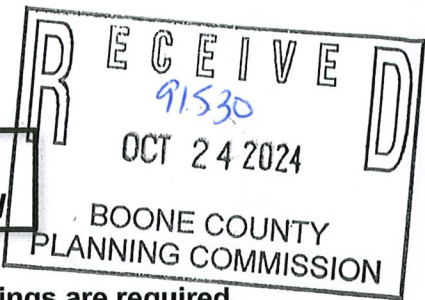


**BOARD OF ADJUSTMENT
BOONE COUNTY PLANNING COMMISSION**



One (1) scaled copy 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: BRUCE BOUCARD
Address: 209 W DILCREST CIR
FLORENCE KY 41042
City State Zip Code
Phone Number: 201-376-9030 Fax Number: _____
Email: BOUCARDRESIDENCEKY@GMAIL.COM
4. Description of Request:
Property will be used as a Short Term Rental unit.
5. Name of Development: Short term rental.
6. Location of Development: 209 W. Dilcrest Dr.
Florence Ky 41042
City State Zip Code
7. Acreage Under Review: _____
8. Lot Number and Name of Subdivision (if part of a subdivision):
LOT 84 SEC 5A DILCREST MANOR (62F-83)
9. Current Owner: PROVIDENCE REALTY LLC
Address: 202 W DILCREST CIR
FLORENCE KY 41042
City State Zip Code
Phone Number: 201-376-9030 Fax Number: _____
Email: BOUCARDRESIDENCEKY@GMAIL.COM

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

1. Date Received: 10/24/24 Fee Received: \$816 Receipt #: 91530

2. Is application complete:

3. Staff Reviewer: Sten Self

4. Scheduled Board Action Date: 12-11-24

5. Board Action: 12-11-24

- Approved
- Approved with Conditions (see #6)
- Denial (See #7)

6. Conditions of Approval: 1. Occupancy shall be limited to a maximum of ten (10) guests.
2. 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.

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
plancom@boonecountyky.org
www.boonecountyky.org

STAFF REPORT

#1

APPLICANT: Bruce Boucard/Providence Realty, LLC

LOCATION: 209 W Dilcrest Cir, Florence, Kentucky

ZONING: Residential One Family (R-1F)

DATE: December 11, 2024

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

1971 The subject site was approved as Lot 84 of Dilcrest Subdivision, Section VA on May 19, 1971.

1986 The subject site has been zoned R-1F since 1986.

APPLICABLE REGULATIONS

- A. Section 202.C of the Boone County Zoning Regulations states that one of the duties of the Board of Adjustment is to grant conditional uses permits to allow the proper integration into the community of uses which are specifically named in the zoning regulations which may be suitable only if specific locations in the district and only if certain conditions are met.
- B. The Board should evaluate the request as it relates to the criteria necessary for granting a Conditional Use Permit as stated in Section 205.H of the Boone County Zoning Regulations.
1. Findings listed in Section 205.H (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 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 any such services.
 - e. Will create excessive additional requirements at public cost for public facilities and services and will be detrimental to the economic welfare of

- the community.
 - f. Will 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 designed as not to create an interference with traffic on surrounding public thoroughfares.
- C. Section 505.2 of the Boone County Zoning Regulations identifies 'Short Term Rental' as Conditional Uses within the R-1F district.
- D. Section 910 A of the Boone County Zoning Regulations states that the purpose of the Residential One Family is to provide low density urban residential development that is single-family residential in character. Such districts will be located within established or proposed urban entities where adequate infrastructure facilities and services are available or proposed.
- 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':
 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.
 2. Short term rentals shall not be allowed in any area not considered a primary dwelling (i.e., recreational vehicles, tents, garages, boats, etc.).
 3. There shall be no more than two (2) adult guests per bedroom, plus no more than two (2) additional adult guests, except for the following:
 - a. There shall be a maximum occupancy of ten (10) persons, adult or children.
 - b. Bedrooms under one hundred twenty (120) square feet shall be limited to only one (1) adult occupant.
 4. Parking requirements shall be as follows:

- a. When the short term rental is located in a portion of the dwelling unit, two (2) parking spaces shall be provided for the residence and a minimum of one (1) parking space shall be provided per guest room or suite.
 - b. When the short term rental is located within the entire dwelling unit, a minimum of one (1) parking space shall be provided per guest room or suite.
 - c. All parking for a short term rental, whether required by these regulations or in excess of these regulations, shall be provided off-street.
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.
 6. The property on which the short term rental is to be located shall not be located closer than 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.
 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.
 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 City in accordance with Ordinance Number O-20-20. (Applies to the City of Florence Only)
 - b. 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)
 - c. To advertise or offer a short term rental without first registering the property in which the short term rental is to occur with the City in accordance with Ordinance Number O-20-20. Documented advertising 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)
 - d. 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)
 - e. To operate a short term rental that does not comply with all applicable city, county, and state laws and codes.
 - f. To operate a short term rental without paying the required hotel occupancy taxes.

- g. To offer or allow the use of a short term rental in a manner which violates the City Noise Ordinance (O-16-95). (Applies to the City of Florence Only)
 - h. 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.
 - i. Permit the use of the short term rental for any illegal purposes or any use not permitted by the residential zoning regulations.
9. 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 as Suburban Density Residential, which is described 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:
- 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. W Dilcrest is a City of Florence maintained local cul-de-sac street providing for two-way traffic. There are no sidewalks along either side of the roadway.

SITE CHARACTERISTICS

- A. The approximate 0.4 acre area is located along the northeast side of West Cobblestone Court, approximately a half mile (0.5) southeast of US 42 Highway.
- B. The site has approximately one hundred (100) feet of frontage along W Dilcrest.
- C. Access to the site is provided by a single curb cut onto W Dilcrest.
- D. The site is currently occupied by four-bedroom detached single-family residential structure, with an attached two-car garage.
- E. The site can accommodate parking for two (2) cars in the garage and more than two (2) cars on the driveway.
- F. Topographically, the site is sloped to the northwest at an average of 7.5% grade.

SURROUNDING LAND USES AND ZONING

North: Single-family residential dwelling (R-1F)
South: Single-family residential dwelling (R-1F)
East: Single-family residential dwelling (R-1F)
West: Single-family residential dwelling (R-1F)

PROPOSED DEVELOPMENT

- A. The applicant is proposing to use the four (4) bedroom house as a short term rental.

STAFF COMMENTS

- A. The site is located along W Dilcrest, a local cul-de-sac street.
- B. The site is located approximately 2,300 feet from the nearest approved Short Term Rental.
- C. It takes three (3) turning movement to get to the site in question from the nearest arterial street, which is US 42.

- D. Should the Board take action to approve the submitted request, Staff is suggesting the following conditions be considered as part of that action:
1. Occupancy shall be limited to a maximum of ten (10) guests.
 2. 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.

