure or appurtenance thereto of any kind or character shall hereafter be erected, constructed, repaired or established, nor shall any tree or other object of natural growth be allowed to grow:

1. In Inner Areas of Approach Zones to a height above the elevation of the nearest point on the end or proposed end of said instrument runway or landing strip in excess of 1/50, and all other runways or landing strips in excess of 1/40 of the distance from the end of the approach zone (the end nearest the runway or landing strip) to said structure or object;
2. In the Outer Area of Approach Zones and in Turning Zones to a height in excess of 150 feet above the elevation at the end or proposed end of the nearest runway or landing strip;
3. In the Transition Zones to a height above the planes forming the transition slopes; and
4. In the existing or proposed Operations Zones to a height above the existing or proposed finished grade of said runways or landing strips or surface of the ground.

### 11-1202. LOCATION SKETCH AND ZONING MAP

The boundaries, operation zones, approach zones, transition zones, and turning zones of said airport are as indicated on the zoning map, Drawing No ZN-KB-76, dated July 13, 1976, and updated per ALP January, 13, 1987, which accompanies and is hereby made a part of these regulations, a copy of which shall at all times be on file in the office of the City Clerk, Kimball, Nebraska.

### 11-1203. PERMIT REQUIRED, EXCEPTIONS, APPLICATION FORMS, AND PERMIT FEES.

#### Subdivision 1. Permit Required.

It shall hereafter be unlawful to erect, construct, reconstruct, repair, or establish any building, transmission line, communication line, pole, tower, smokestack, chimney, wires, or other structure or appurtenance thereto of any kind or character or to plant or replant any tree or other object of natural growth, within the boundary of the zoned area of said airport without first obtaining a "permit" from the Zoning Administrator.

#### Subdivision 2. Exceptions.

In the Outer Area of Approach Zones and within the Turning Zones, no permit shall be required for any construction or planting which is not higher than seventy-five (75) feet above the elevation of the end of the nearest runway or landing strip.

#### Subdivision 3. Application Forms.

Application for a permit as required under these regulations shall be made upon a form to be available in the office of the City Clerk, Kimball, Nebraska, and shall indicate the approximate location, ground elevation with reference other elevation at the end of the nearest runway or landing strip and height of the proposed structure or planting. (Mean Sea Level Elevation)

#### Subdivision 4. Permit Fees.

The fee for each permit issued shall be \$2.00 and all fees received by the Administrative Agency shall be paid by him to the City Treasurer for deposit in the Airport Revenue Fund. No fee shall be charged for a permit for any construction or repair whose estimated cost is less than \$100.

#### 11-1204. NON-CONFORMING STRUCTURES.

Within the zoned area as hereinbefore defined, no non-conforming building, transmission line, communication line, pole, tree, smokestack, chimney, wires, tower or other structure or appurtenance thereto of any kind or character or object of natural growth shall hereafter be replaced, substantially reconstructed, repaired, altered, replanted or allowed to grow, as the case may be, to a height which constitutes a greater hazard to air navigation than existed before these regulations were adopted; nor above the heights permitted by these regulations if such structure or objects of natural growth have been torn down, destroyed, have deteriorated or decayed to an extent of 80 percent or more of their original condition, or abandoned for a period of twelve months or more. Transmission lines and communication lines as referred to in these regulations shall be interpreted to mean all poles, wires, guys and all other equipment necessary for the operation and maintenance of the same within the zone regulated.

#### 11-1205. MARKING OF NON-CONFORMING STRUCTURES.

Whenever the Administrative Agency shall determine, or shall be notified by the Joint Zoning Board of the Nebraska department of Aeronautics, that a specific non-conforming structure or object exists and has existed prior to the passage of these regulations and within the zoned area hereinbefore described at such a height or in such a position as to constitute a hazard to the safe operation of aircraft landing at or taking off from said airport, the owner or owners and the lessor or lessors of the premises on which such structure or object is located shall be notified in writing by the said Administrative Agency and shall within a reasonable time permit the marking thereof by suitable lights or other signals designated by the said agency and based on the recommendations of the Nebraska department of Aeronautics. The cost of such marking shall not be assessed against the lessor of said premise.

