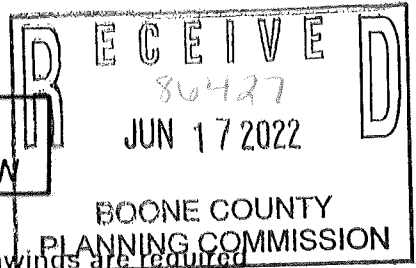


BOARD OF ADJUSTMENT
BOONE COUNTY PLANNING COMMISSION



Five (5) scaled copies and one (1) 11 x 17 reduction of submitted drawings are required

Site Plan Review is not granted by the appropriate Board of Adjustment

An application consists of all fees paid in full, submitted drawings, and a completed application form

SECTION A: (To be completed by applicant)

1. Check One Boone Florence Walton Union
2. Check One Conditional Use Permit Variance Appeal
 Change in Non-Conforming Use
3. Applicant: Timothy Marshall sole member of All Aboard LLC
Address: 12745 S. Saginaw Ste 806
Grand Blanc Michigan 48439
City State Zip Code
Phone Number: 614-962-3270 Fax Number: _____
Email: fomstayhere@gmail.com
4. Description of Request:
Requesting a Conditional use Permit for the use of "short-term"
renting
5. Name of Development: Glendale Ct Short Term Rental
6. Location of Development: 6447 Glendale Court
Florence KY 41042
City State Zip Code
7. Acreage Under Review: _____
8. Lot Number and Name of Subdivision (if part of a subdivision):

9. Current Owner: Timothy Marshall sole member of All Aboard LLC
Address: 6447 Glendale Ct.
Florence Kentucky 41042
City State Zip Code
Phone Number: 614-962-3270 Fax Number: _____
Email: fomstayhere@gmail.com

10. Proposed Use(s) on Site: Short-term Renting

11. Total Square Footage of Existing and/or Proposed Buildings: _____

12. Current Zoning: _____

13. D1141 811-813 1557 2032
Deed Book Page Group Number

14. Is the site subject to a zone change: Yes No
If yes, date of approval: _____

15. Have you submitted a Site Plan with this request: Yes No

16. Have you submitted a list of adjoining property owners with this request: Yes No

17. I, or we, understand and agree that this application and drawing(s) are being filed in accordance with the Boone County Zoning Regulations.

ORIGINAL Property Owner's Signature: [Signature]
(Faxed, Photocopied or Scanned Signatures will NOT be Accepted)

ORIGINAL Applicant's Signature: [Signature]
(Faxed, Photocopied or Scanned Signatures will NOT be Accepted)

SECTION B: (To be completed by Planning Commission staff)

1. Date Received: 6/17/22 Fee Received: \$ 816 Receipt #: 86427

2. Is application complete:

3. Staff Reviewer: M. Schwartz

4. Scheduled Board Action Date: 7/13/2022

5. Board Action: 7/13/2022

Approved

Approved with Conditions (see #6)

Denial (See #7)

6. Conditions of Approval: _____

7. Reasons for Denial: _____

Boone County Planning Commission
Boone County Administration Building
2950 Washington Street, Room 317
P.O. Box 958
Burlington, Kentucky 41005
Phone: 859-334-2196 Fax: 859-334-2264
plancom@boonecountyky.org
www.boonecountyky.org

STAFF REPORT

#1

APPLICANT: All Aboard LLC, per Timothy Marshall

LOCATION: 6447 Glendale Court, Boone County, Kentucky

ZONING: Suburban Residential One/Planned Development (SR-1/PD)

DATE: July 13, 2022

PROPOSAL

- A. The applicant is requesting a Conditional Use Permit to allow the existing single-family residential dwelling to be used as a Short Term Rental.

SITE HISTORY

1981-

1985 .Based on information contained in the Boone County GIS, the site was developed with attached single-family residential buildings.

APPLICABLE REGULATIONS

- A. Section 220 of the Boone County Zoning Regulations states that one of the duties of the Board of Adjustment is to grant conditional uses permits as specified by the zoning order, with such additional safeguards as will uphold the intent of the zoning order.
- B. The Board should evaluate the request as it relates to the criteria necessary for granting a Conditional Use Permit as stated in Sections 262, and 933 of the Boone County Zoning Regulations.
1. Findings listed in Section 262 (Findings for all Conditional Uses):
 - a. Will be harmonious with and in accordance with the general objectives, or with any specific objective of the County's Comprehensive Plan, a specific corridor plan and/or the zoning order;
 - b. Will be designed, constructed, operated, and maintained so as to be harmonious and appropriate in appearance with the existing or intended character of the general vicinity and shall not change the essential character of the same area;
 - c. Will not be hazardous to existing or future neighboring uses;
 - d. Will be served adequately by essential public facilities and services such as highways, streets, police and fire protection, drainage structures, refuse disposal, water and sewer, and schools; or that the persons or agencies responsible for the establishment of the proposed use shall be able to provide adequately such services;
 - e. Will not create excessive additional requirements at public cost for public facilities and services and will not be detrimental to the economic welfare of the community;
 - f. Will not involve uses, activities, process, materials, equipment and conditions of operation that will be detrimental to any persons, property,

- or the general welfare by reason of excessive production of traffic, noise, smoke, dust, fumes, glare, or odors;
 - g. Will have vehicular approaches to the property which shall be so designated as not to create an interference with traffic on surrounding public thoroughfares.
 - 2. Criteria listed in Section 933 of the Boone County Zoning Regulations (SR-1 District):
 - a. The activity is an integral and subordinate function of a permitted use; or
 - b. The activity will not contradict the low density character of the district; and
 - c. The arrangement of uses, buildings, or structures will be compatible with the organization of permitted and accessory uses to be protected in the district.
- C. Section 930 of the Boone County Zoning Regulations states that “The purpose of the Suburban Residential One district is to provide a low density, residential environment whose dwelling types and densities are typical of a suburban character. It is also to provide limited or passive and active recreational uses that are appropriate to the permitted uses in the district. Suburban Residential One districts will be located on lands within established urban areas where adequate infrastructure facilities and services are available or proposed.”
- D. Section 933.7 of the Boone County Zoning Regulations identifies ‘short term rentals’ as a Conditional Use within the Suburban Residential One (SR-1) district.
- E. Section 4000 of the Boone County Zoning Regulations defines ‘Short Term Rental’ as follows:

The rental of a residential dwelling unit, or a portion thereof, for a period of less than thirty (30) days. This term does not include:

 - A. A unit that is used for nonresidential purposes, including an educational, health care, retail, restaurant, banquet space, or event center purpose or another similar use.
 - B. A bed and breakfast.
 - C. A hotel/residence hotel.
- F. Section 3191 of the Boone County Zoning Regulations provides for the following supplemental regulations/standards for ‘Short Term Rentals’:
 - A. Except as provided for in Article 34, there shall be no external on-site or off-site advertising signs or displays indicating the property is a short term rental.
 - B. Short term rentals shall not be allowed in any area not considered a primary dwelling (i.e., recreational vehicles, tents, garages, boats, etc.).

- C. There shall be no more than two (2) adult guests per bedroom, plus no more than two (2) additional guests, except for the following:
 - 1. There shall be a maximum occupancy of ten (10) persons, adult and children.
 - 2. Bedrooms under one hundred twenty (120) square feet shall be limited to only one (1) adult occupant.

- D. In addition to the required parking for the residence, a minimum of one parking space shall be provided per guest room or suite. All parking for a short term rental, whether required by these regulations or in excess of these regulations, shall be provided off-street.

- E. Any advertisement of the property as a short term rental and all rental contracts must contain language that specifies the allowed maximum number of occupants and maximum number of vehicles.

- F. The property on which the short term rental is to be located shall not be located closer than one thousand (1,000) feet, measured in a straight line from the nearest property line to the nearest property line of any other approved short term rental. Such permits shall be given on a first come, first serve basis.

- G. When located in a residential district, a short term rental shall use the existing, main building entrance for access and the construction of additional exterior ingress/egress doorways shall be prohibited. Access to individual guest rooms or suites shall be from the interior of the structure.

- H. It shall be unlawful:
 - 1. To operate, or to allow to be operated, a short term rental without first obtaining a Permit for the property in which the rental is to occur with the Boone County Fiscal Court.
 - 2. To advertise or offer a short term rental without first registering the property in which the rental is to occur with the Boone County Fiscal Court. Documented advertisement of the subject property as a short term rental, online or offline, shall be considered evidence of a violation of this regulation.
 - 3. To operate a short term rental that does not comply with all applicable city, county, and state laws and codes.
 - 4. To operate a short term rental without paying the required hotel occupancy taxes.
 - 5. To fail to include a written prohibition against the use of a short term rental for having a party in every advertisement, listing, or other publication offering the premises for rent.
 - 6. Permit the use of the short term rental for any illegal purpose or any use not permitted by the residential zoning regulations.

- I. Depending on the scope of improvements, a Zoning Permit or Tenant Finish Permit per Article 4, or a Minor Site Plan or Major Site Plan per Article 30, shall be submitted to and approved by the Planning Commission prior to constructing any improvements and operating a short term rental.

RELATIONSHIP TO THE COMPREHENSIVE PLAN

- A. The Our Boone County Plan 2040 Future Land Use Plan designates the site for “High Suburban Density Residential” uses which is described as single family and/or attached housing of up to 8 dwelling units per acre. This classification is typified by townhouse, condominium, and zero-lot line development, and also pertains to existing mobile home parks.
- B. The following Our Boone County Plan 2040 Goals and Objectives apply to this application:
 1. Mixing of residential and other land uses shall be encouraged where appropriate (Overall Goal A, Objective 2).
 2. Land uses and zoning decisions shall strive to balance the rights of landowners with the rights of neighbors and the community (Overall Goal A, Objective 4).
 3. Development policies shall not discriminate against any person (Demographics Goal A, Objective 1).
 4. Provide appropriate services, housing, employment, and shopping opportunities in order to meet the needs of the population in all geographic areas of the County (Demographics Goal A, Objective 4).
 5. Home ownership shall be encouraged and incentivized as well as redevelopment and renovation of deteriorating housing stock (Demographics Goal B, Objective 3).
 6. Tourist oriented commercial facilities should be encouraged provided that the impacts on other land uses are minimal (Natural and Cultural Resources Goal A, Objective 4).
 7. Industries shall be promoted in suitable locations to make the county a vital part of a strong regional economy (Economy Goal A, Objective 2).
 8. Tourism (including agri-tourism and heritage tourism), telecommuting, and virtual employment shall be encouraged as an economic resource while minimizing potential impacts (Economy Goal A, Objective 7).
 9. Boone County shall seek a combination of land uses that balances revenues generated from those uses with the expenditures required to support them (Economy Goal A, Objective 8).

10. Mixing of commercial and non-commercial uses shall occur in areas where consideration has been given to assure compatibility with surrounding land uses and natural systems (Economy Goal B, Objective 2).
 11. Commercial uses shall be designed and located to coordinate with the surrounding land uses and shall have safe access and adequate parking (Economy Goal B, Objective 3).
- C. Glendale Court is identified as a privately maintained local street providing for two way traffic within an approximate twenty-two (22) foot pavement width. There are no sidewalks along the roadway.

SITE CHARACTERISTICS

- A. The approximate 1,200 square foot unit footprint is located along the southwest side of Glendale Court, approximately 370 feet southeast of Green Leaf Court.
- B. The site shares a driveway with the unit at 6449 Glendale Court.
- C. The site is currently occupied by an attached two story single family residential dwelling, having an attached one car garage.
- D. The existing driveway for this unit measures ten (10) feet by twenty-three (23) feet, accommodating one (1) car.
- E. Topographically, the site slopes downward, front to back, allowing for a lower level walk out.

SURROUNDING LAND USES AND ZONING

North: Attached single family residential dwellings (SR-1/PD)
South: Attached single family residential dwellings (SR-1/PD)
East: Attached single family residential dwellings (SR-1/PD)
West: Attached single family residential dwellings (SR-1/PD)

PROPOSED DEVELOPMENT

- A. The applicant is proposing to use the three (3) bedroom dwelling as a short term rental.

STAFF ISSUES

- A. The site is located approximately 1.4 miles from Burlington Pike.
- B. From Burlington Pike, it will take seven (7) turning movements to get to the site.
- C. The following provides an evaluation of the supplemental regulations/standards for 'Short Term Rentals' (Section 3191):

1. Except as provided for in Article 34, there shall be no external on-site or off-site advertising signs or displays indicating the property is a short term rental.

Insufficient information has been submitted to determine compliance with this requirement.

2. Short term rentals shall not be allowed in any area not considered a primary dwelling (i.e., recreational vehicles, tents, garages, boats, etc.).

The applicant has provided documentation stating that the short term rental will be used strictly for the primary dwelling.

3. There shall be no more than two (2) adult guests per bedroom, plus no more than two (2) additional guests, except for the following:

- a. There shall be a maximum occupancy of ten (10) persons, adult and children.
- b. Bedrooms under one hundred twenty (120) square feet shall be limited to only one (1) adult occupant.

The applicant has provided documentation showing that the existing house has three (3) bedrooms, two of which are a minimum of 120 square feet in size. Based on the above calculations, the maximum occupancy for the site can be no more than seven (7) guests (2 per large bedroom, 1 per small bedroom, plus 2 additional).

4. In addition to the required parking for the residence, a minimum of one parking space shall be provided per guest room or suite. All parking for a short term rental, whether required by these regulations or in excess of these regulations, shall be provided off-street.

