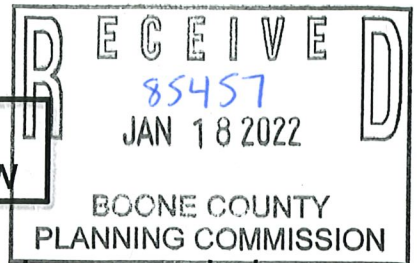


**BOARD OF ADJUSTMENT
BOONE COUNTY PLANNING COMMISSION**



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: JUDY BOUR AND SVEN KHAN
Address: 10434 MUSKAT CIR
INDEPENDENCE MO 64601
City State Zip Code
Phone Number: 859 463 4226 Fax Number: _____
Email: judybour@gmail.com
4. Description of Request: SHORT TERM RENTAL @ 516 KENTABROO AVE
FLORENCE KY 41042
5. Name of Development: _____
6. Location of Development: 516 KENTABROO AVE
FLORENCE MO 64602
City State Zip Code
7. Acreage Under Review: _____
8. Lot Number and Name of Subdivision (if part of a subdivision): _____
9. Current Owner: Ayodele Akingemi
Address: 7488 Cherokee Ln
Liberty Twp OH 43044
City State Zip Code
Phone Number: 513 578 7700 Fax Number: _____
Email: SATHELLO241@GMAIL.COM

10. Proposed Use(s) on Site: SHORT TERM RENTAL
11. Total Square Footage of Existing and/or Proposed Buildings: _____
12. Current Zoning: SR2
13. 1139 593 2034B
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: 
(Faxed, Photocopied or Scanned Signatures will **NOT** be Accepted)

ORIGINAL Applicant's Signature: Judy Baro
(Faxed, Photocopied or Scanned Signatures will **NOT** be Accepted)

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

1. Date Received: 1/18/22 Fee Received: \$ 816 Receipt #: 85457

2. Is application complete: _____

3. Staff Reviewer: Todd Morgan

4. Scheduled Board Action Date: _____

5. Board Action: 3/8/22

_____ Approved

_____ Approved with Conditions (see #6)

_____ Denial (See #7)

6. Conditions of Approval: SEE 3/8/22 Meeting Minutes

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

Lila asked about
ownership

#1

STAFF REPORT

APPLICANT: Judy Bour and Sven Khan

LOCATION: 516 Kentaboo Avenue, Florence, Kentucky

ZONING: Suburban Residential Two (SR-2)

0.16 ACRES

DATE: March 8, 2022

PROPOSAL

The applicant is requesting a Conditional Use Permit to allow 516 Kentaboo Avenue to be used as a short-term rental household.

PERTINENT HISTORY

In December 2020, the City of Florence approved two Ordinances pertaining to Short Term Rentals. The first Ordinance, O-19-20, approved and adopted text amendments to the Boone County Zoning Regulations pertaining to the short-term rental of property. This Ordinance permits the short-term rental of property as a Conditional Use in the following zoning districts:

- Rural Suburban (RS)
- Suburban Residential One (SR-1)
- * • Suburban Residential Two (SR-2)
- Suburban Residential Three (SR-3)
- Urban Residential One (UR-1)
- Urban Residential Two (UR-2)
- Urban Residential Three (UR-3)
- Residential One Family (R-1F)

The second Ordinance, O-20-20, established regulations for short term rentals. Section III of the Ordinance outlines the city's registration and permitting requirements. The applicant is required to submit a registration and permit with the City of Florence prior to submitting a Conditional Use Permit application. The City of Florence acts on their application once the Board of Adjustment acts on the Conditional Use Permit application.

APPLICABLE REGULATIONS

Section 3191 of the Boone County Zoning Regulations contains the following standards for short term rentals. The applicants have provided a list of these standards and provided a response (see attachments).

- 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.

Applicants Response – There will be no on-site or off-site advertising.

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

Applicants Response - The short term rental will occur in the residence at 516 Kentaboo Avenue.

- 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, adults and children.
2. Bedrooms under one hundred twenty (120) square feet shall be limited to only one (1) adult occupant.

Applicants Response - The applicants indicated that both bedrooms are larger than 120 square feet and that 8 guests would be permitted.

Staff Comment – A maximum of 6 guests are permitted. This needs to be revised in the submitted informational brochure.

- 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.

Applicants Response - All parking will occur on site. Guest will be informed to park on site and not in the street in the informational brochure

Staff Comment – The parking requirement for this property is 4 parking places on-site. One vehicle can be parked in the garage and three others can park in the driveway. The 2020 aerial map shows 3 vehicles parked in the driveway.

- 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.

Applicants Response – When listing the short term rental for bookings, the advertisement will clearly state that the house will comfortably hold 6 guests and that no more than 8 guests would be permitted. It will also state that 4 vehicle parking spaces are provided on site.

Staff Comment – A maximum of 6 guests are permitted.

- 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.

Applicant and Staff Comments - There are no other legal short term rental properties within 1,000 feet of the subject property. See the attached G.I.S. exhibit.

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- 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.

Applicants Response - Guests will use the main building entrance for access.

- 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 City in accordance with Ordinance Number O-20-20. (Applies to the City of Florence Only).
2. 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. (Applies to Unincorporated Boone County Only)
3. To advertise or offer a short term rental without first registering the property in which the rental is to occur with the City in accordance with Ordinance Number O-20-20. Documented advertisement of the subject property as a short term rental, online or offline, shall be considered evidence of a violation of this regulation. (Applies to the City of Florence Only)
4. 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. (Applies to Unincorporated Boone County Only)
5. To operate a short term rental that does not comply with all applicable city, county, and state laws and codes.
6. To operate a short term rental without paying the required hotel occupancy taxes.
7. To offer or allow the use of a short term rental in a manner which violates the City Noise Control Ordinance (O-16-95). (Applies to the City of Florence Only)
8. 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.
9. Permit the use of the short term rental for any illegal purpose or any use not permitted by the residential zoning regulations.

Applicants Response: A Conditional Use Permit and City of Florence Short Term Rental Application have been submitted and will comply with all rules.

Staff Comment: The applicants informational brochure contains house rules which address noise and parties.

- 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.

Applicant Response: Any proposed improvements will be sent to the Planning Commission for review.

Staff Comment - The submitted plans do not show that any exterior improvements are proposed. Staff would like the applicant to confirm this is correct. Staff would also like to make the applicant aware that a Zoning Permit will need to be approved by the Planning Commission before the subject house can be used as a short-term rental. This approval would be needed to verify all Conditional Use Permit conditions were being met.

Article 40 of the Boone County Zoning Regulations defines a short term rental as “the rental of a residential dwelling unit, or a portion thereof, for a period pf 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.”