CONCLUSION

- A. KRS 100.237 and Section 202.C 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,



Steven C. Lilly, PLS
Planner, Zoning Services

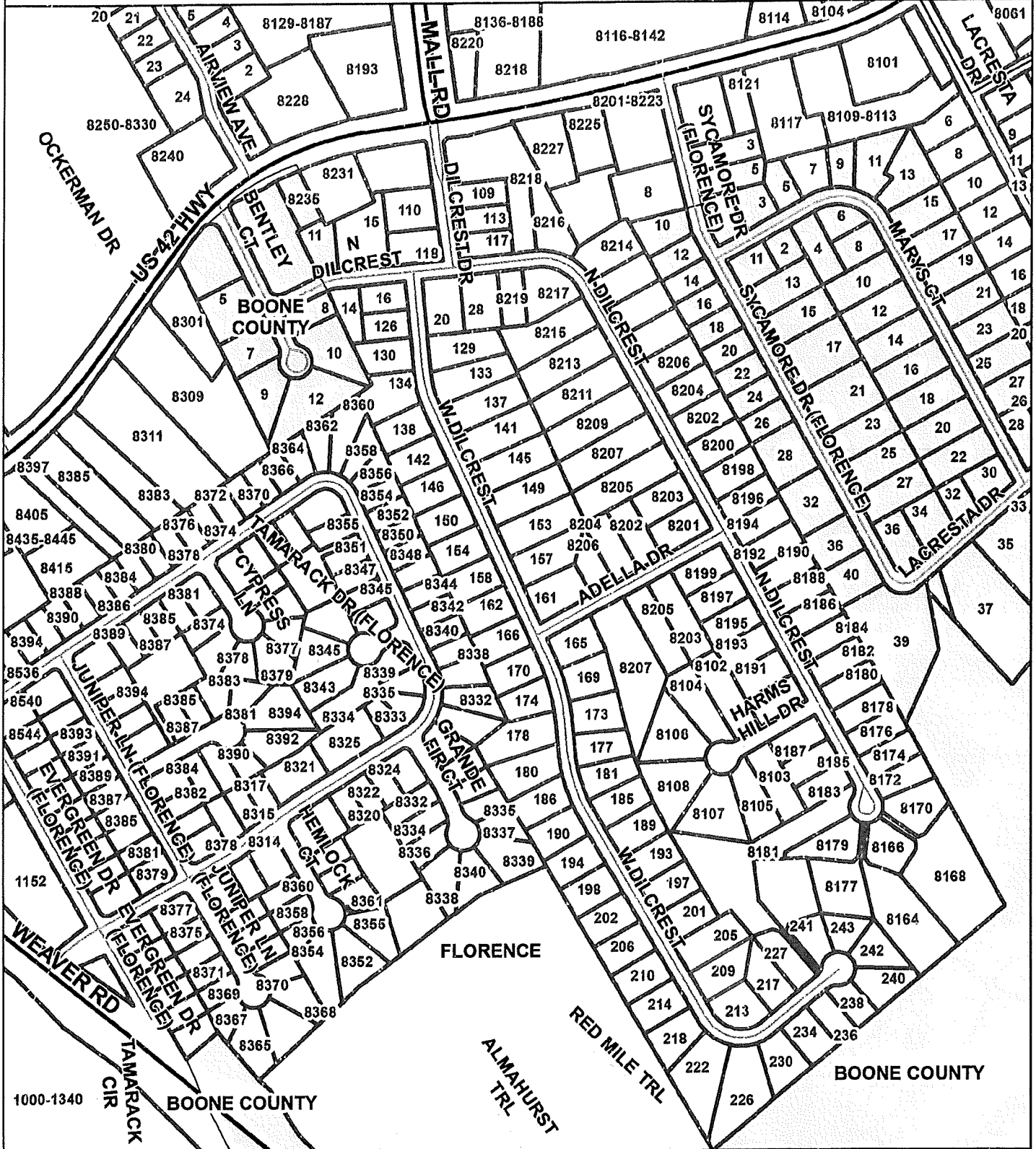
SCL

Attachments

- *Vicinity Map
- *Topographic Map
- *Zoning Map
- *Aerial Map
- *Application
- *Floor Plans
- *City of Florence Short Term Rental Permit Application

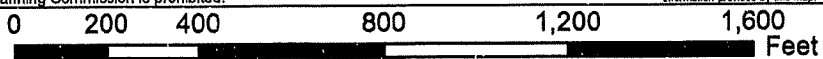
Vicinity Map

www.boonecountygis.com



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1 inch = 400 feet

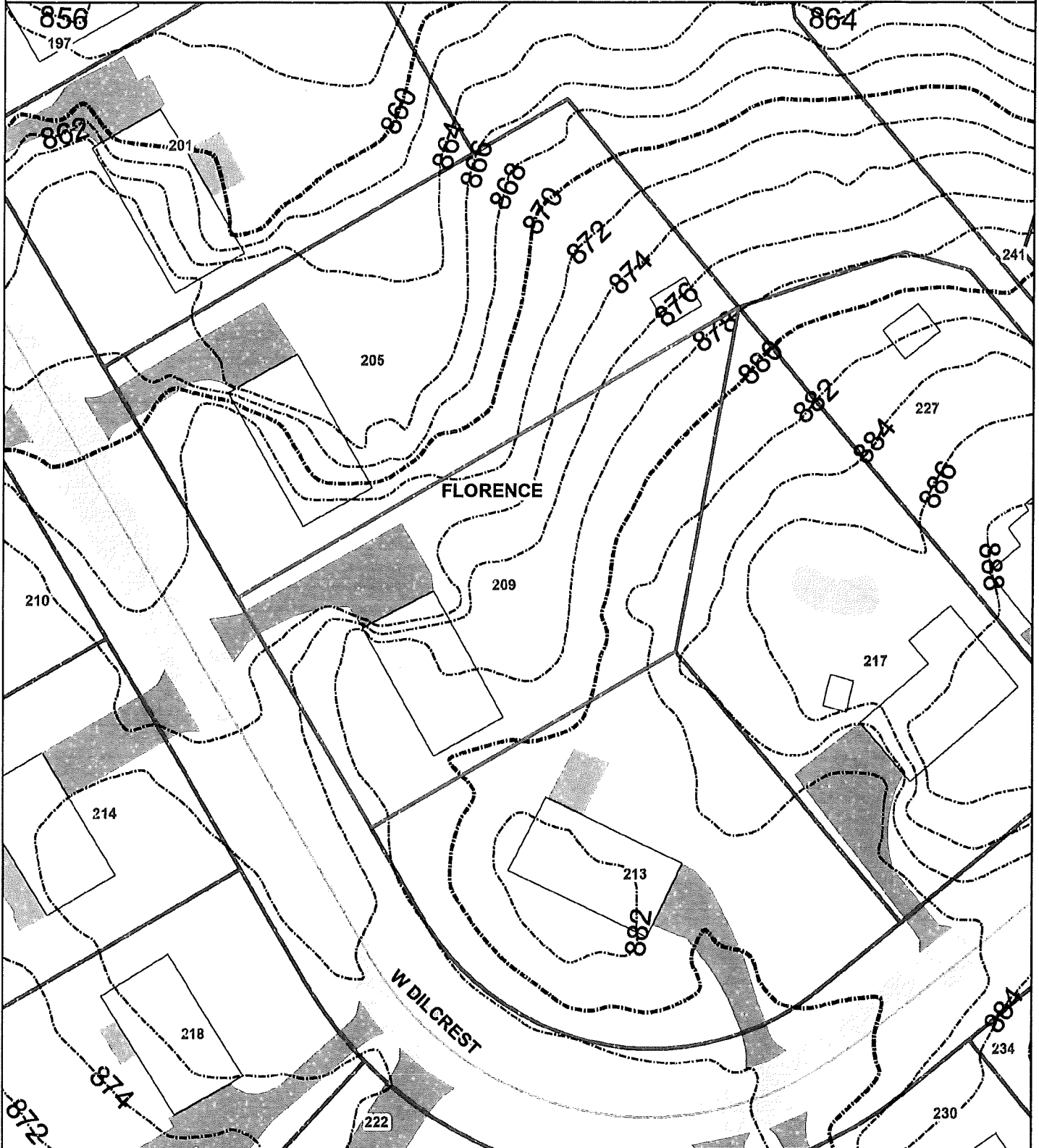


Boone County GIS - Putting Northern Kentucky on the Map

Boone County GIS
ArcMap Document (*.mxd)

