

Annotated Code of Maryland
(1988 Replacement Volume and 1993 Supplement)

~~BY repealing and reenacting, without amendments,
The Charter of Baltimore City, 1964 Revision
Article VII — Executive Departments
Section 89
(1993 Replacement Volume, as amended)~~

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

Article 66B – Zoning and Planning

2.08.

(a) The Mayor with the advice and consent of the City Council may provide for the appointment of a board of zoning appeals. The board of zoning appeals shall consist of five members and they 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 one 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 zoning appeals shall be removable for cause by the appointing authority upon written charges and after public hearing.

(h) ~~[The] IF FIVE MEMBERS OF THE BOARD OF ZONING APPEALS ARE PRESENT, THE concurring vote of AT LEAST four members [of the board shall be] IS necessary to reverse any order, requirement, decision, or determination of [any such] AN administrative official, or to decide in favor of the applicant on any matter [upon] ON which it is required to pass under [any such] AN ordinance, or to effect any variation in [such] THE ordinance. IF ONLY FOUR MEMBERS OF THE BOARD ARE PRESENT, THE CONCURRING VOTE OF AT LEAST THREE MEMBERS IS NECESSARY TO TAKE ANY ACTION UNDER THIS SUBSECTION.~~

~~The Charter of Baltimore City~~

~~Article VII — Executive Departments~~

~~89.~~

~~Each member of the Board shall be a citizen and resident of Baltimore City for at least three years. At least one member shall be a lawyer. The Board shall adopt rules for the conduct of its proceedings, which rules may be modified or repealed by ordinance. Such rules shall be in writing and when adopted shall be immediately filed in the office of the Board and shall be a public record. A copy thereof (and of any amendments thereto) shall also be filed with the Department of Legislative Reference. When the Board sits to hear zoning appeals, the hearing shall be conducted by all members present and the concurring vote of four members of the Board shall be necessary to reverse any order, requirement, decision, or determination of any administrative official, or to decide in favor of the applicant on any matter upon which it is required to pass under any zoning~~