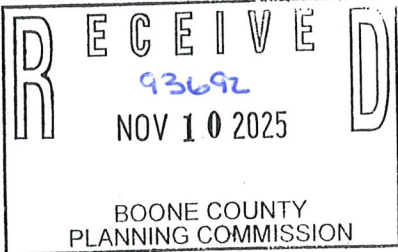


**BOARD OF ADJUSTMENT  
BOONE COUNTY PLANNING COMMISSION**



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: Caspian Midwest LLC (Ali Balapour)  
Address: 4020 Denny In,  
Union KY 41091  
City State Zip Code  
Phone Number: 4795028400 Fax Number: \_\_\_\_\_  
Email: a.balapoor@gmail.com
4. Description of Request:  
Short-term rental license request for 8469 Pheasant Dr. Florence KY 41042
5. Name of Development: \_\_\_\_\_
6. Location of Development: 8469 pheasant Dr  
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: Caspian Midwest LLC  
Address: 4020 Denny In  
Union KY 41091  
City State Zip Code  
Phone Number: 4795028400 Fax Number: \_\_\_\_\_  
Email: a.balapoor@gmail.com

10. Proposed Use(s) on Site: Short-term Rental
11. Total Square Footage of Existing and/or Proposed Buildings: 1500
12. Current Zoning: R1F
13. 1244 141 203A  
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: *A. Balapour*

Applicant's Signature: 11/10/2025 *A. Balapour*

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

1. Date Received: 11/10/2025 Fee Received: \$816.00 Receipt #: 93692

2. Is application complete: \_\_\_\_\_

3. Staff Reviewer: Sten Self

4. Scheduled Board Action Date: 12/10/25

5. Board Action: 12/10/25

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

6. Conditions of Approval: 1) The CUP shall be limited to the lot and house with the address of 8469 Pheasant Drive, Florence, Ky.  
2) That the applicant update their brochure per the City of Florence suggestions as written in the staff report.  
3) That the STR shall comply with Section 3191 and City ordinances

7. Reasons for Denial: 0-20-20 and 0-16-95.

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](mailto:plancom@boonecountyky.org)  
[www.boonecountyky.org](http://www.boonecountyky.org)

## STAFF REPORT

#1

APPLICANT: Ali Balapour/Caspian Midwest LLC

LOCATION: 209 W Dilcrest Cir, Florence, Kentucky

ZONING: Residential One Family (R-1F)

DATE: December 10, 2025

### 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 88 & 89 of Pheasant Run Subdivision, Section 2 on December 5, 1979.
- 1986 The subject site has been zoned R-1F since 1986.
- 2025 A final plat application subdividing the property into two lots was approved on November 18, 2025.

### 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

- e. 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. Pheasant Drive is a City of Florence maintained local street providing for two-way traffic. There are sidewalks along both sides of the roadway.

#### SITE CHARACTERISTICS

- A. The approximate 0.6-acre area is located along the southwest side of Pheasant Drive, approximately a quarter (0.25) mile north of the intersection with Hopeful Church Road.
- B. The site has approximately one hundred and fifty-five (155) feet of frontage along Pheasant Drive.
- C. Access to the site is provided by a single curb cut onto Pheasant Drive.
- D. The site is currently occupied by three-bedroom detached single-family residential structure, with an attached two-car garage.
- E. The site can accommodate parking for one (1) car in the garage and four (4) cars on the driveway.
- F. Topographically, the site is sloped to the southwest at an average of 5.5% 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 three (3) bedroom house as a short-term rental.

CITY OF FLORENCE COMMENTS

The City of Florence supports short-term rentals when they comply with all applicable regulations and ordinances. As a result, I would like the applicant to address the following:

1. Has familiarity with Section 3191 of the Boone County Zoning Regulations.
2. Has familiarity with City of Florence Ordinance O-20-20.
3. Has familiarity with City of Florence Ordinance O-16-95.

