

4. THE RECORDS OF THE BOARD OF MUNICIPAL AND ZONING APPEALS SHALL BE OPEN TO THE PUBLIC.

(c) (1) The [Board of Zoning Appeals shall have the following powers] BOARD OF MUNICIPAL AND ZONING APPEALS MAY:

[(1)] (I) [To hear] HEAR and decide appeals [where] IF it is alleged THAT there [is] WAS 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.] UNDER THIS ARTICLE;

[(2)] (II) [To hear] HEAR and decide special exceptions to the terms of [the] AN ordinance [upon] ON which the [Board] BOARD is required to [pass] ACT under [such ordinance. Nothing in this section shall be construed to prevent the Mayor and City Council of Baltimore from granting variances, special exceptions, or conditional uses by ordinance, when so authorized by the general zoning ordinance of Baltimore City.] THE ORDINANCE;

[(3)] (III) [To authorize upon] AUTHORIZE, ON appeal in specific [cases] CASES, a variance from the terms of [the ordinance.] AN ORDINANCE;

[(4)] (IV) [To approve] APPROVE buildings[, ] and uses limited as to location [under such rules and regulations as may be provided] by ANY REGULATION ADOPTED UNDER AN ordinance [of the local legislative body.] PASSED BY THE CITY COUNCIL; and

[(5)] (V) [To take into consideration, as a factor] CONSIDER, when acting [upon] ON a zoning application, the availability of schools and other public facilities in the area, including flood plain facilities, under [rules and] regulations [provided by] ADOPTED UNDER A CITY [ordinance of the local legislative body] ORDINANCE.

(2) IF OTHERWISE AUTHORIZED BY THE GENERAL ZONING ORDINANCE OF BALTIMORE CITY, THIS SECTION DOES NOT PREVENT THE MAYOR AND CITY COUNCIL OF BALTIMORE FROM GRANTING VARIANCES, SPECIAL EXCEPTIONS, OR CONDITIONAL USES BY ORDINANCE.

(d) (1) Appeals to the [Board of Zoning Appeals] BOARD OF MUNICIPAL AND ZONING APPEALS may be [taken by any] FILED BY:

(I) ANY person aggrieved BY A DECISION OF THE ADMINISTRATIVE OFFICER; or

(II) [by any] ANY officer, department, [board] BOARD, or bureau of the City of Baltimore affected by any decision of the administrative officer.

(2) [Such] A PERSON FILING AN APPEAL WITH THE BOARD OF MUNICIPAL AND ZONING APPEALS SHALL FILE THE appeal [shall be taken] within a reasonable time, as provided by the rules of the [Board, by filing] BOARD.

(3) (I) A PERSON FILING AN APPEAL WITH THE BOARD OF MUNICIPAL AND ZONING APPEALS SHALL FILE with the ADMINISTRATIVE officer from whom the