

(II) A LOCAL JURISDICTION MAY NOT ISSUE A PERMIT FOR THE ACTIVITY THAT WAS THE SUBJECT OF THE VARIANCE APPLICATION UNTIL THE APPLICABLE 30-DAY APPEAL PERIOD HAS ELAPSED.

(6) (I) A DEVELOPMENT ACTIVITY COMMENCED WITHOUT A REQUIRED PERMIT, APPROVAL, VARIANCE, OR SPECIAL EXCEPTION IS A VIOLATION OF THIS SUBTITLE.

(II) A LOCAL JURISDICTION MAY NOT ACCEPT AN APPLICATION FOR A VARIANCE TO LEGALIZE A VIOLATION OF THIS SUBTITLE, INCLUDING AN UNPERMITTED STRUCTURE OR DEVELOPMENT ACTIVITY, UNLESS THE LOCAL JURISDICTION ~~FIRST:~~

~~1. ISSUES FIRST ISSUES A NOTICE OF VIOLATION, INCLUDING ASSESSMENT OF AN ADMINISTRATIVE OR CIVIL PENALTY, FOR THE VIOLATION; AND~~

~~2. VERIFIES, THROUGH ON SITE INSPECTION OR OTHER RELIABLE MEANS, THAT:~~

~~A. FULL COMPLIANCE WITH THE TERMS OF THE NOTICE OF VIOLATION HAS BEEN ACHIEVED, INCLUDING PAYMENT OF ALL ASSESSED FINES AND COMPLETION OF ANY REQUIRED MITIGATION; OR~~

~~B. A FINAL ADJUDICATION ON THE MERITS OF THE NOTICE OF VIOLATION HAS DETERMINED THAT A VIOLATION HAS NOT OCCURRED OR THAT THE FINAL ADJUDICATION HAS DETERMINED THAT A VIOLATION DID OCCUR AND THE PERSON HAS FULLY COMPLIED WITH THE TERMS OF THAT ADJUDICATION, INCLUDING FULL PAYMENT OF ANY PENALTIES AND COSTS THAT MAY BE ASSESSED.~~

(III) IF ~~THE~~ A FINAL ADJUDICATION OF A NOTICE OF VIOLATION RESULTS IN A DETERMINATION THAT A VIOLATION HAS OCCURRED, THE PERSON SHALL BE LIABLE FOR A PENALTY THAT IS TWICE THE AMOUNT OF THE ASSESSMENT IN THE NOTICE OF VIOLATION, IN ADDITION TO THE COST OF THE HEARING AND ANY APPLICABLE MITIGATION COSTS.

(IV) APPLICATION FOR A VARIANCE UNDER THIS PARAGRAPH CONSTITUTES A WAIVER OF THE RIGHT TO APPEAL THE TERMS OF A NOTICE OF VIOLATION AND ITS FINAL ADJUDICATION, INCLUDING THE PAYMENT OF ANY PENALTIES AND COSTS ASSESSED.