Section 943 of the Boone County Zoning Regulations identifies short term rentals as a conditional use within the SR-2 district.

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.

The Board should evaluate this request as it relates to the criteria necessary for granting a Conditional Use Permit as stated in Sections 262 and 943 of the Boone County Zoning Regulations.

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;

slide

- 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.

Criteria listed in Section 943 of the Boone County Zoning Regulations (SR-2 District):

- A. The activity is an integral and subordinate function of a permitted use; or
- * B. The activity will not contradict the compact, but single family character of the district; and
- C. The arrangement of uses, building or structures will be compatible with the organization of permitted and accessory uses to be protected in the district.

Section 940 of the Boone County Zoning Regulations states that the purpose of the Suburban Residential Two district is to provide a more compact, but essentially single family residential environment. Such districts will be located on suitable lands within established or proposed urban entities where adequate infrastructure facilities and services are available or proposed.

RELATIONSHIP TO THE COMPREHENSIVE PLAN

- A. The Our Boone County Plan 2040 Future Land Use Plan designates the site in question for "Suburban Density Residential" uses. This future land use classification is defined as single family housing of up to four units per acre.

- B. The following Our Boone County Plan 2040 Goals and Objectives apply to this application:

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).

Development policies shall not discriminate against any person (Demographics Goal A, Objective 1).

Promote quality of life amenities to retain current residents and attract new residents in order to have a stable and diversified population (Demographics Goal A, Objective 3).

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).

A broad range of housing opportunities shall be provided to meet the needs and desires of all household types and shall be balanced with affordability, employment centers, commercial areas, and educational needs. The City of Florence acknowledges the need for affordable housing opportunities, but also desires an equal balance of housing options to maintain a diverse city (Demographics Goal B, Objective 1).

Residential developments shall be evaluated for impact on infrastructure, environment, health and safety considerations, buffering, and design with secondary consideration given to the dwelling unit type and density (Demographics Goal B, Objective 4).

SITE CHARACTERISTICS

- 5/ide
- A. The approximate 0.16 acre property is located on the north side of Kentaboo Avenue and is directly across from the Kentaboo Avenue/Drexel Avenue intersection.
 - B. The property contains a ranch house. The house has a full basement, covered front porch, one-car garage, and an elevated deck.
 - C. Boone County G.I.S. shows that the driveway is approximately 32' long between the property line and garage.
 - D. Boone County G.I.S. shows the topography falls from approximately 908' above sea level in the front of the property to 898' above sea level at the northeast property corner.

SURROUNDING LAND USES AND ZONING

- North: Undeveloped Lot and Single-Family Home Fronting on Spicewood Ave (SR-2)
- South: Kentaboo Ave, Drexel Avenue, and Single-Residential Homes (SR-2)
- East: Single-Family Home Fronting on Kentaboo Ave (SR-2)
- West: Undeveloped Lot With Driveway (SR-2)

STAFF COMMENTS

- A. Staff would like to note that a Conditional Use Permit and Short-Term Rental applications must be approved before the property can be used for short-term rentals. The City of Florence will not act on the Short-Term Rental application until the Florence Board of Adjustment acts on the Conditional Use Permit application.

A copy of City of Florence Ordinance O-20-20 has been attached to the Staff Report. This Ordinance includes the City of Florence short term rental registration and permitting requirements, restrictions on short term rentals, information brochure requirements, safety feature requirements, and zoning enforcement procedures if there are violations.

Section III of the Ordinance lists the City of Florence registration and permitting requirements. Condition #5 indicates the initial city permit would be valid for 365 calendar days from the time it's issued and can be renewed for successive 365 calendar day periods as long as the applicant continues to qualify for a Permit. Conditions #6 and #7 list reasons why the City of Florence could deny permit renewal, revoke a permit, and the process the property owner could go through to contest a revocation.

B. Staff would like the applicants to address the following:

1. Are they planning to buy the property?
2. Where do they live now and how frequently would they visit the property if the Conditional Use Permit and City Permit are approved?
3. Are there any plans to make any additional exterior improvements that would encourage guests to spend time outdoors? Examples are fire pits, pools, basketball goals, etc.
4. Could the house be rented for a night or two?

C. The Board needs to analyze the Conditional Use Permit criteria found in the Staff Report and determine if the use is appropriate at the subject location.

Staff believes the following criteria are key in making this determination:

1. (The use) 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.
2. The activity will not contradict the compact, but single-family character of the district.

E. Staff recommends the following conditions if the request is approved:

- A. Short term renters shall be required to rent the dwelling for a minimum of two nights.
- B. One renter or group shall rent the entire household with a single-rental contract.
- C. All short-term rentals of the dwelling shall be limited to 6 occupants or less.

CONCLUSION

KRS 100.237 and Section 220 of the Boone County Zoning Regulations give the Florence Board of Adjustment and Zoning Appeals the authority to act on the request.