Based on the requirements, a minimum of five (5) parking spaces must be provided: two for the dwelling unit and one for each of the three bedrooms.

The applicant has provided documentation indicating that there is one space in the garage, one space on the driveway apron, five community spaces across Glendale Court, and six community spaces on Summerfield Drive, which is approximately 650 feet from the site.

5. Any advertisement of the property as a short term rental and all rental contracts must contain language that specifies the allowed maximum number of occupants and maximum number of vehicles.

Insufficient information has been submitted to determine compliance with this requirement.

6. The property on which the short term rental is to be located shall not be located closer than one thousand (1,000) feet, measured in a straight line from the

nearest property line to the nearest property line of any other approved short term rental. Such permits shall be given on a first come, first serve basis.

The closest approved short term rental is approximately 5,000 feet from the site in question, meeting this requirement.

7. When located in a residential district, a short term rental shall use the existing, main building entrance for access and the construction of additional exterior ingress/egress doorways shall be prohibited. Access to individual guest rooms or suites shall be from the interior of the structure.

Insufficient information has been submitted to determine compliance with this requirement.

8. It shall be unlawful:

- a. To operate, or to allow to be operated, a short term rental without first obtaining a Permit for the property in which the rental is to occur with the Boone County Fiscal Court.

The applicant has applied for a permit with the County, meeting this requirement.

- b. To advertise or offer a short term rental without first registering the property in which the rental is to occur with the Boone County Fiscal Court. Documented advertisement of the subject property as a short term rental, online or offline, shall be considered evidence of a violation of this regulation.

The applicant has applied for a permit with the County, meeting this requirement.

- c. To operate a short term rental that does not comply with all applicable city, county, and state laws and codes.
- d. To operate a short term rental without paying the required hotel occupancy taxes.
- e. To fail to include a written prohibition against the use of a short term rental for having a party in every advertisement, listing, or other publication offering the premises for rent.
- f. Permit the use of the short term rental for any illegal purpose or any use not permitted by the residential zoning regulations.

Insufficient information has been submitted to determine compliance with this requirement.

STAFF COMMENTS

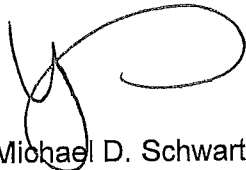
- A. Should the Board take action to approve the submitted request, Staff is suggesting the following conditions to be considered as part of that action:
 - 1. There shall be no external on-site or off-site advertising signs or displays indicating the property is a short term rental.
 - 2. There shall be no more than seven (7) guests at any given time.
 - 3. Any advertisement of the property as a short term rental and all rental contracts must contain language that specifies the allowed maximum number of occupants and maximum number of vehicles.
 - 4. There shall be no changes to the exterior of the building to indicate the use of a short term rental.
 - 5. A written prohibition against the use of a short term rental for having a party shall be included in every advertisement, listing, or other publication offering the premises for rent
 - 6. A Zoning Permit shall be submitted to, and approved by, the Boone County Planning Commission prior to any use of the property as a short term rental.

- B. Emails received from the public are attached.

CONCLUSION

- A. KRS 100.237 and Section 220 of the Boone County Zoning Regulations give the Boone County Board of Adjustment and Zoning Appeals the authority to act on the Conditional Use Permit request.

Respectfully Submitted,



Michael D. Schwartz
Director, Zoning Services

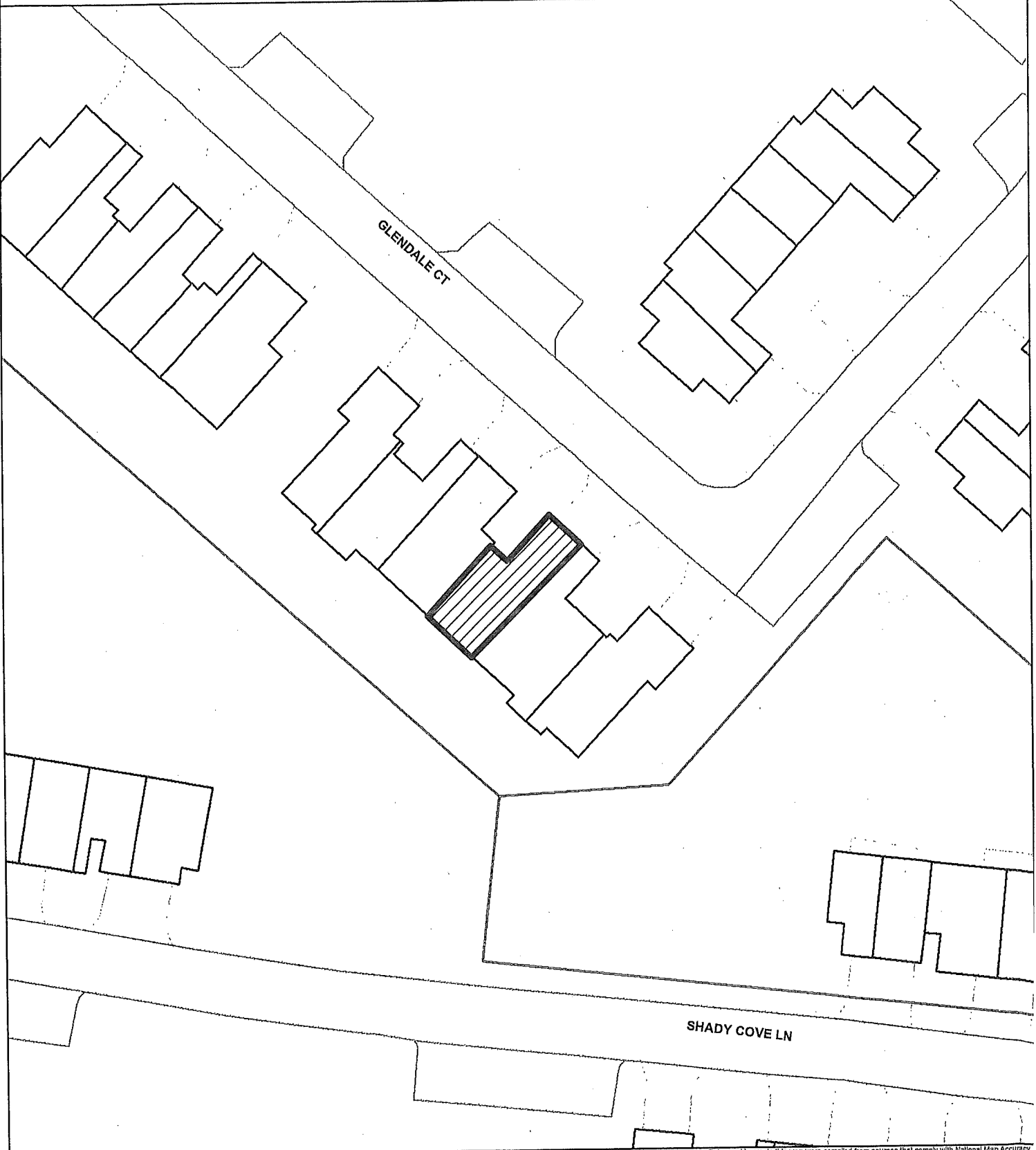
MDS/ss

Attachments

- *Vicinity Map
- *Aerial Map
- *Topographical Map
- *Zoning Map
- *2040 Future Land Use Map
- *Application
- *Boone County Short Term Rental Permit Application
- *Concept Development Plan
- *Boone County Ordinance Number 2021-31
- *Emails received from the public

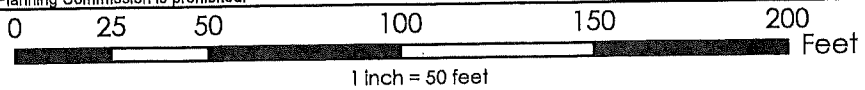
Vicinity Map

www.boonecountygis.com



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Data used to create this map were compiled from sources that comply with National Map Accuracy Standards. Boone County GIS extends no warranty with respect to the accuracy or content of the information provided by this map. This map should be used for general planning purposes only.



Boone



Map Created: xx/xx/2021

Boone County GIS
ArcMap Document (*.mxd)

Aerial Map

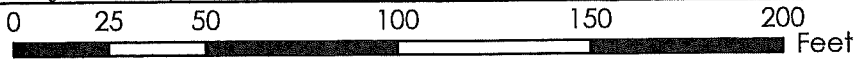
www.boonecountygis.com



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1 inch = 50 feet



Boone County GIS - Putting Northern Kentucky on the Map

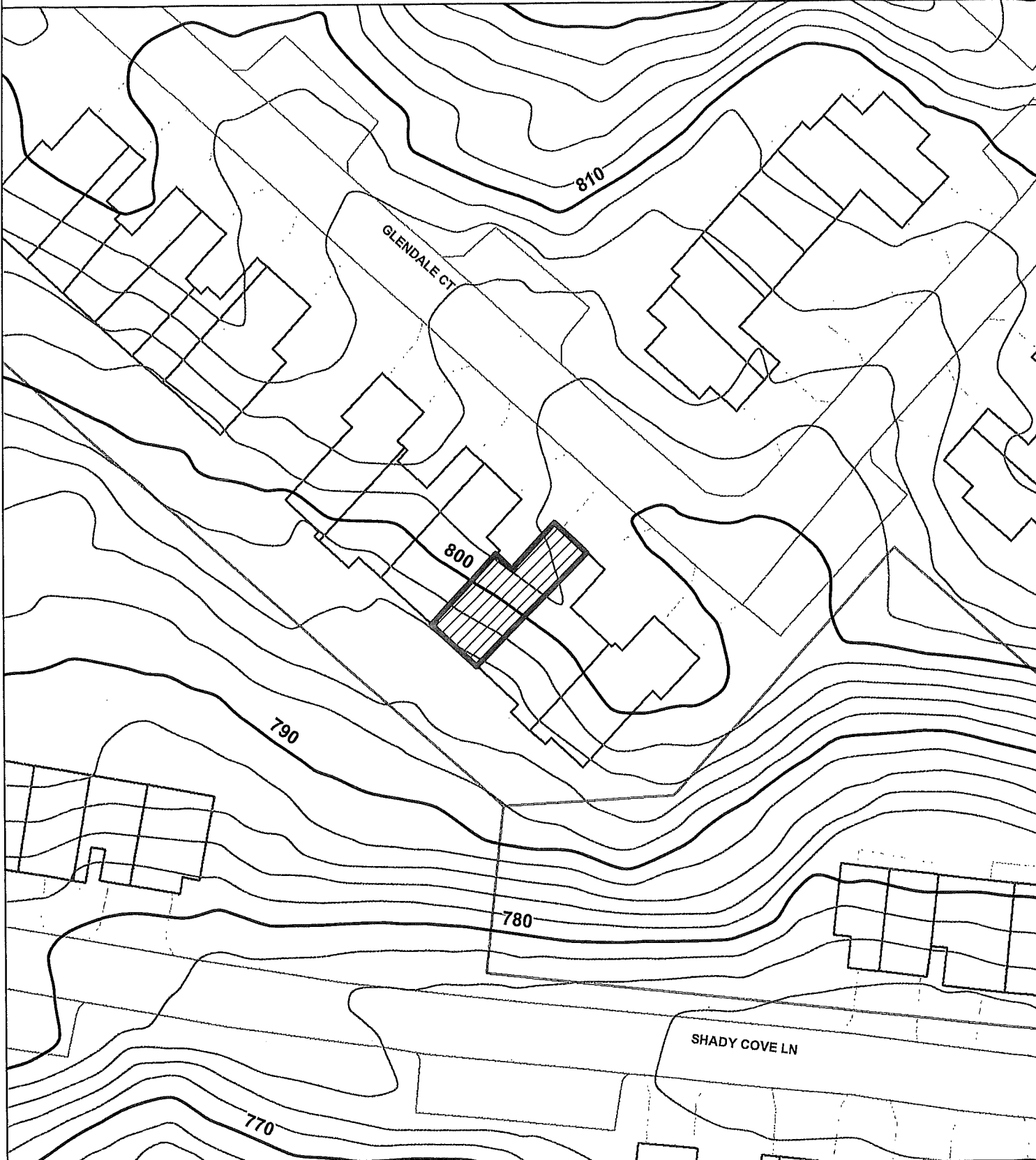


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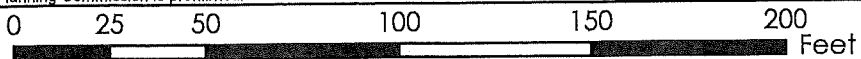
Topographical Map

