

(A) NO REAL PROPERTY FOR WHICH A SPECIFIC VARIANCE HAS BEEN GRANTED BY THE BOARD UNDER SUBTITLE 8 OF THIS TITLE, AND OR THAT IS ENCUMBERED BY AN AVIGATION EASEMENT GRANTED TO THE ADMINISTRATION, MAY BE SELECTED FOR PARTICIPATION IN THE PILOT PROGRAM ESTABLISHED BY § 5-1204 OF THIS SUBTITLE.

(B) THE BOARD MAY NOT GRANT ANY VARIANCE UNDER SUBTITLE 8 OF THIS TITLE FROM NOISE ZONE REGULATIONS FOR ANY PROPOSED RESIDENTIAL OR EDUCATIONAL USE OF REAL PROPERTY DURING THE PERIOD THAT THE PILOT PROGRAM ESTABLISHED BY § 5-1204 OF THIS SUBTITLE IS IN OPERATION.

(C) -- "HARDSHIP" -- MEANS:

(1) -- ECONOMIC HARDSHIP;

(2) -- PHYSICAL -- HARDSHIP, --- INCLUDING -- ANY -- MENTAL -- OR PHYSICAL -- HEALTH -- IMPAIRMENTS; -- OR

(3) -- ANY OTHER EXTENUATING CIRCUMSTANCE DEEMED TO BE A HARDSHIP BY THE SECRETARY OR THE SECRETARY'S DESIGNEE.

5-825.

(A) -- THERE -- IS -- AN -- AIRPORT -- NOISE -- ZONE -- ACQUISITION --- FUND ESTABLISHED -- AS -- A -- NONLAPSING, -- REVOLVING -- FUND -- FOR -- CARRYING -- OUT -- THE PROVISIONS -- OF -- THIS -- SECTION.

(B) -- THE -- FUND -- CONSISTS -- OF -- REVENUES -- DERIVED -- FROM -- THE -- ISSUANCE AND -- SALE -- OF -- GENERAL -- OBLIGATION -- BONDS, -- AUTHORIZED -- BY -- A -- RESOLUTION OF -- THE -- BOARD -- OF -- PUBLIC -- WORKS -- AND -- ISSUED, -- SOLD, -- AND -- DELIVERED -- IN ACCORDANCE -- WITH -- §§ -- 8 -- 117 -- THROUGH -- 8 -- 124 -- OF -- THE -- STATE -- FINANCE -- AND PROCUREMENT -- ARTICLE -- AND -- ARTICLE -- 31, -- § -- 22 -- OF -- THE -- CODE.

(C) -- THE -- GENERAL -- ADMINISTRATION -- AND -- RESPONSIBILITY -- FOR -- THE PROPER -- OPERATION -- OF -- THE -- AIRPORT -- NOISE -- ZONE -- ACQUISITION -- FUND -- IS VESTED -- IN -- THE -- SECRETARY -- OR -- THE -- SECRETARY'S -- DESIGNEE.

(D) -- WHEN -- THE -- OWNER -- OF -- PROPERTY -- WITHIN -- THE -- 65-75 -- LDN -- NOISE ZONE -- PRESENTS -- A -- HARDSHIP, -- THE -- SECRETARY, -- OR -- THE -- SECRETARY'S DESIGNEE -- SHALL -- USE -- THE -- AIRPORT -- NOISE -- ZONE -- ACQUISITION -- FUND -- FOR THE -- PURCHASE -- OF -- PROPERTY -- WITHIN -- THE -- AIRPORT -- NOISE -- ZONE.

(E) -- WHENEVER -- THE -- SECRETARY -- OR -- THE -- SECRETARY'S -- DESIGNEE DETERMINES -- THAT -- A -- HARDSHIP -- DOES -- NOT -- EXIST, -- THE -- OWNER -- OF -- PROPERTY LOCATED -- IN -- THE -- NOISE -- ZONE -- MAY -- APPEAL -- THE -- DECISION -- TO -- THE -- AIRPORT ZONING -- BOARD.

(F) -- THE -- AIRPORT -- ZONING -- BOARD -- SHALL -- HAVE -- FULL -- DISCRETION -- IN REVIEWING -- THE -- APPEALS -- MADE -- BY -- THE -- PROPERTY -- OWNERS.

5-826.