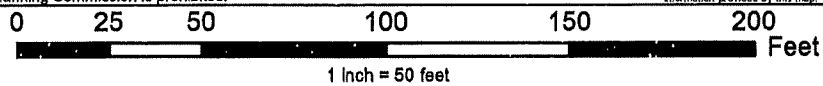
Topographical Map

www.boonecountygis.com



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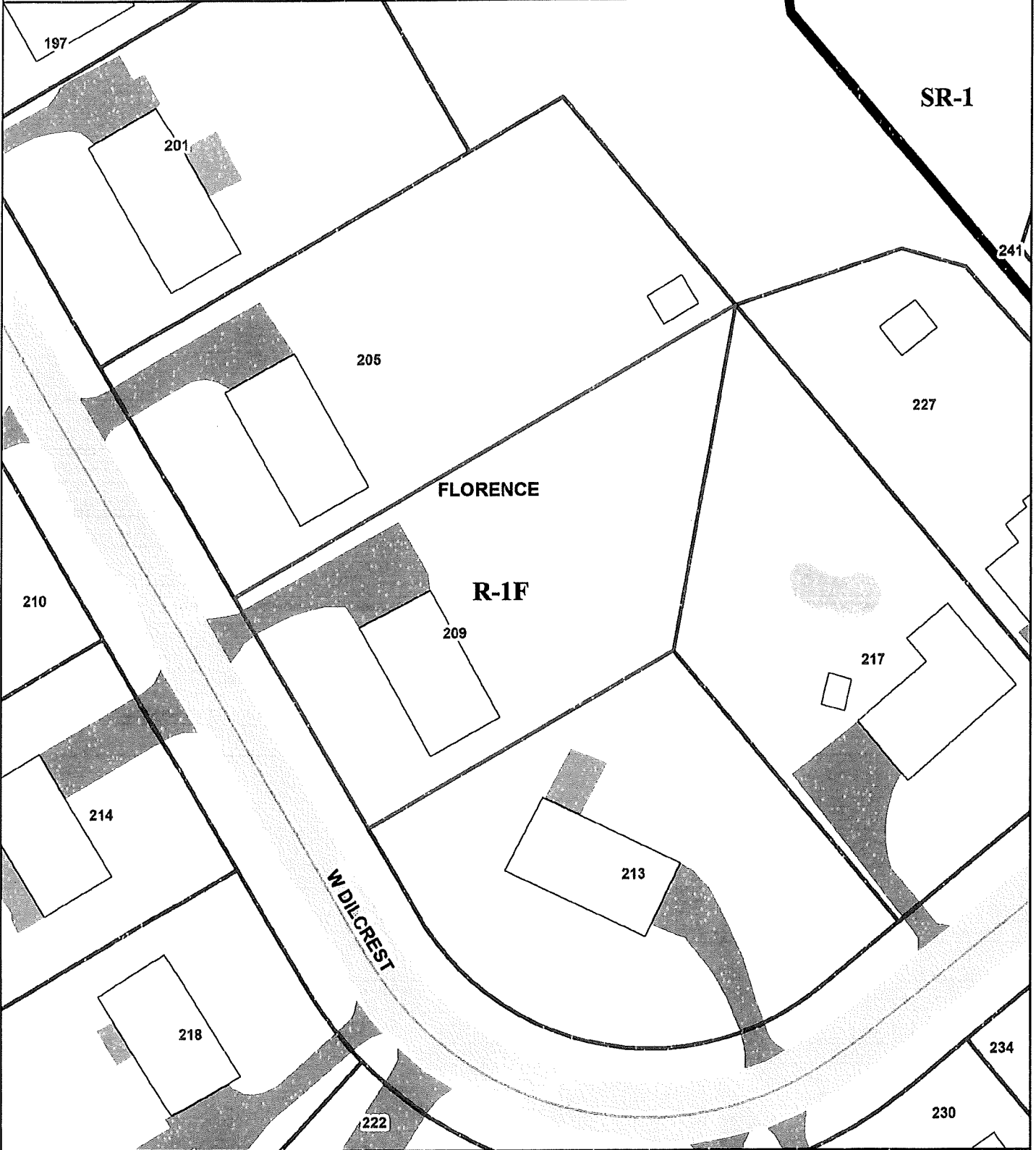


Boone County GIS - Putting Northern Kentucky on the Map

Boone County GIS
ArcMap Document (*.mxd)

Zoning Map

www.boonecountygis.com



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0 25 50 100 150 200 Feet

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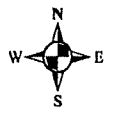
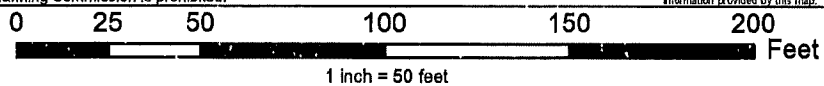
Aerial Map

www.boonecountygis.com



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Boone County GIS - Putting Northern Kentucky on the Map

Boone County GIS
ArcMap Document: *.mxd

**BOARD OF ADJUSTMENT
BOONE COUNTY PLANNING COMMISSION**

RECEIVED
91530
OCT 24 2024
BOONE COUNTY
PLANNING COMMISSION

One (1) scaled copy 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)