www.boonecountygis.com



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Boone County GIS

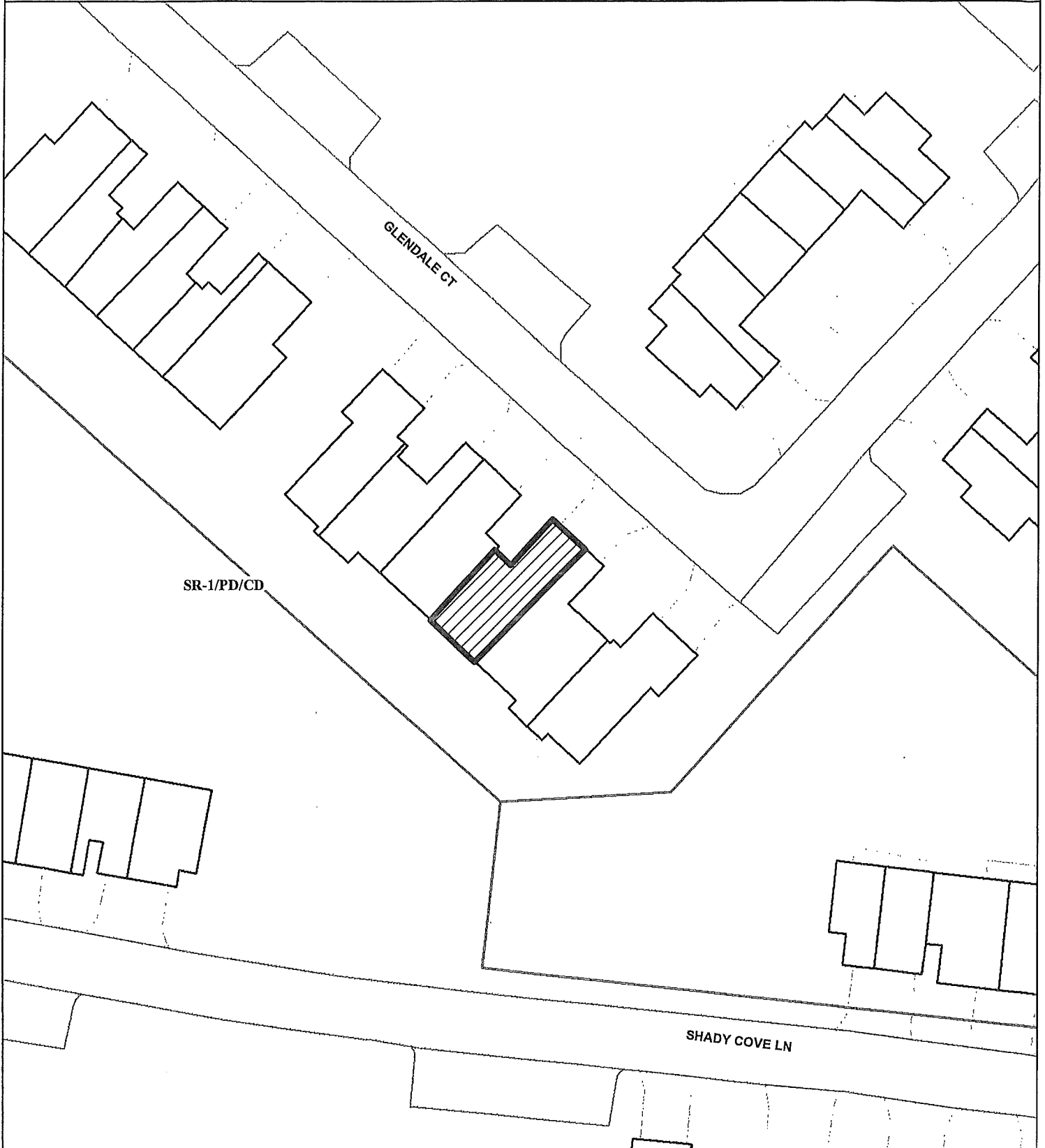


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Boone County GIS
ArcMap Document: *.mxd

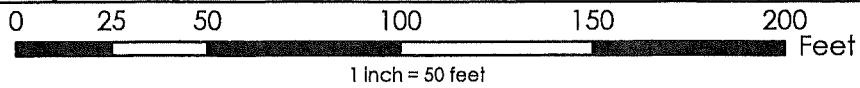
Zoning Map

www.boonecountygis.com

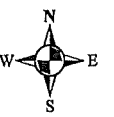


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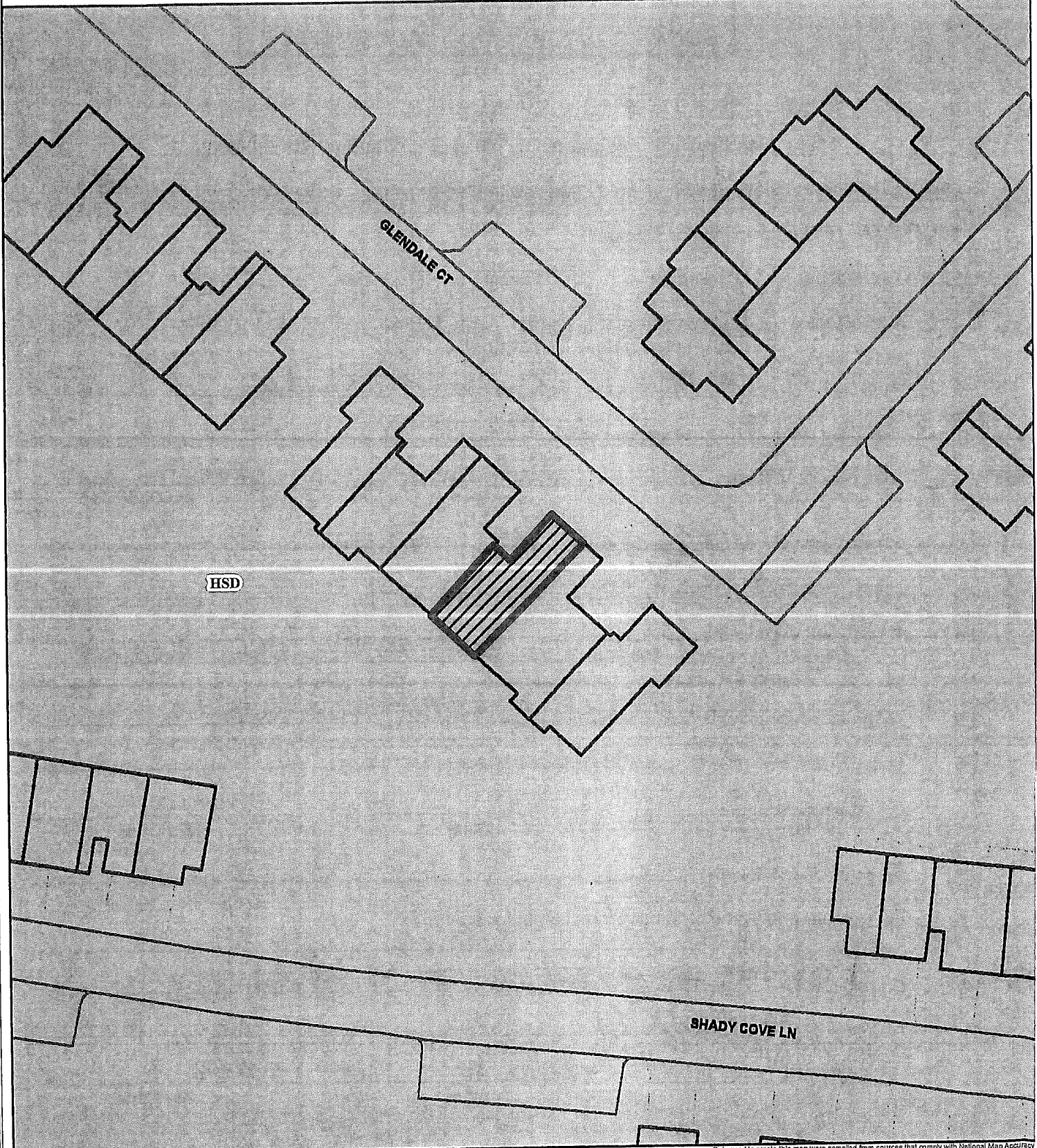


Boone County GIS



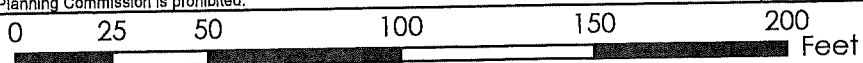
2040 Future Land Use Map

www.boonecountygis.com



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Date used to create this map were compiled from sources that comply with National Map Accuracy Standards. Boone County GIS extends no warranty with respect to the accuracy or content of the information provided by this map. This map should be used for general planning purposes only.



1 inch = 50 feet



Map Created: 09/02/2021

Boone County GIS - Putting Northern Kentucky on the Map



Boone County GIS
ArcMap Document: *.mxd

BOARD OF ADJUSTMENT
BOONE COUNTY PLANNING COMMISSION

RECEIVED
86427
JUN 17 2022
BOONE COUNTY
PLANNING COMMISSION

Five (5) scaled copies and one (1) 11 x 17 reduction of submitted drawings are required

Site Plan Review is not granted by the appropriate Board of Adjustment

An application consists of all fees paid in full, submitted drawings, and a completed application form

SECTION A: (To be completed by applicant)

1. Check One Boone Florence Walton Union
2. Check One Conditional Use Permit Variance Appeal
 Change in Non-Conforming Use
3. Applicant: Timothy Marshall sole member of All Aboard LLC
Address: 12745 S Saginaw Ste 806
Grand Blanc Michigan 48439
City State Zip Code
Phone Number: 614-962-3270 Fax Number: _____
Email: fernstayhere@gmail.com
4. Description of Request: Requesting a Conditional use Permit for the use of "Short-term" renting
5. Name of Development: Glendale Ct Short Term Rental
6. Location of Development: 6447 Glendale Court
Florence KY 41042
City State Zip Code
7. Acreage Under Review: _____
8. Lot Number and Name of Subdivision (if part of a subdivision): _____
9. Current Owner: Timothy Marshall sole member of All Aboard LLC
Address: 6447 Glendale Ct.
Florence Kentucky 41042
City State Zip Code
Phone Number: 614-962-3270 Fax Number: _____
Email: fernstayhere@gmail.com

10. Proposed Use(s) on Site: Short-term Renting

11. Total Square Footage of Existing and/or Proposed Buildings: _____

12. Current Zoning: _____

13. D1141 811-813 1557 2032
Deed Book Page Group Number

14. Is the site subject to a zone change: Yes No
If yes, date of approval: _____

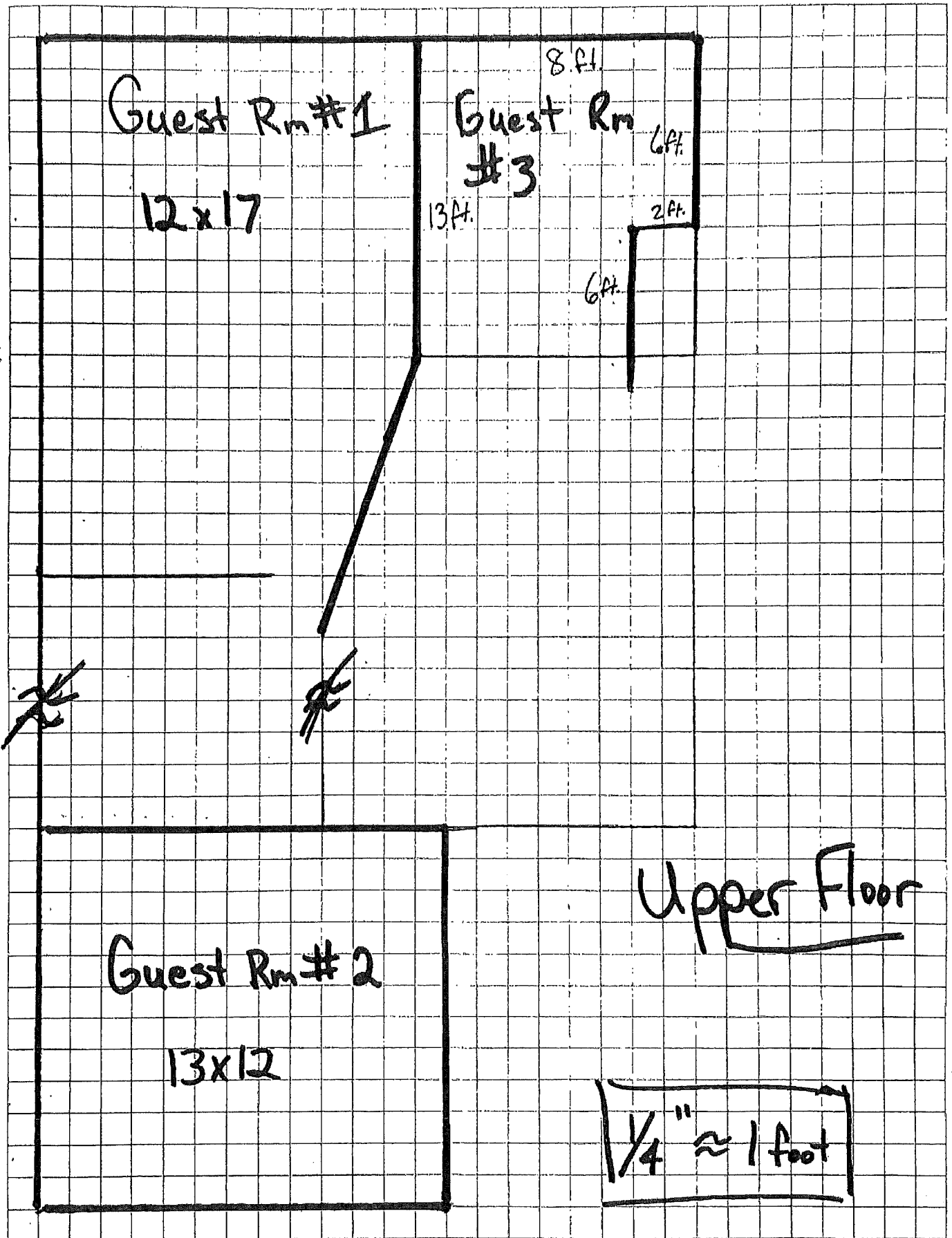
15. Have you submitted a Site Plan with this request: Yes No

