

Carroll Township Zoning Hearing Board

Business Meeting Minutes

Monday July 24th, 2023 @ 6:00pm

Meeting attendees were:

Gary Reihart – Chairman

Frank Setlak – Secretary

Mark Heishman – Alternate Board Member

Brandon Slatt – Carroll Township Zoning Officer

John R. Wilson – Solicitor from CGA Law Firm

Following are the meeting minutes from the Zoning Hearing Board (ZHB) business meeting held on Jul 24, 2023. The meeting was held at the Carroll Township offices.

1. A motion was made to accept the June 26th, 2023 ZHB business meeting minutes into record. The motion was seconded and passed unanimously.
2. Chairman Reihart appointed Mark Heishman as a voting member for tonight's hearing as Rich Gensler was not able to attend the hearing.
3. The business meeting was recessed to commence with the hearing for docket 2023-005.
4. The hearing portion of the meeting was adjourned to continue with the business meeting.
5. Board member Frank Setlak distributed a proposed revision of the Carroll Township's Short-Term Rental ordinance that he drafted. Setlak stated that he reviewed other Township and Borough ordinances in Short-Term rentals to incorporate some good points into the Carroll Township ordinance. Setlak read the proposed revision to the Board and the Board discussed the changes. Solicitor John Wilson liked the proposed revision with the sections added to resolve some of the challenges Carroll Township faced with our first variance to short-term rentals. Zoning Officer Brandon Slatt and Chairman Gary Reihart had some concerns with some of the ordinance language. Setlak stated that this was a first draft and he was open to discussion on changes from this draft. The Board agreed to send Setlak their proposed changes in an email to him and Setlak will compile the changes and present the Board with draft #2 at the next business meeting.
6. The Board discussed and then voted to provide the Board of Supervisors a member from the Zoning Hearing Board to be part of the Township's Comprehensive Plan Committee. A motion was made for Board Member Setlak to represent the Zoning Haring Board on this committee. The motion was seconded and passed unanimously.
7. A motion was made to adjourn the meeting, which was seconded, and unanimously passed.

Prepared by: Frank Setlak

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Short-Term Rental Proposed Changes

§ 450-376. Short-term rentals. Any dwelling unit owned which is rented or leased for the purpose of overnight lodging for a period of 21 days or less, and which meets the definition of “Hotel” for the purpose of imposing an excise tax by York County. Short-term rentals must adhere to the Township of Carroll Zoning Ordinance, Short-Term Rental Section § 450-377, and have a valid a short-term rental license as issued by the Township of Carroll. A short-term rental unit must be owner occupied (owner physically live at the residence full time).

§ 450-377. Operators of short-term rentals shall conform to the following standards:

- A. A separate short-term rental license is required for each short-term rental dwelling. Short Term Rental licenses shall be renewed on an annual basis and with any change in ownership of the dwelling. A zoning permit is required for each parcel where a short-term rental is proposed.
- B. The short-term rental shall not provide meals or retail sales/rental of merchandise, equipment, or services for compensation (either directly or indirectly) in Residential Zoning Districts.
- C. Short term rentals in any property within a Residential Zoned Property shall be owner occupied.
- D. The applicant shall furnish evidence that there are no restrictions (HOA/deed restrictions) on use of the property as a short-term rental.
- E. If not on public water, the applicant shall furnish evidence (water test) that an approved means of potable water supply shall be used.
- F. The applicant shall furnish evidence that an approved means of sewage waste or trash disposal shall be used.
- G. On-site parking requirements: Each short-term rental that is part of a single-family dwelling unit, shall provide at least one (1) vehicle parking space in the garage, driveway, or other on-site parking area for each bedroom plus at least two (2) additional vehicle parking spaces (to account for additional short-term tenants who may drive separately).
- H. Within all applicable districts, accommodations shall not exceed six (6) transient occupants.
- I. The length of stay per transient occupant shall be limited to a maximum of 21 days.
- J. Short-term rentals shall adhere to the UCC requirements for the use.
- K. All floors above grade or below grade shall have a permanently affixed direct means of escape to ground level. Any modifications to the external appearance of a building (except fire escapes) shall complement its residential character.
- L. The commencement of short-term rental activity of a dwelling shall be considered a “Change of Use” of the property and shall not occur without the property owner first applying for, and receiving, a zoning permit from the Township for such change in use, followed by or in conjunction with an application for and approval of a short-term rental license.
- M. Occupants must adhere to all the Township’s nuisance ordinances and shall not engage in disorderly conduct or disturb the peace and quiet of any nearby neighborhood or person by loud, unusual, or excessive noise, offensive conduct, public indecency,

threatening or fighting or creating a physically offensive condition. The renters shall sign a binding document that requires they acknowledge and agree to adhere to those minimum standards. A copy of the signed agreement shall be made available to the Township's Zoning Officer when requested.

- N. Short Term Rental shall be permitted in those Zoning Districts as noted on the ***Table of Land Uses by District***.
- O. Upon receipt of zoning approval for a short-term rental, the applicant shall submit, as part of a short-term rental license application, the following:
- a. A complete written application as provided by the Township.
 - b. Copy of the current recorded Deed for the Property establishing ownership.
 - c. Copies of current York County Hotel Room Excise Tax Certificate and current Pennsylvania Sales and Use Tax License.
 - d. An initial inspection will be conducted by the Township at the time of short-term rental application, upon receipt of a verified complaint relating short-term rental compliance (including life Safety), and on an annual basis as part of license renewal.
 - e. Short-term rental license applications shall be accompanied by administrative and inspection fees to defray the costs of processing and managing the application. The fee shall be as set by Resolution of the Township of Carroll as part of the Township's overall schedule of fees.
 - f. There shall be no occupancy of recreational vehicles, camper trailers, and in tents at the short-term rental. There is to be no overnight sleeping of occupants or guests of the short-term rental outside of the dwelling unit.
 - g. The applicant shall prepare and present to the Township (with the Change of Use or License process) a copy of a notice or notices which shall be prominently and continuously posted at the short-term rental unit which shall contain all of the following information:
 - i. The owner's name and a telephone number reachable on a 24 hour basis
 - ii. Township of Carroll Zoning Ordinance ARTICLE 2 Section § 450-377
 - iii. 911 address for the property
 - iv. Maximum number of occupants permitted to stay in the short-term rental dwelling and maximum number of days at any one time
 - v. Maximum number of all vehicles allowed to be parked on the property or in front of the dwelling unit within the property boundaries
 - vi. Notification of trash pickup day and the location to place trash for pickup. Refuse is not to be left or stored on the exterior of the property unless in water-tight metal or plastic can
 - vii. Floor plans for the short-term rental, showing emergency exits and path to exit from sleeping quarters.