*D. Letter
From
Front*

Respectfully Submitted,



Todd K. Morgan, AICP
Senior Planner

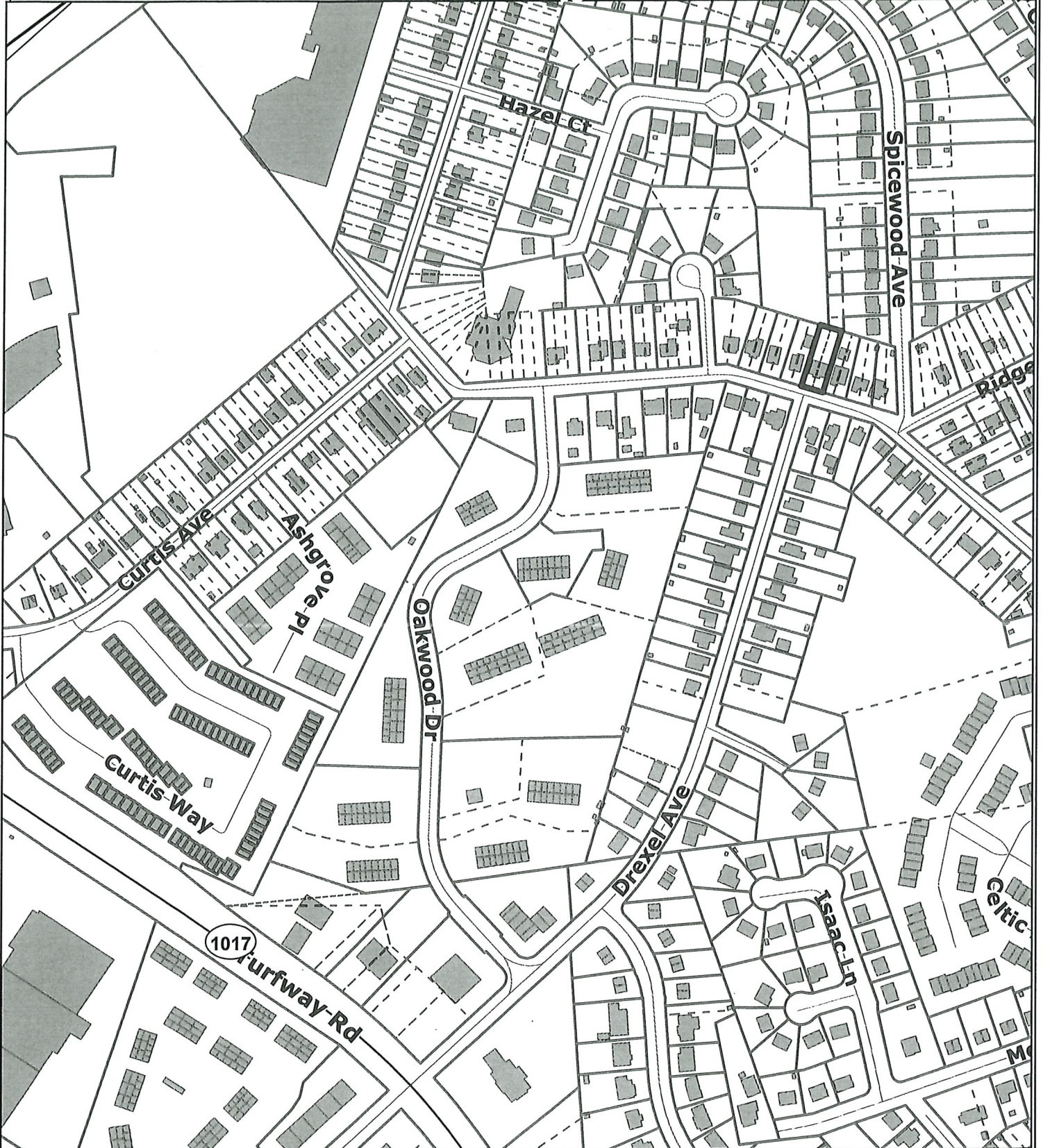
TKM/ss

Attachments

- *Site Vicinity Map
- *Board of Adjustment Application
- *City of Florence Ordinance O-20-20
- *City of Florence Short Term Rental Application
- *Applicant's Responses to Section 3191 of the Zoning Regulations
- *Applicant's Information Brochure
- *Applicant's House Plans
- *Zoning Map
- *2040 Future Land Use Map
- *2021 Aerial Map
- *Topographical Map
- *1,000' Radius From Closest Short Term Rental House

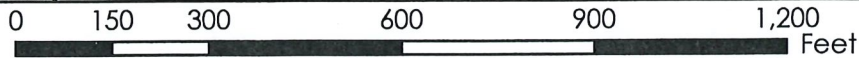
SITE VICINITY MAP

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.



1 inch = 300 feet



Map Created: xxjx/2020

Boone County GIS - Putting Northern Kentucky on the Map



Boone County GIS
ArcMap Document: *.mxd

**BOARD OF ADJUSTMENT
BOONE COUNTY PLANNING COMMISSION**

RECEIVED
85457
JAN 18 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: JUDY BOUR AND EVAN KHAN
Address: 10434 MUSKET LN
INDEPENDANCE KA 41051
City State Zip Code
Phone Number: 859 468 4226 Fax Number: _____
Email: judybour@gmail.com
4. Description of Request:
SHORT TERM RENTAL @ 516 KENTABEE AVE.
FLORANCE KY 41042
5. Name of Development: _____
6. Location of Development: 516 KENTABEE AVE.
FLORANCE KA 41042
City State Zip Code
7. Acreage Under Review: _____
8. Lot Number and Name of Subdivision (if part of a subdivision): _____
9. Current Owner: Ayodele Akinyemi
Address: 7488 Cherokee Ln
Liberty twp OH 43044
City State Zip Code
Phone Number: 513 578 7700 Fax Number: _____
Email: SATHELLOJAH@GMAIL.COM

10. Proposed Use(s) on Site: SHORT TERM RENTAL

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

12. Current Zoning: SR2

13. 1139 593 2034B
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: 
(Faxed, Photocopied or Scanned Signatures will **NOT** be Accepted)

ORIGINAL Applicant's Signature: Judy Row
(Faxed, Photocopied or Scanned Signatures will **NOT** be Accepted)

**CITY OF FLORENCE, KENTUCKY
READING SUMMARY**

ORDINANCE NO. O-20-20

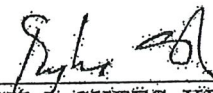
**AN ORDINANCE OF THE CITY OF FLORENCE, KENTUCKY, RELATING TO
SHORT TERM RENTALS**

The purpose of this Ordinance is to establish regulations for Short Term Rentals (STR) in order to allow property owners to occasionally utilize their properties for that purpose in a manner which will not negatively affect adjacent properties.

The Ordinance defines STR as a residential dwelling unit or portion thereof rented for a period of less than 30 days. An owner wishing to utilize residential property for a STR must register with the City and obtain a permit. The Ordinance identifies residential zoning districts in which a STR is a conditional use which requires a conditional use permit from the Florence Board of Adjustment and Zoning Appeals. The Ordinance further provides that in the Main Street Overlay District, STRs are principally permitted uses not requiring a conditional use permit. In the residential zoning districts, STRs cannot be closer together than 1000 feet. The Ordinance specifies a manner in which STRs must be operated dealing with subjects such as occupancy limits, parking, advertisement, compliance with existing laws, including the City Noise Ordinance, and safety features. There are provisions for revocation of permits and an appeal process therefrom. Enforcement of the Ordinance shall be handled through the City's Code Enforcement Board.

CERTIFICATION

I hereby certify that the foregoing is a summary of the contents of the Ordinance titled above and that it was prepared by me this 8 day of December, 2020, and I am an attorney licensed to practice law in the Commonwealth of Kentucky.



HUGH O. SKEES, KBA#64730
SKEES, WILSON & NIENABER, PLLC
7699 Ewing Blvd., P.O. Box 756
Florence, KY 41022-0756
Phone: (859) 371-7407
Fax: (859) 371-9872

**CITY OF FLORENCE, KENTUCKY
ORDINANCE O-20-20**

AN ORDINANCE OF THE CITY OF FLORENCE, KENTUCKY, RELATING TO SHORT TERM RENTALS.