16. Have you submitted a list of adjoining property owners with this request: Yes No

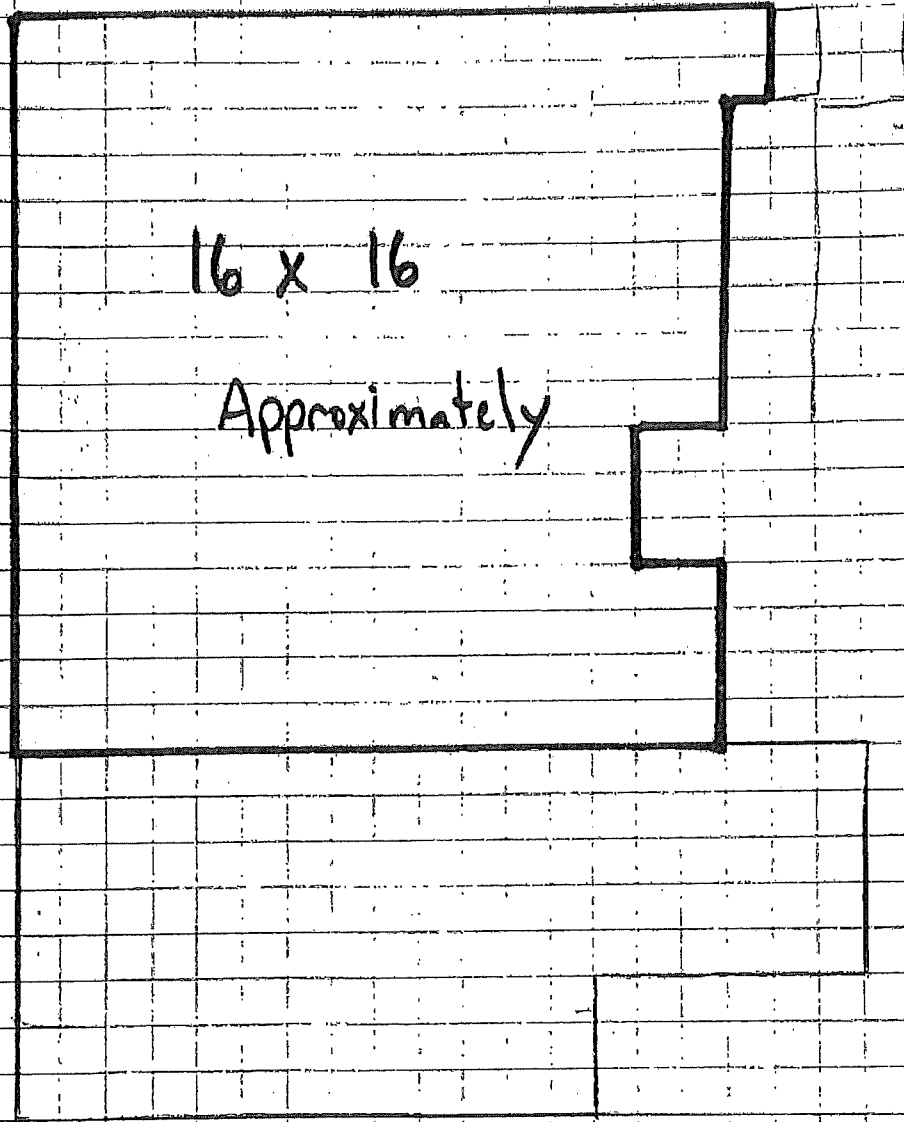
17. I, or we, understand and agree that this application and drawing(s) are being filed in accordance with the Boone County Zoning Regulations.

ORIGINAL Property Owner's Signature: [Signature]
(Faxed, Photocopied or Scanned Signatures will NOT be Accepted)

ORIGINAL Applicant's Signature: [Signature]
(Faxed, Photocopied or Scanned Signatures will NOT be Accepted)

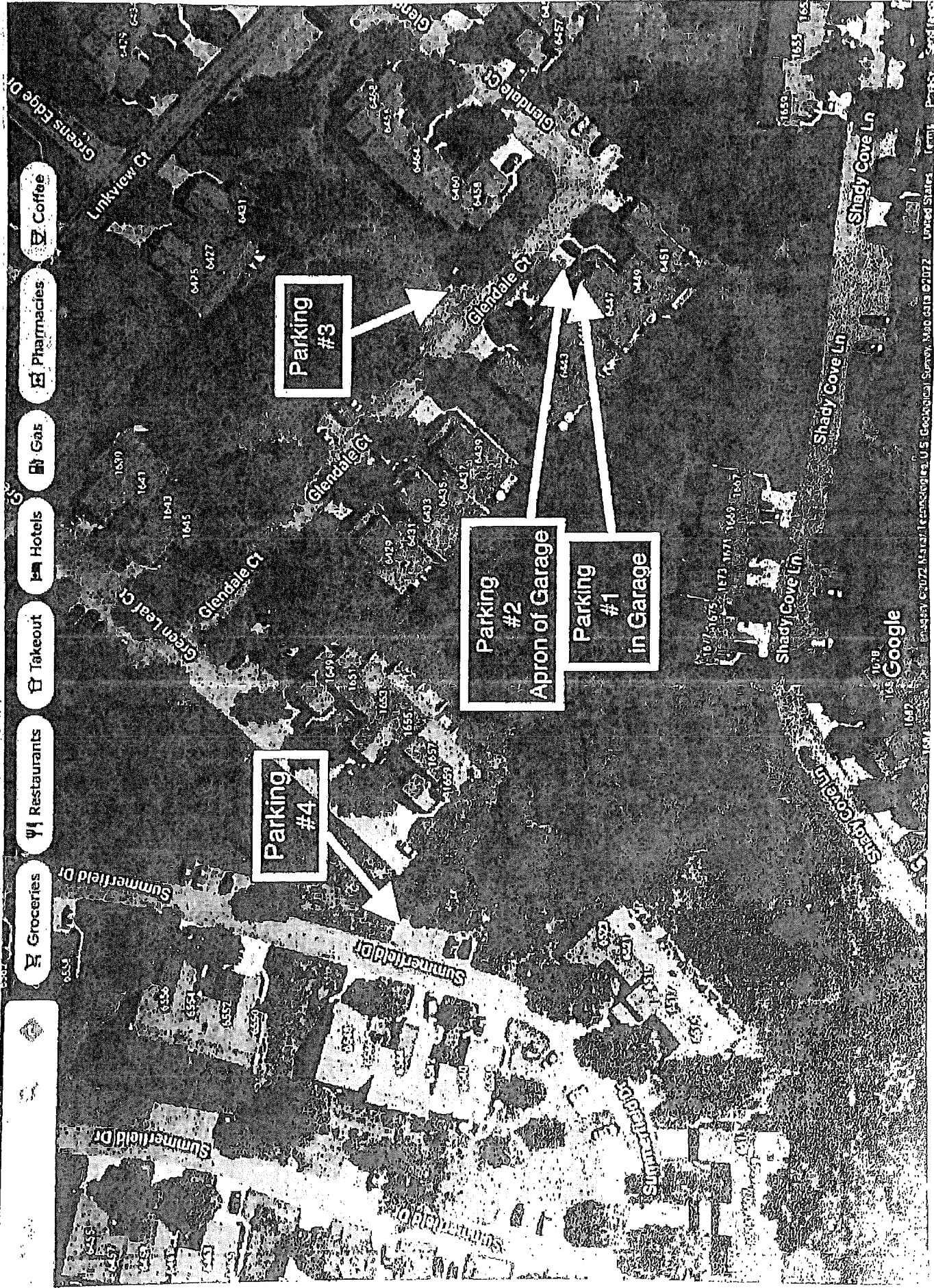


Guest Room #4



$\frac{1}{4}'' \approx 1 \text{ Foot}$

- ☑ Groceries
- ☑ Restaurants
- ☑ Takeout
- ☑ Hotels
- ☑ Gas
- ☑ Pharmacies
- ☑ Coffee





BOONE COUNTY
KENTUCKY

**Short Term Rental Unit
Permit Application**

Applicant Information

Applicant Name Timothy Marshall

Home Phone _____ Cell 614-962-3270

Mailing Address 12745 S. Saginaw Ste 806 PMB 138

City Grand Blanc State MI Zip Code 48439

E-Mail tomistayhere@gmail.com

Short Term Rental Unit Information

Short Term Rental Address 6447 Glendale Ct. Florence, KY

Number of Bedrooms: 3

Number of off-street parking spaces 2 (including garage)
+ 1 community parking

Maximum Number Occupants Requested ? (Maximum of 10 occupants)

Emergency Contact Information (Emergency Contact must be able to respond to property within one (1) hour)

Name Heather Sutter

Mailing Address 4273 Longlake Dr. Unit 9/09

City Batavia State OH Zip Code 45103

Cell Phone 614-332-7412 Alternate Contact Number _____

Email Address _____

I acknowledge that I understand that a Short Term Rental is defined as the rental of residential dwelling unit, or a portion thereof, for a period of less than 30 days and must comply with all zoning regulations, conditional use permit conditions and the County Short Term Rental Ordinance requirements. TMM (initial)

Initial Permit Application

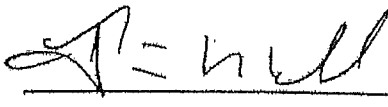
The following items are required to be submitted prior to the initial issuance of a Short Term Rental Permit. :

- Floor plan sketch
- Self-safety inspection form
- Certificate of Insurance
- Copy of information brochure
- Approved Conditional Use Permit (within 90 days after application)
- Boone County Occupational License (within 90 days after application)

Short Term Rental Permit Renewal

- For Short Term Rental Permit Renewals, the following items are required to be submitted with application:
 - Certificate of Insurance
 - Current Boone County Occupational License
 - Updates to any other document initially submitted. If no revisions have been made, please initial here _____

I hereby affirm that the information provided on this form is accurate to the best of my knowledge

Timothy Marshall  4-21-22
 Name (print) Signature Date

Please Return this Application to the Boone County Occupational License Department.
2950 Washington Street Box 960 Burlington, KY 41005

Office Use Only Below This Line

Boone County Planning Commission Approval: _____ Date _____

STRU License is: Approved Denied on this date _____

Boone County Fiscal Court _____ Date _____

Permit Number: _____

ORDINANCE 2021-31

AN ORDINANCE OF THE BOONE COUNTY FISCAL COURT RELATING TO THE ENACTMENT OF LICENSING REGULATIONS FOR SHORT TERM RENTALS.

WHEREAS, the Boone County Fiscal Court previously determined that a need existed to provide regulations for Short Term Rentals (STR) in order to allow property owners to utilize their properties for that purpose in a manner which would not negatively impact the property of others; and

WHEREAS, the Boone County Planning Commission staff conducted a study of the issue and presented their findings to the Boone County Planning Commission; and

WHEREAS, The Boone County Planning Commission approved a series of text amendments to Articles 6, 7, 8, 9, 16, 20, 23, 25, 31, and 40 of the Boone County Zoning Regulations to: (1) define "short term rental"; (2) allow "short term rentals" in agriculture, recreation, conservation, residential, Employment Planned Development/Residential Planned Development (EPD/RPD), Union Commercial (UC) and Small Community Overlay (SC) zones; and (3) add supplementary performance standards for "short term rentals; and

WHEREAS, the regulations contained in this Ordinance will be implemented in conjunction with the text amendments to the Boone County Zoning Regulations adopted in Ordinance 2021-29, which will be enacted concurrently with this Ordinance; and

WHEREAS, the Boone County Fiscal Court has determined that regulations are necessary to protect the public health, safety and general welfare.

NOW, THEREFORE, BE IT ORDAINED BY THE FISCAL COURT OF COUNTY OF BOONE, COMMONWEALTH OF KENTUCKY:

Section One

The Boone County Code of Ordinances is hereby amended and modified to include the following provisions:

Short Term Rental Requirements

Section 1. Purpose and Applicability

The purpose of this Ordinance is to establish regulations for the registration and use of Short Term Rentals, as defined herein, located in zoning districts in which Short Term Rentals are permitted as a principally permitted use and in zoning districts where Short Term Rentals have been approved as a conditional use and an application for conditional use has been approved by the Boone County Board of Adjustments and Zoning Appeals.

Section 2. Definitions

The following words, terms or phrases, when used in this Ordinance, shall have the meanings subscribed to them in this section except where the context clearly indicates a different meaning or where a definition is otherwise given:

Advertise means the written, audio, oral, or other methods of drawing the public's attention whether by brochure, written literature, or on-line posting to a Short Term Rental in order to promote the availability of the Short Term Rental.

Local Emergency Contact means an individual, other than the applicant, who is able and available to respond to emergency calls for service within one (1) hour and who is designated by the owner/applicant to act as the owner's authorized agent if the owner is outside of the immediate area or is otherwise unavailable. The local emergency contact should be available on a 24-hour basis, have access to the Short Term Rental property, and be authorized by the owner to act in the owner's absence to address any complaints, disturbances, and emergencies.

Owner means any person, agent, operator, firm, trust, corporation, limited liability company, partnership, or business organization having a legal or equitable interest in the property; or recorded in the official records of the state, county, or municipality as holding title to the property; or otherwise having control of the property, including the guardian of the estate of any such person, and the executor of the estate of such person.

Permit means the Short Term Rental (STR) Permit which all persons must obtain from the County and keep in force in order to operate Short Term Rentals.

