

Article - Transportation

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§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) Notwithstanding subsection (a) of this section, the Administration may not require any person to obtain a permit to construct an addition to a residential structure in a noise zone established under this part, if:

- (1) The resultant improved structure retains the same number of family dwelling units; and
- (2) The addition is not made eligible for participation in any State funded noise assistance program established under Subtitle 12 of this title.

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

- (1) Enlarge the size of or create an impacted land use area; or
- (2) Violate local land use and zoning laws.

(d) Unless a person has an appropriate permit issued by the Administration or a variance granted by the Board of Airport Zoning Appeals, a political subdivision may not approve a final subdivision plan or issue any permit that is prerequisite to the construction of improvements in a noise zone established under this subtitle.

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