WHEREAS, the City Council has determined that there is a need to address regulations for Short Term Rentals (STR) in order to allow property owners to occasionally utilize their properties for that purpose in a manner which shall not negatively impact property values; and

WHEREAS, the City Council has reviewed the STR Study provided by the Boone County Planning Commission staff; 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 No. O-19-20, which will be enacted concurrently with this Ordinance; and

WHEREAS, the City Council has determined that regulations are necessary to protect the public health, safety, morals, and general welfare.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF FLORENCE, KENTUCKY, AS FOLLOWS:

SECTION I - 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 residential zoning districts, and the Main Street Overlay District.

SECTION II – 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:

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 resides within 20 miles of the subject property, 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 if ordered to take possession of real property by a court.

Permit means the Short Term Rental (STR) Permit which all persons must obtain from the City 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 RS, R-1F, RPD, SR-1, SR-2, SR-3, UR-1, UR-2 and UR-3 zoning districts.

SECTION III - SHORT TERM RENTAL REGISTRATION REQUIREMENTS AND PERMITS

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

1. Applications for the Permit shall be submitted to the City prior to applying for a Conditional Use Permit through the Florence Board of Adjustment and Zoning Appeals. Applications for the Permit will be considered in the order in which they are received by the City. Failure to obtain a Conditional Use Permit from the Florence 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:

- a. Name, address, phone number, and e-mail address of the owner of the Short Term Rental property.
- b. Verification that the applicant is the owner.
- c. Name, address, phone number, and e-mail address of the designated Local Emergency Contact.
- d. The maximum number of occupants permitted for the dwelling unit or sleeping room in accordance with this Ordinance.

- e. A submission of a sketch floor plan of the dwelling with dimensioned room layout.
 - f. Self-Safety Inspection Form indicating all proper safety devices are in place and in good working order.
 - g. 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.
2. Applicant shall obtain an occupational license from the City of Florence.
 3. Applicant shall provide 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.
 4. Applicant shall 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.
 5. The initially issued Permit shall expire 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 day periods so long as the applicant continues to qualify for issuance of the Permit. Applications for renewal periods shall be made to the Finance Department on forms approved by the City. The fee for the initial permit period, payable at the time of application, shall be \$500.00. The fee for any subsequent permit period, payable at the time of application, shall be \$250.00.
 6. Upon receipt of an application for renewal of the registration, the City Coordinator or other designee may deny the renewal if there is reasonable cause to believe that:
 - a. The Owner has violated any ordinance of the City, or any state, or federal law on the premises or has permitted such a violation on the premises by any other person; or
 - b. There are grounds for suspension, revocation, or other registration sanction as provided in this Ordinance.
 - c. The Owner fails to apply for, be issued or appropriately renew a City of Florence Occupational License.
 7. Any Permit issued under the provisions of this Ordinance may be revoked by the City Coordinator 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 Mayor may be obtained by filing with the office of the City Clerk a written request for hearing within 15 days of the issuance of the revocation notice. The hearing before the Mayor shall be conducted within 30 days of filing of such request.

SECTION IV - 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 V - RESTRICTIONS ON SHORT TERM RENTALS

- A. *Use.* In the Residential Zoning Districts, all Short Term Rentals shall be a conditional use under the Boone County Zoning Regulations. In the Main Street Overlay District, Short Term Rentals shall be a principally permitted use.
- 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 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 guest room or suite. All parking for a short term rental, shall be provided off-street.
- 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. This requirement does not apply in the Main Street Overlay District, where no minimum spacing requirement is required.

H. *Other restrictions.* It is unlawful:

1. To operate or 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 City in accordance with this Ordinance;
2. To advertise or offer a Short Term Rental without first registering the property in which the rental is to occur with the City in accordance with this Ordinance; documented advertisement of the subject property as a Short Term Rental, online or offline, shall be considered evidence of a violation of this Ordinance;
3. To operate a Short Term Rental that does not comply with all applicable city and state laws and codes;
4. To operate a Short Term Rental without paying the required hotel occupancy taxes;
5. To offer or allow the use of a Short Term Rental in a manner which violates the City Noise Control Ordinance (O-16-95);
6. 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.
7. Permit the use of the Short Term Rental for any illegal purpose or any use not permitted by Residential Zoning Regulations.

SECTION VI - INFORMATION BROCHURE

A. *Information to be provided.* Each owner operating a Short Term Rental shall provide to guests information that includes:

- 1 The registrant's twenty-four (24) hour contact information;
- 2 A local responsible party's twenty-four (24) hour contact information, if the property owner is not within the city limits when guests are renting the premises;
- 3 Pertinent neighborhood information including, but not limited to, parking restrictions, restrictions on noise and amplified sound, and trash collection schedules;
- 4 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 manmade disaster alerts and updates.
- 5 Policy regarding pet(s).

SECTION VII - 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 Codes of Ordinance including but not limited to Building and Fire Codes.

SECTION VIII - ENFORCEMENT THROUGH CODE ENFORCEMENT BOARD - CIVIL FINE AND LIEN

The provisions of this Ordinance may be enforced by the City of Florence Code Enforcement Board following the procedures set forth in Ordinance No. O-10-16. All violations of such provisions are specifically assigned to the Florence Code Enforcement Board. Proceedings against any person violating any of the provisions of this Ordinance may be initiated by the issuance of a citation to the Code Enforcement Board and the Board may issue remedial orders, impose civil fines, order the filing of liens, and exercise authority with respect to such violations as set out in Ordinance No. O-10-16, pursuant to the "Local Government Code Enforcement Board Act" (KRS 65.8801-65.8839).

SECTION IX - SEVERABILITY

If any section, paragraph, clause, provision, or phrase of this Ordinance is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining sections, sentences, clauses, provisions, or phrases of this Ordinance, or this Ordinance as an entirety, it being the legislative intent that this Ordinance shall be valid notwithstanding the invalidity of any section, sentence, clause, provision, or phrase.

SECTION X - PUBLICATION

This Ordinance shall be published by posting on the City's internet website.

