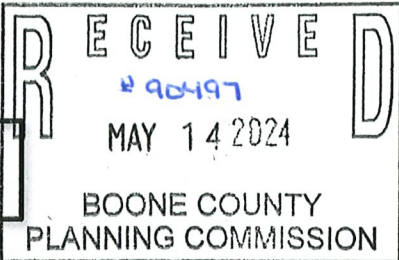


**BOARD OF ADJUSTMENT  
BOONE COUNTY PLANNING COMMISSION**



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

019

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: Tony Berling  
Address: 1671 Park Road Suite One  
Fort Wright KY 41011  
City State Zip Code  
Phone Number: 859-331-9191 Fax Number: 859-344-7422  
Email: tberling23@gmail.com
- 4. Description of Request:  
~~Proposed classroom addition for the Zion Christian Academy~~
- 5. Name of Development: Zion Christian Academy
- 6. Location of Development: 10300 Dixie Highway  
Florence KY 41042  
City State Zip Code
- 7. Acreage Under Review: 3.00 Acres
- 8. Lot Number and Name of Subdivision (if part of a subdivision):  
\_\_\_\_\_
- 9. Current Owner: Joyce Robinson Foundation  
Address: 10310 Dixie Highway  
Florence KY 41042  
City State Zip Code  
Phone Number: 859-462-4243 Fax Number: N/A  
Email: pastorgarrett@gpcky.com

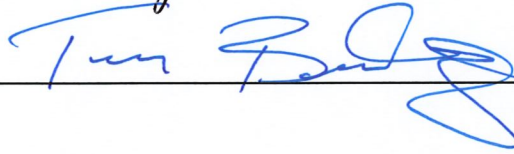
Classroom Building

10. Proposed Use(s) on Site: \_\_\_\_\_
11. Total Square Footage of Existing and/or Proposed Buildings: 6,000 / 9,600
12. Current Zoning: I-1/CD
13. 877                      331                      2058  
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:



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

1. Date Received: 5/14/2024 Fee Received: 1116.00 Receipt #: 90497

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

3. Staff Reviewer: M. Schwartz

4. Scheduled Board Action Date: 6/12/2024

5. Board Action: 6/12/2024

Approved

Approved with Conditions (see #6)

Denial (See #7)

6. Conditions of Approval: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

7. Reasons for Denial: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

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

## STAFF REPORT

#2

APPLICANT: Tony Berling, on behalf of Joyce Robinson Foundation, Inc., per Jody Cuzick

LOCATION: 10300 Dixie Highway, Boone County, Kentucky

ZONING: Industrial One (I-1)

DATE: June 12, 2024

### PROPOSAL

- A. The applicant is requesting a Conditional Use Permit to allow the construction of a two-story, 9,600 square foot classroom building for the Gathering Place Church facility.

### SITE HISTORY

- 1993 The Boone County Planning Commission approved a Major Site Plan for a 2,982 square foot church building to be placed on the Gathering Place Church property (11/3/93).
- 1994 On June 6, 1994, the Boone County Planning Commission approved a Minor Site Plan for a parking lot addition on the Gathering Place Church property.
- 1995 The Boone Board of Adjustment approved a Conditional Use Permit allowing a day care facility within the existing church facility (BCBOA-95-009).
- 1996 The area to the west of the site in question was rezoned from SR-2 to C-1 (R-96-004-A and Ord. No. 920.329).
- 2001 The Boone County Planning Commission approved a Minor Site Plan allowing for a modular classroom to be placed on the Gathering Place Church property(7/5/01).
- 2005 The Boone County Planning Commission approved a Major Site Plan to change an existing pole barn to a youth recreation building, add parking spaces, and relocate a curb cut (11/29/05).
- 2006 On August 2, 2006, the Boone County Planning Commission approved: (1) a zoning map amendment changing a portion of the Gathering Place Church property from I-2 to I-1; and (2) a Conditional Use Permit to allow the expansion of a church parking lot and other church activities, subject to the condition that the development and use of the property shall follow the submitted Concept Development Plan. Additionally, uses on the property shall be limited to church

purpose of the Industrial One district is to allow different types of small to large scale light manufacturing, warehouse, distribution and related service uses, which require direct accessibility to a regional transportation system. Manufacturing operations in this district will generally not utilize unrefined raw materials, whose processing may potentially create undesirable noise, odors, dust, smoke, hazardous materials or waste or be delivered in large bulk transportation forms. Such districts are located in areas which provide employment opportunities for community and regional labor markets. Districts will be located on suitable lands accessible from expressways and/or arterials. In addition, this zoning district allows for integrated office campus and/or industrial/warehouse developments with a business park setting, characterized by landscaped entrances, boulevard streets, large amounts of green space and low building coverage ratio, multi-level buildings, constant architectural and signage theme, parking structures, and integrated pedestrian and recreation facilities. This district is also to provide for appropriate public facilities and/or services to the permitted uses identified in the district. This zoning classification can range from a compact, multi-level office development on several acres to an extensive mixed office/warehouse/distribution development that is located on many acres. This zoning classification often includes some limited commercial wholesale and retail uses intended to serve the district and constructed to blend in visually with the character of the area.”

