

EXHIBIT D - IF APPLICABLE
(FORM LETTER TO "ESTABLISHED RESIDENTIAL NEIGHBORHOOD" RESIDENTS)

**NOTICE TO PERSONS THOUGHT TO BE IN
ESTABLISHED RESIDENTIAL NEIGHBORHOODS**

Dear Landowner:

An examination of public records indicates that you own land which is or may be affected by the Airport Zoning Ordinance which is being proposed for adoption by _____.
(Airport Zoning Authority)

A public hearing (First Hearing Use – "to consider the adoption of") (Second
Hearing Use – "adopt") this Ordinance will be held on the ____ day of _____ 20 ____, at
_____ (A.M.) (P.M.) at the _____.

The proposed Ordinance would place your property in an area designated as an Established Residential Neighborhood (ERN) in a Built Up Urban Area (BUUA). If this classification is adopted for your area, except as stated below, your existing land use will be allowed to continue in that designation as a conforming use, subject only to certain height restrictions and general use restrictions relating to interference with radio and electronic operations of aircraft and airports and with regard to lighting. These restrictions are more specifically set forth in the proposed Ordinance.

If your property is determined to be in an "Established Residential Neighborhood" and if one of the following conditions exists, then your existing land use must be acquired, altered or removed at public expense. The _____ will be in further contact with you after adoption
(Airport Owner)
of the Ordinance if your property is so affected. Those conditions are as follows:

- (1) The following land uses if they exist in Safety Zone A or B and in an "Established Residential Neighborhood in a Built Up Urban Area" are considered by the Commissioner to constitute airport safety hazards so severe, either to persons on the ground or to the air-traveling public, or both, that they must be prohibited under local airport zoning ordinances:
 - (a) any structure which a person or persons customarily use as a principal residence and which is located entirely inside Safety Zone A within 1000 feet of the end of the primary zone;
 - (b) any structure which a person or persons customarily use as a principal residence and which is located entirely within Safety Zone A or B and which penetrates an imaginary approach surface as defined by airspace zones in the proposed Ordinance and map;

- (c) any land use in Safety Zone A or B which violates any of the following standards:
 - (i) the land use must not create or cause interference with the operation of radio or electronic facilities on the airport or with radio or electronic communications between the airport and aircraft;
 - (ii) the land use must not make it difficult for pilots to distinguish between airport lights and other lights;
 - (iii) the land use must not result in glare in the eyes of pilots using the airport or impair visibility in the vicinity of the airport;
- (d) any isolated residential building lot zoned for single-family or two-family residences on which any structure, if built, would be prohibited by subparagraphs (a), (b) or (c) above. An "isolated" residential building lot is one located in an area in which the predominant land use is single-family or two-family residential structures; and
- (e) any other land use which presents, in the opinion of the Commissioner, a material danger to the landing, taking off or maneuvering of aircraft or to the safety of persons on the ground. In making such a determination, the Commissioner shall consider the following factors:
 - (i) possibility that the land use may contribute to or cause a collision of two or more aircraft or an aircraft and some other object;
 - (ii) possibility that the land use may, in case of an aircraft accident, cause an explosion, fire or the release of harmful or noxious fumes, gases, or substances;
 - (iii) tendency of the land use to increase the number of persons that would be injured in case of an aircraft accident;
 - (iv) effect of the land on availability of clear areas for emergency landings; and
 - (v) flight patterns around the airport, the extent of use of the runway in question, the type of aircraft using the airport, whether the runways are lighted, whether the airport is controlled, and other similar factors.

If it is determined that your property is not to be classified as being in an Established Residential Neighborhood, then your land will be subject to other restrictions as stated in the proposed Ordinance.

A copy of the proposed Ordinance is available for public inspection at _____ during regular business hours.

Sincerely yours,