His preliminary information brochure needs to be updated to include:

1. Street parking is not permitted (see Section 3191 D. 3. of the Boone County Zoning Regulations and Section VI of Ordinance O-20-20).
2. Restrictions on noise, amplified sound, and parties (see Section 3191 H. 8. of the Boone County Zoning Regulations, Section VI of Ordinance O-20-20 and Ordinance O-16-95).
3. Trash collection (see Section VI of Ordinance O-20-20)
4. Policy regarding pets (see Section VI of Ordinance O-20-20)

The city would also like him to address the following at the Public Hearing:

1. Will renters be monitored?
2. How will he deal with rule violations? Will the rental agreement contain a clause which allows him to immediately evict renters/guests that violate the rules?
3. Are any additional outside improvements proposed?

STAFF COMMENTS

- A. The site is located along Pheasant Drive, a local street.
- B. The site is located approximately 2,100 feet from the nearest approved Short-Term Rental.
- C. It takes a single turning movement to get to the site in question from the nearest arterial

street, which is Hopeful Church Road.

- 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 seven (7) 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

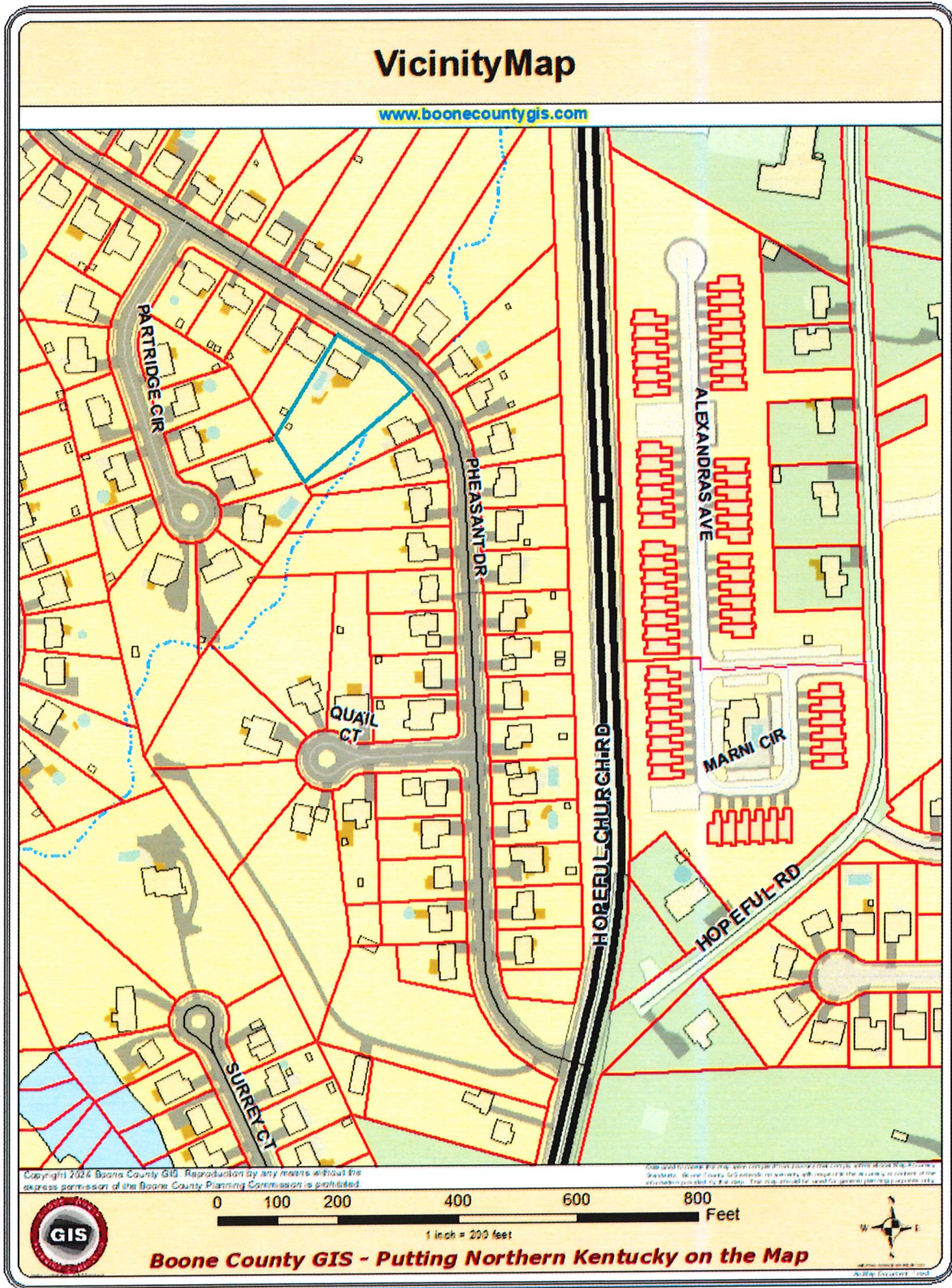
- A. KRS 100.237 and Section 202.C of the Boone County Zoning Regulations give the Boone County Board of Adjustment and Zoning Appeals the authority to act on the Conditional Use Permit request.