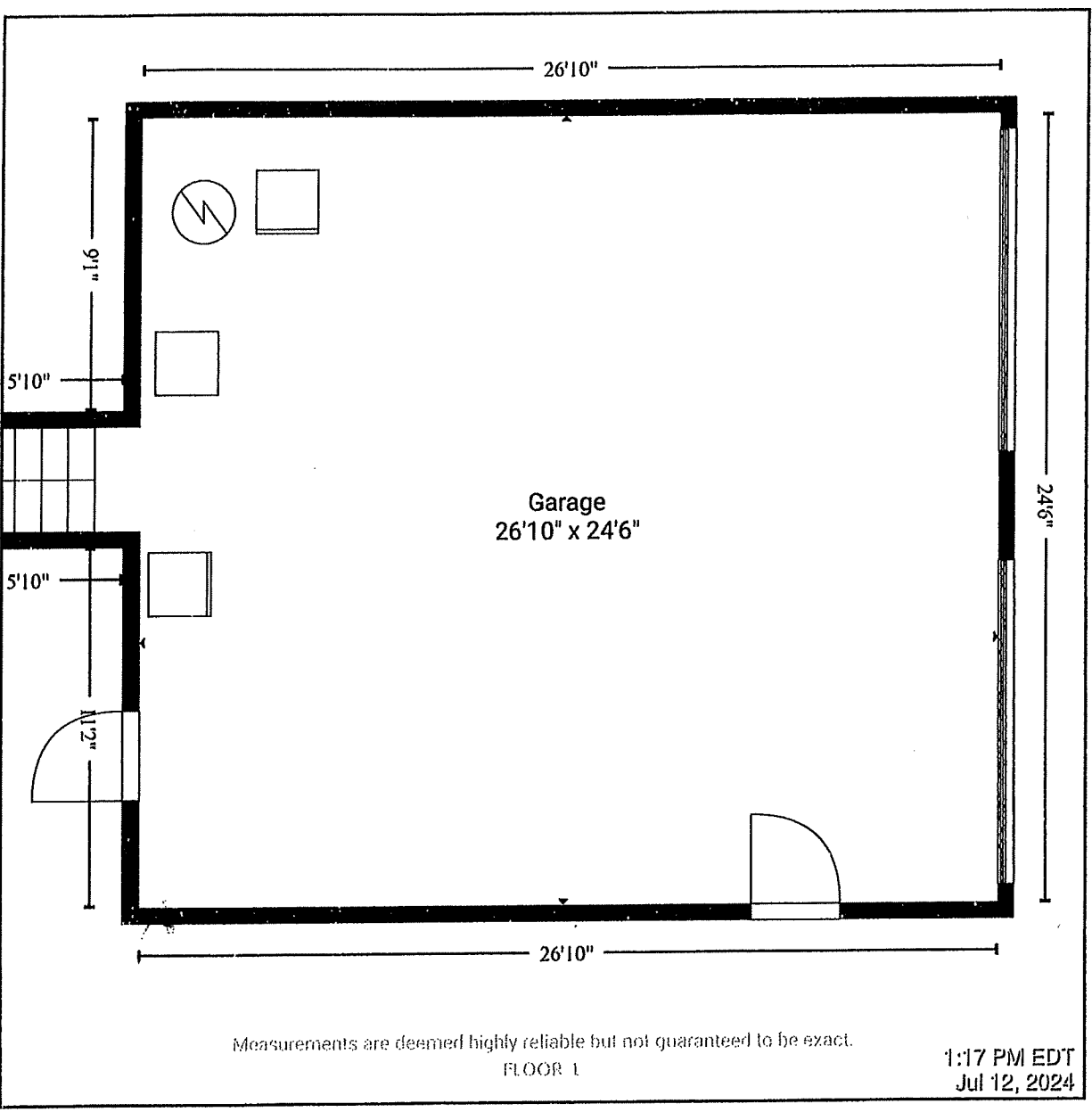
1. Check One Boone Florence Walton Union
2. Check One Conditional Use Permit Variance Appeal
 Change in Non-Conforming Use
3. Applicant: BRUCE BOUCARD
Address: 209 W DILCREST CIR
FLORENCE KY 41042
City State Zip Code
Phone Number: 201-376-9030 Fax Number: _____
Email: BOUCARDRESIDENCEKY@GMAIL.COM
4. Description of Request:
Property will be used as a Short Term Rental unit.
5. Name of Development: short term rental.
6. Location of Development: 209 W. Dilcrest Dr.
Florence Ky 41042
City State Zip Code
7. Acreage Under Review: _____
8. Lot Number and Name of Subdivision (if part of a subdivision):
LOT 84 SEC 5A DILCREST MANOR (62F-83)
9. Current Owner: PROVIDENCE REALTY LLC
Address: 202 W DILCREST CIR
FLORENCE KY 41042
City State Zip Code
Phone Number: 201-376-9030 Fax Number: _____
Email: BOUCARDRESIDENCEKY@GMAIL.COM

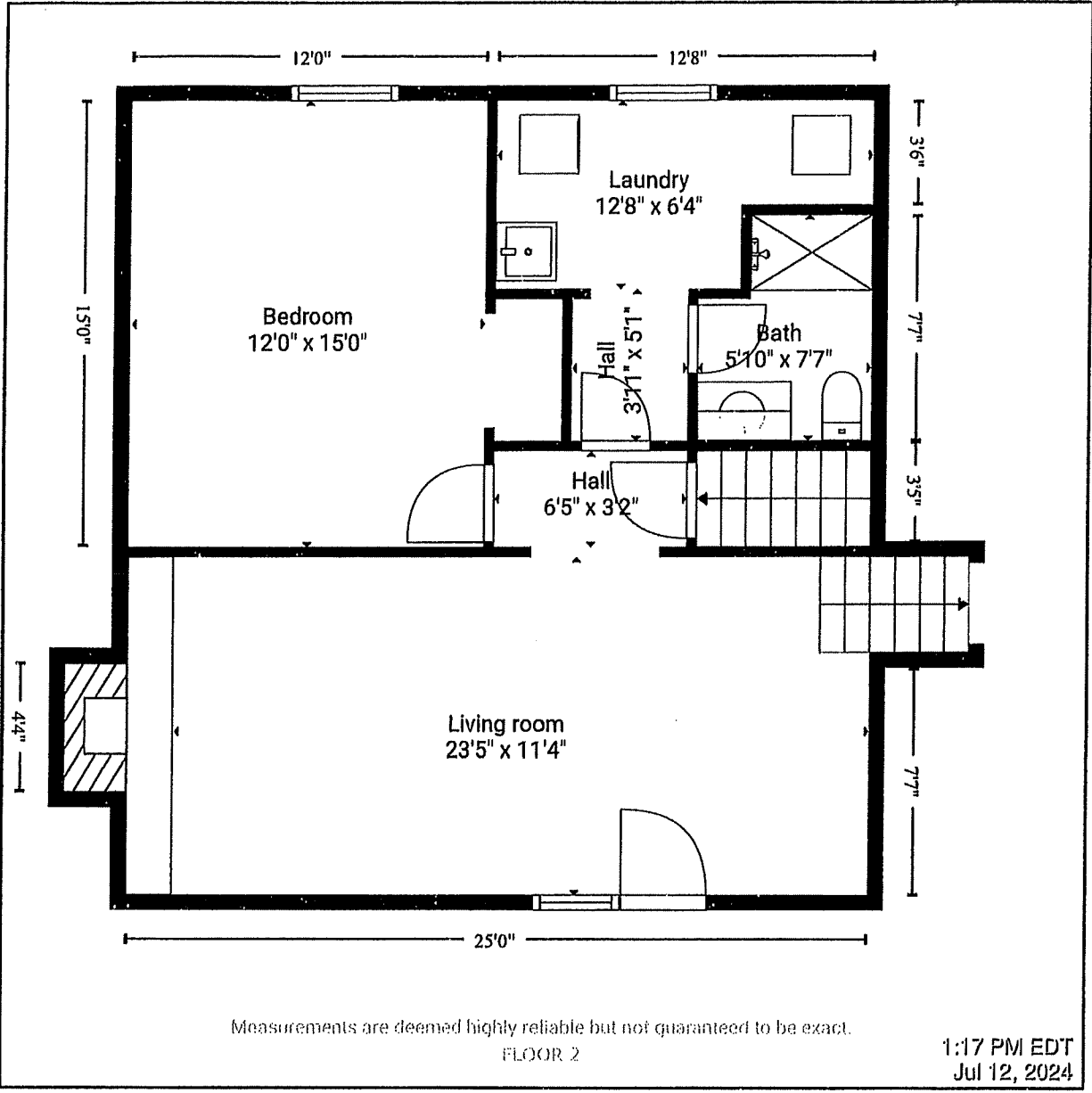
10. Proposed Use(s) on Site: Short TERM RENTAL
11. Total Square Footage of Existing and/or Proposed Buildings: _____
12. Current Zoning: R-1F Residential
13. D 1189 952 - 954 1081
Deed Book Page Group Number
14. Is the site subject to a zone change: Yes No
If yes, date of approval: _____
15. Have you 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.