#### 11-1206. ADMINISTRATIVE AGENCY.

The Zoning Administrator of the City of Kimball, Nebraska, shall administer and enforce these regulations, and shall be in the administrative agency provided for in Section 3-319, R.R.S. 1943, and shall have all the powers and perform all the duties of the administrative agency as provided by the Airport Zoning Act, until otherwise ordered by the Kimball Joint Airport Zoning Board.

#### 11-1207. ZONING BOARD OF ADJUSTMENT.

The Zoning Board of Adjustment of the City of Kimball, Kimball County, Nebraska, shall be the Board of Adjustment with respect to these regulations, to have and exercise the powers conferred by Section 3-320, R.R.S. 1943, and such other powers and duties as are conferred and imposed by law.

**EXHIBIT A**

The Kimball Municipal Airport Hazard Area as shown on the Department of Aeronautics Zoning Map for the Kimball Municipal Airport Drawing, No. ZN-KB-76, updated January 13, 1987, covers the following described lands:

TOWNSHIP 15 NORTH, RANGE 55 WEST OF THE 6<sup>TH</sup> P.M.

Part of SW/4	Section 34
Parts of NE/4 and the NW/4, SE/4 and SW/4	Section 33
Parts of NW/4 and NE/4 and S/2	Section 32
All	Section 31

TOWNSHIP 15 NORTH, RANGE 56 WEST OF THE 6<sup>TH</sup> P.M.

Part of S/2	Section 34
Part of NE/4, Part of NW/4 and S/2	Section 35
All	Section 36

TOWNSHIP 14 NORTH, RANGE 55 WEST OF THE 6<sup>TH</sup> P.M.

Part of NE/4, Part NW/4, Part SE/4, and SW/4	Section 3
All	Sections 4,5,6,7,8,9, 15,16,17,18,19,20, 21
Part NE/4, Part of SE/4 and W/2	Section 10
Part NE/4, Part of SE/4 and W/2	Section 22
All	Sections 28,29,30,31,32
Part of NE/4, Part of NW/4 and Part of SW/4	Section 33

TOWNSHIP 14 NORTH, RANGE 56 WEST OF THE 6<sup>TH</sup> P.M.

All	Sections 1,2 and 3
E/2	Section 9
All	Sections 10,11,12, 13,14, 15, 22, 23, 24, 25, 26, 36
E/2	Section 16
Part of NE/4 and Part of SE/4	Section 21
Part SE/4, Part of NE/4, and Part of NW/4	Section 27
Part of NE/4, Part of NW/4 and Part of SE/4	Section 35

PARTS OF CITY OF KIMBALL AS DESCRIBED AS FOLLOWS:

Parts of blocks 1, 2, 3 & 4, all of blocks 5,6,7,8,9,10,11 & 12 of Leaming's Addition  
All of Yannayon's Addition  
All of South Park Addition  
All of Rodman Court  
All of Clarkson's Addition  
All of Forsling's Addition  
All of Fairview Addition  
All of Dowd's Addition  
All of Tritt's Addition  
All of Alden's Addition  
All of Kimball Heights  
All of Huff's Addition  
All of Dowd's Second Addition  
All of Crestwood Addition  
All of Summit Park Addition  
All of Hull's Subdivision

Parts of Kimball Jr./Sr. High School, 19.818 acres in 32-15-55  
Part of Blocks 6, 7, 8, 9 and 10 Sunnyview Heights Addition  
Part of Blocks 11, 12, 13, 14, and 15 Sunnyview Heights Addition  
All of Hillcrest 1<sup>st</sup>, 2<sup>nd</sup>, 3<sup>rd</sup> and 4<sup>th</sup> Additions  
All of Kimball County High School,