

DEEP CREEK

Special Spring 2003 Bulletin

DISPATCH

Newsletter of the
Property Owners' Association
of Deep Creek Lake, Incorporated

Memorandum to the Membership

As you are all aware, the County Commissioners have appointed an ad hoc committee to study the problems created by the proliferation of mini-hotels in the Lake Residential District at Deep Creek Lake. I served as a member of that committee which proposed eight amendments to the Deep Creek Watershed Zoning Ordinance. A synopsis of the proposed zoning amendments was included in the Spring 2003 Dispatch. A copy of that synopsis is enclosed for your further information.

The proposals were delivered to the Garrett County Planning Commission and to the County Commissioners. A public hearing was conducted by the Planning Commission on May 7. Opposition to the proposals was loud and clear; there was positive comment by members of the public including a number of POA members. The Planning Commission conducted a work session with the ad hoc committee and the Zoning Appeals Board on May 15, but would take no fur-

ther public comment. A decision of the Planning Commission on its recommendations to the County Commissioners is to be made at its regular meeting Wednesday, June 4th at 1:30 PM in the Commissioners' meeting room at the Courthouse in Oakland. Public comment is invited and those in opposition to the proposals are expected to be out in force.

I urge those of you who can possibly do so to attend that meeting and voice your opinion, whether positive or negative. If you cannot attend in person, please write to the Planning Commission and the County Commissioners before June 4. The addresses are: Board of County Commissioners, 203 South Fourth St., Oakland, MD 21550; Garrett County Planning Commission, (same address). Let them know how you feel!

Thanks,
Fred A. Thayer, President

Synopsis of Proposed Zoning Amendments

1—A new definition of "Dwelling Unit" (§201.25A) recognizes a new concept: "transient vacation rental units" (TVRUs) which are specifically excluded from the definition (along with hotels, etc.).

2—A new definition of "Single Family Dwelling Unit" (§201.25B) excludes TVRUs; it limits the bedrooms to eight unless the "holder(s) of record title to the property for which application is made execute(s) a deed covenant running with the land ... limiting the

use of the dwelling to prohibit transient vacation rental use of the property."

3—A new section (§201.58.5) recognizes and defines TVRUs which are limited to not more than eight bedrooms with occupancy not to exceed two persons per bedroom plus four additional persons; the rental for which is limited to fourteen days or less. Living facilities must be in the principal structure, none in an accessory building.

4—A TVRU of five bedrooms or less is permitted in the Lake Residential, Town Center, Town Residential, Commercial Resort 2 and Rural Development Districts; it is not permitted in Commercial Resort or General Commercial Districts.

5—A new section (§304B.20) to the Table of Use Regulations provides for five additional requirements for all TVRUs which address parking, bear proof trash containers and trash collection, audible disturbances and trespassing, and written evaluation of the impact of the transient vacation rental unit on the neighborhood.

6—A TVRU from six to eight bedrooms is permitted in Town Center, Town Residential, Commercial Resort 2 and Rural Development Districts. It may be permitted by special exception in the Lake Residential District. It is not permitted in Commercial Resort or General Commercial Districts.

7—In addition to the requirements of No. 5 above, a new section, (§ 1 006E) is added which requires, among other things, the Zoning Appeals Board to consider comments of nearby property owners; the financial impact on the neighborhood; the extent of established use in the neighborhood that the TVRU will have; the expected recreational use of the property and presence or absence of natural or planned screening and delineation of property lines. The Board must consider all of the other factors for special exception which presently are found in the Ordinance.

8—The committee recommends to the Board of County Commissioners adoption of a Vacation Rental Licensing Ordinance which would regulate the rental of vacation rental units, and which should implement health and building codes as well providing for periodic inspection of rented premises.

Property Owner's Association of
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