

be stayed otherwise than by a restraining order which may be granted by the Board or by a court of record on application, on notice to the agency from which the appeal is taken and on due cause shown.

The Board shall fix a reasonable time for the hearing of the appeal, give public notice thereof and due notice to the parties in interest, and decide the same within a reasonable time. Upon the hearing any party may appear in person or by agent or by attorney.

The Board may, in conformity with the provisions of this sub-title, reverse or affirm, wholly or partly, or modify, the order, requirement, decision, or determination appealed from and may make such order, requirement, decision, or determination as ought to be made, and to that end shall have all the powers of the administrative agency from which the appeal is taken.

The concurring vote of a majority of the members of the Board shall be sufficient to reverse any order, requirement, decision, or determination of the administrative agency, or to decide in favor of the applicant on any matter upon which it is required to pass in this sub-title, under any ordinance or under other legislation or to effect any variation from the provisions of any ordinance or other legislation.

(f) (Judicial Review.)

(1) Any person or persons, jointly or severally, aggrieved by any decision of the Board of Appeals, or any taxpayer, or any officer, department, board, or bureau of the political subdivision, may present to a court of record a duly verified petition setting forth that the decision is illegal, in whole or in part, and specifying the grounds of the illegality. Such petition shall be presented to the court within thirty (30) days after the decision is filed in the office of the Board.

(2) Upon presentation of such petition, the court shall allow an appeal to review such decision of the Board and shall prescribe therein the time within which a return or answer to the petition must be made and served on the petitioner or his attorney, which shall be not less than fifteen (15) days, and may be extended by the court. The allowance of the appeal shall not stay proceedings upon the decision appealed from, but the court may, on application, on notice to the Board and on due cause shown, grant a restraining order.

(3) The Board of Appeals shall not be required to return the original papers acted upon by it, but it shall be sufficient to return certified or sworn copies thereof or of such portions thereof as may be called for by the appeal. The return shall concisely set forth such other facts as may be pertinent and