

TOWN OF KEEDYSVILLE, MARYLAND

"Where Northern Thrift and Personality Blend with Southern Charm and Hospitality"

P.O. Box 359
19 South Main Street
Keedysville, MD 21756
301-432-5795
townhall@keedysvillemd.com
www.keedysvillemd.com



Ken Lord, Mayor
Brandon Sweeney, Assistant Mayor
Judy Kerns, Council
Matthew Hull, Council
Sarah Baker, Council

Approved

Container & Short-Term Rental Regulations Minutes September 6, 2023

The Container & Short-Term Rental Regulations Hearing was called to order at 6:45 pm with the following present: Mayor Ken Lord, Assistant Mayor Brandon Sweeney, Council Members Matt Hull, Judy Kerns, Town Attorney Ed Kuczynski, Town Administrator Lisa Riner, Administrative Assistant Teresa Pangle, and Deputy Dakota Watkins.

Ms. Riner reported the Planning & Zoning Commission has worked on these two regulations over the past 6 months or so. At their last meeting on July 13, 2023, they recommended sending both regulations to the Council for their consideration, and are recommending the Council approve these regulations. Ms. Riner gave an overview of the Container & Short-Term Rental Regulations focusing on the highlights of each regulation.

Container Regulations

Ms. Riner reported the containers are not for permanent use, only temporary use. A permit is required and will expire in 60 days. The resident can apply for an extension of 60 days and a second extension of 60 days, for a total of 180 days. The extensions are at the discretion of the Zoning Administrator. The container cannot adversely affect adjacent properties, it cannot be in the front yard, it cannot affect the topography, vegetation, and structures already existing. The container must adhere to property line setbacks in the current zoning ordinance. This regulation is for properties that have an existing principal residence, not a plot of land. It cannot be on a public street. There is a hardship clause in the event of an emergency/natural disaster. Town-owned properties shall be exempt.

Public Comment – Mr. Gordon is grateful for the work that has been done. He feels 180 days is too much and one extension is enough. He wanted to know who determines if a container is adversely affecting adjacent properties. Ms. Riner replied it would be the Zoning Administrator.

Mr. Holder – He felt he should have had 14 days to review the regulations, he had 8 days. Mr. Kuczynski mentioned these regulations were advertised in the Herald-Mail in accordance with the Zoning Ordinance and posted at Town Hall, the Town website, and Facebook page. Mr. Holder said the regulation copies were unavailable when he requested it. They were made available a few days later. He feels this regulation imposes a burden on his property rights and there are other alternative zoning options that would serve the public

interest goals. Mr. Holder feels this regulation targets him and that the Town has a history of targeting him and his property and he is being singled out. He feels this is something to be handled by an HOA.

Mr. Matson – Asked if this affects properties that have never petitioned to be in Town. Mr. Kuczynski said the question doesn't make sense if the property is out of Town limits. Mr. Matson said he didn't know where the Town boundary is, and Mr. Kuczynski said the Town boundary is established in the Charter and as amended over time.

Short-Term Rental Regulations

Ms. Riner reported these regulations are for Airbnb-type rentals, such as Bed & Breakfast, Lodging Houses, Hostel, and Rooming House. It will have to be approved by special exception. Lodging Houses/Hostel/Rooming Houses are not required to serve a meal. Each rental property will have to provide one off-street parking space for each rental room and one off-street parking for the owner/agent/manager and employee. The facility can not exceed 6 guest rooms and only designated guestrooms will be used for sleeping. The owner/agent will play an active role in management and oversight and has to have a principal residence in the Town of Keedysville. The owner/agent shall provide the Town of Keedysville with the name, address, and 24-hour phone contact information of the property owner and/or agent with the appropriate zoning application submission which must be updated within one working day of any changes. There are requirements regarding lavatories, number of beds, and people per room. No additional entrance shall be permitted in the front façade. Requirements of the Washington County and/or Maryland State Fire Marshall's office must be met and documentation provided when applying for the zoning permit. All applicable local, county, and state requirements must be met in regard to Insurance coverage, Health Department approval, and all other necessary requirements. Pictures and documentation must be provided when the application is made for the zoning permit. Guest rooms cannot be rented for less than one night and a log must be maintained of all guests.

