

(4) Any appointed member may be removed, after a public hearing, by the Town Council.

D. Officers.

(1) The Commission shall elect a Chairman and Vice Chairman from the appointed members and create and fill such other of its offices as it may determine.

(2) The term of the Chairman and Vice Chairman shall be one year, with eligibility for reelection. Vice Chairman shall chair meetings and have all other regular responsibilities in the absence of the Chairman.

E. Meetings.

(1) Regular meetings of the Planning Commission are held every month at a time and place to be designated by resolution by the Commission.

(2) Special meeting of the Commission may be called by the Chairman with proper notice to Commission members.

(3) All Commission meetings shall be open to the public.

(4) All public hearings conducted by the Planning Commission shall be in accordance with the provisions of § 117-27F.

(5) Three of the membership of the Commission shall constitute a quorum

(6) No action of the Commission shall be valid unless authorized by a majority vote of those present and voting.

F. Records. The Planning Commission shall keep minutes of all its proceedings, showing evidence presented, findings of fact by the Commission, and the vote of each member upon each question, or if absent or failing to vote, such fact. These minutes shall be a public record.

§ 117-36. Board of Appeals.

A. Purpose. In recognition that many of the provisions of this chapter are of a nonspecific and general nature, and that they are not perfect and are subject to interpretation, the Board of Appeals is established to vary specific terms of this chapter to the end that the intent of these provisions may be effectuated, but only in a manner that the spirit of the chapter is maintained and upheld. More specifically, the Board of Appeals, with the advice and assistance of the Town staff, shall:

(1) Hear and decide appeals from any order, requirement, decision or determination made by the Zoning Administrator or his agent in the administration or enforcement of this chapter, as provided in Article VII, § 117-30.

(2) Hear and decide applications for Special Exceptions as are authorized under Article III, § 117-12, of this chapter.

(3) Authorize, upon appeal in specific cases, a variance from the terms of this chapter, as provided in Article VII, § 117-31.

(4) Hear and decide applications for interpretation of the Zoning Map where there is uncertainty as to the location of a zoning district boundary, as provided in Article II, § 117-8.

B. Authority and establishment. The Board of Appeals is established pursuant to the provisions of Article 66B, Section 4.07, Code of Maryland. The official title of this Board shall be the "North Beach Board of Appeals."

C. Membership.

- (1) The Board shall consist of five members who shall be qualified voters and/or property owners in the Town. The majority of the members shall be residents of the Town. All members shall be appointed by the Mayor and confirmed by the Town Council.
- (2) The terms of office of the members of the Board are three years.
- (3) Any vacancy in membership for an unexpired term shall be filled by appointment by the Mayor and approved by the Council.
- (4) A member whose term expires shall continue to serve until his successor is appointed and qualifies. Members may be appointed to succeed themselves.
- (5) Any appointed member may be removed by the Town Council after a public hearing.

D. Officers.

- (1) The Board shall elect a Chairman from one of the appointed members and create and fill such other of its offices as it may determine.
- (2) Upon election by the members, the Chairman shall serve a three-year term.

E. Meetings.

- (1) Meetings of the Board shall be held at the call of the Chairman and at such other times as the Board may determine.
- (2) Three members of the Board shall constitute a quorum.
- (3) The Chairman, or in his/her absence, the acting Chairman, may administer oaths and compel the attendance of witnesses.
- (4) All meetings of the Board shall be open to the public.
- (5) Notice for all public hearings conducted by the Board shall be in accordance with the provisions of § 117-27F.
- (6) No action of the Board shall be valid unless authorized by three members present and voting affirmatively on such action.

F. Referral to Planning Commission.

- (1) The Board shall request an advisory opinion from the Planning Commission on any application for an appeal, special exception or variance. The Commission shall submit a report of such advisory opinion prior to the decision by the Board on an application.
- (2) Advisory opinions regarding appeals, special exceptions and variances shall be rendered by the Planning Commission within 30 days after submission to it; otherwise such appeal, special exception or variance shall be deemed to have received a favorable advisory opinion.

G. Records. The Board shall keep written records and minutes of all its proceedings, showing evidence presented, findings of fact by the Board, and the vote of each member upon each question, or if absent or failing to vote, such fact. These written records and minutes shall be public records.

H. Decisions. In exercising the powers of this section, the Board may reverse or affirm, wholly or partly, or may modify the order, requirement, decision or determination appealed from and make such order, requirement, decision or determination as ought to be made, and to that end shall have all the powers of the officer from whom the appeal is taken.