- E. Section 4000 of the Boone County Zoning Regulations defines ‘Religious Assembly’ as follows: Religious services involving public assembly such as customarily occurs in synagogues, temples, mosques, and churches. Such facilities may secondarily provide social or community services such as counseling, childcare, senior services, and educational programs.

#### RELATIONSHIP TO THE COMPREHENSIVE PLAN

- A. The Our Boone County Plan 2040 Future Land Use Plan designates the site for “Public/Institutional” and “Industrial” uses, which are described as follows:
  - 1. Public/Institutional - government offices, schools, libraries, churches, cemeteries, fairgrounds, maintenance areas, etc.
  - 2. Industrial - manufacturing, wholesale, warehousing, distribution, assembly, mining, and terminal uses.
- B. The following Our Boone County Plan 2040 Goals and Objectives apply to this application:
  - 1. 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).

2. Development policies shall not discriminate against any person (Demographics Goal A, Objective 1).
  3. 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).
  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. 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).
  6. Public facilities and services shall be in locations that are accessible to the population being served (Public Facilities Goal A, Objective 7).
- C. Dixie Highway is a state maintained arterial street, providing for two way traffic within two driving lanes. There are no sidewalks along the roadway.

#### SITE CHARACTERISTICS

- A. The approximate 3 acre area is located along the east side of Dixie Highway, approximately 300 feet north of Frank Duke Boulevard.
- B. The site has approximately 428 feet of frontage along Dixie Highway and approximately 400 feet of frontage along the Norfolk Southern Railroad line.
- C. The site is part of the Gathering Place Church complex which comprises approximately 8 acres.
- D. Access to the Gathering Place Church property is provided by several curb cuts onto Dixie Highway.
- E. The Gathering Place Church property is currently occupied by several buildings, including a church, fellowship hall, and school, in addition to off-street parking facilities.
- F. Topographically, the site is relatively flat with the exception of a stormwater detention facility in the southeast corner of the site.

#### SURROUNDING LAND USES AND ZONING

- North: Dog kennel with day care, boarding, training, indoor swimming, and grooming (I-1)
- South: Industrial uses (I-1)
- East: Norfolk Southern Railroad line and industrial uses (I-2)

West: Mobile home park (MHP), vacant land, O'Reilly Auto Parts, Family Dollar and Dollar General (C-3)

PROPOSED DEVELOPMENT

- A. The applicant is proposing the following:
  - 1. Construction of a two-story, 9,600 square foot classroom building.
  - 2. Provision for sidewalk connections.

STAFF COMMENTS

- A. The site is currently occupied by a school building and a paved recreational court.
- B. A row of mature trees exists along Dixie Highway.
- C. A privacy fence exists along the north property line.

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,



Michael D. Schwartz  
Director, Zoning Services

MDS/ss

Attachments

- \*Vicinity Map
- \*Aerial Map
- \*Topographical Map
- \*Zoning Map
- \*2040 Future Land Use Map
- \*Application
- \*Concept Development Plan

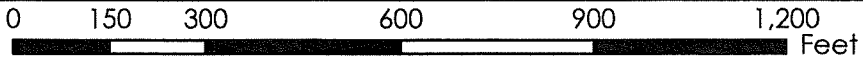
# Vicinity Map

www.boonecountygis.com



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



**Boone Co**



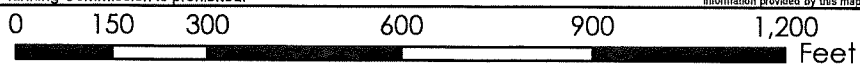
# Aerial Map

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**Boone County GIS - Putting Northern Kentucky on the Map**

Map Created: xx/xx/2022

Boone County GIS  
ArcMap Document: \*.mxd

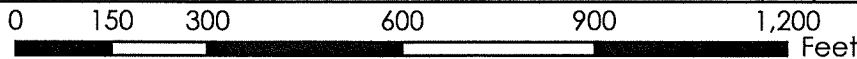
# Topographic Map

www.boonecountygis.com



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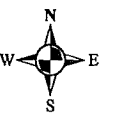
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1 inch = 300 feet