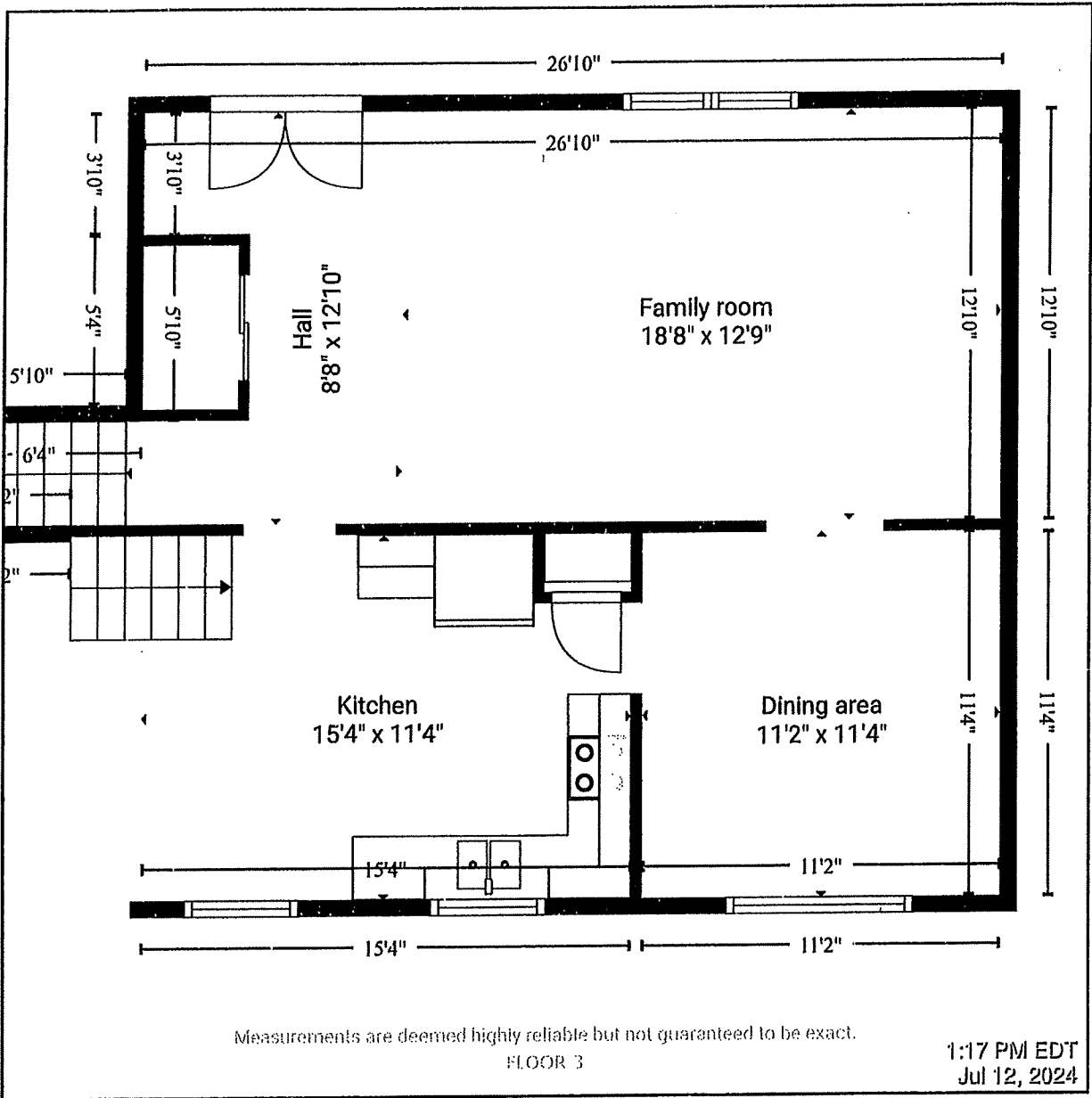
Property Owner's Signature: _____ 

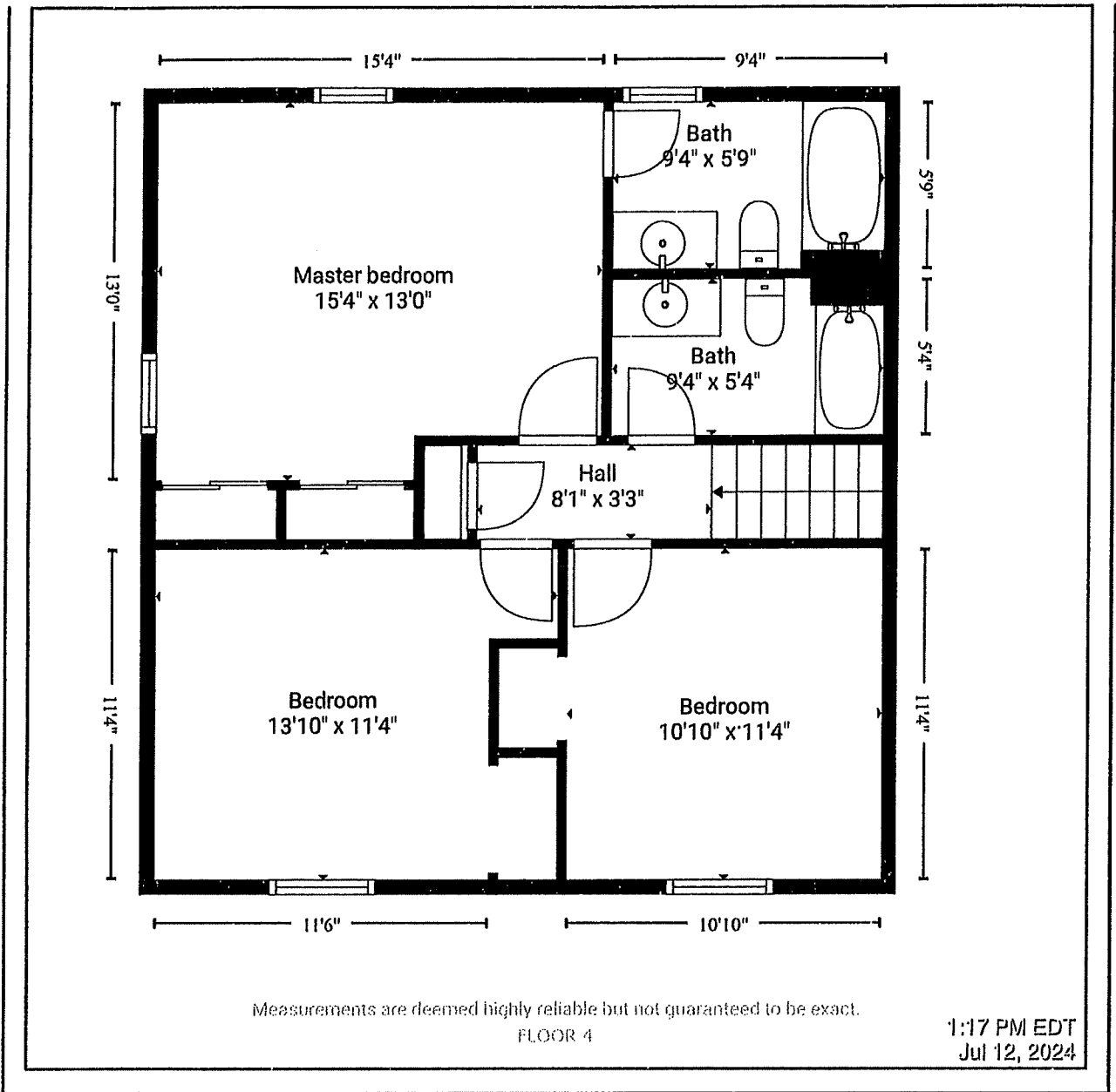
Applicant's Signature: _____ 

FloorPlan: Floor plan 1











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

APPLICANT INFORMATION:

Name/Primary Owner: BRUCE BOUCARD
Mailing Address: 222 W DILCREST Gr Phone: _____
City: Florence State: KY Zip: 41042
Email Address: BOUCARDRESIDENCEKY@GMAIL.COM

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

Name/Primary Owner: BRUCE BOUCARD
Mailing Address: 222 W DILCREST Gr Phone: 201-376-9030
City: FLORENCE State: KY Zip: 41042
Email Address: BOUCARDRESIDENCEKY@GMAIL.COM

SHORT TERM RENTAL UNIT INFORMATION:

Address of Property: 209 W DILCREST CIR
Number of Bedrooms: 4
Maximum Number of Occupants: 10

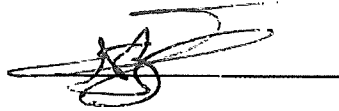
The below documents are required prior to processing:

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

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. BB (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.

