

LEGISLATIVE BODY.

(B) APPLICATION.

IF THE BOARD IS AUTHORIZED TO GRANT VARIANCES, ANY PERSON WHO DESIRES TO USE HIS PROPERTY IN A MANNER PROHIBITED BY AN AIRPORT ZONING REGULATION ADOPTED UNDER THIS SUBTITLE MAY APPLY TO THE BOARD FOR A VARIANCE FROM THE REGULATION.

(C) CONDITIONS ON VARIANCE.

THE BOARD MAY CONDITION ANY VARIANCE SO AS TO REQUIRE THE OWNER OF THE LAND OR STRUCTURE TO WHICH THE VARIANCE APPLIES TO INSTALL, OPERATE, AND MAINTAIN AT HIS EXPENSE THE MARKERS AND LIGHTS NECESSARY TO INDICATE TO AIRCRAFT THE PRESENCE OF AN AIRPORT HAZARD.

REVISOR'S NOTE: This section presently appears as Art. 1A, §8-801(c) (2) and, as it relates to the board, (c) (3).

In subsection (b) of this section, the present examples of desired violations (e.g., to "increase the height of any structure") are deleted as superfluous.

Subsection (c) of this section is revised to conform to the changes made in §5-611(c) of this subtitle; see revisor's note to that section.

The only other changes are in style.

5-615. JUDICIAL REVIEW.

(A) RIGHT OF APPEAL.

ANY AGGRIEVED PERSON, ~~ANY TAXPAYER,~~ OR ANY OFFICER OR AGENCY OF THE POLITICAL SUBDIVISION MAY APPEAL FROM A DECISION OF THE BOARD OF APPEALS TO A COURT OF COMPETENT JURISDICTION.

(B) TAKING EVIDENCE; REPORT OF COMMISSIONER.

IF, AT THE HEARING, IT APPEARS TO THE COURT THAT TESTIMONY IS NECESSARY FOR THE PROPER DISPOSITION OF THE MATTER, THE COURT MAY TAKE EVIDENCE OR APPOINT A COMMISSIONER TO TAKE THE EVIDENCE THAT THE COURT DIRECTS AND REPORT TO THE COURT WITH HIS FINDINGS OF FACT AND CONCLUSIONS OF LAW. THESE FINDINGS AND CONCLUSIONS CONSTITUTE A PART OF THE PROCEEDINGS ON WHICH THE DETERMINATION OF THE COURT SHALL BE MADE.

(C) REVERSING, AFFIRMING, OR MODIFYING DECISION.

THE COURT MAY: