

GRANTED AS A MATTER OF RIGHT FOR THE REPLACEMENT, CHANGE, OR REPAIR OF NONCONFORMING USES, STRUCTURES OR TREES EXCEPT NO PERMIT SHALL BE GRANTED THAT WILL ALLOW THE STRUCTURE OR TREE IN QUESTION TO BECOME HIGHER OR BECOME A GREATER HAZARD TO AIR NAVIGATION THAN IT WAS WHEN THE APPLICABLE AIRPORT ZONING REGULATION WAS ADOPTED. EACH APPLICATION FOR A PERMIT SHALL CONTAIN INFORMATION AND BE ACCOMPANIED BY PLATS, DRAWINGS AND OTHER DATA AS MAY BE NECESSARY TO ENABLE THE ADMINISTRATION TO DETERMINE WHETHER OR NOT THE PROPOSED OPERATION OR PROJECT WILL COMPLY WITH ALL APPLICABLE AIRPORT ZONING REGULATIONS. IN CASE ANY OF THE OPERATIONS OR PROJECTS MENTIONED IN THIS SECTION ARE PERFORMED IN VIOLATION OF ANY APPLICABLE ZONING REGULATION OR RULE, THE ADMINISTRATION IN ADDITION TO OTHER REMEDIES, MAY INSTITUTE OR CAUSE TO BE INSTITUTED ANY APPROPRIATE ACTION OR PROCEEDING TO PREVENT, RESTRAIN, CORRECT OR ABATE SUCH UNLAWFUL ACTION OR CONDITION.

(4) IF ANY PROPOSED OPERATION OR PROJECT, FOR WHICH AN APPLICATION IS FILED, DOES NOT CONFORM WITH THE PROVISIONS OF ANY APPLICABLE AIRPORT ZONING REGULATION OR RULE, THE APPLICATION SHALL BE DISAPPROVED BY THE ADMINISTRATION, WHICH SHALL NOTIFY THE APPLICANT IN WRITING TO THAT EFFECT, WITH THE REASONS FOR THE DISAPPROVAL. IN CASES WHERE THE BOARD OF AIRPORT ZONING APPEALS IS AUTHORIZED TO GRANT VARIANCES FROM THE APPLICABLE AIRPORT ZONING REGULATIONS, THE APPLICANT MAY APPEAL TO THE BOARD IN THE MANNER SET FORTH IN SUBSECTION (G) OF THIS SECTION.

(E) (1) THERE SHALL BE A BOARD OF AIRPORT ZONING APPEALS WHICH SHALL HAVE AND EXERCISE WITH RESPECT TO STATE OWNED AIRPORTS ALL THE POWERS, DUTIES AND FUNCTIONS SET FORTH IN SUBSECTION (F) OF THIS SECTION.

(2) THE BOARD OF AIRPORT ZONING APPEALS SHALL CONSIST OF FIVE (5) MEMBERS WHO SHALL BE APPOINTED BY THE GOVERNOR, WITH THE ADVICE OF THE SECRETARY OF TRANSPORTATION AND WITH THE ADVICE AND CONSENT OF THE SENATE, IN THE MANNER PROVIDED IN SECTION 8-801 OF THIS ARTICLE WITH THE TERM OF EACH MEMBER TO COMMENCE ON OR AFTER JULY 1, 1974. THE BOARD OF AIRPORT ZONING APPEALS SHALL BE SUBJECT TO AND SHALL COMPLY WITH, ALL OF THE APPLICABLE TERMS AND PROVISIONS CONTAINED IN SECTION 8-801.

(3) THREE (3) MEMBERS OF THE BOARD SHALL BE RESIDENTS OF ANNE ARUNDEL COUNTY AND THE OTHER TWO MEMBERS OF THE BOARD SHALL BE RESIDENTS OF THE CITY OF BALTIMORE. THE CHAIRMAN OF THE BOARD SHALL BE DESIGNATED BY THE GOVERNOR. VACANCIES ON THE BOARD SHALL BE FILLED IN THE SAME MANNER AS ORIGINAL MEMBERS ARE APPOINTED FOR THE UNEXPIRED TERM OF ANY MEMBER WHOSE TERM BECOMES