BRUCE BOUCARD



10/18/2024

Name (Print)

Signature

Date

For Official Use Only- Approvals/Denial

City of Florence Planning Commission _____ Date: _____

Issuance of License is:

Approved

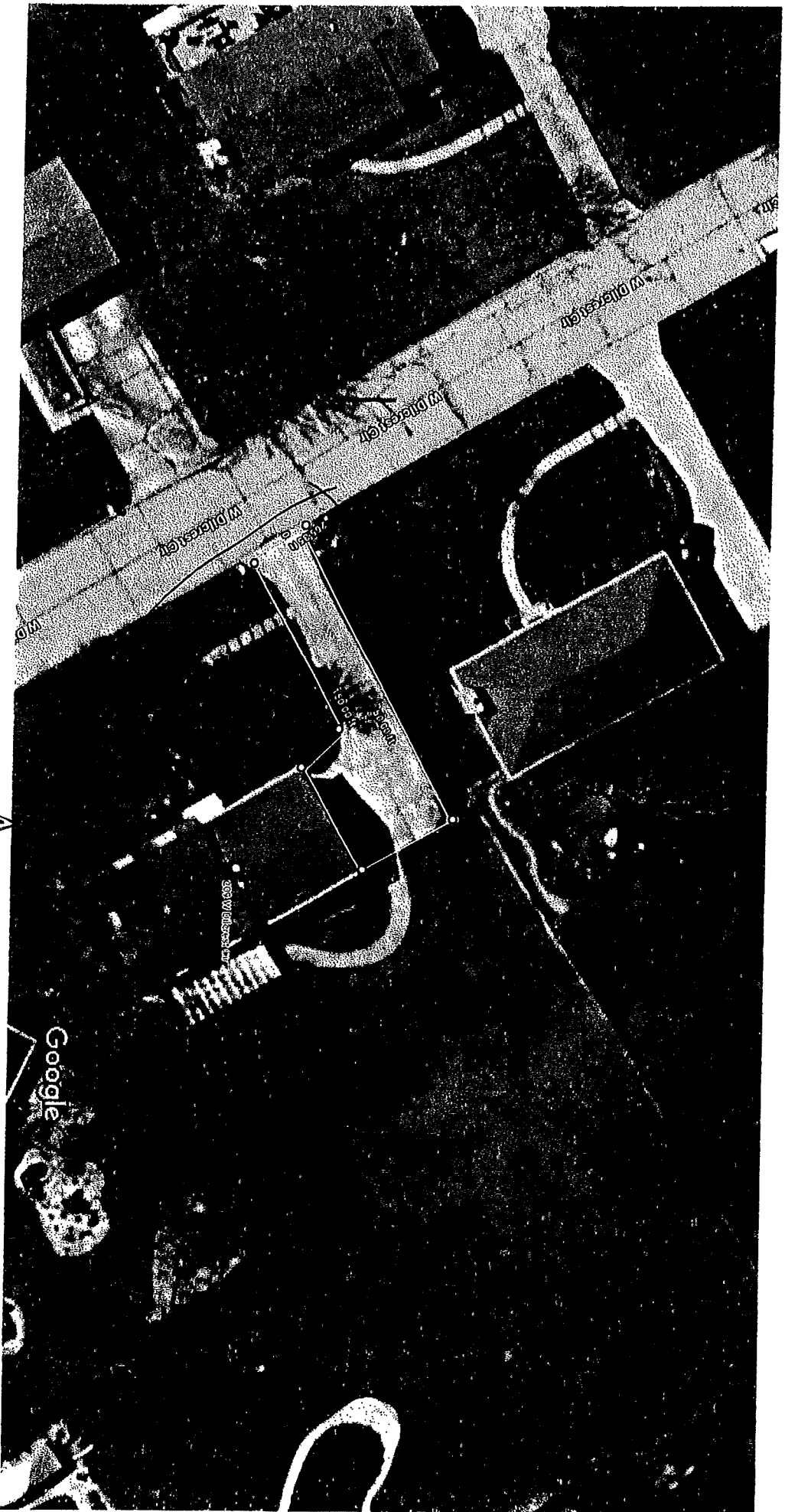
Denied (Notification to Applicant Attached)

