

October 24, 2019

Subject: Short Term Rentals

Most of our homes are located in areas zoned as "single family residential". Some people are trying to bend that definition into something different. Single family residence means just that. Short term rentals are business operations whereby there is a flow of temporary stays by visitors for revenue akin to the operation of a hotel. This is something completely different than single family residential both as defined and as intended in the zoning law.

Most often homes put in the short term rental market suffer the additional problem of lack of supervision. A small operation simply cannot provide hotel like services. Because of the lack of supervision and because there are 2 or more rooms in a home, they draw groups that routinely have more of an impact than the typical hotel occupant which is in itself obviously commercial. "Bed & breakfast" operations are a little different because the owner / operator is present; however, they too are commercial operations best located in mixed use zoning simply because they also cater to visitors.

Short term rental occupants have no vested interest in the community they visit. They are visitors not residents. Even apartments have residents versus visitors. A good test for the word resident may be - Are they eligible to vote at the address they occupy? Perhaps adding that definition of "resident" to the zoning law might be appropriate.

In the end "visitor" and "resident" are and will always remain different words legally and otherwise. Residents vote, visitors do not. Why are the zoning laws not being enforced right now? There is nothing more important or personal to a resident than his home. Not respecting the zoning already in place is not only a violation of law but also a violation of public trust in our elected officials.

While an ordinance may be necessary to establish where short term rentals might fit in the comprehensive zoning plan is it certainly not a fit by any stretch of the imagination in areas zoned for single family residences. Enforcement of zoning violations should begin immediately.

Some have said that enforcement is difficult. I think not. If a property zoned as "single family residence" is advertised as a "Short Term Rental", or any other non-conforming use, or a complaint is confirmed then code enforcement simply places a "Cease and Desist" notice on the property. If that is ignored then a summons to appear in court is issued whereby a \$500 per occurrence cumulative fine is issued along with the warning that if the violation upon the property is repeated then the "Certificate of Occupancy" will be withdrawn and that the power company will be notified to discontinue electrical service until the court is satisfied with a plan that ensures future violations will not occur.

Sincerely,

Lee H. Longstreet, Jr.