PASSED AND APPROVED ON FIRST READING THIS 8 DAY OF December, 2020

PASSED AND APPROVED ON SECOND READING AND PUBLICATION ORDERED THIS 15 DAY OF December, 2020:

APPROVED:

Diane E. Whalen
Diane E. Whalen, Mayor

ATTEST:

Melissa Kramer
Melissa Kramer, City Clerk



City of Florence Finance Department
8100 Ewing Blvd
Florence, KY 41042

Phone: (859) 647-5413
Fax: (859) 647-5447
www.florence-ky.gov

SHORT TERM RENTAL APPLICATION

Application Fee \$500.00

PAID
JAN 18
CITY OF FLORENCE, KY

APPLICANT INFORMATION:

Name/Primary Owner: Ayodele Akinyemi
Mailing Address: 7488 Cherokee Ln Phone: 5135787700
City: Liberty Twp State: OH Zip: 45044
Email Address: SAYHELLO2AY@GMAIL.COM

EMERGENCY CONTACT: (must live within 20 miles of short term rental property)

Name/Primary Owner: Judy Bour
Mailing Address: 10434 Musket Cir Phone: (859)468-4226
City: Independence State: KY Zip: 41051
Email Address: judybour@gmail.com

SHORT TERM RENTAL UNIT INFORMATION:

Address of Property: 516 Kentaboo Ave Florence KY 41042
Number of Bedrooms: 2
Maximum Number of Occupants: 8

The below documents are required prior to processing:

- Property Owner Deed
- Self-Safety Inspection Form
- Certificate of Insurance
- Site Plan/Survey (maximum number of vehicles that can be legally parked)
- Sketched Floor Plan (must include dimensioned room layout)
- Occupational License (City of Florence and Boone County)
- Information Brochure (must be provided to guests)

Short Term Rental is defined as the rental of a residential dwelling unit, or a portion thereof for a period of less than **30 days**. AA (initial here)

I affirm, under penalty of perjury, that the information contained in this application and all documents tenured in connection with this application are accurate and complete. Furthermore, I certify that I have reviewed and will comply with all other requirements of the City of Florence Ordinance NO. O-20-20 pertaining to Short Term Rentals.

<u>Ayodele Akinjemi</u>	<u>AA</u>	<u>01/11/2022</u>
Name (Print)	Signature	Date

For Official Use Only- Approvals/Denial

City of Florence Planning Commission _____ Date: _____

Issuance of License is:

Approved

Denied (Notification to Applicant Attached)

Dated this _____ day of _____ 20____ Authorized By: _____

SECTION 3191 Standards for Short Term Rentals (Applies to Unincorporated Boone County and the City of Florence Only)

- 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.

Response: There will be no on-site or off-site advertising for the 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.)

Response: The short term rental will be used strictly for primary dwelling at 516 Kentaboo Ave Florence KY 41042

- 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, adults and children.
 2. Bedrooms under one hundred twenty (120) square feet shall be limited to only one (1) adult occupant.

Response: Short term rental will have a maximum no more than 8 persons occupying at a time, adults and children. There are no bedrooms under 120 square feet.

- 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.

Response: All parking will be strictly on the premises. It will be stated in the brochure or House Manual given to guests that parking is only allowed on the premises.

- 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.

Response: When listing the short term rental for bookings, it will clearly state at the top of the listing how many people it will comfortably hold. It would be listed as 6 guests. Within the listing rules, it would clearly say no more than 8 guests.

It will also state in the listing, four parking spaces will be available.

- 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.

Response: The short term rental is not within 1000 feet of any other short term rental.

- 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.

Response: Guests will use main building entrance for access and the construction of additional exterior doorways shall be prohibited. Access to individual guest rooms or suites shall be from the interior of the structure. This home only has a first floor level with a basement.

There are no stairways that are outside the short term rental to the bedrooms or basement.

- 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 City in accordance with Ordinance Number O-20-20. (Applies to the City of Florence Only)
2. 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. (Applies to Unincorporated Boone County Only)
3. To advertise or offer a short term rental without first registering the property in which the rental is to occur with the City in accordance with Ordinance Number O-20-20. Documented advertisement of the subject property as a short term rental, online or offline, shall be considered evidence of a violation of this regulation. (Applies to the City of Florence Only)
4. 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. (Applies to Unincorporated Boone County Only)
5. To operate a short term rental that does not comply with all applicable city, county, and state laws and codes.

Response: Both permit for the City of Florence and the License for Boone County Planning

Commission are in the process of being obtained before starting the short term rental in

the city of Florence to adhere to all city, county, state laws, codes, policies and regulations for the above 1 - 5

6. To operate a short term rental without paying the required hotel occupancy taxes.

Response: Taxes are collected by the Short term rental platform used for bookings. Be it Airbnb, Vbro, Bookings.com. All taxes collected will be confirmed and submitted with an Accountant.

7. To offer or allow the use of a short term rental in a manner which violates the City Noise Control Ordinance (O-16-95). (Applies to the City of Florence Only)

Response: It will be stated in the listing that being a residential area, noise is not allowed between 10pm - 7am as it will violate the City Noise Control Ordinance.

8. 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.

Response: It will be stated in the listing no parties allowed or they will be asked to leave without a refund.

9. Permit the use of the short term rental for any illegal purpose or any use not permitted by the residential zoning regulations.

Response: It will be stated in the listing, no smoking or illegal substances or illegal purpose allowed on the premises or they will be asked to leave without a refund.

- 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.

Response: Any improvements to be made to the short term rental will be sent to the Planning Commission to be approved before construction or remodeling of the short term rental.

Effective on: 12/15/2020

Welcome Guests
To Kentaboo's Cozy Getaway!

We hope you have a great stay and have set out a few tips, house rules and suggestions to hopefully ensure that you do. I've put everything in one place for easy access for you.

Check in and Check out

Check in time - 3PM
Check out time - 10AM

Please note, check out times are critical to ensuring that our home has enough time to be cleaned properly as per AirBnB covid requirements for our next guest seeking a quiet getaway.

Address you are staying at:

516 Kentaboo Ave
Florence KY
41042

In case of emergency, here are the local numbers for:

- 911 Boone Center Emergency
- (859)371-1234 Boone Center Non-Emergency
- (859)647-5660 Fire / EMS station
- (859)363-2060 Department of Health
- (859)468-4226 Your Host phone number

Fire Extinguishers are located on each floor of the home.

1. In the kitchen
2. And the basement

Keys

Keypad code To open Front door

To lock the doors when leaving - press the padlock icon on the keypad at the bottom right. Make sure the doors are locked before leaving.

To lock doors from inside - turn the knob on the inside door.

Car parking

There are four vehicle parking spaces available.

One in the garage and three in the driveway.

No parking allowed on the street.

As a good host, my aim is to ensure that you have as comfortable a stay as you possibly can. I want you and your guests to create lasting memories during your stay in our home. But to do so, I would really appreciate it if you could follow the below house rules. The rules ensure we can provide future guests with a great experience.

Noise:

As neighbors surround our property, we would appreciate if you could keep noise down after 10pm - 7am as it will violate the City Noise Control Ordinance

House Rules:

At Kentaboo Cozy Getaway, only six (6) guests are allowed to reserve for vacation or for remote workers.