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

Google Maps

Parking

Parking Space/Survey using google map



Map data ©2024, Map data ©2024 20 ft

Google Maps

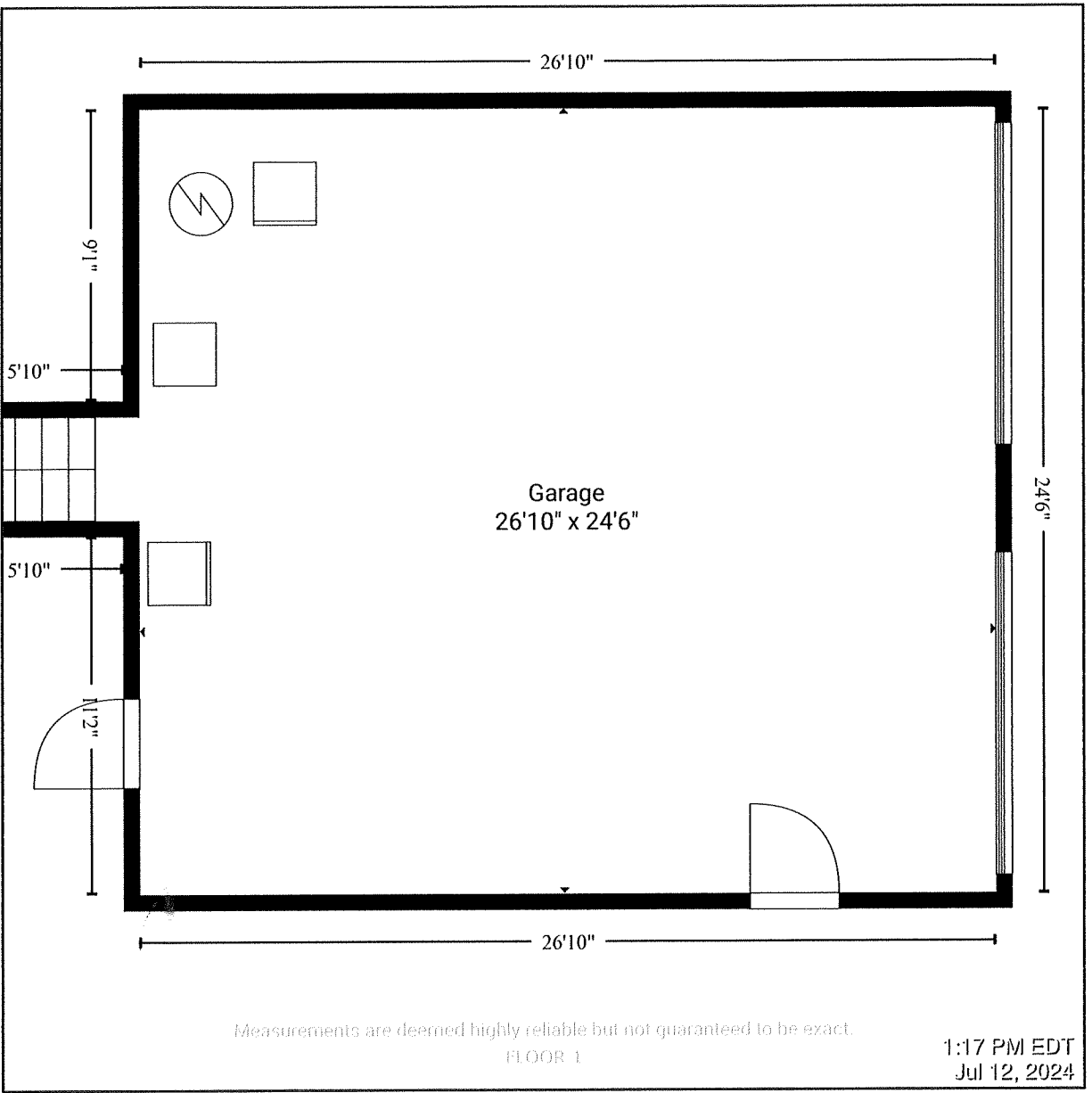
Parking

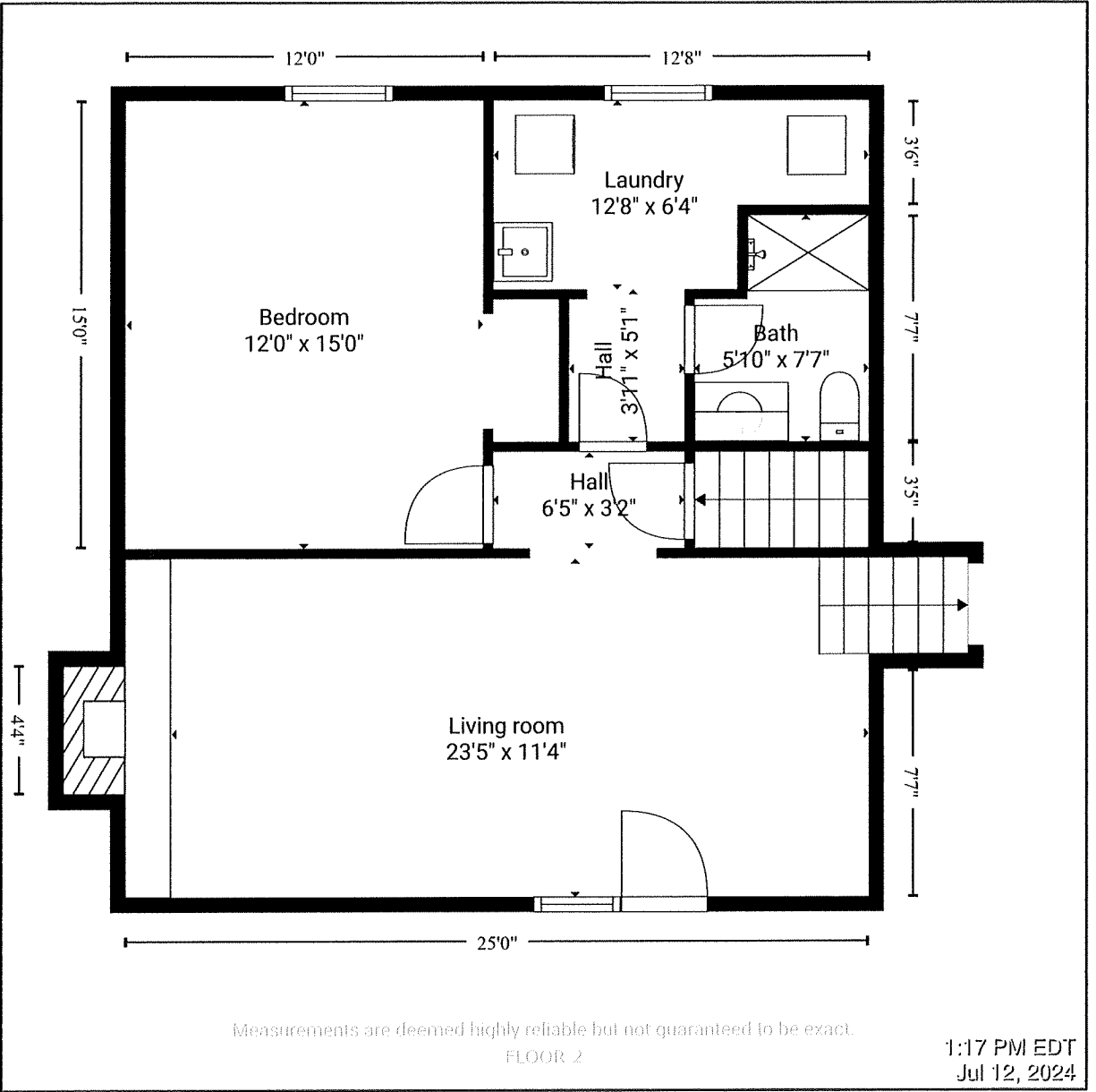
Parking Space/Survey using google map

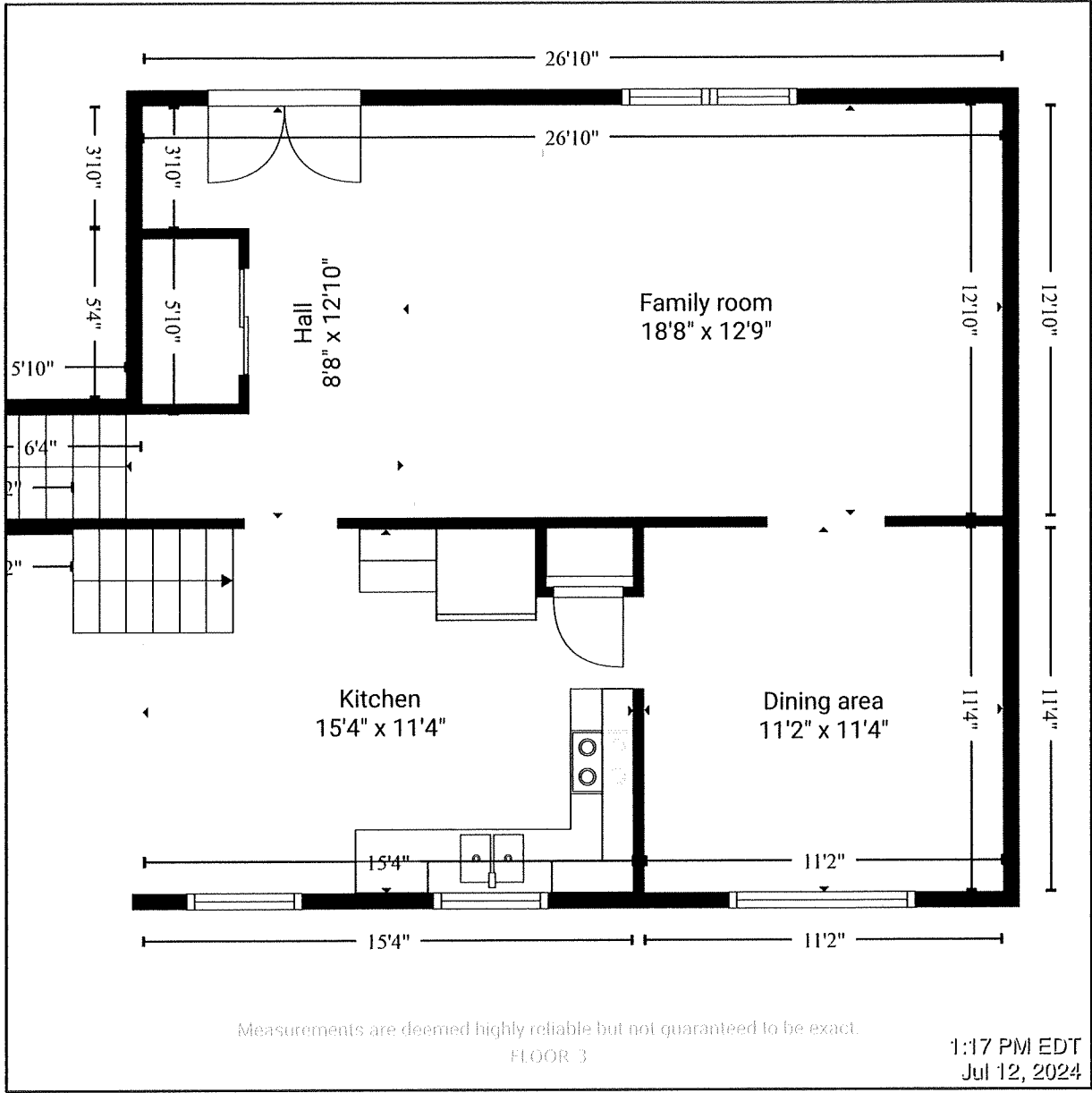


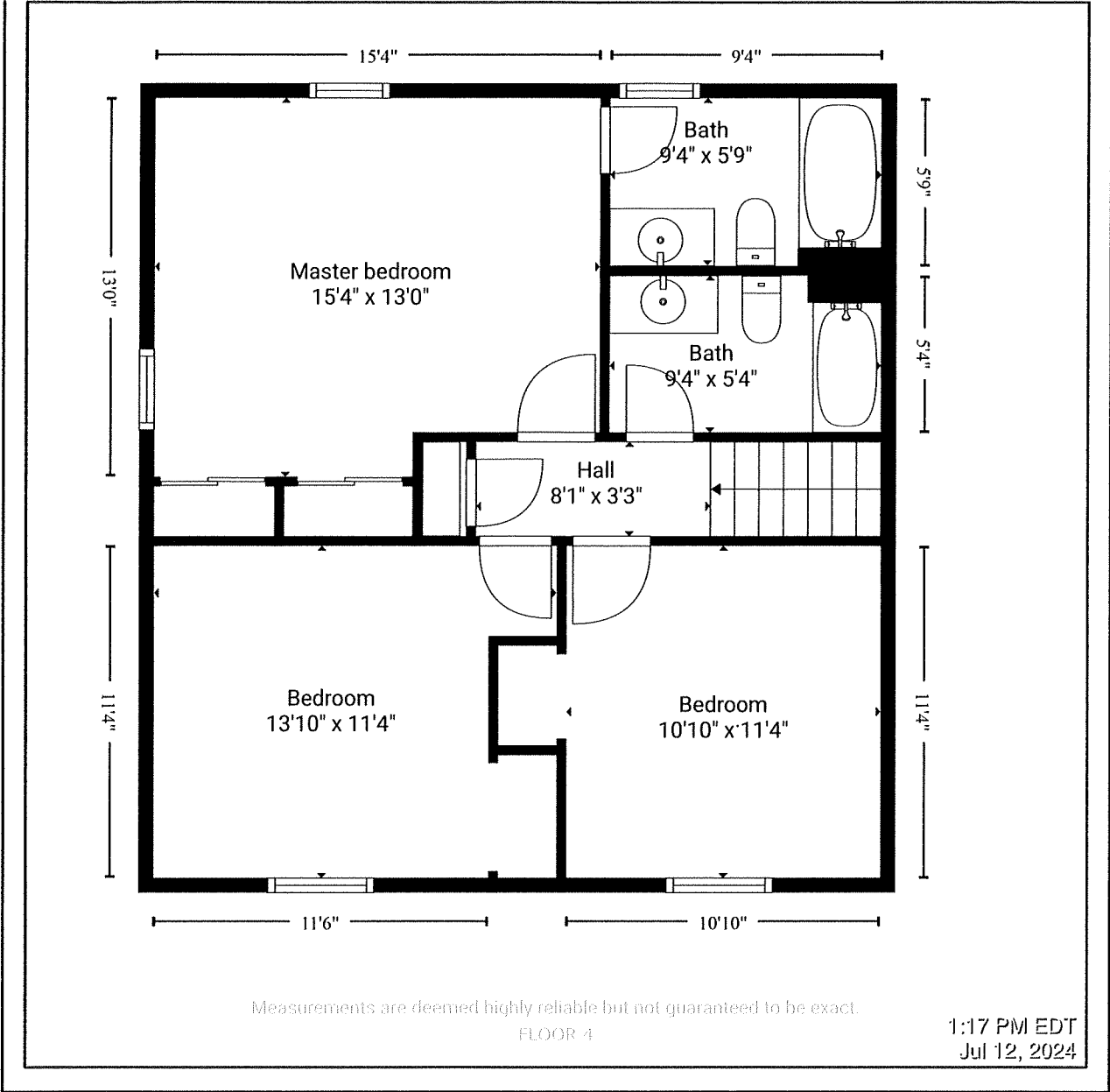
Map data ©2024, Map data ©2024 20 ft

FloorPlan: Floor plan 1









CERTIFICATE OF LAND USE RESTRICTION

- 1. NAME AND ADDRESS OF PROPERTY OWNER(S)
Providence Realty LLC
222 W Dilcrest Cir
Florence, KY 41042

- 2. ADDRESS OF PROPERTY
209 W Dilcrest Cir
Florence, KY 41042
- 3. NAME OF SUBDIVISION OR DEVELOPMENT (if applicable)
Boucard Short Term Rental

- 4. DEED BOOK 1189 PAGE NO. 952 GROUP NO. 2048B

- 5. TYPE OF RESTRICTION(S) (Check all that apply)
 Zoning Map Amendment:
 From _____ To _____ Conditional Use Permit
 Development Plan Conditional Zoning
 Subdivision Plat Other:
 (Not Recorded)
 Variance

- 6. NAME AND ADDRESS OF PLANNING COMMISSION, BOARD OF ADJUSTMENT, LEGISLATIVE BODY OR FISCAL COURT WHICH MAINTAINS THE ORIGINAL RECORDS CONTAINING THE RESTRICTION

BOONE COUNTY PLANNING COMMISSION
2950 WASHINGTON STREET, ROOM 317
P.O. BOX 958
BURLINGTON, KENTUCKY 41005



SIGNATURE OF COMPLETING OFFICIAL

Steven C. Lilly, Planner

