

**BOONE COUNTY BOARD OF ADJUSTMENT  
BOONE COUNTY ADMINISTRATION BUILDING  
BOONE COUNTY FISCAL COURTROOM  
BUSINESS MEETING  
February 8, 2023  
6:00 P.M.**

Chairman Whitton called the meeting to order at 6:00 P.M.

**BOARD MEMBERS PRESENT:**

Mr. George Whitton, Chairman  
Mr. Richard Miller, Vice-Chairman  
Mr. Bill Weltzer  
Dr. Ryan Estes

**BOARD MEMBERS NOT PRESENT:**

Mrs. Sherry Hempfling

**STAFF MEMBERS PRESENT:**

Mr. Michael Schwartz, Director, Zoning Services

**LEGAL COUNSEL PRESENT:**

Mr. Dale T. Wilson

**APPROVAL OF MINUTES**

Chairman Whitton stated the Board members received copies of the minutes of the Boone County Board of Adjustment meeting of January 11, 2023. He asked if there were any other comments or corrections. Vice-Chairman Miller moved to approve the minutes and Mr. Weltzer seconded the motion. Chairman Whitton called for the vote and it carried unanimously.

**ACTION ON REVIEWS**

1. Request of Caledonia Cottage LLC, per Jeffrey Coppage, for a Conditional Use Permit to allow the existing single-family residential dwelling to be used as a short term rental. The approximate 0.67 acre parcel is located at 1500 Caledonia Court, Boone County, Kentucky and is zoned Residential Planned Development (RPD).

Staff Member, Michael Schwartz, presented the Staff Report which included a Powerpoint presentation (see Staff Report).

Chairman Whitton asked the Board if they had any questions for staff.

Vice-Chairman Miller asked if there was sufficient parking on the site. Mr. Schwartz replied

yes.

Vice-Chairman Miller asked if it was necessary to place a condition regarding the maximum number of persons allowed in the short term rental since it is part of the regulations. Mr. Schwartz replied that the condition will memorialize the requirement and will be part of the Certificate of Land Use Restriction (CLUR).

Chairman Whitton asked the applicant if they would like to provide the Board with any other information.

Mr. Jeff Coppage stated that he was present with his adjacent neighbor, Dave Shushereba, his brother-in-law Bill Samad, his sister-in-law Beth Craver, Jodi Burcham, and Duane Freyberger. He stated both he and his wife are from Boone County and have worked in Boone County as they grew up. He stated that he has three children. He stated that his parents, and his wife's parents, are from Boone County. He stated they consider Boone County as their home. Mr. Coppage provided a history of his work experience, as well as his wife's work experience. He stated that after college, it was difficult for he and his wife to find employment in the area. He stated that they have worked overseas for several years and both receive extensive holiday time. He stated that during those times, they return to Boone County to visit with family and friends. He stated that his children had difficulty in answering the question "where do you come from". He stated that in order to provide a place where they could live for the several months when they return to Boone County, as well as to provide their children with a sense of home, they purchased the site in question. To supplement the cost of maintaining the home while they are not using it, they would like to operate a short term rental. He stated that they have spoken with their immediate neighbor and have resolved any issues about the short term rental operation.

Chairman Whitton asked who would be responsible for the maintenance of the property as well as the contact for emergencies.

Mr. Coppage replied that his sister-in-law Beth Craver is the local contact.

Chairman Whitton asked if there was anybody else in attendance that wanted to speak to this issue.

Mr. Dave Shushereba stated that he is the immediate neighbor and that he spoke in opposition the last time this came before the Board. He stated that he has had a discussion with Mr. Coppage about his issues and they have been resolved. He stated that he is no longer in opposition of the request.

Vice-Chairman Miller asked the applicant if he would agree to the two conditions stated in the staff report. Mr. Coppage replied that he would agree to those conditions.

Chairman Whitton asked if there was any further discussion. There was none. Chairman Whitton asked if the Board wanted to make a motion.

Vice-Chairman Miller made a motion to approve the proposed Conditional Use Permit,

subject to the following conditions: (1) there shall be no more than ten (10) guests at any given time; and (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. Dr. Estes seconded the motion.

Chairman Whitton called for the vote which passed unanimously.

**OTHER**

Mr. Schwartz informed the Board that one of the requirements to operate a Short Term Rental within Unincorporated Boone County was that the property owner had to apply for a county license, which must be renewed annually, by January 1. Mr. Schwartz stated that the previous approved Conditional Use Permits, for two short term rentals, have not renewed their county license. Mr. Schwartz stated that staff would prepare a report that would be sent to Chairman Whitton and the property owners of the two properties. He stated that the report would be discussed at the Board's March meeting and that the Board could potentially schedule a public hearing for their April meeting to revoke the Conditional Use Permit for the two properties.

There was a brief discussion regarding the process to revoke a Conditional Use Permit. No action was taken.

**ADJOURNMENT**

Chairman Whitton asked for a motion to adjourn the meeting. Vice-Chairman Miller made a motion to adjourn and Mr. Weltzer seconded the motion.

Chairman Whitton called for the vote and the meeting was adjourned by unanimous consent at 6:26 p.m.

**APPROVED**

\_\_\_\_\_  
**Chairman George Whitton**

**ATTEST:**

\_\_\_\_\_  
**Michael D. Schwartz**  
**Director, Zoning Services**