- There are two cameras on the exterior of the building. One camera above the front door outside and one above the back door outside of the basement. No cameras are inside. Place is monitored on the outside of the home for your protection at all times during your stay.
- We do not allow parties in the home or you will be asked to leave without a refund.
- Pets are not allowed.
- No smoking. This is a non-smoking home.
- No illegal substances are allowed inside or on property or you will be asked to leave
- Not to be used for illegal purposes
- Visitors are allowed as long as they do not spend the night.
- No more than 8 people should be on property at any time.
- No food or drinks in the bedrooms.
- No candles or open flames
- Please close and lock all windows and doors when you leave the property.
- Please turn off the Air condition when you go out for the day on your adventures.
- Please only throw toilet paper in the toilet. There is a trash can beside it for everything else.
- If you break or damage something, please let us know and together we can arrange for its replacement or repair.

Things about the home:

Operating the Samsung smart TV in the living room, bedrooms, and basement.
Netflix and Disney are available for your viewing and enjoyment
Please use the TV remote to turn on the tv. Remote will be directly under the TV
Click on the red top left button to start.
Click on Netflix button on remote
Click on Indy Homey
Click down to start choosing movies

Books and Games

There are a few books, jigsaw puzzles, Scrabble, Jenga, Sorry, and a deck of playing cards in the basement on the shelf. Have fun with the Sudoku and Word Search books too.
Please feel free to use them and put them back when you are finished enjoying them.
In the game room in the basement, there is a Pool table, Foosball and Playstation for those rainy days or late nights.

Internet / WiFi

There is fast free internet and WiFi for your enjoyment.

Username:

WiFi Password:

No Smoking

Please "No Smoking" on premises. This is a smoke free home and only catered to non smokers. There is a \$500 fine for smoking on premises and you will be asked to leave without a refund. This will not be a suitable place for you if you are a smoker.
I also have very bad allergies so can fully relate with my guest that are seeking a non smoking environment.

Check the **House Manual** provided at Kentaboo's Cozy Getaway for instructions on using the appliances and where to find them.

Rubbish

Please place all rubbish in the brown trash bin at the right side of Kentaboo Cozy Getaway upon departure.

Trash Company pickup day is every Friday at 5am.

Cleaning

We strive to offer good value and high quality accommodation.

To assist us to do so, we request that all guests leave the home clean and tidy.

Vacuuming, mopping and other similar levels of cleaning are not required, but the home does need to be generally clean and tidy to enable our cleaners to efficiently clean for the next guest.

No need to make the beds as all sheets and blankets will be stripped from beds to be laundered when you leave.

Shopping

For food shopping we generally go to Kroger's Grocery, Pharmacy and Liquor, Aldi's, Walmart or Meijers.

Restaurants, Places of Interest and Things to do

Please check the "Guide Book"

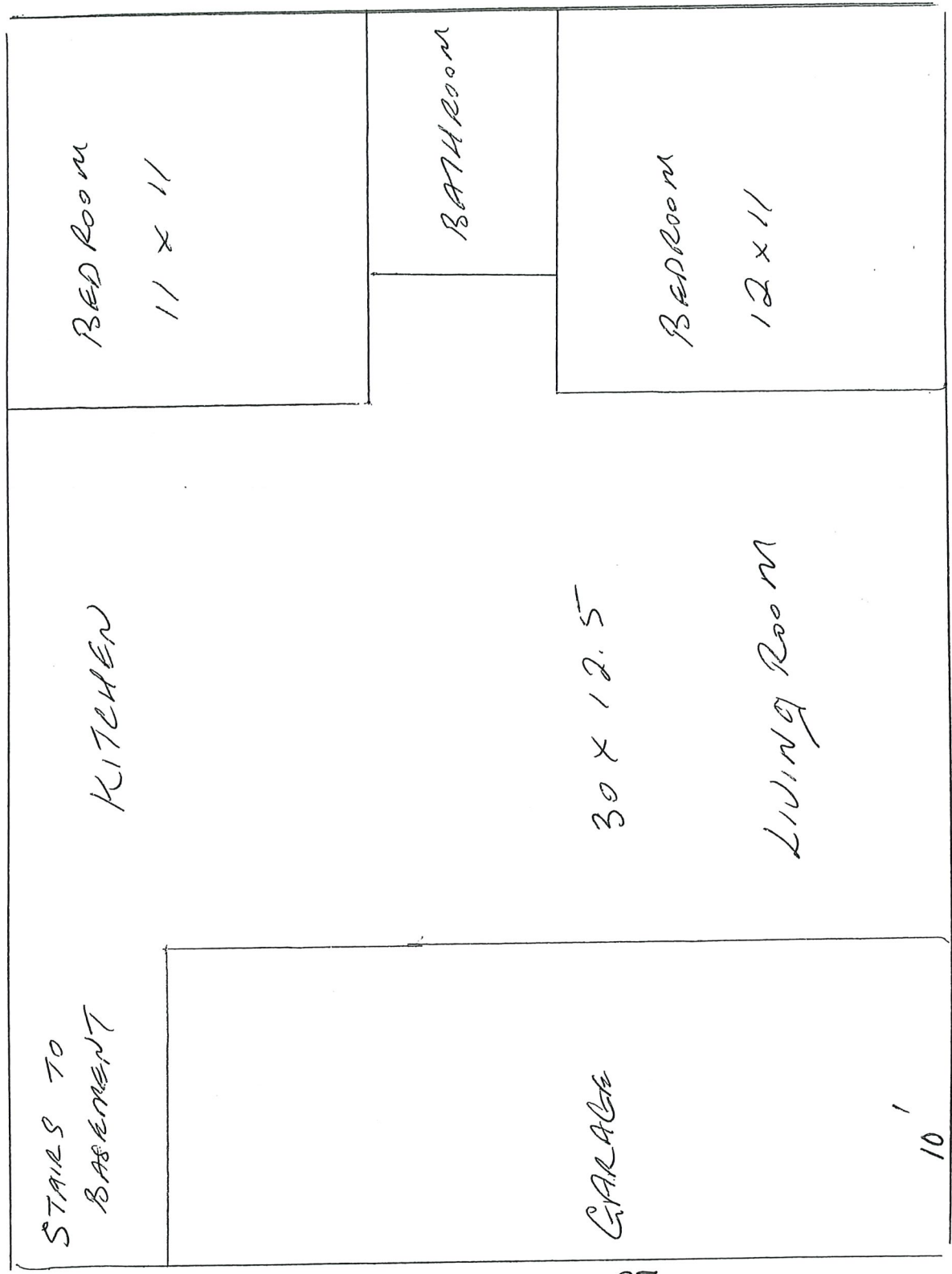
If there is anything else you need please do not hesitate to reach out to us through Airbnb messaging. You are my first guest and I am only too happy to help and want you to have a 5 star experience.