Name and Title of Completing Official

COMMONWEALTH OF KENTUCKY

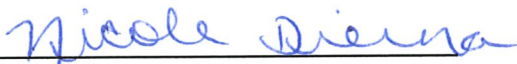
COUNTY OF BOONE

Subscribed, sworn to, and acknowledged before me by Steven C. Lilly on behalf of the Boone
County Planning Commission this 11th day of December, 2024.

Treva L. Beagle
Notary ID KYNP37603
NOTARY PUBLIC, State at Large

My commission Expires:
November 12, 2025

This instrument was prepared for recording purposes only by:



Nicole Dierna
Boone County Planning Commission
2950 Washington Street, Room 317
P.O. Box 958
Burlington, Kentucky 41005

NO TITLE EXAMINATION

(Legal Description and source of Title and Group Number furnished by the applicant.)

CONDITIONS OF APPROVAL

The following Conditions of Approval apply to the Conditional Use Permit approved by the Florence Board of Adjustment and in accordance with the current zoning in effect as of December 11, 2024, Certificate of Land Use Restriction (#24-FBOA-007-A), for Providence Realty LLC, Property Owner(s).

The following conditions will apply:

1. Occupancy shall be limited to a maximum of ten (10) guests.
2. 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.

The approved Conditional Use Permit, as well as the preceding conditions, apply to the property described in:

DEED BOOK 1189

PAGE NO. 952

GROUP NO. 2048B