COUNTY COUNCIL OF BALTIMORE COUNTY, MARYLAND
Legislative Session 2025, Legislative Day No. 12

Bill No. 46-25

Councilmembers Marks & Patoka

By the County Council, July 7, 2025

A BILL
ENTITLED

AN ACT concerning

Historical and Architectural Preservation – Appeals

FOR the purpose of permitting a certain decision of the Landmarks Preservation Commission to be appealed to the County Board of Appeals; requiring the Board of Appeals to issue a decision with a statement of grounds and facts; establishing that the decision of the Board of Appeals is final and that the proceedings provided for are exclusive; and generally relating to County Landmarks and Historical and Architectural Preservation.

BY repealing and re-enacting, with amendments

Section 32-7-501
Article 32 – Planning, Zoning, and Subdivision Control
Title 7 – Historical and Architectural Preservation
Subtitle 5 – Appeals and Enforcement
Baltimore County Code, 2015

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.

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

ARTICLE 32 – PLANNING, ZONING, AND SUBDIVISION CONTROL

Title 7 – Historic and Architectural Preservation

Subtitle 5 – Appeals and Enforcement

§ 32-7-501. Appeal from Commission Decision.

(A) EXCEPT UNDER SUBSECTION (B) OF THIS SECTION, a decision, order, recommendation, or other finding made by the Commission under Subtitle 2 or Subtitle 3 may not be appealed to the County Board of Appeals.

(B) (1) WITHIN 30 DAYS AFTER A DECISION OF THE COMMISSION DISAPPROVING AN APPLICATION FOR PLACEMENT ON THE COUNTY FINAL LANDMARKS LIST, ANY PERSON AGGRIEVED BY THE DECISION MAY APPEAL TO THE COUNTY BOARD OF APPEALS.

(2) THE APPEAL TO THE BOARD OF APPEALS SHALL BE HEARD DE NOVO.

(3) IN ISSUING ITS DECISION, THE COUNTY BOARD OF APPEALS SHALL FILE AN OPINION THAT INCLUDES A STATEMENT OF THE FACTS FOUND AND GROUNDS FOR ITS DECISION.

(4) THE DECISION OF THE COUNTY BOARD OF APPEALS UNDER THIS SUBSECTION IS FINAL AND MAY NOT BE APPEALED.

(5) THE PROCEEDINGS PROVIDED BY THIS SECTION ARE EXCLUSIVE.

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