

## COUNTY LOCAL LAWS

EVIDENCE TO SUPPLY A DEFECT IN PROOF.

## SECTION 707. DECISIONS IN ZONING CASES.

(A) THE FINAL DECISION OF THE COUNCIL IN ANY ZONING CASE SHALL BE BASED SOLELY UPON RECORD EVIDENCE, AND SHALL BE SUPPORTED BY SPECIFIC WRITTEN FINDINGS OF BASIC FACTS AND CONCLUSIONS OF LAW.

(B) THE VOTES OR ABSTENTIONS THEREON OF ALL MEMBERS OF THE COUNCIL MUST BE RECORDED.

(C) THE DECISION, FINDINGS, CONCLUSIONS AND VOTES OF THE COUNCIL THEREON SHALL BE SERVED UPON ALL PERSONS OF RECORD.

(D) A MAJORITY VOTE OF THE FULL COUNCIL SHALL BE NECESSARY TO GRANT ANY ZONING MAP AMENDMENT OR SPECIAL EXCEPTION TO A ZONING REGULATION.

(E) WHERE ANY APPLICATION FOR A ZONING MAP AMENDMENT OR SPECIAL EXCEPTION TO A ZONING REGULATION CONFLICTS WITH THE REQUIREMENTS OF A MASTER PLAN, OR WITH THE RECOMMENDATION OF A MUNICIPALITY RESPECTING LAND WITHIN ITS BOUNDARIES, OR WITH THE RECOMMENDATION OF ANY AGENCY CHARGED WITH MAKING RECOMMENDATIONS IN ZONING CASES, SAID APPLICATION MAY BE GRANTED ONLY UPON THE AFFIRMATIVE VOTE OF TWO-THIRDS OF THE FULL COUNCIL.

(F) APPLICATIONS IN ZONING CASES ON WHICH A DECISION HAS NOT BEEN FINALLY RENDERED WITHIN 90 CALENDAR DAYS FROM THE CONCLUSION OF THE HEARING BY THE COUNCIL OR FROM THE FILING AND SERVICE OF A HEARING EXAMINER'S DECISION IN CASES HEARD BY A HEARING EXAMINER, AS HEREINAFTER PROVIDED, SHALL AUTOMATICALLY BE CONSIDERED TO HAVE BEEN DENIED BY THE COUNCIL.

## SECTION 708. RESTRICTIONS IN ZONING CASES.

(A) NO AMENDMENT TO AN APPLICATION IN A ZONING CASE SHALL BE PERMITTED AFTER NOTICE OF PUBLIC HEARING IS GIVEN.

(B) NO APPLICATION FOR A ZONING MAP AMENDMENT OR SPECIAL EXCEPTION TO A ZONING REGULATION MAY BE FILED ON SUBSTANTIALLY THE SAME LAND UNTIL TWO CALENDAR YEARS HAVE ELAPSED AFTER ACTION, INCLUDING APPELLATE REVIEW, SHALL HAVE BEEN COMPLETED UPON ANY