

ALTERATION OF ANY STRUCTURE OR TREE NOT CONFORMING TO THE REGULATIONS WHEN ADOPTED OR REVISED, OR OTHERWISE INTERFERE WITH THE CONTINUANCE OF ANY NONCONFORMING USE.

(C) (1) WHERE ADVISABLE TO FACILITATE THE ENFORCEMENT OF AIRPORT ZONING REGULATIONS ADOPTED PURSUANT TO THIS [[SUBTITLE]] SECTION, A SYSTEM MAY BE ESTABLISHED AND REGULATIONS MAY BE ADOPTED BY ANY POLITICAL SUBDIVISION FOR THE GRANTING OF PERMITS TO ESTABLISH OR CONSTRUCT NEW STRUCTURES OR NEW USES OF LAND OR STRUCTURES OR TO REPLACE EXISTING STRUCTURES OR USES OF LAND OR STRUCTURES OR TO MAKE SUBSTANTIAL CHANGES OR SUBSTANTIAL REPAIRS. IN ANY EVENT, BEFORE ANY NONCONFORMING STRUCTURE OR TREE MAY BE RECONSTRUCTED, REPLACED, SUBSTANTIALLY ALTERED OR REPAIRED, REBUILT, ALLOWED TO GROW HIGHER, OR REPLANTED, A PERMIT MUST BE SECURED FROM THE ADMINISTRATIVE AGENCY AUTHORIZED TO ADMINISTER AND ENFORCE THE ZONING REGULATIONS, AUTHORIZING SUCH REPLACEMENT, CHANGE OR REPAIR BEFORE ANY WORK IS STARTED, AND NO SUCH PERMIT SHALL BE GRANTED THAT WOULD ALLOW THE STRUCTURE OR TREE IN QUESTION TO BE MADE OR BECOME HIGHER OR BECOME A GREATER HAZARD TO AIR NAVIGATION THAN IT WAS WHEN THE APPLICABLE ZONING REGULATION WAS ADOPTED. ALL APPLICATIONS FOR PERMITS FOR REPLACEMENT, CHANGE OR REPAIR OF NONCONFORMING USES, STRUCTURES OR TREES SHALL BE GRANTED AS A MATTER OF RIGHT EXCEPT IN THOSE CASES HEREBIN SPECIFICALLY PROVIDED FOR.

(2) THE LEGISLATIVE BODY OF ANY POLITICAL SUBDIVISION MAY AUTHORIZE AND EMPOWER THE BOARD OF APPEALS, AS PROVIDED IN SUBSECTION (D) (5) OF THIS SECTION TO GRANT VARIANCES FROM THE ZONING REGULATIONS ADOPTED UNDER THIS [[SUBTITLE]] SECTION IN CASES OF PRACTICAL DIFFICULTY OR UNNECESSARY HARDSHIP, SUBJECT TO SUCH RULES, REGULATIONS, RESTRICTIONS, GUIDES AND STANDARDS, AS MAY BE ESTABLISHED BY APPROPRIATE ACTION OF SUCH LEGISLATIVE BODY. ANY PERSON DESIRING TO ERECT ANY STRUCTURE, OR INCREASE THE HEIGHT OF ANY STRUCTURE, OR PERMIT THE GROWTH OF ANY TREE, OR OTHERWISE USE HIS PROPERTY, IN VIOLATION OF AIRPORT ZONING REGULATIONS ADOPTED UNDER THIS [[SUBTITLE]] SECTION MAY MAKE APPLICATION FOR A VARIANCE FROM THE ZONING REGULATIONS IN QUESTION.

(3) IN GRANTING ANY PERMIT THAT DOES NOT HAVE TO BE ISSUED AS A MATTER OF RIGHT UNDER THE PROVISIONS OF THIS SUBSECTION, OR IN GRANTING A VARIANCE UNDER THE PROVISIONS OF THIS SUBSECTION, THE ADMINISTRATIVE AGENCY OR BOARD OF APPEALS, AS THE CASE MAY BE, MAY, IF IT DEEMS SUCH ACTION ADVISABLE TO EFFECTUATE THE PURPOSES OF THIS SECTION AND REASONABLE IN THE CIRCUMSTANCES, SO CONDITION SUCH PERMIT OR VARIANCE AS TO REQUIRE THE OWNER OF THE STRUCTURE OR TREE IN QUESTION TO INSTALL, OPERATE AND MAINTAIN SUITABLE OBSTRUCTION MARKERS AND OBSTRUCTION