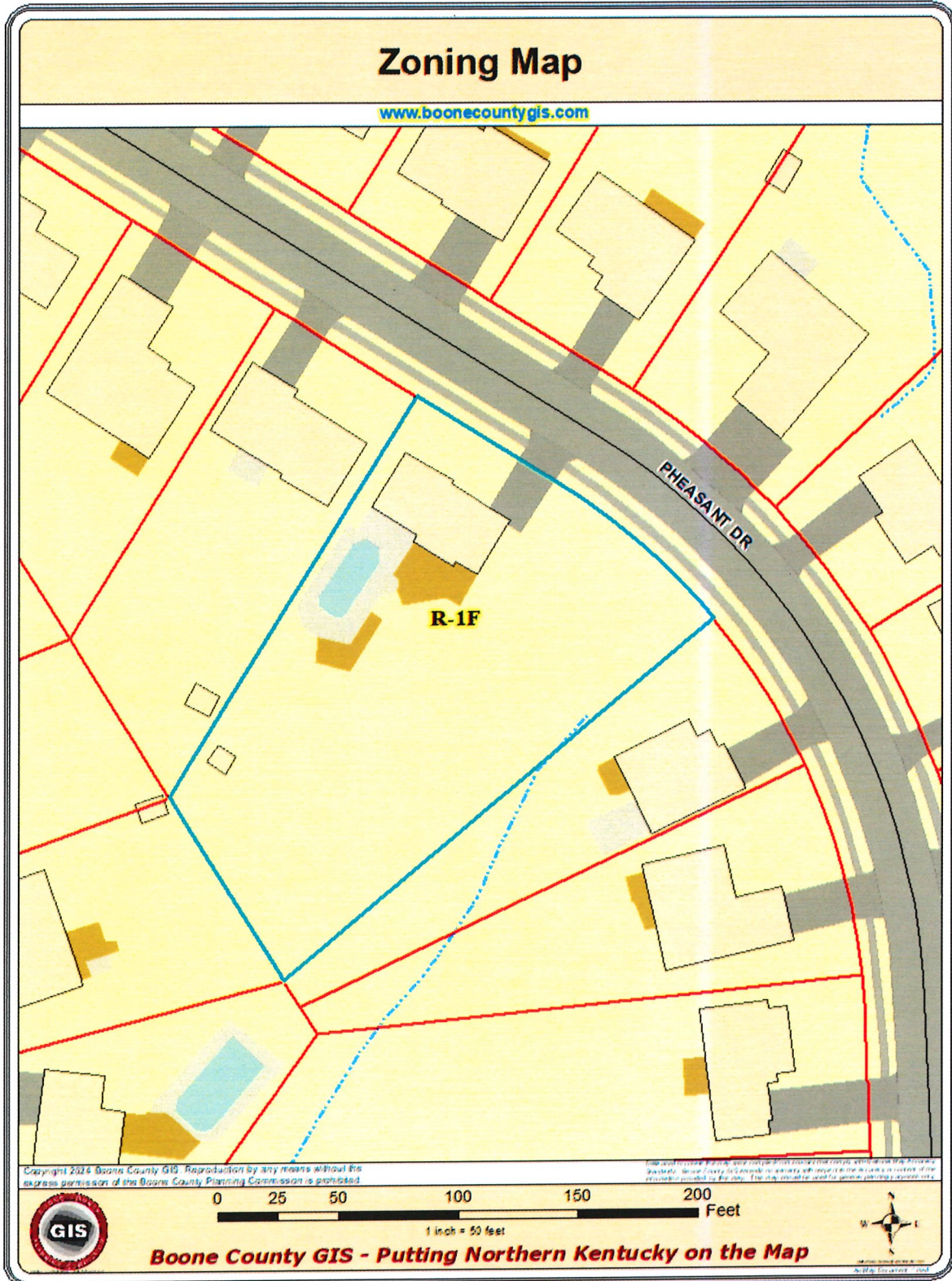
Respectfully Submitted,



