

(G) [Upon the hearing any] ANY party may appear AT AN APPEAL in person or by AN agent or [by] attorney.

[(g)](H) (1) In exercising [the above-mentioned] ITS powers UNDER THIS SECTION, the [Board] BOARD OF MUNICIPAL AND ZONING APPEALS may, in conformity with [the provisions of] this [article, reverse] ARTICLE:

(I) REVERSE, [or affirm, wholly or partly, or may modify] IN WHOLE OR PART, THE ORDER, REQUIREMENT, DECISION, OR DETERMINATION THAT IS THE SUBJECT OF THE APPEAL;

(II) AFFIRM, IN WHOLE OR PART, THE ORDER, REQUIREMENT, DECISION, OR DETERMINATION THAT IS THE SUBJECT OF THE APPEAL; OR

(III) MODIFY the order, requirement, decision, or determination [as ought to be made, and to that end] THAT IS THE SUBJECT OF THE APPEAL.

(2) THE BOARD OF MUNICIPAL AND ZONING APPEALS shall have the powers of the ADMINISTRATIVE officer from whom the appeal is taken.

[(h)](I) (1) If five members of the [Board of Zoning Appeals] BOARD OF MUNICIPAL AND ZONING APPEALS are present, the concurring vote of at least four members is necessary [to reverse] TO:

(I) REVERSE any order, requirement, decision, or determination of an administrative [official, or to decide] OFFICER;

(II) DECIDE in favor of the applicant on any matter on which it is required to [pass] ACT under an [ordinance, or to effect] ORDINANCE; OR

(III) EFFECT any variation in [the] AN ordinance.

(2) If only four members of the [Board] BOARD are present, the concurring vote of at least three members is necessary to take any action under this subsection.

DRAFTER'S NOTE: In subsection (a)(2)(ii) of this section, the former language detailing the initial terms of the board of zoning appeals is deleted as obsolete.

Throughout this section, the reference to "the board of municipal and zoning appeals" is substituted for the former reference to the "board of zoning appeals" to conform to current practice.

In subsection (a)(2)(iv) of this section, a reference to "the Mayor" is substituted for the former reference to "the appointing authority" for consistency within the subtitle.

In subsection (c)(1)(iv) of this section, a reference to "City Council" is substituted for the former reference to "the local legislative body" for consistency within the subtitle.