**Boone County GIS - Putting Northern Kentucky on the Map**



Map Created: 10/24/2022

Info: Plan & Layout: 10/24/2022  
ArcMap Document: \*.mxd

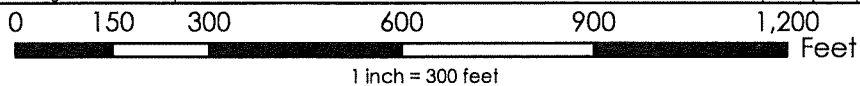
# Zoning Map

www.boonecountygis.com



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Map Created: xx/xx/2022

**Boone County GIS - Putting Northern Kentucky on the Map**



Map File: I created by 2/28/2011  
ArcMap Document: \*.mxd

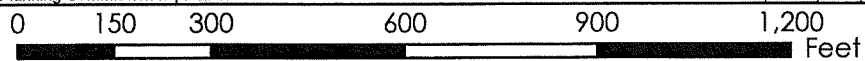
# 2040 Future Land Use Map

www.boonecountygis.com



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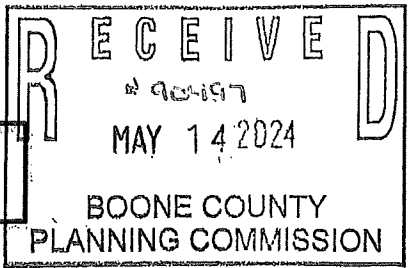
1 inch = 300 feet



**Boone County GIS - Putting Northern Kentucky on the Map**



**BOARD OF ADJUSTMENT  
BOONE COUNTY PLANNING COMMISSION**



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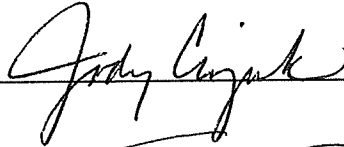
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Phone Number: 859-331-9191 Fax Number: 859-344-7422  
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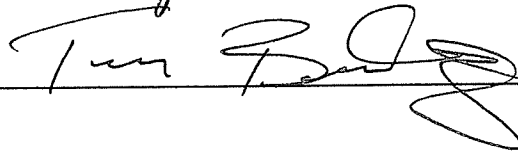
**Classroom Building**

10. Proposed Use(s) on Site: \_\_\_\_\_
11. Total Square Footage of Existing and/or Proposed Buildings: 6,000 / 9,600
12. Current Zoning: I-1/CD
13. 877 331 2058  
Deed Book Page Group Number
14. Is the site subject to a zone change:  Yes  No  
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Applicant's Signature:



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

1. Date Received: 5/14/2024 Fee Received: 1116.00 Receipt #: 90497

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

3. Staff Reviewer: \_\_\_\_\_

4. Scheduled Board Action Date: \_\_\_\_\_

5. Board Action: \_\_\_\_\_

\_\_\_\_\_ Approved

\_\_\_\_\_ Approved with Conditions (see #6)

\_\_\_\_\_ Denial (See #7)

6. Conditions of Approval: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

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7. Reasons for Denial: \_\_\_\_\_