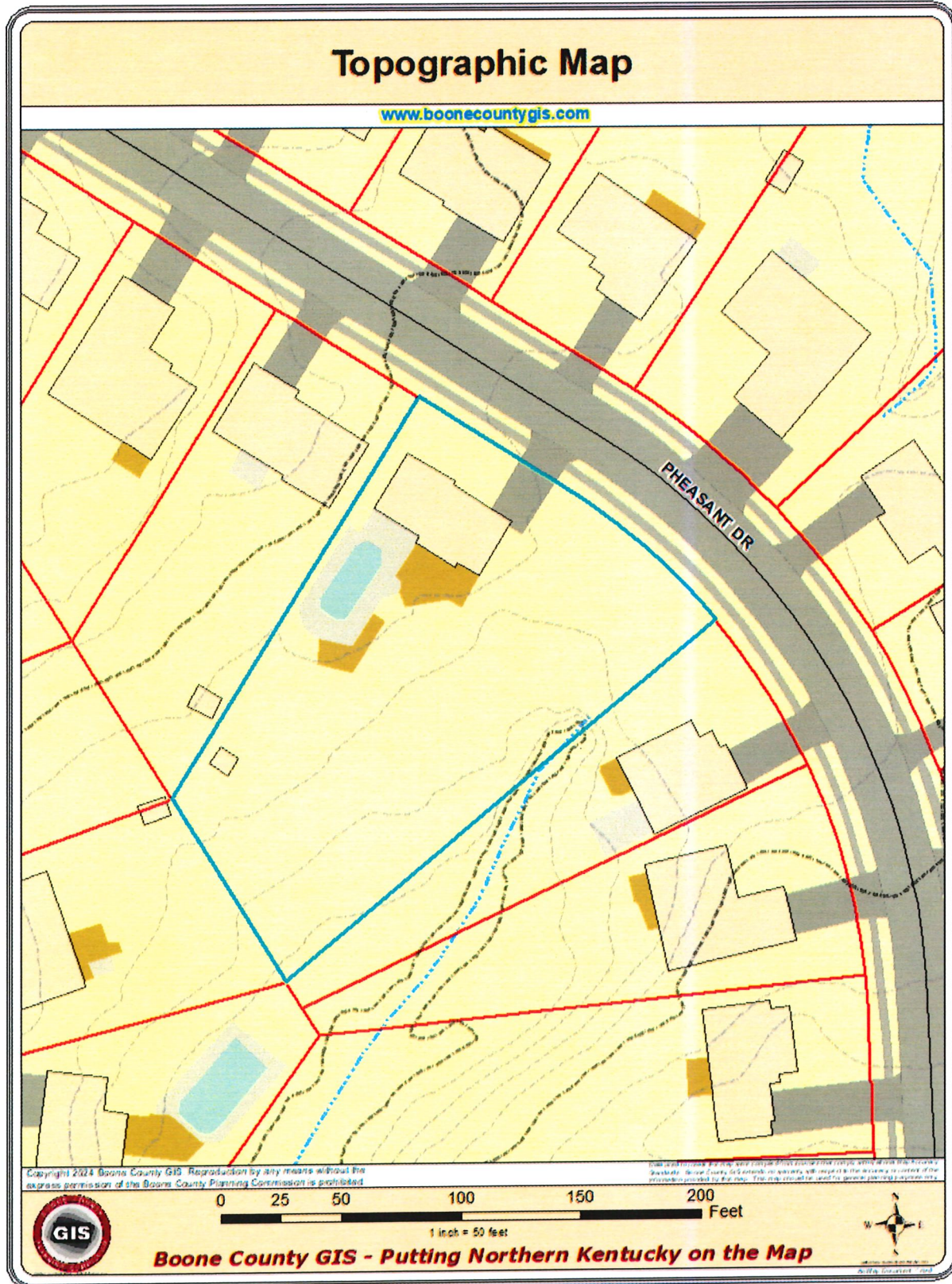
Steven C. Lilly, PLS  
Planner, Zoning Services

