

TITLE 2: NATURAL RESOURCES
DIVISION 2: PORTS

§ 2210. Variances.

Any person desiring to erect or increase the height of a structure, or permit the growth of any tree, or use property, not in accordance with this article, may apply to the board for a variance. The application for variance shall be accompanied by a determination from the Federal Aviation Administration as to the effect of the proposal on the operation of air navigation facilities and the safe, efficient use of navigable airspace. Such variances shall be allowed where it is duly found that a literal application or enforcement of the regulations will result in unnecessary hardship, and relief granted, will not be contrary to the public interest, will not create a hazard to air navigation, will do substantial justice, and will be in accordance with the spirit of this article.

Source: PL 4-10, § 10.