\_\_\_\_\_

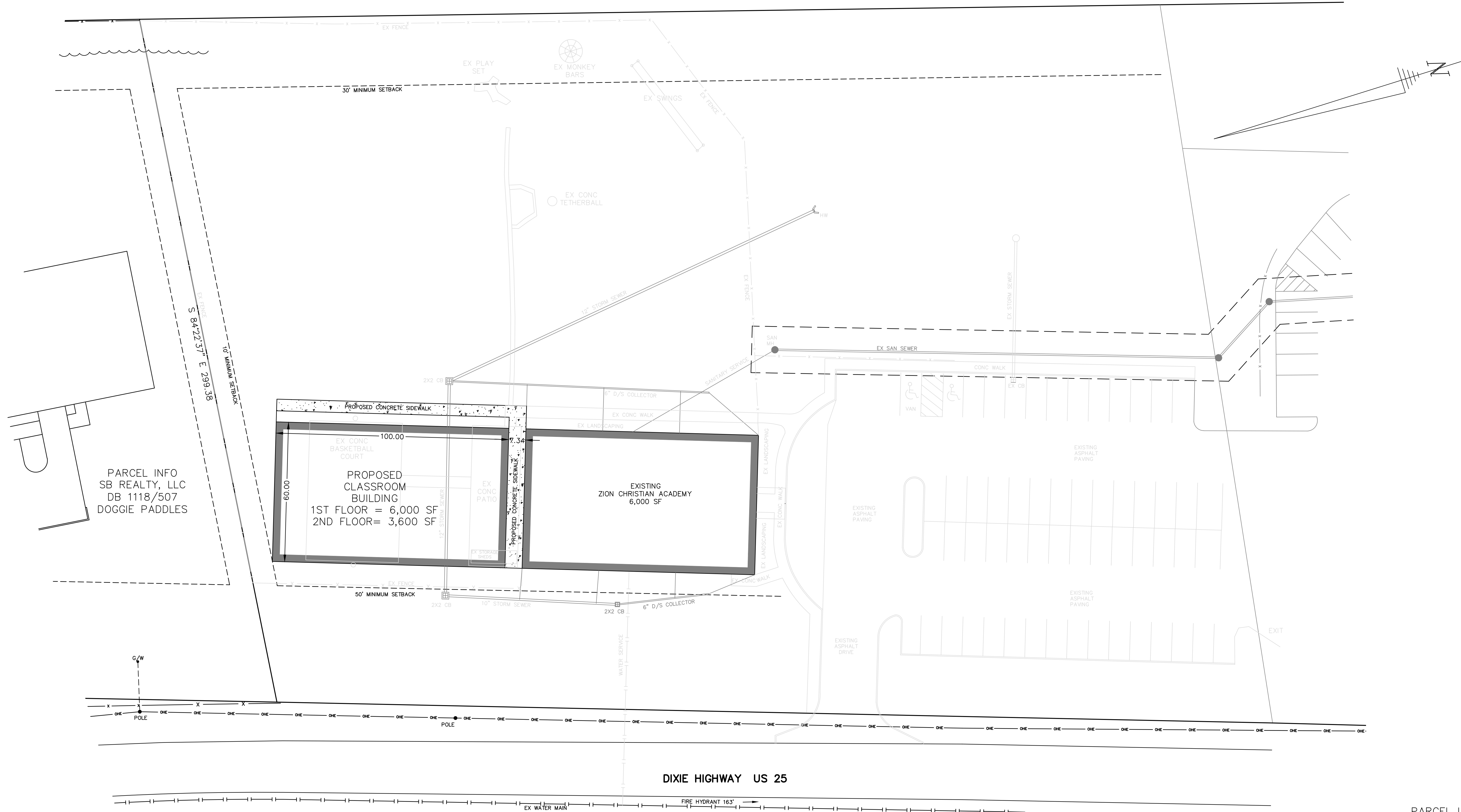
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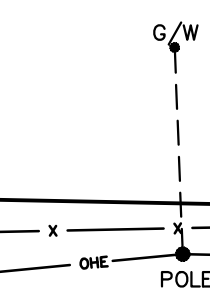
\_\_\_\_\_

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





PARCEL INFO  
SB REALTY, LLC  
DB 1118/507  
DOGGIE PADDLES



DIXIE HIGHWAY US 25

PARCEL INFO  
JOYCE ROBINSON  
FOUNDATION  
DB 877/331  
3.000 ACRES



CONCEPT DEVELOPMENT PLAN			
ZION CHRISTIAN ACADAMEY ADDITIONAL CLASSROOM BUILDING			
STEVEN A. BERLING KY. ENGINEER 18134	SCALE 1" = 20'	DRAWN BY Greg Sketch	DATE 5/14/24
10300 DIXIE HIGHWAY BOONE COUNTY, KENTUCKY			

CERTIFICATE OF LAND USE RESTRICTION

- 1. NAME AND ADDRESS OF PROPERTY OWNER(S)  
Joyce Robinson Foundation  
10310 Dixie Hwy  
Florence, KY 41042
  
- 2. ADDRESS OF PROPERTY  
10300 Dixie Hwy  
Florence, KY 41042
  
- 3. NAME OF SUBDIVISION OR DEVELOPMENT (if applicable)  
Zion Christian Academy
  
- 4. DEED BOOK 877                      PAGE NO. 331                      GROUP NO. 2058
  
- 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

Michael D. Schwartz, Director, Zoning Services  
Name and Title of Completing Official

COMMONWEALTH OF KENTUCKY

COUNTY OF BOONE

Subscribed, sworn to, and acknowledged before me by Michael D. Schwartz on behalf of the Boone  
County Planning Commission this 12<sup>th</sup> day of June, 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.)