SCL

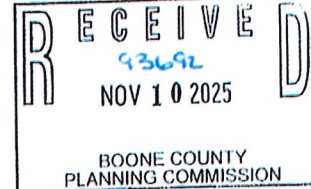








**BOARD OF ADJUSTMENT  
BOONE COUNTY PLANNING COMMISSION**



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: Caspian Midwest LLC (Ali Balapour)  
Address: 4020 Denny In,  
Union KY 41091  
City State Zip Code  
Phone Number: 4795028400 Fax Number: \_\_\_\_\_  
Email: a.balapoor@gmail.com
4. Description of Request:  
Short-term rental license request for 8469 Pheasant Dr. Florence KY 41042
5. Name of Development: \_\_\_\_\_
6. Location of Development: 8469 pheasant Dr  
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: Caspian Midwest LLC  
Address: 4020 Denny In  
Union KY 41091  
City State Zip Code  
Phone Number: 4795028400 Fax Number: \_\_\_\_\_  
Email: a.balapoor@gmail.com

Board of Adjustment  
Page 2

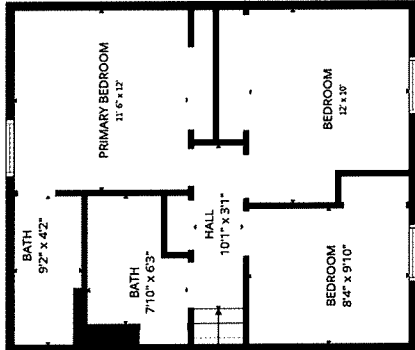
10. Proposed Use(s) on Site: \_\_\_\_\_ Short-term Rental \_\_\_\_\_
11. Total Square Footage of Existing and/or Proposed Buildings: \_\_\_\_\_ 1500 \_\_\_\_\_
12. Current Zoning: \_\_\_\_\_ R1F \_\_\_\_\_
13. \_\_\_\_\_ 1244 \_\_\_\_\_ 141 \_\_\_\_\_ 203A \_\_\_\_\_  
Deed Book Page Group Number
14. 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:

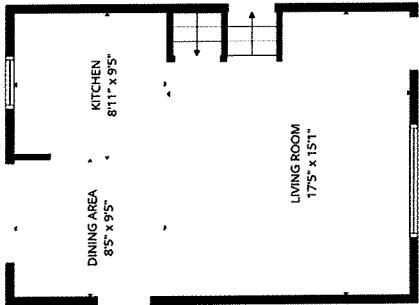
\_\_\_\_\_  
*Ali Balapour*

Applicant's Signature:

