

IS ALLEGED THERE IS ERROR IN ANY ORDER, REQUIREMENT, DECISION OR DETERMINATION MADE BY THE POLITICAL SUBDIVISION OR ITS ADMINISTRATIVE AGENCY IN THE ENFORCEMENT OF THIS SECTION, OR OF ANY ORDINANCE OR OTHER LEGISLATION ADOPTED PURSUANT THERETO; AND

(2) HEAR, DECIDE AND GRANT SPECIFIC VARIANCES FROM NOISE ZONE REGULATIONS ADOPTED PURSUANT TO THIS SECTION, IN PROPER CASES, ONLY IF THE DESIGN OF A PROPOSED STRUCTURE, OR REPAIR OR REPLACEMENT OF A STRUCTURE OR USE OF LAND OR CHANGE THEREIN PROVIDES SOUND ISOLATION WHICH IS ADEQUATE TO INSURE THAT INTERIOR NOISE LEVELS DUE TO AIRPORT OPERATION WILL NOT EXCEED THOSE LEVELS WHICH WOULD OCCUR IF THE PROJECT WERE BEING BUILT OUTSIDE THE NOISE ZONE. IN GRANTING A VARIANCE UNDER THE TERMS OF THIS SUBSECTION, A BOARD OF APPEALS MAY CONDITION THE VARIANCE SO AS TO REQUIRE THE OWNER TO INCORPORATE SUCH CONSTRUCTION IN THE PROPOSED STRUCTURE, OR REPAIR, OR REPLACEMENT, OR USE OF LAND OR CHANGE THEREIN.

(E) IN POLITICAL SUBDIVISIONS WHERE A ZONING BOARD OF APPEALS OR ADJUSTMENT ALREADY EXISTS, SUCH ZONING BOARD OF APPEALS OR ADJUSTMENT MAY BE APPOINTED AS THE BOARD OF APPEALS. OTHERWISE, THE BOARD OF APPEALS SHALL CONSIST OF FIVE MEMBERS AND SHALL BE APPOINTED FOR A TERM OF FOUR YEARS, BUT OF THE FIRST APPOINTED MEMBERS ONE SHALL BE APPOINTED FOR A TERM OF ONE YEAR, ONE FOR A TERM OF TWO YEARS, ONE FOR A TERM OF THREE YEARS AND TWO FOR A TERM OF FOUR YEARS. VACANCIES SHALL BE FILLED FOR THE UNEXPIRED TERM OF ANY MEMBER WHOSE TERM BECOMES VACANT. THE MEMBERS OF THE BOARD OF APPEALS SHALL BE REMOVABLE FOR CAUSE BY THE APPOINTING AUTHORITY UPON WRITTEN CHARGES AND AFTER PUBLIC HEARING.

(1) THE BOARD SHALL ADOPT RULES IN ACCORDANCE WITH THE PROVISIONS OF ANY ORDINANCE ADOPTED UNDER THIS SUBTITLE. MEETINGS OF THE BOARD SHALL BE HELD AT THE CALL OF THE CHAIRMAN AND AT SUCH OTHER TIMES AS THE BOARD MAY DETERMINE. THE CHAIRMAN, OR IN HIS ABSENCE THE ACTING CHAIRMAN, MAY ADMINISTER OATHS AND COMPEL THE ATTENDANCE OF WITNESSES. ALL MEETINGS OF THE BOARD SHALL BE PUBLIC. THE BOARD SHALL KEEP MINUTES OF ITS PROCEEDINGS, SHOWING THE VOTE OF EACH MEMBER UPON EACH QUESTION, OR, IF ABSENT OR FAILING TO VOTE INDICATING SUCH FACT, AND SHALL KEEP RECORDS OF ITS EXAMINATIONS AND OTHER OFFICIAL ACTIONS, ALL OF WHICH SHALL IMMEDIATELY BE FILED IN THE OFFICE OF THE BOARD AND SHALL BE A PUBLIC RECORD.

(2) APPEALS TO THE BOARD MAY BE TAKEN BY ANY PERSON AGGRIEVED, OR BY ANY OFFICER, DEPARTMENT, BOARD, OR BUREAU OF THE POLITICAL SUBDIVISION AFFECTED BY ANY DECISION OF THE ADMINISTRATIVE AGENCY OR BY THE ADMINISTRATION. AN APPEAL MUST BE TAKEN WITHIN 30 DAYS,