Thanks,
Judy Bour
Sven Khan

576 KENTABOO AVE

FLORENCE KY

41042

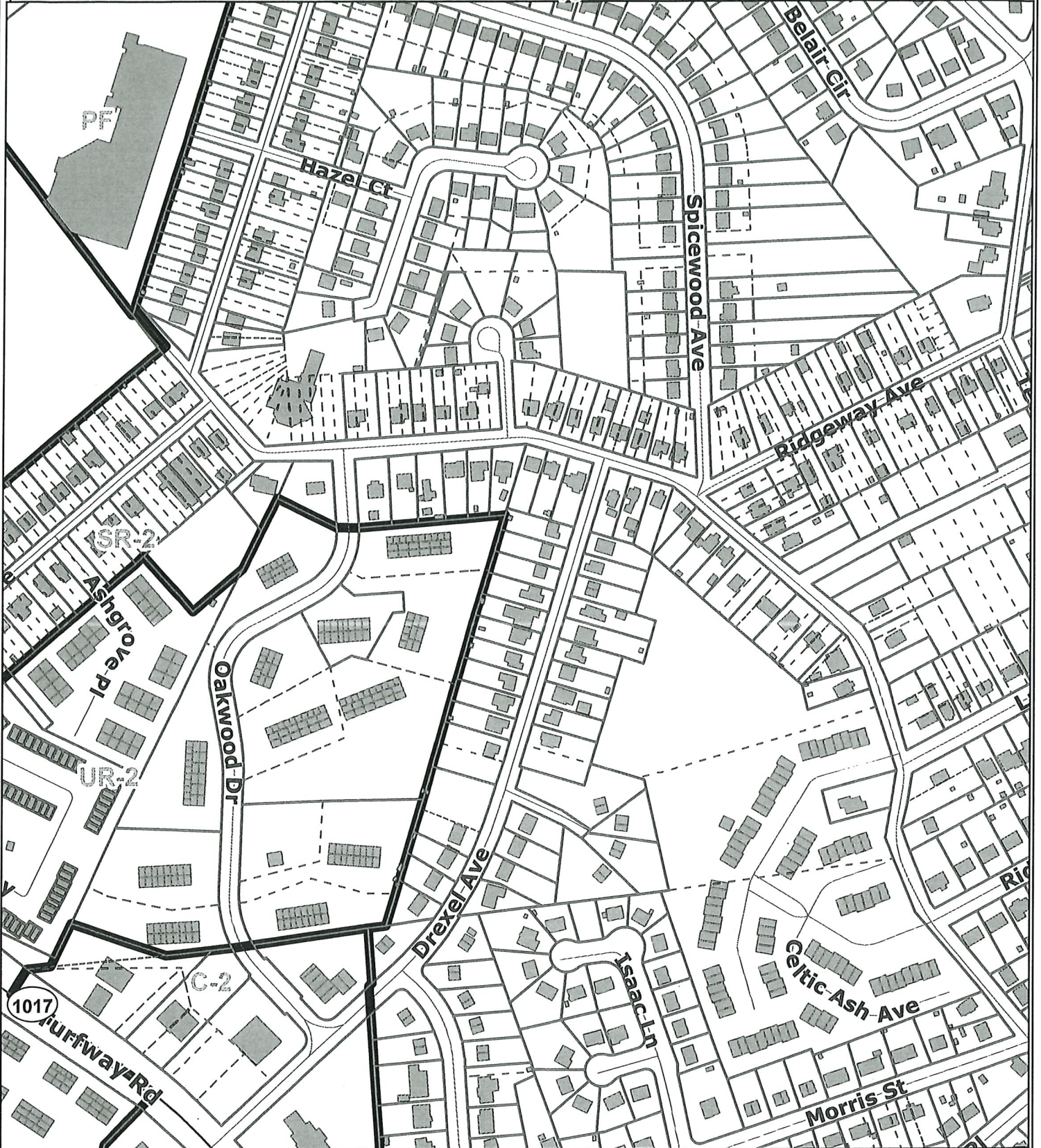


STAIRS
BASEMENT

BASEMENT

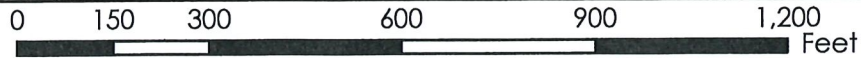
ZONING MAP

www.boonecountygis.com



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1 inch = 300 feet



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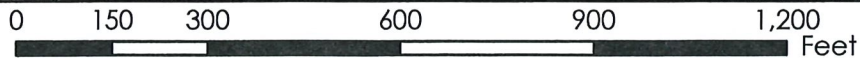
2040 FUTURE LAND USE MAP