Short Term Rental (STR) is defined as the rental of a residential dwelling unit, or a portion thereof, for a period of less than 30 days. The term does not include:

1. a unit that is used for a nonresidential purpose, including an educational, health care, retail, restaurant, banquet space, or event center purpose or another similar use;
2. a bed and breakfast; or
3. a hotel/residence hotel.

Residential Zoning Districts: Includes all Boone County zoning districts for which Short Term Rentals are a permitted use or conditional use.

Section 3. Short Term Rental Registration Requirements and Permits

No person shall hereafter advertise, offer to rent or rent, lease, sublease, license, or sublicense a residential property within the unincorporated areas of Boone County as a Short Term Rental until an application has been properly made and a permit obtained from the county. STR owners shall obtain and keep in force a Boone County Short Term Rental Permit ("Permit") under the following terms and conditions:

- a) Applications for the Permit shall be submitted to the Boone County Occupational License Office. In zoning districts where SRT is identified as a conditional use, an application shall be submitted to the Occupational License prior to applying for a Conditional Use Permit through the Boone County Board of Adjustment and Zoning Appeals. Applications for the Permit will be considered in the order in which they are received by the Occupational License Office. Failure to obtain a Conditional Use Permit from the Boone County Board of Adjustment and Zoning Appeals, within 90 days of the permit application, shall invalidate the application for the permit.

Application forms shall require, but not be limited to, the following information:

- 1) Name, address, phone number, and e-mail address of the owner of the Short Term Rental property.
 - 2) Verification that the applicant is the owner.
 - 3) Name, address, phone number, and e-mail address of the designated Local Emergency Contact.
 - 4) The maximum number of occupants requested for the dwelling unit or sleeping room in accordance with this Ordinance and consistent with the number permitted by zoning regulations.
 - 5) A submission of a sketch floor plan of the dwelling with dimensioned room layout.
 - 6) Self-Safety Inspection Form indicating all proper safety devices are in place and in good working order.
 - 7) Site Plan/Survey of the property indicating maximum number of vehicles that can be legally parked on the property, without encroaching onto street, sidewalks or alleys; other public rights-of-way or public property.
 - 8) Applicant shall provide with the application a certificate of insurance or other valid proof of general liability insurance in an amount not less than one million dollars (\$1,000,000.00) per occurrence which shall remain in effect at all times while engaged in the permitted activity.
 - 9) Applicant shall attest to compliance and remain in comply with all aspects of applicable provisions of the International Building Code with Kentucky Amendments (adopted edition), NFPA 1124 (National Fire Protection Association, currently adopted edition), and all other applicable state, federal, or local laws or regulations.
- b) Applicant shall obtain an occupational license from Boone County prior to being issued a Short Term Rental Permit and a valid occupational license is required for any subsequent STR renewal.
- c) The Short Term Rental Permit shall be issued for a period that coincides with the calendar year (January 1- December 31). The initially issued permit shall expire on December 31 of the year it was issued 365 calendar days after its effective date, or upon a date on which the applicant no longer qualifies as an STR Operation as defined herein. The Permit may be renewed for successive 365-calendar year day periods so long as the applicant continues to qualify for issuance of the Permit. Applications for subsequent STR permits may be filed sixty (60) days prior to December 31 of the current permit year. Applications for renewal periods shall be made to the Occupational License Office on forms approved by the county. The fee for the initial permit period year, payable at the time of application, shall be \$300.00 for the calendar year, pro-rated by month for the period of January 1st to the first (1st) day of the month in which the application is received. The fee for any each consecutive subsequent permit period year, payable at the time of application by January 1, shall be \$200.00.
- d) Upon receipt of an application for renewal of the registration, the County Administrator or other designee may deny the renewal if there is reasonable cause to believe that:
1. The Owner has violated any ordinance of the County or any state or federal law on the premises or has permitted such a violation on the premises by any other person; or
 2. There are grounds for suspension, revocation, or other registration sanction as provided in this Ordinance.
 3. The Owner fails to apply for, be issued or appropriately renew a Boone County Occupational License or timely file occupational license returns or remit appropriate payment.
- e) Any Permit Issued under the provisions of this Ordinance may be revoked by the County

Administrator, or their designee, upon a showing that the Permit holder has violated any of the provisions of this Ordinance. Revocation shall be by written notice which describes the reasons for the revocation. The written notice of revocation shall be delivered to the Permit holder in person or by regular mail sent to the address listed on the application. If a Permit is revoked, and the applicant desires to contest the revocation, a hearing before the Fiscal Court may be scheduled by filing with the Occupational License Office a written request for hearing within 15 calendar days of the issuance of the revocation notice. The hearing before the Fiscal Court shall be conducted within 30 days of filing of such request.

Section 4. Self Safety Inspection Required

As part of the application process, the owner is required to perform a Short Term Rental Fire Safety Inspection and provide a Checklist for the structure.

Section 5. Restrictions on Short Term Rentals

- A. *Use.* Short Term Rentals shall only be permitted consistent with the Boone County Zoning Regulations.
- B. *External Signage.* There shall be no external on-site or off-site advertising signs or displays indicating the property is a Short Term Rental.
- C. *Non Dwelling Units.* Short Term Rentals shall not be allowed on any area not considered a primary dwelling, i.e. recreational vehicles, tents, garages, boats, etc.
- D. *Limit on occupants allowed* No more than two (2) adult guests per bedroom, plus no more than two (2) additional adults shall be allowed when renting a property as a Short Term Rental, except that:
 1. There shall be a maximum occupancy of no more than ten (10) persons, adult and children.
 2. Bedrooms under 120 square feet shall be limited to only one adult occupant.
- E. *Limits on number of vehicles.* A minimum of one (1) parking space shall be provided per guestroom or suite. All parking for a short term rental, shall be provided off-street on a paved surface and in conformity with all applicable zoning regulations.
- F. *Advertisement and contracts.* Any advertisement of the property as a Short Term Rental and all rental contracts must contain language that specifies the allowed maximum number of occupants and maximum number of vehicles.
- G. *Spacing Requirements.* The property on which the Short Term Rental is to be located shall not be closer than one thousand (1,000) feet, measured in a straight line from the nearest property line to the nearest property line on another approved short term rental.
- H. *Other restrictions.* It is unlawful:
 1. To operate or allow to be operated a Short Term Rental without first obtaining a Short Term Rental Permit for the property in which the rental is to occur with the unincorporated limits of the county in accordance with this Ordinance and a Boone County Occupational License;
 2. To advertise or offer a Short Term Rental without first obtaining a Short Term Rental Permit and Boone County Business License;
 3. To operate a Short Term Rental that does not comply with all applicable County and state laws and codes;
 4. To operate a Short Term Rental without paying the required hotel occupancy taxes;
 5. To fail to include a written prohibition against the use of a Short Term Rental for having activity on the premises that includes individuals who are not guests as part of

- the rental agreement in every advertisement, listing, or other publication offering the premises for rent.
6. Knowingly permit the use of the Short Term Rental for any illegal purpose or any use not permitted by Residential Zoning Regulations.

Section 6. Information Brochure

- A. *Information to be provided.* Each owner operating a Short Term Rental shall provide to guests information that includes:
1. Owner's twenty-four (24) hour contact information and/or a local responsible party's twenty-four (24) hour contact information, if the property owner is not within the county limits when guests are renting the premises;
 2. Pertinent neighborhood information including, but not limited to, parking restrictions, restrictions on noise and amplified sound, and trash collection schedules;
 3. Information to assist guests in the case of emergencies posing threats to personal safety or damage to property, including emergency and non-emergency telephone numbers for police, fire, and emergency medical services providers and instructions for obtaining severe weather, natural, or man-made disaster alerts and updates.
 4. Policy regarding pet(s).

Section 7. Safety Features

Each Short Term Rental property shall have working smoke detectors in accordance with adopted codes and at least one working carbon monoxide detector and alarm, and one working fire extinguisher. The premises shall otherwise comply with applicable county ordinances.

Section 8. Enforcement, Civil Fine and Lien

- A. The provisions of this Ordinance may be enforced by a Boone County Code Enforcement Officer, Building Inspector or any sworn law enforcement officer.
- B. A notice of violation detailing the ordinance violations shall be served upon the owner of the structure either personally, by hand delivery to an adult eighteen (18) years or older at the premises or by certified mail to the address of record for purpose of payment of real estate taxes. If the whereabouts of such person is unknown and cannot be ascertained after an exercise of reasonable diligence, then an affidavit to that effect may be made and service shall then be by posting in a conspicuous place upon the involved structure and by publication pursuant to KRS Chapter 424, hereafter "publication or publication of notice."
- C. If after seven (7) days of receiving notice of a violation of this ordinance, the owner of property in unincorporated Boone County remains in non-compliance, a citation shall be issued by a Boone County Code Enforcement Officer, Building Inspector or any sworn law enforcement officer and notice provided to the Boone County Occupational License Office. Each day the property is not in compliance shall constitute a separate offense. In every instance where a violation of the same type occurs more than once in a 365 day period at the same premises, a citation shall be issued immediately by the Boone County Code Enforcement Officer, Building Inspector or any sworn law enforcement officer.
- D. **Penalty. Civil Fine** -Any person, persons, corporation or partnership who violate the provisions of this chapter shall be fined \$200 per instance. Any person, persons, corporation or partnership who violate the provisions of this chapter more than once in a 365 day period shall be fined \$500 for each subsequent violation within a 365 day period.
- E. Boone County shall possess a lien on the relevant real property for all assessed and unpaid

- civil fines and for all associated charges and fees.
- F. An appeal of any citation issued under this chapter may be made to the Boone County District Court within thirty (30) days of the date the citation is issued. The appeal shall be initiated by the filing of a complaint and copy of the citation in the same manner as any civil action under the Kentucky Rules of Civil Procedure.

SECTION TWO

If any section or part of any section or any provision of this Ordinance shall be declared invalid by a Court of appropriate jurisdiction, for any reason, such declaration shall not invalidate, or adversely affect, the remainder of this Ordinance. All Ordinances or parts of Ordinances in conflict with this Ordinance are hereby repealed to the extent of said conflict.

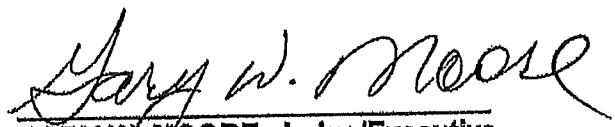
SECTION THREE

This Ordinance shall be in effect and in full force from and after its passage, publication and adoption, according to law.

First Reading- the 26 day of August, 2021

Second Reading - the 14th day of September, 2021

Adopted this 14th day of SEPTEMBER, 2021. Yes 4 No 0


GARY W. MOORE, Judge/Executive
Boone County Fiscal Court

Attest:


JEFFREY S. EARLYWINE,
Acting Fiscal Court Clerk

Michael Schwartz

From: Sara Smith
Sent: Thursday, July 7, 2022 8:12 AM
To: Michael Schwartz
Subject: FW: Proposed Zoning Variance for Short Term Rentals at 6447 Glendale Ct (The Wynds)

From: Holly P <hollyrpt@gmail.com>
Sent: Thursday, July 07, 2022 5:24 AM
To: Planning Commission General Account <plancom@boonecountyky.org>
Subject: RE: Proposed Zoning Variance for Short Term Rentals at 6447 Glendale Ct (The Wynds)

EXTERNAL MESSAGE

Attention: Michael Schwartz, Director of Zoning Services

Please do not allow a change to allow short term rentals in the Wynds Community. These units disrupt the community with added disruptions, noise and crime. They also have a negative impact on the availability of long term rentals/affordable housing, which is already in trouble. There are plenty of short term options in the area without ruining the wynds community.

Thank you,

Holly

Summerfield Drive, Wynds

Michael Schwartz

From: Sara Smith
Sent: Thursday, July 7, 2022 8:13 AM
To: Michael Schwartz
Subject: FW: Proposed Zoning Variance for Short Term Rentals at 6447 Glendale Ct (The Wynds)

-----Original Message-----

From: Barb Lotshaw <barb.lotshaw@gmail.com>
Sent: Thursday, July 07, 2022 6:39 AM
To: Planning Commission General Account <plancom@boonecountyky.org>
Subject: RE: Proposed Zoning Variance for Short Term Rentals at 6447 Glendale Ct (The Wynds)

EXTERNAL MESSAGE

Attention: Michael Schwartz, Director of Zoning Services Please do not allow this in our community. This would severely impact our property values in a well-kept area where people take pride in their homes and work hard to maintain them. Even some long term rentals have not been successful, and short term rentals would be even worse. This area is not a series of hotels/ motels. Our area has its share of longer- term stays at various hotels, there is no need to ruin this lovely community with. Short term rentals.

Further, the effect on the community pools would be disastrous. Who has a fob? Who are these people using and abusing the pools? Follow the rules? Short term renters have no skin in the game and therefore might be tempted to do whatever they want to the detriment o our pools. Folks might forget to leave the fob with the unit, and the owner would have to obtain another one with fobs now outside the community resulting in people who do not even live her anymore using and abusing the pools.

We care and maintain our property. This move benefits no one- not even the applicant. Please refuse this.

Sincerely, Barbara Lotshaw

Sent from my iPad

Michael Schwartz

From: Sara Smith
Sent: Thursday, July 7, 2022 8:12 AM
To: Michael Schwartz
Subject: FW: Glendale Ct.CT., Oakbrook zoning change

From: Denise Newbolt <newboltd1211@gmail.com>
Sent: Thursday, July 07, 2022 1:46 AM
To: Planning Commission General Account <plancom@boonecountyky.org>
Subject: Glendale Ct.CT., Oakbrook zoning change

EXTERNAL MESSAGE

When exactly is this meeting to discuss the short term rentals in Oakbrook?
I would like to be placed on the agenda to oppose this ordinance change.