Mr. Holder – He has the same objection as stated above regarding property rights and being singled out. He has a license to use his property as he sees fit, has a business interest, and rents those properties. Mr. Kuczynski asked if those properties are currently rented as short-term rentals. Mr. Holder said currently they have a lease longer than 30 days. Mr. Holder stated since his properties are non-conforming with other laws in Town, like public utilities, these regulations would prohibit him from going to the health department to get the required documentation. Mr. Holder doesn't think this conforms to the Town's master comprehensive plan. He also feels the regulation is too restrictive and an invasion of people's privacy by having to report who rents out your property, and it unfairly limits the use of a person's property. He feels these regulations are retaliation and targeting just his property.

Ms. Gemeny – Asked if she wanted to use a bedroom in her home for an Airbnb would that person need to park in her driveway or can they park on the street in front of her house? Mr. Kuczynski said she would have to comply with the off-street parking requirements or obtain a variance from the Board of Zoning Appeals. If the property supplies the spots and a guest parks on the street it won't be prohibited because it is a public street.

Mr. Kuczynski – Said he's been to most of the Planning and Zoning meetings regarding these regulations, and not once has Mr. Holder, Antietam Street, or any other individual been mentioned, except for a container situation on Main Street which was the catalyst for the container regulation. Ms. Riner pointed out the Town gets calls from people about short-term rental regulations before buying property and the Town doesn't have any current regulations. Mr. Kuczynski mentioned short-term rentals are a topic of concern in many municipalities both large and small. These regulations are not intended to target any one individual or

property. The Planning and Zoning Commission looked at similar regulations in neighboring Towns and came up with their own interpretation of what they believed was appropriate for the Town of Keedysville.

Mr. Gordon – Asked if Mr. Holder's containers would be grandfathered in. Mr. Kuczynski said containers that pre-date the regulation would be grandfathered.

Mr. Kuczynski explained once this hearing is over, the Mayor and Council will go into their regular session and consider whether to introduce the Container & Short-Term Rental regulations. Between now and next month it will come up for a vote and once passed it will go into effect 20 days later.

Council Comments

Mr. Hull said having sat through many of the Planning & Zoning meetings, the purpose for both of these regulations was always about the neighbors' property rights. It was not to infringe on homeowners' rights. Mr. Hull agrees Mr. Holder's containers would be grandfathered.

Mr. Sweeney asked if anyone who currently has short-term rentals would be grandfathered in. Mr. Kuczynski said they may be grandfathered in regards to parking requirements and maybe some of the structure requirements, but complying with the rest of it, like registering with the Town would not be grandfathered. Mr. Sweeney asked about fees associated with short-term rentals. Ms. Riner said there would be fees for zoning permits and special exceptions. Mr. Kuczynski said if the short-term rental is already in operation they would be grandfathered in for the special exception. Mr. Hull mentioned they would still have to comply with the health department and possibly building codes. Mr. Sweeney mentioned the 1-day minimum rental and questioned if there needs to be parameters on the other end. Ms. Riner said parameters could be added for the length of stay. Mr. Kuczynski said the Council should look at the regulations and come up with any suggestions or changes they want to make.

Mayor Lord said since the containers are not allowed to be in the front yard or public street that rules a lot of people out, especially on Main Street. Ms. Riner said they can be put in the back and side yards. Mr. Kuczynski said some situations may require a hardship exception due to the way their property is configured.

Meeting adjourned at 7:40 pm.

Respectfully Submitted,
Teresa Pangle
Administrative Assistant

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Public Hearing for Temporary Portable Storage Containers & Short-Term Rentals Regulations September 6, 2023

All attendees must sign in. Attendee comments will only be heard during the appropriate time in the agenda. Those wishing to be heard must check the appropriate box. Comments will be limited to three minutes each.

FOR THE TOPIC OF TEMPORARY PORTABLE STORAGE CONTAINERS

NAME	ADDRESS	FOR	AGAINST	WISH TO BE HEARD
Justin Holder	30 Antietam Dr Keedysville MD 21756	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Jackie Smith	Main St Boonsboro MD	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Ray Lander	110 North Main Keedysville	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
ERIC MASON		<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Sue Genay		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

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FOR THE TOPIC OF SHORT-TERM RENTALS

NAME	ADDRESS	FOR	AGAINST	WISH TO BE HEARD
Justin Holder	30 Antietam Dr Keedysville MD 21756	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Jessie Smith	Main St Barnesboro MD	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Lang Lauder	110 North Main Keedysville	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
ERIC Matson		<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Sue Gemeny		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

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Container & Short-Term Rental Regulations Agenda September 6, 2023

Call to Order

Container Regulations

Short-Term Rental Regulations

Resident Comments

Council Comments

Adjournment