

"Zoning", Article VI, Subtitle "Zoning Hearing Officer", as enacted by Bill No. 4-65), be and it is hereby repealed and re-enacted, with amendments, to read as follows:

### Section 35-136

Rule IX D (1) The Zoning Hearing Officer shall regulate the course of the hearing, which, for compelling reasons, may be continued from time to time, and shall rule upon procedural matters, applications, modifications, and objections made during the course of the hearing; provided, however, that the time and place of any such continuance shall be announced immediately at the suspension of the pending proceedings, and not otherwise.

(2) *Notwithstanding any provision to the contrary, the Zoning Hearing Officer may impose such additional restrictions, conditions or limitations upon such reclassification as may be deemed appropriate to preserve, improve, or protect the general character and design of the lands and improvements being zoned or rezoned, or of the surrounding or adjacent lands and improvements, and may, upon the zoning or rezoning of any land or lands, retain or reserve the power and authority to approve or disapprove the design of buildings, construction, landscaping, or other improvements, alterations, and changes made or to be made on the subject land or lands to assure conformity with the intent and purpose of this article and of the County's zoning ordinance.*

Section 2. AND BE IT FURTHER ENACTED, That this Ordinance shall take effect forty-five (45) days from the date it becomes law.

APPROVED AND ENACTED: July 29, 1970.

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### Bill No. 76-70

An Ordinance to repeal and re-enact, with amendments, Section 2-100 (a) of the Anne Arundel County Code (1967 Edition and Supplements), Title 2, "Board of Appeals", Subtitle 1, "Generally", setting forth the grounds upon which the Board of Appeals may grant zoning reclassifications.

Section 1. BE IT ENACTED BY THE COUNTY COUNCIL OF ANNE ARUNDEL COUNTY, MARYLAND, That Section 2-100 (a) of the Anne Arundel County Code (1967 Edition and Supplements), Title 2, "Board of Appeals", Subtitle 1, "Generally", be, and it is hereby repealed and re-enacted, with amendments, to read as follows:

### Section 2-100

(a) (1) The county board of appeals shall have and exercise all the functions and powers of the board of appeals of the county and of the county board of appeals described in Article 25A of the Annotated Code of Maryland as supplemented by other public general laws. All references in law to the board of appeals or the board of zoning appeals shall be construed to refer to the county board of appeals created by this subtitle where such construction is reasonable.

(2) Petitions for all variances, special exceptions or reclassifications of a particular piece of property, cases pending before the board of appeals or the county commissioners at such time and all cases subsequently arising which otherwise would have been subject to their jurisdiction,