I am preparing to sell my property, and this ordinance change will seriously harm my property's value and the integrity of my neighborhood.
Oakbrook should not be the lodging point for local tourist attractions, including The Ark.

I received an email indicating this discussion will take place on July 13. This meeting is not posted on your website calendar.

I will call this office tomorrow!
Denise Newbolt
1579 Greens Edge Dr.
Florence, Ky.

Michael Schwartz

From: Sara Smith
Sent: Thursday, July 7, 2022 8:13 AM
To: Michael Schwartz
Subject: FW: Proposed Zoning Variance for Short Term Rentals at 6447 Glendale Ct (The Wynds)

From: calum macdonald <calummacdonald64@gmail.com>
Sent: Thursday, July 07, 2022 7:47 AM
To: Planning Commission General Account <plancom@boonecountyky.org>
Subject: RE: Proposed Zoning Variance for Short Term Rentals at 6447 Glendale Ct (The Wynds)

EXTERNAL MESSAGE

Good morning Mr. Schwartz, Director of Zoning Services,

My name is Calum MacDonald, I am a current Wynds of Oakbrook board member and I wanted to express my concerns regarding the recent zoning request at 6447 Glendale Ct.

I have lived in this great community for almost 4 years. I have met some great people from all stages in life. We have developed a large bond and take great care of each other. A majority of our residents are retired and in some cases very senior. They enjoy all the great amenities our community offers but at the same time value the peace and quiet that we all have come to appreciate. A rental unit, which we have seen from time to time illegally in our community has brought nothing but trouble. As a board member I have heard and received complaints about these rentals due to the many rule violations which come with them. Too many vehicles per unit, noise infractions, trash being left out and about, disregard to personal property, disrespect to elderly neighbors, etc... I'm not trying to restrict people from making money but this is not the community for rental units. This one zone request if allowed could change the future for this entire community in a negative way. Problems will happen, HOA rules will be broken, complaints will be continuous, property values will decline, danger will come to our residents and the list goes on and on. I would strongly suggest the Zoning Services Division decline this request and NOT allow such changes.

Thank you for your time and I feel confident that you and your team will make the correct decision.

Regards,

Calum MacDonald
7066 Sweetwater Dr
Oakbrook

Michael Schwartz

From: Sara Smith
Sent: Thursday, July 7, 2022 8:16 AM
To: Michael Schwartz
Subject: FW: Proposed Zoning Variance for Short Term Rentals at 6447 Glendale Ct (The Wynds)

From: JEANEEN DEDDEN-Pediatric Care <jdedden@yahoo.com>
Sent: Wednesday, July 06, 2022 11:26 PM
To: Planning Commission General Account <plancom@boonecountyky.org>
Subject: RE: Proposed Zoning Variance for Short Term Rentals at 6447 Glendale Ct (The Wynds)

EXTERNAL MESSAGE

Attention: Michael Schwartz, Director of Zoning Services

Dear Mr. Schwartz,

We moved to the Wynds community 8 years ago to retire. We fell in love with this community because of the pride everyone takes in their home. We have since got to know many of our older residents who have been here since the community was build. We all look out for each other, we are a family.

We oppose a zoning change for short term rentals. We feel the safety of the community could be jeopardized not to mention the possibility of a decrease in the value of our home.

Not knowing who is coming and going right next door to us is not too comforting. This is not an apartment complex, they are our home which we take pride in and want to keep it that way.

Sincerely

Bill & Jeaneen Dedden

Michael Schwartz

From: Sara Smith
Sent: Thursday, July 7, 2022 8:16 AM
To: Michael Schwartz
Subject: FW: Proposed Zoning Variance for Short Term Rentals at 6447 Glendale Ct (The Wynds)

-----Original Message-----

From: Joe Whitford <jtswhitford@yahoo.com>
Sent: Wednesday, July 06, 2022 11:03 PM
To: Planning Commission General Account <plancom@boonecountyky.org>
Subject: RE: Proposed Zoning Variance for Short Term Rentals at 6447 Glendale Ct (The Wynds)

EXTERNAL MESSAGE

Attention: Michael Schwartz, Director of Zoning Services

We live at 1605 Greens Edge Dr. We are strongly against short term rentals. This is a nice quiet community not a holiday inn. I feel this could hurt our community in the long term as permanent residents care more about the up keep and their neighbors then renters ever will.

Thank you and please don't allow short term rentals,
Joe and Teresa Whitford

Sent from my iPhone

Michael Schwartz

From: Sara Smith
Sent: Thursday, July 7, 2022 8:17 AM
To: Michael Schwartz
Subject: FW: Proposed Zoning Variance for Short Term Rentals at 6447 Glendale Ct (The Wynds)

From: Chuck Knapmeyer <ck21255@gmail.com>
Sent: Wednesday, July 06, 2022 10:20 PM
To: Planning Commission General Account <plancom@boonecountyky.org>
Subject: RE: Proposed Zoning Variance for Short Term Rentals at 6447 Glendale Ct (The Wynds)

EXTERNAL MESSAGE

Attention: Michael Schwartz, Director of Zoning Services. Dear Mr. Schwartz, My name is Chuck Knapmeyer i live at 1654 Shady Cove Ln, Florence, KY .I am very much against this zoning variance thats being proposed in the Oakbrook area.This neighborhood is close knit and doesnt need people moving in and out and not invested in the community. Thanks, Chuck Knapmeyer

Michael Schwartz

From: Sara Smith
Sent: Thursday, July 7, 2022 8:17 AM
To: Michael Schwartz
Subject: FW: Proposed Zoning Variance for Short Term Rentals at 6447 Glendale Ct (The Wynds)

From: Sheila Casper <rephs@hotmail.com>
Sent: Wednesday, July 06, 2022 10:16 PM
To: Planning Commission General Account <plancom@boonecountyky.org>
Subject: RE: Proposed Zoning Variance for Short Term Rentals at 6447 Glendale Ct (The Wynds)

EXTERNAL MESSAGE

Attention: Michael Schwartz, Director of Zoning Services

I live at 6437 Glendale Ct. I am very much against changing the zoning in my neighborhood. I feel it would change the community in a negative fashion. Short term renters do not feel connected to the community, they do not feel the need to follow the community rules. Usually they are on vacation and are focused on having fun. Traffic would increase, noise would increase.

Please allow the zoning to remain the same in my neighborhood.

Sheila Casper
6437 Glendale Ct
Florence, KY 41042
513 500-0714

Michael Schwartz

From: Sara Smith
Sent: Thursday, July 7, 2022 8:17 AM
To: Michael Schwartz
Subject: FW: Proposed Zoning Variance for Short Term Rentals at 6447 Glendale Ct (The Wynds)

-----Original Message-----

From: My Email <wbf1010@msn.com>
Sent: Wednesday, July 06, 2022 10:02 PM
To: Planning Commission General Account <plancom@boonecountyky.org>
Subject: RE: Proposed Zoning Variance for Short Term Rentals at 6447 Glendale Ct (The Wynds)

EXTERNAL MESSAGE

Allow short term rentals in the Wynns Community, the property owner should be allowed to do as they wish with their home. Not my business!! HOA has their nose in all the wrong business, move on already.

Attention: Michael Schwartz, Director of Zoning Services

Sent from my iPhone

Michael Schwartz

From: Sara Smith
Sent: Thursday, July 7, 2022 8:18 AM
To: Michael Schwartz
Subject: FW: Proposed Zoning Variance for Short Term Rentals at 6447 Glendale Ct (The Wynds)

From: Scott Fay <benfan7777@gmail.com>
Sent: Wednesday, July 06, 2022 9:53 PM
To: Planning Commission General Account <plancom@boonecountyky.org>
Subject: RE: Proposed Zoning Variance for Short Term Rentals at 6447 Glendale Ct (The Wynds)

EXTERNAL MESSAGE

Attention: Michael Schwartz, Director of Zoning Services. My name is ScottvFay and I live at 1590 Greens Edge Dr, Florence, KY 41042. I strongly oppose the proposed zoning variance for short term rentals at 6447 Glendale Ct. We have a nice community and short term rentals have never worked here. Before the rules were changed opposing short term rentals, I had two short term rental neighbors that were a nightmare. They broke noise rules, parking rules, animal rules, they left trash everywhere outside the townhouse and disrespected the entire community. And the community would not enforce the rules. Please understand that this is a terrible idea and thanks for hearing my thoughts.

Michael Schwartz

From: Sara Smith
Sent: Thursday, July 7, 2022 8:18 AM
To: Michael Schwartz
Subject: FW: Proposed Zoning Variance for Short Term Rentals at 6447 Glendale Ct (The Wynds)

-----Original Message-----

From: Annette <bratt1005@yahoo.com>
Sent: Wednesday, July 06, 2022 9:46 PM
To: Planning Commission General Account <plancom@boonecountyky.org>
Subject: RE: Proposed Zoning Variance for Short Term Rentals at 6447 Glendale Ct (The Wynds)

EXTERNAL MESSAGE

Attention: Michael Schwartz, Director of Zoning Services

Strongly opposed!

Sent from my iPhone

Michael Schwartz

From: Sara Smith
Sent: Thursday, July 7, 2022 8:18 AM
To: Michael Schwartz
Subject: FW: Proposed Zoning Variance for Short Term Rentals at 6447 Glendale Ct (The Wynds)

From: calum macdonald <calummacdonald64@gmail.com>
Sent: Wednesday, July 06, 2022 9:45 PM
To: Planning Commission General Account <plancom@boonecountyky.org>
Subject: RE: Proposed Zoning Variance for Short Term Rentals at 6447 Glendale Ct (The Wynds)

EXTERNAL MESSAGE

Attention: Michael Schwartz, Director of Zoning Services

STRONGLY APOSE THIS DECISION!

Michael Schwartz

From: Sara Smith
Sent: Thursday, July 7, 2022 8:41 AM
To: Michael Schwartz
Subject: FW: Proposed Zoning Variance for Short Term Rentals at 6447 Glendale Ct (The Wynds)

-----Original Message-----

From: tlhoppy765@gmail.com <tlhoppy765@gmail.com>
Sent: Thursday, July 07, 2022 8:40 AM
To: Planning Commission General Account <plancom@boonecountyky.org>
Subject: RE: Proposed Zoning Variance for Short Term Rentals at 6447 Glendale Ct (The Wynds)

EXTERNAL MESSAGE

Attention: Michael Schwartz, Director of Zoning Services

I would like to express my disapproval to allow short term rentals in the community. (the Cliffs/Wynds). We have a very quiet community with lots of retirees. I believe that it would disrupt our current way of life.

Thank you ,
Tracy Hopfensperger.

Sent from my iPhone

Michael Schwartz

From: Sara Smith
Sent: Thursday, July 7, 2022 9:28 AM
To: Michael Schwartz
Subject: FW: Proposed Zoning Variance for Short Term Rentals at 6447 Glendale Ct (The Wynds)

-----Original Message-----

From: Mary Kraus <maryesther@fuse.net>
Sent: Thursday, July 07, 2022 9:27 AM
To: Planning Commission General Account <plancom@boonecountyky.org>
Subject: RE: Proposed Zoning Variance for Short Term Rentals at 6447 Glendale Ct (The Wynds)

EXTERNAL MESSAGE

As a home owner we are against nightly rentals.

Attention: Michael Schwartz, Director of Zoning Services

Sent from my iPhone

Michael Schwartz

From: Sara Smith
Sent: Thursday, July 7, 2022 10:19 AM
To: Michael Schwartz
Subject: FW: Meeting

-----Original Message-----

From: Claudia <osbornelt@zoomtown.com>
Sent: Thursday, July 07, 2022 10:17 AM
To: Planning Commission General Account <plancom@boonecountyky.org>
Subject: Meeting

EXTERNAL MESSAGE

To Michael Schwartz

I don't want this to pass to allow short term renters.

It is bad enough now with renters moving in and 5 or 6 move in with 4 or more cars ,then there is not enough parking for seniors. If you allow one area to do it, then it will have to be for all. So I definitely object to allowing this. It is in our bi-laws and should stay in effect.

Sincerely

William and Claudia Troge
1594 Greens Edge Dr
July 7,2022

Sent from my iPad

Michael Schwartz

From: Sara Smith
Sent: Thursday, July 7, 2022 10:22 AM
To: Michael Schwartz
Subject: FW: Proposed Zoning Variance for Short Term Rentals at 6447 Glendale Ct (The Wynds)

From: Paul Morgan <pmorgan1486@yahoo.com>
Sent: Thursday, July 07, 2022 10:17 AM
To: Planning Commission General Account <plancom@boonecountyky.org>
Subject: RE: Proposed Zoning Variance for Short Term Rentals at 6447 Glendale Ct (The Wynds)

EXTERNAL MESSAGE

Attention: Michael Schwartz, Director of Zoning Services

As a resident of the Wynds in oakbrook I have been made aware of another resident asking to change the amount of time their condo can leased. I would like to see any agreement or resolution to be that no unit can be leased for less than six months and any renters undergo a background check through Rentz Management to protect the rest of the community. Thank you. Paul Morgan at 1563 Greens Edge Dr.

