

this article, no permit shall be issued for any development on any part of the land between the lines of a proposed street as thus platted; provided, however, that the board of zoning appeals of the jurisdiction in which the location of such platted street lies, or a special board of appeals which may be created for the purpose of the local legislative body of the jurisdiction, shall have the power, upon an appeal filed with it by the owner of any such land and by a vote of a majority of its members, to grant a permit for a development in such platted street location in any case in which such board finds, upon the evidence and arguments presented to it upon such appeal: (a) that the entire property of the appellant, of which such reserved street location forms a part, cannot yield a reasonable return to the owner unless such permit be granted; and (b) that, balancing the interest of the county or municipal corporation in preserving the integrity of such street plat and of the municipal plan and the interest of the owner of the property in the use of his property and in the benefits of the ownership thereof, the grant of such permit is required by consideration of reasonable justice and equity. Before taking any such action the board of appeals shall give a hearing at which the parties in interest shall have an opportunity to be heard. At least fifteen (15) days' notice of the time and place of such hearing shall be given to the appellant by mail at the address specified by the appellant in his appeal petition and shall be published in a newspaper of general circulation in the jurisdiction. In the event that the board of appeals grants a development permit in any such appeal it shall specify the exact location, ground area, height, and other details as to the extent and character of the development for which the permit is granted and may impose reasonable requirements as a condition of granting such permit, which requirements shall inure to the benefit of the county or municipal corporation.

#### 7.05.

Except as otherwise provided herein, all acts and parts of acts, laws and parts of law, ordinances and parts of ordinances, inconsistent herewith or contrary hereto, are hereby repealed to the extent of such inconsistency, provided, however, that Sections **[2.01-211]** 2.01-2.11 and all laws and ordinances passed pursuant thereto shall not be affected hereby, and that this article shall be deemed to be in addition to said Sections 2.01-2.11 and not in substitution therefor.

#### 8.01.

(a) The preservation of structures of historic and architectural value together with the appurtenances and environmental settings is a public purpose in this State. The board of county commissioners or county council of every county in the State and the mayor and city council, by whatever name known, of every municipal corporation in this State and the mayor and city council of Baltimore City have power by ordinance or resolution to regulate the construction, alteration, reconstruction, moving and demolition of such structures, their appurtenances and environmental settings within their respective limits. Hereafter in this subtitle such counties and municipal corporations are referred to as "county" or "counties" or "municipal corporation" as the case may be. The word "structure" as used in this subtitle means a combination of material to form a construction that is stable; including among other things, buildings, stadiums,