

(D) WHEN REVIEWING A REQUEST FOR A VARIANCE UNDER THE AIRPORT NOISE ZONE REGULATIONS, THE BOARD SHALL CONSIDER AND FORMALLY RESPOND TO ANY TESTIMONY OR EVIDENCE PRESENTED REGARDING THE IMPACT OF THE PROPOSED VARIANCE UPON THE SURROUNDING COMMUNITY.

5-821.

(a) Unless a person has an appropriate permit issued by the Administration, the person may not, in a noise zone established under this part:

- (1) Establish or construct any new structure;
- (2) Make any new use of any existing structure or land; or
- (3) Substantially alter any existing structure or use of land.

(b) The Administration may not grant a permit if the proposed action would:

- (1) [enlarge] ENLARGE the size of or create an impacted land use area; OR
- (2) VIOLATE LOCAL LAND USE AND ZONING LAWS.

5-822.

(a) Appeals to the Board of Airport Zoning Appeals may be taken in the manner set forth in § 5-814 of this subtitle by any aggrieved person or by any officer or agency of a political subdivision affected by the decision of the Administration.

(b) The Board of Airport Zoning Appeals ~~may~~ ~~SHALL~~ grant variances for State owned airports in the manner set forth in § 5-815 of this subtitle.

(c) Any aggrieved person or any officer or agency of an affected political subdivision may appeal from a decision of the Board of Airport Zoning Appeals in the manner set forth in § 5-816 of this subtitle.

(D) UPON TIMELY APPLICATION, AN AFFECTED POLITICAL SUBDIVISION MAY INTERVENE IN ANY APPEAL TAKEN UNDER THIS SUBTITLE TO THE BOARD OF AIRPORT ZONING APPEALS OR TO A COURT OF COMPETENT JURISDICTION.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 1981.

Approved May 19, 1981.