

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

Bill No. 96-25

Councilmembers Marks & 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; 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:

3
4 ARTICLE 1 – GENERAL PROVISIONS

5 Section 104 – Nonconforming Uses

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7 § 104.8. NONCONFORMING DWELLING UNITS.

8 A. A BUILDING WITH AT LEAST 2 BUT NO MORE THAN 7 DWELLING UNITS
9 SHALL BE CONSIDERED A NONCONFORMING USE IF THE OWNER OF THE
10 BUILDING CAN ESTABLISH THAT THE DWELLING UNITS HAVE EXISTED AND
11 CONTINUOUSLY USED AS DWELLING UNITS FOR AT LEAST 20 YEARS.

12 B. THE NONCONFORMING USE MAY BE APPROVED ADMINISTRATIVELY
13 THROUGH AN AFFIDAVIT OF A PERSON WITH KNOWLEDGE OF THE USE OF THE
14 PROPERTY.

1 C. UPON THE FILING OF A WRITTEN COMPLAINT CHALLENGING THE
2 NONCONFORMING STATUS OF THE DWELLING UNITS, THE DIRECTOR OF
3 PERMITS, APPROVALS, AND INSPECTIONS MAY REQUIRE A SPECIAL HEARING TO
4 CONFIRM THE NONCONFORMING USE.

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