

COUNTY COUNCIL OF BALTIMORE COUNTY, MARYLAND
Legislative Session 2025, Legislative Day No. 21

Bill No. 96-25

Councilmembers Marks and Jones

By the County Council December 15, 2025

A BILL
ENTITLED

AN ACT concerning

Zoning Regulations – Nonconforming Dwelling Units

FOR the purpose of permitting certain nonconforming dwelling units uses in a building based upon the continuous use of the dwelling units for a certain period of time; exempting certain areas from the provisions of this Act; and generally relating to dwelling units and nonconforming uses.

BY renumbering

Section 104.8
To be Section 104.9
Baltimore County Zoning Regulations, as amended

BY adding

Section 104.8
Baltimore County Zoning Regulations, as amended

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.
[Brackets] indicate matter stricken from existing law.
~~Strike out~~ indicates matter stricken from bill.
Underlining indicates amendments to bill.

WHEREAS, many small apartment uses in Baltimore County have existed within single family dwellings for several decades, providing safe, suitable, and attainable housing for Baltimore County residents; and

WHEREAS, the owners of these nonconforming small apartment buildings recently received notices from Baltimore County that their rental licenses will not be renewed unless the owner can establish a certain time period that the apartment use has been in existence; and

WHEREAS, The Baltimore County Zoning Regulations lacks any provisions designating the length of time for the existence of these apartment uses; now therefore

1 SECTION 1. BE IT ENACTED BY THE COUNTY COUNCIL OF BALTIMORE
2 COUNTY, MARYLAND, that the Baltimore County Zoning Regulations read as follows:

4 ARTICLE 1 – GENERAL PROVISIONS

5 Section 104 – Nonconforming Uses

6
7 § 104.8. NONCONFORMING DWELLING UNITS.

8 A. A BUILDING WITH AT LEAST 2 BUT NO MORE THAN 7 DWELLING UNITS
9 THAT WAS PREVIOUSLY ISSUED ONE OR MORE VALID RENTAL HOUSING
10 LICENSES SHALL BE CONSIDERED A NONCONFORMING USE IF THE OWNER OF
11 THE BUILDING CAN ESTABLISH THAT THE DWELLING UNITS HAVE EXISTED AND
12 BEEN CONTINUOUSLY USED AS DWELLING UNITS FOR AT LEAST 20 YEARS.

13 B. UPON POSTING OF THE PROPERTY BY THE OWNER FOR 14 DAYS, THE
14 NONCONFORMING USE MAY BE APPROVED ADMINISTRATIVELY BY THE

1 DIRECTOR OF THE DEPARTMENT OF PERMITS, APPROVALS, AND INSPECTIONS
2 THROUGH AN AFFIDAVIT UNDER OATH OF A PERSON WITH KNOWLEDGE OF THE
3 USE OF THE PROPERTY.

4 C. UPON THE FILING OF A WRITTEN COMPLAINT WITHIN THE POSTING
5 PERIOD BY AN OCCUPANT OR OWNER WITHIN 1,000 FEET OF THE SUBJECT
6 PROPERTY CHALLENGING THE NONCONFORMING STATUS OF THE DWELLING
7 UNITS, THE DIRECTOR OF PERMITS, APPROVALS, AND INSPECTIONS ~~MAY~~ SHALL
8 REQUIRE A SPECIAL HEARING TO CONFIRM THE NONCONFORMING USE UNDER
9 THIS SECTION.

10 D. THIS SECTION DOES NOT ELIMINATE OR REPLACE THE RIGHTS
11 AFFORDED UNDER SECTION 104 OF THESE REGULATIONS.

12 E. THIS SECTION DOES NOT APPLY TO THE NEIGHBORHOOD
13 PRESERVATION DISTRICT.

14
15 SECTION 2. AND BE IT FURTHER ENACTED, that this Act, having been passed by
16 the affirmative vote of five members of the County Council, shall take effect 14 days from the
17 date of its enactment.



LEGISLATION DETAIL

LEGISLATION

DISPOSITION

ENACTED

EFFECTIVE

AMENDMENTS

ROLL CALL - BILL

MOTION

SECOND

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NAY

☐☐

Councilman Young

☐☐

Councilman Patoka

☐☐

Councilman Kach

☐☐

Councilman Jones

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Councilman Marks

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Councilman Ertel

☐☐

Councilman Crandell

ROLL CALL - AMENDMENTS

MOTION

SECOND

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NAY

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Councilman Young

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Councilman Crandell