Michael Schwartz

From: Sara Smith
Sent: Thursday, July 7, 2022 11:25 AM
To: Michael Schwartz
Subject: FW: Proposed Zoning Variance for Short Term Rentals at 6447 Glendale Ct (The Wynds)

From: Denise Meyer <demeye17@gmail.com>
Sent: Thursday, July 07, 2022 10:52 AM
To: Planning Commission General Account <plancom@boonecountyky.org>
Subject: RE: Proposed Zoning Variance for Short Term Rentals at 6447 Glendale Ct (The Wynds)

EXTERNAL MESSAGE

Attention: Michael Schwartz, Director of Zoning Services

I am an owner in The Wynds (1581 Greens Edge Dr) and am in STRONG OPPOSITION to the variance request to allow short term rentals. I am not able to attend the meeting in person so please make my voice heard by my submission of this email.

Thank you,
Denise Meyer

Michael Schwartz

From: Sara Smith
Sent: Thursday, July 7, 2022 11:26 AM
To: Michael Schwartz
Subject: FW: Short Term Leases Oakbrook Community - Opposed - ATTENTION: Michael Schwartz

-----Original Message-----

From: Becky Dozier <b_dozier@zoomtown.com>
Sent: Thursday, July 07, 2022 11:00 AM
To: Planning Commission General Account <plancom@boonecountyky.org>
Subject: Short Term Leases Oakbrook Community - Opposed - ATTENTION: Michael Schwartz

EXTERNAL MESSAGE

Hello Michael,

Bill & Becky Ray - 7068 Sweetwater Drive Oakbrook, KY

We would like to be short & concise!

Oakbrook is a beautiful & quiet community & has been for over 25-years!

We are writing to ask you to not allow a zoning variance for short term rentals in the Oakbrook Community.

Our condos sell within days of being put on the market. The owners who are buying at inflated prices WILL take care of their property and care about their investment; in some cases renters do not.

With a multitude of brand new apartments being built close to our area, we don't see turning Oakbrook into a rental community would be good for the citizens that live and pay taxes and enjoy our community as it is today.

Thank you for your consideration in this important decision.

Becky & Bill Ray
7068 Sweetwater Drive
Florence, KY

Michael Schwartz

From: Sara Smith
Sent: Thursday, July 7, 2022 11:26 AM
To: Michael Schwartz
Subject: FW: Proposed Zoning Variance for Short Term Rentals at 6447 Glendale Ct (The Wynds)

From: Dixie Schwartz <dschwartz55@yahoo.com>
Sent: Thursday, July 07, 2022 11:18 AM
To: Planning Commission General Account <plancom@boonecountyky.org>
Subject: RE: Proposed Zoning Variance for Short Term Rentals at 6447 Glendale Ct (The Wynds)

EXTERNAL MESSAGE

Attention: Michael Schwartz, Director of Zoning Services

Please do not change the zoning code to short term rentals

My name is Dixie Schwartz and I own a town house at the Wynds, at Oakbrook. It is a quiet, welcoming, community. We have an HOA that works hard to keep our home value going up. The county just raised our property value, my value. almost doubled, so you can see we are an asset to the city.

Allowing short term rentals will bring in individuals who have no stake in this community, The person who wants to change the zoning code purchased the property knowing our HOA regulations when they made that purchase, they should have made their purchase in a area the zoning code allowed what they wanted.
the HOA is strongly against this change.

I am worried about:

Late night noise and parting, and no way to stop it other than calling the police.
We have limited parking available.
Strangers damaging our property.
Our home values going down.
Teens renting it for a large party and bringing in drugs, and leaving us to deal with the mess
Our HOA fees will end up raising to deal with the expense of extra clean up, security needed.
Our insurance paid by our fees, will raise due to any damages caused by fleeting renters.

Thank you for taking time to consider my concerns. This is a wonderful community where we are here to live and add value to the city of Florence, not to be a business for someone not invested in the neighborhood.

Dixie Schwartz
6369 Cliff Side Dr
Florence, KY
859-760-3169

Michael Schwartz

From: Sara Smith
Sent: Thursday, July 7, 2022 11:26 AM
To: Michael Schwartz
Subject: FW: Oakbrook zoning request Attn: Michael Schwartz

From: Vicki Shoemaker <vshoegirl@gmail.com>
Sent: Thursday, July 07, 2022 11:23 AM
To: Planning Commission General Account <plancom@boonecountyky.org>
Subject: Oakbrook zoning request Attn: Michael Schwartz

EXTERNAL MESSAGE

Good morning,

I found out from some neighbors early this morning that there has been a zoning variance request from a homeowner on Glendale Court in Oakbrook. I am respectfully requesting that the variance not be allowed. I am sure you can appreciate that introducing short-term rentals into quiet residential communities invites litter, illegal parking, noise disturbances, along with the safety concerns. In July 2021 in an article posted on a real estate news website stated that even AirBNB had to institute a ban on certain listings due to these short-term rentals being used for "house parties", leading to property destruction and noise disturbances. While this may seem extreme, short term rentals and absentee ownership invites valid concerns.

Boone County has experienced tremendous growth over the last few years, and Oakbrook has become a quiet, peaceful oasis for long-term homeowners surrounded by increasing noise and decreasing green space. The right to peaceful enjoyment of our properties has meant so much to us. Please help us preserve that.

Thank you so much,

Gary and Vicki Shoemaker
7051 Sweetwater Drive
Oakbrook

Michael Schwartz

From: Sara Smith
Sent: Thursday, July 7, 2022 2:28 PM
To: Michael Schwartz
Subject: FW: Proposed Zoning Variance for Short Term Rentals at 6447 Glendale Ct (The Wynds)

From: Dale Gadd <scl1692@gmail.com>
Sent: Thursday, July 07, 2022 2:07 PM
To: Planning Commission General Account <plancom@boonecountyky.org>
Subject: RE: Proposed Zoning Variance for Short Term Rentals at 6447 Glendale Ct (The Wynds)

EXTERNAL MESSAGE

Attention: Michael Schwartz, Director of Zoning Services

I am strongly against allowing short term rentals in the Wynds HOA Community.

I believe it will go against the original and current intention of the Wynds community.

Thanks,

Dale Gadd
1692 Shady Cove Lane
Florence, KY 41042

Michael Schwartz

From: Sara Smith
Sent: Friday, July 8, 2022 7:50 AM
To: Michael Schwartz
Subject: FW: Proposed Zoning Variance for Short Term Rentals at 6447 Glendale Ct (The Wynds)

-----Original Message-----

From: agrandhope@gmail.com <agrandhope@gmail.com>
Sent: Thursday, July 07, 2022 6:30 PM
To: Planning Commission General Account <plancom@boonecountyky.org>
Subject: RE: Proposed Zoning Variance for Short Term Rentals at 6447 Glendale Ct (The Wynds)

EXTERNAL MESSAGE

Attention: Michael Schwartz, Director of Zoning Services

Hello Mr. Schwartz. I am a resident in the Wynds community in the Oakbrook neighborhood, Florence, KY. I was told that you will be looking at the issue of allowing short term rentals in our community. Obviously I am just one person but I still want to pass my opinion along. I really don't want Airbnb's in our neighborhood. I wouldn't want to live next to somebody who was doing short term rentals. One of the things I love best about this area is I truly feel safe like all the time. The idea of complete strangers coming in and out regularly is unsettling. I absolutely understand people want to make money and they can do that doing short term rentals with their property but I am very against this. I really think this would affect our quiet, safe neighborhood in negative ways.

Good luck with your decision and thank you for taking the time to read this email.

Kind regards,

Angie Grandstaff

Sent from my iPhone

Michael Schwartz

From: Sara Smith
Sent: Friday, July 8, 2022 7:50 AM
To: Michael Schwartz
Subject: FW: Proposed Zoning Variance for Short Term Rentals at 6447 Glendale Ct (The Wynds)

-----Original Message-----

From: Bob Massie <bobmassie@zoomtown.com>
Sent: Thursday, July 07, 2022 6:26 PM
To: Planning Commission General Account <plancom@boonecountyky.org>
Subject: RE: Proposed Zoning Variance for Short Term Rentals at 6447 Glendale Ct (The Wynds)

EXTERNAL MESSAGE

Attention: Michael Schwartz, Director of Zoning Services - This is Kathy Fay (wife of Bob Massie who passed away last August 16th 2021) at 1595 Greens Edge Drive in Oakbrook. I DO NOT want the short term rentals in Oakbrook. I'm voting NO. Any questions call me at 859-802-1051.

Thank you
Kathy Fay

Sent from my iPhone

Michael Schwartz

From: Sara Smith
Sent: Friday, July 8, 2022 8:01 AM
To: Michael Schwartz
Subject: FW: ATTEN: Michael Schwartz

From: Deb <debbie.adams1@twc.com>
Sent: Friday, July 08, 2022 8:00 AM
To: Planning Commission General Account <plancom@boonecountyky.org>
Subject: ATTEN: Michael Schwartz

EXTERNAL MESSAGE

Dear Michael,,

I am a resident of the Wynds condos in Oakbrook, Burlington KY.

I understand there is a meeting to discuss whether the condo at 6447 Glendale Court can be allowed to be used as short time rentals. I please urge you to not allow this. The owners take great proud in our community. As of now, the community is generally well taken care of by the owners. I know that renters do not have this pride for property that is being rented.

I understand there are already renters and short time renters now and their property is not as well maintained.

We moved to this area, because of the expectation that this property will be valued high and well taken care of. I would hate to see negative changes.

Thank you for your consideration to NOT allow this.

Sincerely, Deborah Adams
6410 Linkview Court

Michael Schwartz

From: Sara Smith
Sent: Friday, July 8, 2022 8:40 AM
To: Michael Schwartz
Subject: FW: Zone Change for 6447 Glendale Court, Florence Ky

From: hayes08@twc.com <hayes08@twc.com>
Sent: Friday, July 08, 2022 8:24 AM
To: Planning Commission General Account <plancom@boonecountyky.org>
Cc: 'b.scott55@twc.com' <b.scott55@twc.com>; 'bweimer43@gmail.com' <bweimer43@gmail.com>; 'calummacdonald64@gmail.com' <calummacdonald64@gmail.com>; 'daveschleper@gmail.com' <daveschleper@gmail.com>; 'judy.forbes53@gmail.com' <judy.forbes53@gmail.com>; 'Klint.Yearout@rentzmanagement.com' <Klint.Yearout@rentzmanagement.com>; 'scott.sullivan@mckesson.com' <scott.sullivan@mckesson.com>; 'smcgee@flamingoair.net' <smcgee@flamingoair.net>; 'fre4862889@aol.com' <fre4862889@aol.com>
Subject: Zone Change for 6447 Glendale Court, Florence Ky

EXTERNAL MESSAGE

Dear Boone County Planning Commission,

Please be advised that I am against the zone change of 6447 Glendale Court, Florence Ky, into a short-term rental.

In the past these renters have not always followed the rules of the Wynds HOA. This is due to them not having a stake in the community. They do not follow the parking regulation, they leave trash out everywhere, if they bring pets they do not always clean up after them, as well as they do not pay attention pool safety rules. This is an issue as the owner is usually not in the area or state and can not fix issues as they arise.

Below are a couple of the Wynds HOA Declarations that I believe short-term rentals should not be allowed in the Wynds HOA. If this homeowner would like a short-term rental, they should have requested this change with the Wynds HOA first.

DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS OF OWNERSHIP

ARTICLE VI

Section 2. Prohibited Uses and Nuisances. Except for the activities of the Developer during original construction: (a) No noxious or offensive trade or activity shall be carried on upon any lot or within any Dwelling situate upon the Property, nor shall anything be done therein or thereon which may be or become an annoyance or nuisance to the neighborhood or the other Owners of the Property.

Section 3. Residential Use. All of the units shall be used for private residential purposes exclusively except that a Developer may use living units as models and as offices in connection with the marketing of sale of lots or living units in Wynds at Oakbrook Subdivision.

Thanks,

Donald Hayes

Wynds of Oakbrook and Boone County Resident

Michael Schwartz

From: Sara Smith
Sent: Friday, July 8, 2022 1:04 PM
To: Michael Schwartz
Subject: FW: Proposed Zoning Variance for Short Term Rentals at 6447 Glendale Ct (The Wynds)

From: Lou Ann Whelchel <lawhelchel@gmail.com>
Sent: Friday, July 08, 2022 12:22 PM
To: Planning Commission General Account <plancom@boonecountyky.org>
Subject: RE: Proposed Zoning Variance for Short Term Rentals at 6447 Glendale Ct (The Wynds)

EXTERNAL MESSAGE

Attention: Michael Schwartz, Director of Zoning Services

Dear Mr. Schwartz,

This applicant is very inconsiderate of his neighbors. So would you if you approve this. It's all about money. It should be about quality of life.

If we let one short term in more would come. This would destroy our quiet community. The walls in our condos are not sound proof and smoke proof. Thanks to Drees poor quality construction. There would be police calls about wild parties and noisy occupants. There would be a clean up of trash left behind in the common grounds, parking lots and patios. More drug activities would be brought into the area. Cigarette and other smoke would leak through walls to possibly elderly neighbors on both sides of the unit.