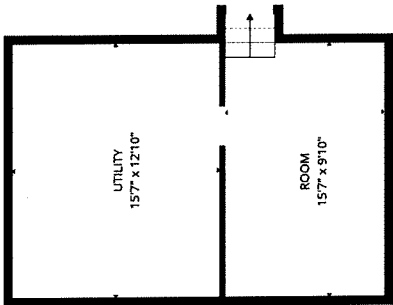
11/10/2025 \_\_\_\_\_  
*Ali Balapour*



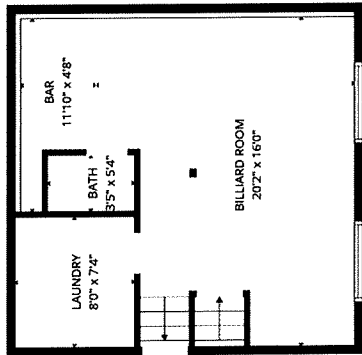
FLOOR 4



FLOOR 3

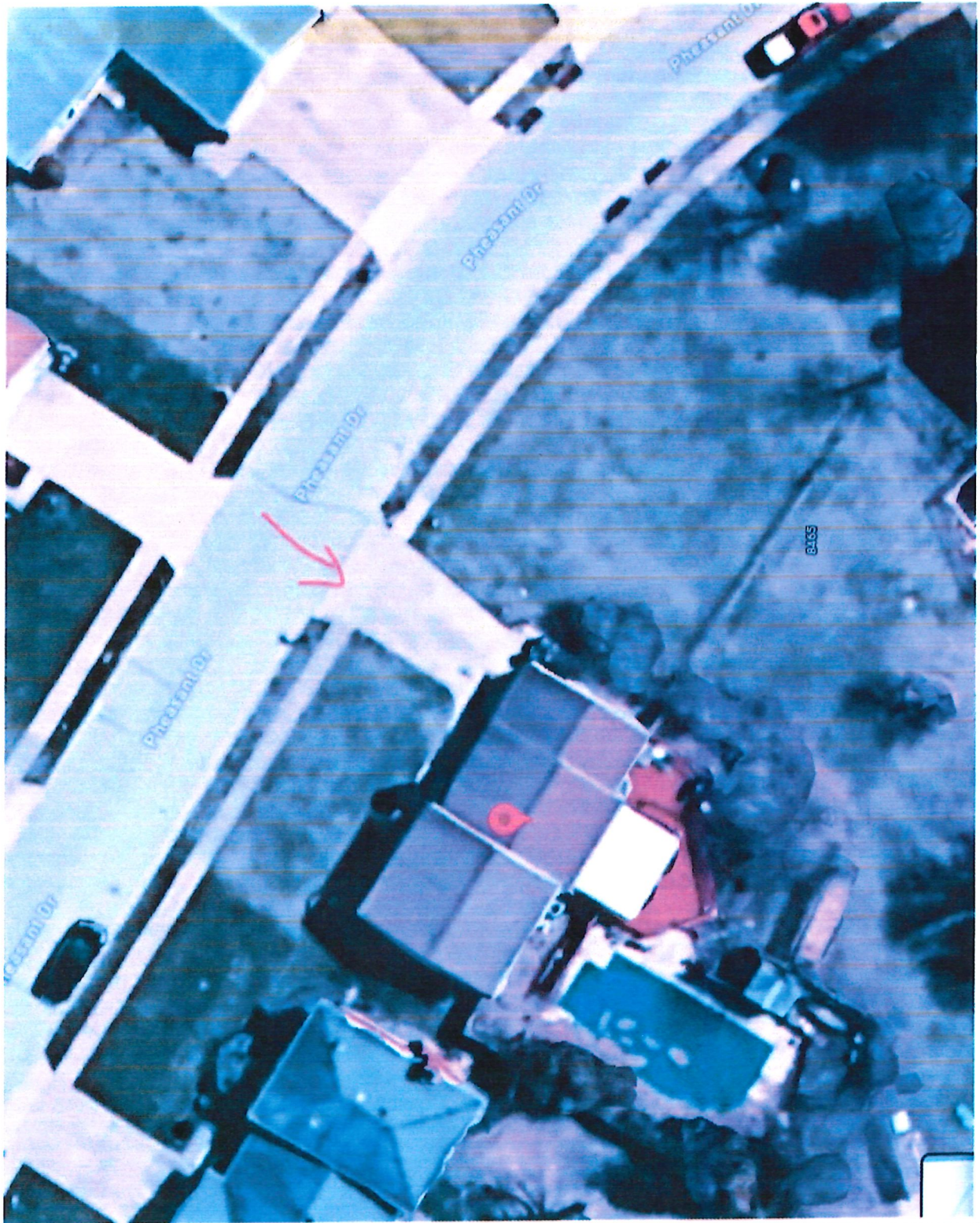


FLOOR 1



FLOOR 2

**Total G/LA: 1488 sq. ft | Total: 1894 sq. ft**  
Floor 1 - Below grade: (Excluded areas 406 sq. ft)  
Floor 2: 473 sq. ft  
Floor 3: 468 sq. ft  
Floor 4: 547 sq. ft





