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§5–507.

(a) In a case of practical difficulty or unnecessary hardship, the Board, after public notice and hearing, may grant a specific variance from the airport zoning regulations adopted under this subtitle.

(b) 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) On application for a variance, the Board shall act as a fact finding body and, among other things, shall consider any testimony or evidence presented regarding:

(1) The rules, regulations, restrictions, guides, and standards set forth in this subtitle and in the airport zoning regulations that the Administration adopts;

(2) The existing or proposed height, width, and use of the structure or tree or other vegetation for which the variance is requested;

(3) Whether the structure or tree or other vegetation will create or become an airport hazard;

(4) Whether issuance of the permit will result in endangering the public health, safety, security, or order; and

(5) The impact of the proposed variance upon the surrounding community.

(d) 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.

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