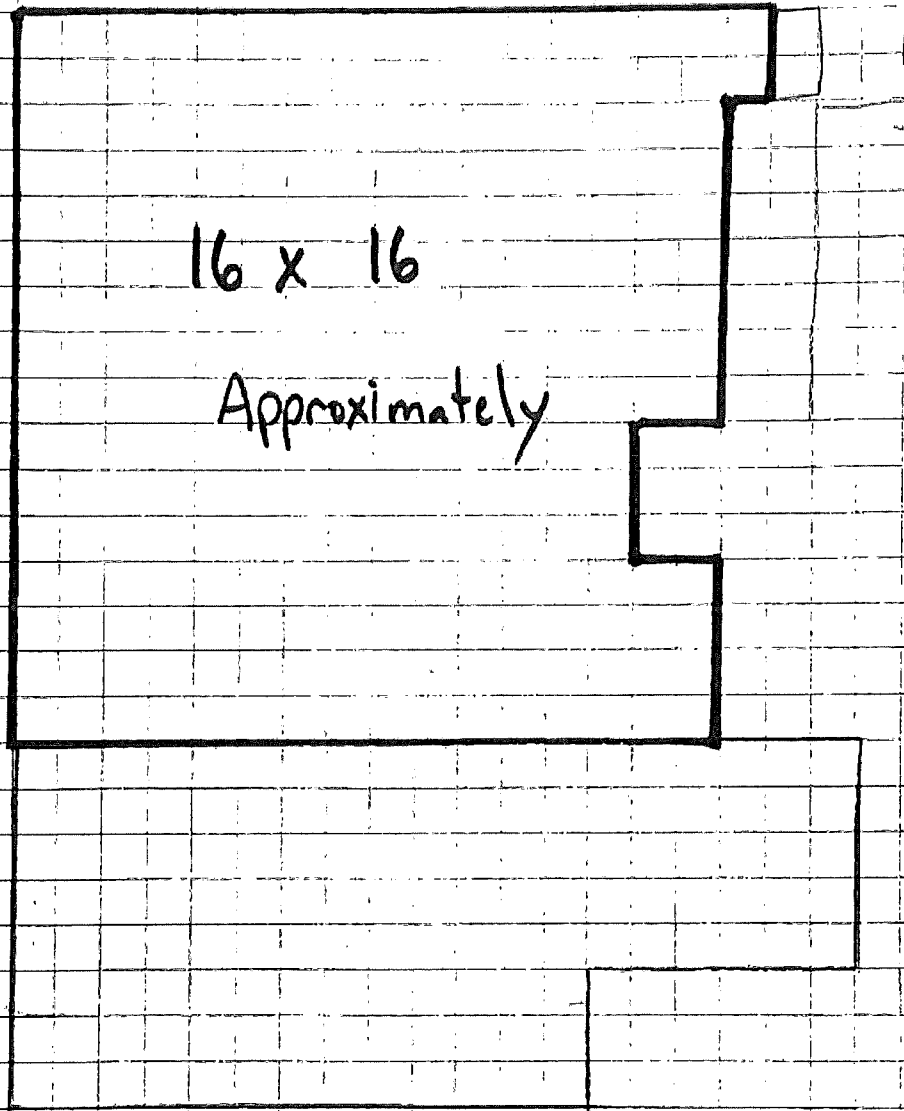
Which is more important to you as a community leader?
Money for the renter or the quality of life in the community?

Lou Ann Whelchel
Resident of Wynds of Oakbrook

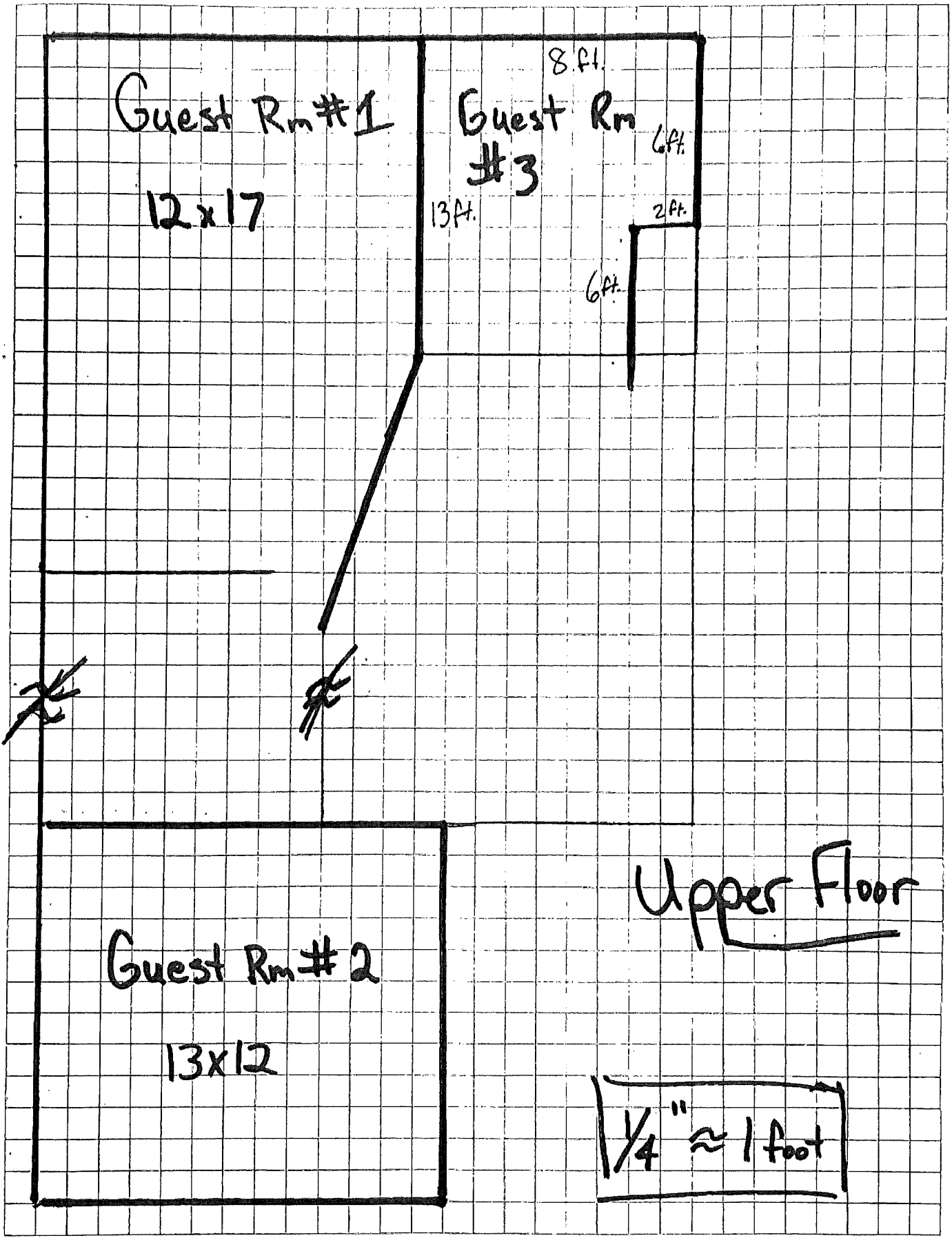
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Lou Ann Whelchel

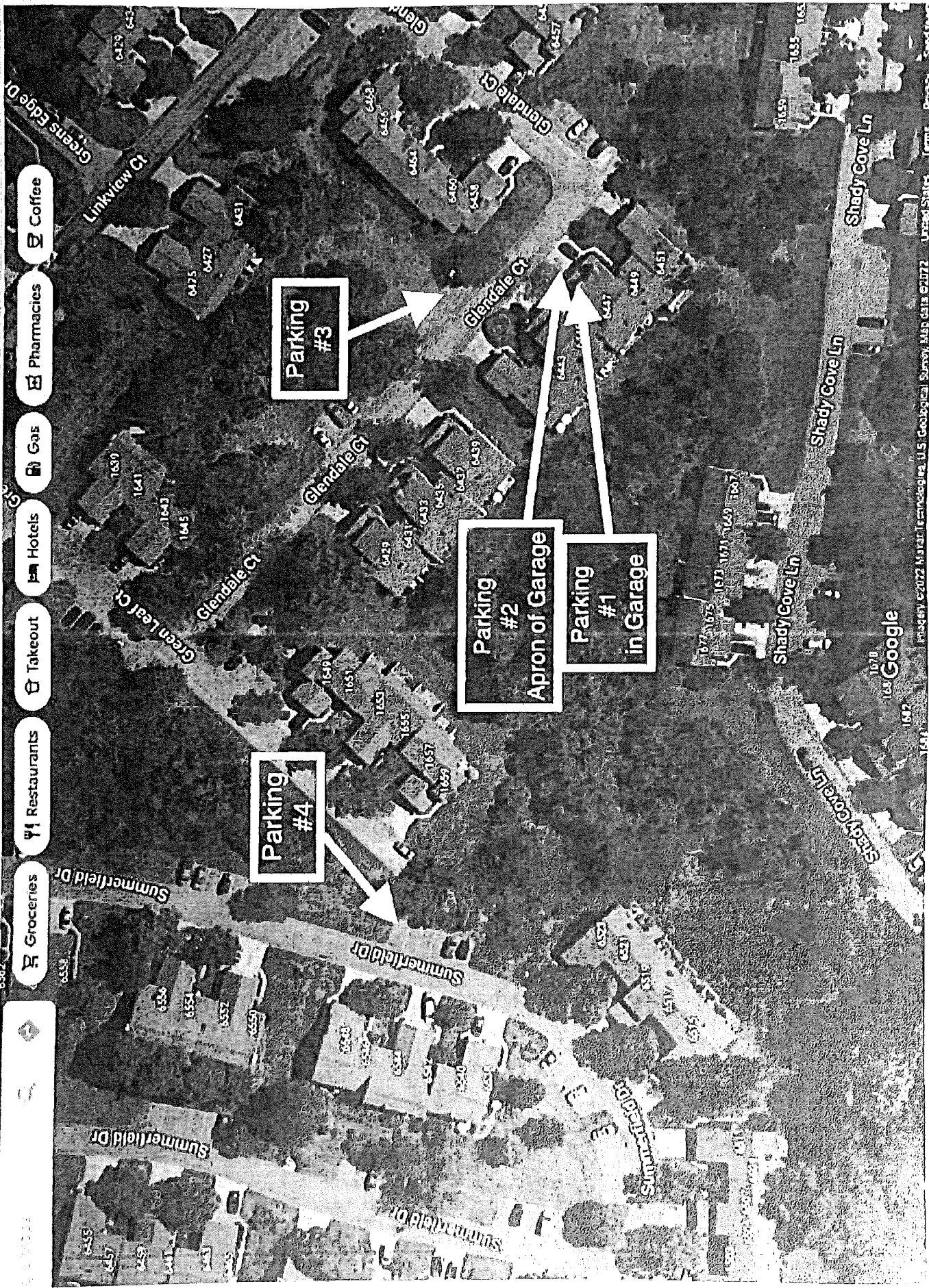
Guest Room #4



$\frac{1}{4}'' \approx 1 \text{ Foot}$



- ☰
- 🏠 Home
- 📍 Location
- 📏 Measure
- 📷 Street View
- 📄 Layers
- 📄 Settings
- 📄 Help
- 📄 About
- 📄 Privacy
- 📄 Terms
- 📄 Send Feedback
- 🛒 Groceries
- 🍽️ Restaurants
- 📦 Takeout
- 🏨 Hotels
- ⛽ Gas
- 🏪 Pharmacies
- ☕ Coffee



Parking #4

Parking #3

Parking #2
Apron of Garage

Parking #1
in Garage



BOONE COUNTY
KENTUCKY

**Short Term Rental Unit
Permit Application**

Applicant Information

Applicant Name Timothy Marshall

Home Phone _____ Cell 614-962-3270

Mailing Address 12745 S. Saginaw Ste 806 PMB 138

City Grand Blanc State MI Zip Code 48439

E-Mail tomstayhere@gmail.com

Short Term Rental Unit Information

Short Term Rental Address 6447 Glendale Ct. Florence, KY

Number of Bedrooms: 3

Number of off-street parking spaces 2 (including garage)
+ 1 community parking

Maximum Number Occupants Requested ? (Maximum of 10 occupants)

Emergency Contact Information (Emergency Contact must be able to respond to property within one (1) hour)

Name Heather Sutter

Mailing Address 4273 Longlake Dr. Unit 9109

City Batavia State OH Zip Code 45103

Cell Phone 614-332-7412 Alternate Contact Number _____

Email Address _____

I acknowledge that I understand that a Short Term Rental is defined as the rental of residential dwelling unit, or a portion thereof, for a period of less than 30 days and must comply with all zoning regulations, conditional use permit conditions and the County Short Term Rental Ordinance requirements. TMM (initial)

Initial Permit Application

The following items are required to be submitted prior to the initial issuance of a Short Term Rental Permit. :

- Floor plan sketch
- Self-safety inspection form
- Certificate of Insurance
- Copy of information brochure
- Approved Conditional Use Permit (within 90 days after application)
- Boone County Occupational License (within 90 days after application)

Short Term Rental Permit Renewal

- For Short Term Rental Permit Renewals, the following items are required to be submitted with application:
- Certificate of Insurance
- Current Boone County Occupational License
- Updates to any other document initially submitted. If no revisions have been made, please initial here _____

I hereby affirm that the information provided on this form is accurate to the best of my knowledge

Timothy Marshall [Signature] 4-21-22
Name (print) Signature Date

Please Return this Application to the Boone County Occupational License Department,
2950 Washington Street Box 960 Burlington, KY 41005

Office Use Only Below This Line

Boone County Planning Commission Approval: _____ Date _____

STRU License is: Approved Denied on this date _____

Boone County Fiscal Court _____ Date _____

Permit Number: _____