

[7.]**2.08 Board of Zoning Appeals**

(a) Appointment, [and power to make exceptions] *Composition and Terms.*—[Such local legislative body] *The Mayor with the advice and consent of the City Council* may provide for the appointment of a board of zoning appeals [, and in the regulations and restrictions adopted pursuant to the authority of this article may provide that the said board of zoning appeals may, in appropriate cases and subject to appropriate conditions and safeguards, make special exceptions to the terms of the ordinance in harmony with its general purpose and intent and in accordance with general or specific rules therein contained]. [(b) Composition and terms.] 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.

[(c)] (b) Rules; Meetings; Oaths; Summoning Witnesses.

The board shall adopt rules in accordance with the provision of any ordinance adopted pursuant to this article. Meetings of the board shall be held at the call of the chairman and at such other times as the board may determine. Such chairman, or in his absence the acting chairman, may administer oaths and compel the attendance of witnesses. All meetings of the board shall be open to the 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 be immediately filed in the office of the board and shall be a public record.

[(g)] (c) General Powers of Board.

The board of zoning appeals shall have the following powers:

(1) To hear and decide appeals where it is alleged there is an error in any order, requirement, decision, or determination made by an administrative official in the enforcement of this article or of any ordinance adopted pursuant thereto.

(2) To hear and decide special exceptions to the terms of the ordinance upon which such board is required to pass under such ordinance.

(3) To authorize upon appeal in specific cases [such] a variance from the terms of the ordinance [as is necessary to avoid arbitrariness and so that the spirit of the ordinance shall be observed and substantial justice done].

(4) To approve buildings, and uses limited as to location under such rules and regulations as may be provided by ordinance of the local legislative body [; except that this subsection shall not apply to Prince George's and Montgomery Counties].

(d) Appeal; transmission of record.

Appeals to the board of zoning appeals may be taken by any person aggrieved or by any officer, department, board or bureau of the [municipality] *city of Baltimore* affected by any decision of the