

8-110.

(a) (1) A district council in either county, in its zoning regulations, may provide that the board of zoning appeals, the district council, or an administrative office or agency designated by the district council, in appropriate cases and subject to appropriate principles, standards, rules, conditions, and safeguards set forth in the regulations, may either grant or deny, upon conditions as may be deemed necessary to carry out the purposes of this article, special exceptions and variances to the provisions of the zoning regulations in harmony with their general purposes and intent.

(2) (I) IN MONTGOMERY COUNTY, THE DISTRICT COUNCIL IN ITS ZONING REGULATIONS MAY PROVIDE THAT THE AFFIRMATIVE VOTE OF:

(H) 1. AT LEAST FOUR MEMBERS OF THE BOARD OF APPEALS IS REQUIRED TO ADOPT A RESOLUTION THAT GRANTS, REVOKES, SUSPENDS, AMENDS, EXTENDS THE TIME IN WHICH TO IMPLEMENT, OR MODIFIES A SPECIAL EXCEPTION; AND

(H) 2. A MAJORITY OF THE BOARD OF APPEALS IS REQUIRED TO ADOPT A PROCEDURAL MOTION REGARDING A SPECIAL EXCEPTION APPLICATION.

(II) IN EXERCISING ITS AUTHORITY UNDER THIS PARAGRAPH, THE DISTRICT COUNCIL MAY ENACT, FOR ANY ZONE, DIFFERENT VOTING REQUIREMENTS FOR DIFFERENT USES.

(3) In Prince George's County, the district council shall provide for the appeal of decisions of the zoning hearing examiner in special exception and variance cases to the district council.

(4) The decisions of the administrative office or agency in Montgomery County shall be subject to an appeal to either the board of appeals or other administrative body as may be designated by the district council. In either county, the appeal shall follow that procedure which may from time to time be determined by the district council.

(5) The district council IN EITHER COUNTY also may authorize the board of zoning appeals to interpret the zoning maps or pass upon disputed questions of lot lines or district boundary lines or similar questions as they arise in the administration of the regulations.

(b) In Montgomery County, notwithstanding any provision in Article 25A, § 5(U), of the Annotated Code to the contrary, a decision by the county board of appeals on applications for zoning variations or exceptions may be appealed within 30 days by any person, municipality, corporation, or association, whether or not incorporated, which has appeared at the hearing in person, by attorney, or in writing, to the circuit court for the county, which may affirm or reverse the decision appealed from or remand it to the board for further consideration for any reason, or dismiss the appeal as provided by law. Any party to the proceedings in the circuit court may appeal from such decision to the Court of Special Appeals. The review proceedings provided by this section are exclusive.