

of the district council, stated separately, or the fact that such member was absent.

~~59-106. 59-104.~~ 59-103.

All witnesses appearing in a hearing before the district council shall be subject to cross-examination; PROVIDED, HOWEVER, THE DISTRICT COUNCIL MAY ESTABLISH REASONABLE RULES AND PROCEDURES GOVERNING CROSS-EXAMINATION.

~~59-107. 59-105.~~ 59-104.

(a) No application for a map amendment or special exception, WHICH IS CONTESTED, shall be granted OR DENIED except upon written findings of basic facts and written conclusions of law.

(b) In making such findings of fact and conclusions of law, the district council shall be governed by the standards enumerated in Article 66B, Section 2, of the Annotated Code of Maryland.

~~59-108. 59-106.~~ 59-105.

Whenever the District Council disapproves, in whole or in part, an application for a map amendment ~~or special exception~~, it shall not entertain a subsequent application respecting the same land or any portion thereof within eighteen months from the date of the first disapproval, and twenty-four months from the date of the second or further disapproval. As used in this section, date of disapproval means the date upon which the district council announces its decision, or, in the event of appellate review, the date upon which the Circuit Court announces its decision. In any subsequent application respecting the same land or any portion thereof, FOR THE SAME ZONING CLASSIFICATION OR THE SAME SPECIAL EXCEPTION PURPOSE, BY THE SAME APPLICANT OR APPLICANTS, the district council shall not receive as evidence ~~or base its findings~~ SOLELY upon any fact or circumstance which was, ~~or could have been, proved~~ PRESENTED at the earlier hearing.

~~59-109. 59-107.~~

Whenever the District Council shall hereafter approve, in whole or in part, an application for map amendment, the land for which the application is approved must be substantially developed and utilized UNDER DEVELOPMENT IN ACCORDANCE WITH STANDARDS TO BE ADOPTED BY THE DISTRICT COUNCIL for a use permissible under the new classification within five (5) years from the date of approval of the said amendment, or the said amendment shall become automatically null and void, and the classification shall revert to the previous classification.

~~59-110.~~

When, in an appeal from a decision of the district council, any party, including a party by intervention, files an affidavit of removal conforming to the provisions of Article IV, Section 8 of the Constitution of Maryland, the Circuit Court shall remove said case to a circuit court in another judicial circuit adjacent to Prince George's County.