

IN THE CIRCUIT COURT FOR DORCHESTER COUNTY

THE COUNTY COUNCIL FOR  
DORCHESTER COUNTY  
P.O. Box 26  
Cambridge, Maryland 21619

Plaintiff

v.

TRIQUETRA VENTURES, LLC  
4221 Franklin Street  
Kensington, Maryland 20895

Defendant

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Case No. \_\_\_\_\_

**COMPLAINT FOR DECLARATORY JUDGMENT  
AND ANCILLARY EQUITABLE RELIEF**

The Plaintiff, The County Council for Dorchester County, by its attorney, Christopher F. Drummond, and pursuant to MD CODE ANN Courts And Judicial Proceedings Article Section 3-401, *et seq.*, sues the Defendant, Triquetra Ventures, LLC, and seeks a declaratory judgment and ancillary equitable relief and, in support thereof, states as follows:

1. The Plaintiff is a body politic of the State of Maryland.
2. The Defendant, Triquetra Ventures, LLC, is a Maryland limited liability company that owns real property in Dorchester County known as 608 Hills Point Road, Cambridge, Maryland 21619.
3. The Defendant's property is waterfront and is improved with a large residence with multiple bedrooms and bathrooms and spacious accommodations for many family members and guests.

4. The Defendant's property is zoned in the Resource Conservation (RC) District on the Dorchester County Zoning Maps and is within the Critical Area Resource Conservation Area (RCA) on the Dorchester County Critical Area Maps.
5. The Dorchester County Zoning Code (Chapter 155) limits residential uses in the RC District to single-family homes, bed-and-breakfast homes, boarding and lodging houses (under certain conditions), and two-family dwellings with special exception approval.
6. Commercial uses are not permitted in the RC District.
7. New commercial, industrial, and institutional uses are not permitted in the RCA under Dorchester County's Critical Area Program.
8. The Defendant advertises the large residence on its property on one or more short-term rental websites. The listing on VRBO explains that the residence is available for groups of up to 18 guests. The VRBO listing invites interested persons to "check availability" for stays as short as one (1) overnight. Recent "availability checks" reveal that the residence on the Defendant's property has been booked for short-term rentals for most weeks during the summer of 2022. The cost for stays at the residence is calculated on the number of overnights booked by a guest.
9. The Defendant has retained the services of MyLodgeTax to manage its accounting and tax obligations. MyLodgeTax has filed hotel tax statements with the County each month since October, 2021 on behalf of the Defendant. The veracity of the information on the number and frequency of rooms rented is unknown.
10. Section 155-13 of the County Code defines "Single-Family, Detached" dwellings as: "A detached residential building designed for and occupied by only one family . . ." Section 155-13 defines "Family" as: "An individual or two or more persons related by blood or

marriage or a group of not more than eight persons not related by blood or marriage living together as a single houskeeping group in a dwelling unit."

11. The Plaintiff, through the Department of Planning and Zoning, has informed the Defendant that use of the residence for short-term rentals is not permitted by the County Zoning Code in the RC District.
12. The Defendant maintains that short-term rentals are not regulated by the County Zoning Code or, alternatively, that short-term rentals are a permitted residential use.
13. The Plaintiff is aware that short-term rentals are a burgeoning use of residences whose owners may not reside therein on a full-time basis. The use has produced complaints from neighbors in many jurisdictions and, in particular, from the Defendant's neighbors.
14. Maryland case law has not addressed directly the zoning implications of short-term rentals in residentially zoned districts.


**COUNT ONE**  
**(Declaratory Judgment)**

15. The allegations of Paragraph Nos. 1 through 14, inclusive, are incorporated herein as if fully set forth.
16. The parties' legal relations are affected by Chapter 155 of the Dorchester County Code so that the Court has the power to determine whether short-term rentals are a permitted use in the RC District.
17. An actual controversy exists between the parties in which they each have a concrete interest and which indicates imminent and inevitable litigation.

18. The Plaintiff asserts that the short-term rental use of the Defendant's property is prohibited by Chapter 155 of the Dorchester County Code while the Defendant asserts that the use is permitted or not regulated.

**WHEREFORE**, the Plaintiff respectfully requests that the Court:

- A. Declare that Chapter 155 of the Dorchester County Code prohibits short-term rentals of single-family residences in the RC District which are advertised on websites such as VRBO and AirBnB.
- B. Declare that the Defendant's use of the residence owned by it for short-term rentals advertised on websites such as VRBO and AirBnB is contrary to the use restrictions of Chapter 155 of the Dorchester County Code and illegal.
- C. Enter an affirmative mandatory injunction directing the Defendant to remove all advertisements and booking information from short-term rental websites such as VRBO and AirBnB.
- D. Enter an affirmative mandatory injunction directing the Defendant to refrain from offering the residence on its property for short-term rentals through websites such as VRBO and AirBnb or through any other method.
- E. Grant such other and further relief as the nature of the case may require.

  
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