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2021 AERIAL MAP

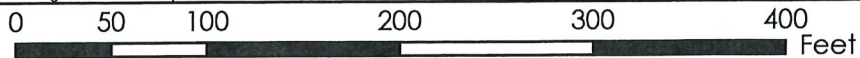
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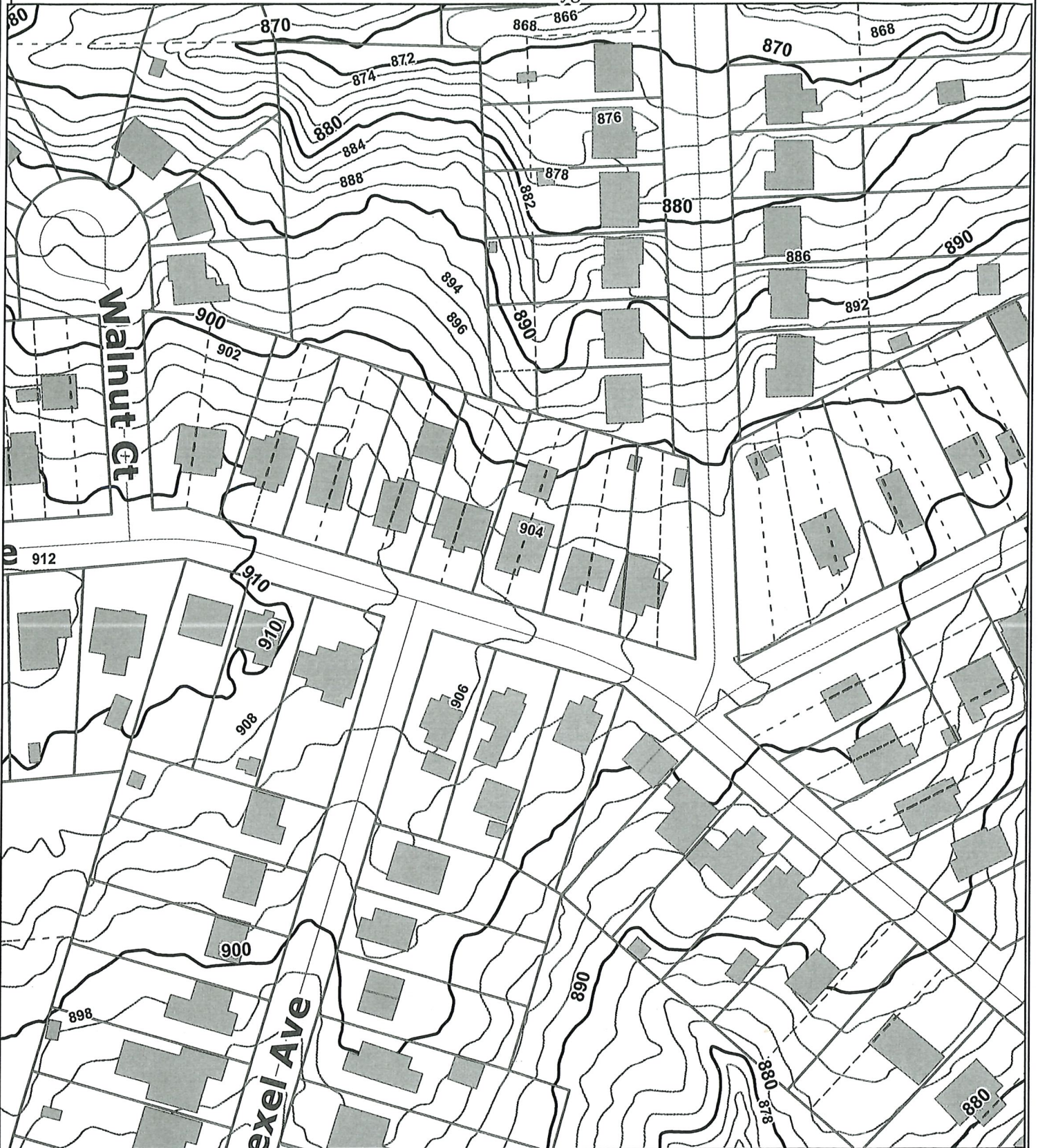


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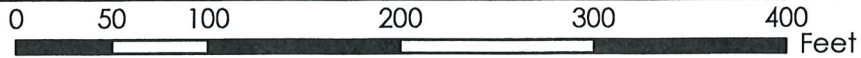
TOPOGRAPHICAL MAP

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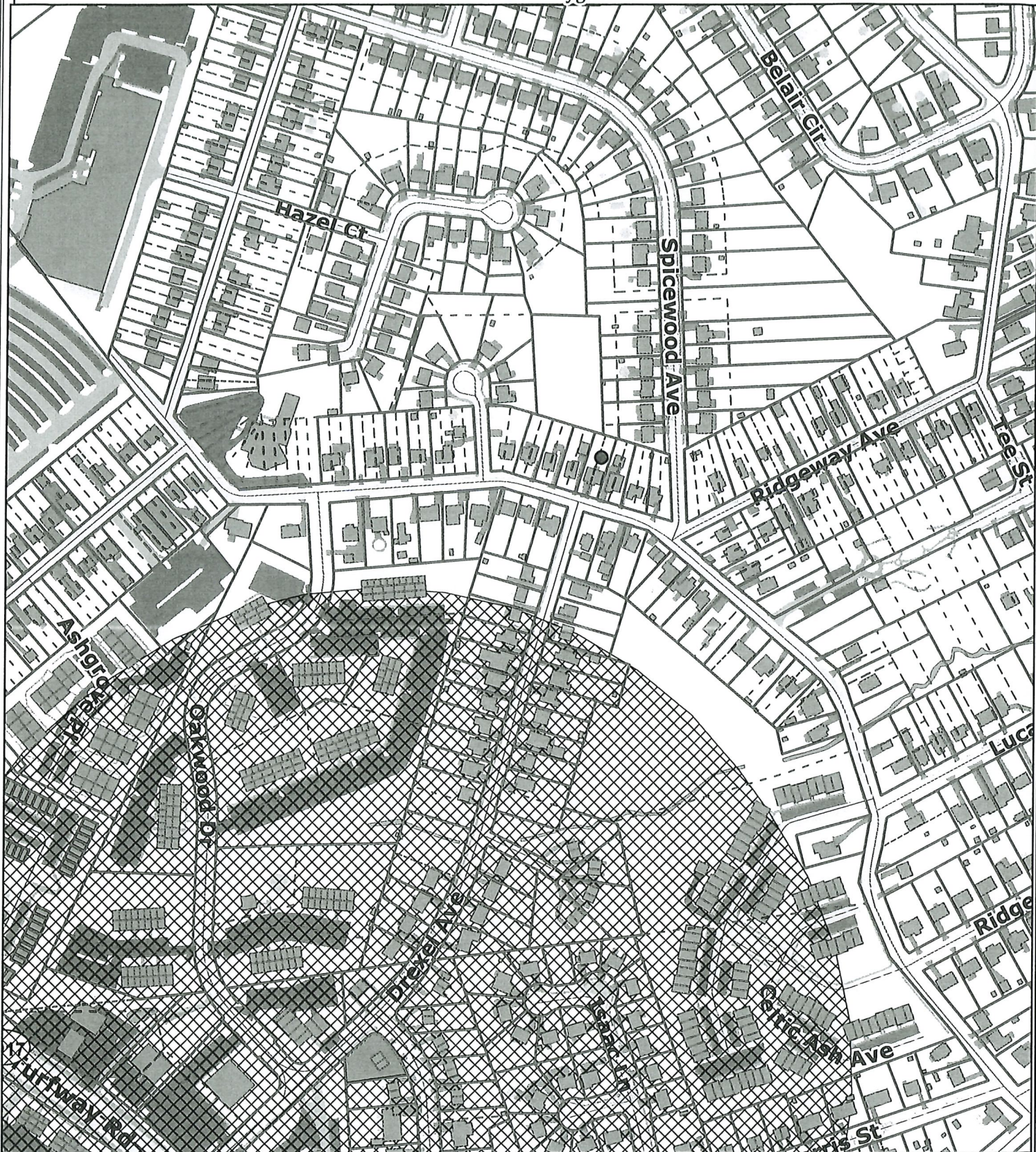
Boone County GIS - Putting Northern Kentucky on the Map

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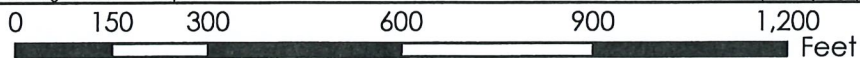
1,000' RADIUS FROM CLOSEST SHORT TERM RENTAL

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