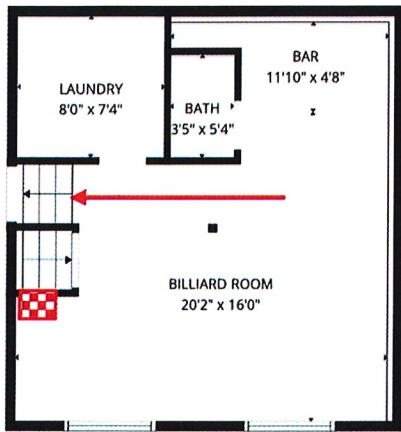
Important Information: 8469 Pheasant Dr. Florence KY 41042

Boone Center 911 Emergency

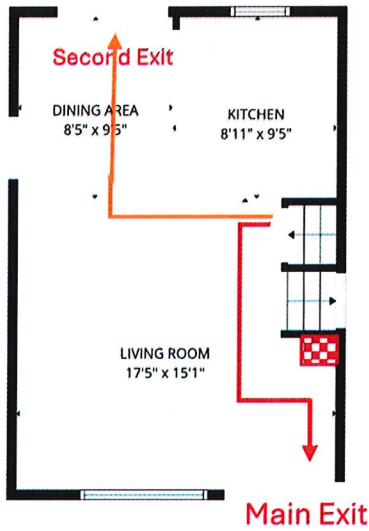
Boone Center Non-Emergency 859-371-1234

Florence Polic: (859) 647-5420

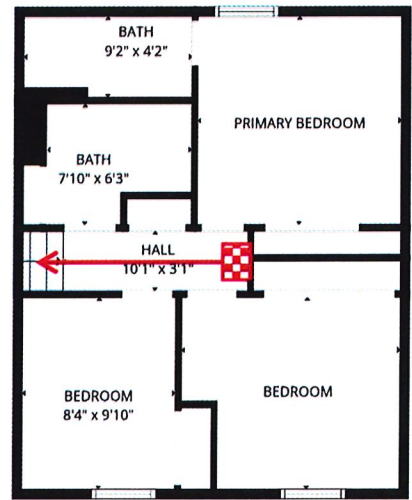
Host Contact number and name: 513-620-4699 Ali Balapour



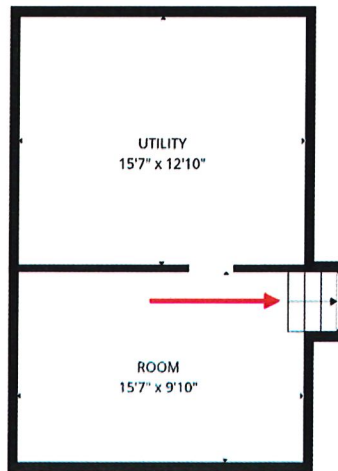
FLOOR 2




FLOOR 3



FLOOR 4



Fire extinguisher 

Secondary pathway 

Exit pathway 

CERTIFICATE OF LAND USE RESTRICTION

1. NAME AND ADDRESS OF PROPERTY OWNER(S)  
Caspian Midwest LLC  
4020 Denny Ln  
Union, KY 41091
  
2. ADDRESS OF PROPERTY  
8469 Pheasant Dr  
Florence, KY 41042
3. NAME OF SUBDIVISION OR DEVELOPMENT (if applicable)  
Balapour Short Term Rental
  
4. DEED BOOK 1244                      PAGE NO. 141                      GROUP NO. 2039
  
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

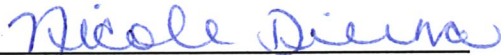
Subscribed, sworn to, and acknowledged before me by Steven C. Lilly on behalf of the Boone  
County Planning Commission this 11<sup>th</sup> day of December, 2025.

---

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

My commission Expires:  
November 12, 2029

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 10, 2025, Certificate of Land Use Restriction (#25-FBOA-004-A), for Caspian Midwest LLC, Property Owner(s).

The following conditions will apply:

1. The conditional use permit shall be limited to the lot and house with the address of 8469 Pheasant Drive, Florence, KY.
2. The applicant shall update their brochure per the City of Florence suggestions, as written in the staff report.
3. The short-term rental shall comply with Section 3191 and city ordinances 0-20-20 and 0-16-95.

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

DEED BOOK 1244

PAGE NO. 141

GROUP NO. 2039