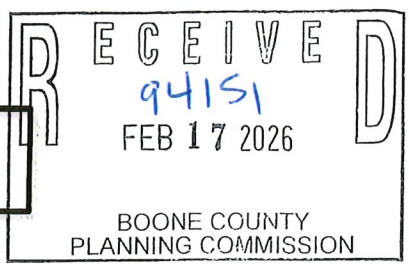


**BOARD OF ADJUSTMENT
BOONE COUNTY PLANNING COMMISSION**



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

008

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 Youth Ministry and Gymnasium~~

5. Name of Development: Gathering Place Church - Youth Ministry Building & Gymnasium

6. Location of Development: 10310 - 10336 Dixie Highway

Florence KY 41042
City State Zip Code

7. Acreage Under Review: 0.62 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

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

1. Date Received: 2/17/20 Fee Received: \$1,116⁰⁰ Receipt #: 94151

2. Is application complete:

3. Staff Reviewer: M. Schwartz

4. Scheduled Board Action Date: 3/11/2026

5. Board Action: 3/11/2026

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

6. Conditions of Approval: See Attached, Minutes, & CLR

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

CONDITIONS OF APPROVAL

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

LOCATION: 10280-10340 Dixie Highway, Boone County, Kentucky

ZONING: Industrial One (I-1)

DATE: March 11, 2026

1. A Buffer Yard A landscaping shall be installed along Dixie Highway between the original church building and the south property line.
2. The proposed emergency access point shall only be allowed if approved by KYTC. An approved encroachment permit shall be submitted with the Major Site Plan application.

STAFF REPORT

#2

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

LOCATION: 10280-10340 Dixie Highway, Boone County, Kentucky

ZONING: Industrial One (I-1)

DATE: March 11, 2026

PROPOSAL

- A. The submitted request is a Conditional Use Permit to: (1) remove a previously approved 9,600 square foot classroom building; (2) allow for a playground/basketball court; (3) allow for a new 12,500 square foot gymnasium; (4) allow for a new 8,000 square foot youth ministry; and (5) provide for a new curb cut onto Dixie Highway for an emergency fire access driveway.

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 related functions as explained by the applicant to the Zone Change Committee (worship services, Bible study, Sunday School classes, religious oriented events, picnics in the outdoor lawn area, and the like) and the existing school (R-06-019-A). On October 3, 2006, the Boone Fiscal Court adopted Ordinance Number 06-16, concurring with the Planning Commission's recommendation/action.
- 2006 The area to the west of the site in question was: (1) rezoned from C-1 to UR-1; and (2)

- approved for a Change of Concept Development Plan (R-06-022-A and Ord. No. 06-19).
- 2008 The area to the west of the site in question was rezoned from C-1 to C-3 (R-07-021-A and Ord. No. 08-02).
- 2018 The Boone Board of Adjustment approved a Conditional Use Permit allowing a dog kennel with day care, boarding, training, indoor swimming, and grooming on the property to the north of the existing church facility (BCBOA-18-012).
- 2019 On May 8, 2019, the Boone Board of Adjustment approved a Conditional Use Permit for a 6,000 square foot fellowship hall on the Gathering Place Church property (BCBOA-19-009).
- 2019 On October 25, 2019, the Boone County Planning Commission approved a Major Site Plan for the construction of a 6,000 square foot fellowship hall on the Gathering Place Church property.
- 2023 On April 12, 2023, the Boone Board of Adjustment approved a Conditional Use Permit to allow the conversion of an existing industrial building for an addition to the Gathering Place Church , subject to the condition that a Buffer Yard A landscaping be installed along Dixie Highway between the curb cut and the south property line (BCBOA-23-012).
- 2024 On January 10, 2024, the Boone Board of Adjustment approved a Conditional Use Permit to allow a building addition to a previously approved Conditional Use Permit for the Gathering Place Church facility, subject to the conditions that a Buffer Yard A landscaping be installed along Dixie Highway between the curb cut and the south property line and that there shall be no more than three (3) access points to the entire Gathering Place Church complex and the location of the access points shall be as approved by KYTC. (BCBOA-24-002).
- 2024 On February 1, 2024, the Boone County Planning Commission approved a Major Site Plan for grading and a building addition.
- 2024 On June 12, 2024, the Boone Board of Adjustment approved a Conditional Use Permit to allow for the construction of a 9,600 square foot school building (BCBOA-24-019).
- 2024 On December 11, 2024, the Boone Board of Adjustment approved: (1) a Conditional Use Permit to allow the construction of a 6,000 square foot storage building and a 5,000 square foot nursery building; and (2) a Variance reducing the landscape Buffer Yard A width along a portion of the rear property line from ten (10) feet to 2.11 feet, subject to the following conditions: (1) a Buffer Yard A landscaping shall be installed along Dixie Highway between the original church building and the south property line; and (2) there shall be no more than three (3) access points to the entire Gathering Place Church complex and the location of the access points shall be as approved by KYTC (BCBOA-24-035).
- 2025 On April 10, 2025, the Boone Board of Adjustment approved a Conditional Use Permit to allow an increase in the size of a previously approved storage building from 6,000

square feet to 8,000 square feet for the Gathering Place Church facility, subject to the condition that a Buffer Yard A landscaping shall be installed along Dixie Highway between the original church building and the south property line (BCBOA-25-008).

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 505.4 of the Boone County Zoning Regulations identifies 'Religious Assembly' as a Conditional Use within the I-1 district.
- D. Section 1102. A of the Boone County Zoning Regulations states that "The 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.
- F. Section 3645 of the Boone County Zoning Regulations requires a landscape Buffer Yard A, having a minimum width of ten (10) feet, to be provided between a development within an I-1 district and an adjoining I-2 district.

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. 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 8 acre area is located along the east side of Dixie Highway, approximately 300 feet north of Frank Duke Boulevard.
- B. The site has approximately one thousand (1,000) feet of frontage along Dixie Highway

and approximately 1,100 feet of frontage along the Norfolk Southern Railroad line.

- C. Access to the Gathering Place Church property is provided by several curb cuts onto Dixie Highway.
- D. The Gathering Place Church property is currently occupied by several buildings, including a church, fellowship hall, school, storage building, in addition to off-street parking facilities.
- E. 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. Removal of a previously approved 9,600 square foot classroom building.
 - 2. Installation of a playground/basketball court.
 - 3. Construction of a 12,500 square foot gymnasium.
 - 4. Construction of an 8,000 square foot youth ministry.
 - 5. Provision for a new curb cut onto Dixie Highway for an emergency fire access driveway.

STAFF COMMENTS

- A. A row of mature trees exists along Dixie Highway fronting a portion of the site in question.
- B. A privacy fence exists along a portion of the north property line.
- C. Section 3221.A.2 states that a proposed development is permitted one access point for each five hundred (500) feet of site frontage.

Based on the length of frontage the site has along Dixie Highway, a maximum of three (3) access points is allowed.

- D. Previous actions by the Boone Board of Adjustment included the following conditions:
 - 1. A Buffer Yard A landscaping shall be installed along Dixie Highway between the curb cut and the south property line.

2. There shall be no more than three (3) access points to the entire Gathering Place Church complex and the location of the access points shall be as approved by KYTC.

To date, the condition relative to the Buffer Yard has not been met.

- E. Should the Board take action to approve the submitted requests, Staff is suggesting the following condition be considered as part of that action:
 1. A Buffer Yard A landscaping shall be installed along Dixie Highway between the original church building and the south property line.
 2. There shall be no more than three (3) access points to the entire Gathering Place Church complex and the location of the access points shall be as approved by KYTC.

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

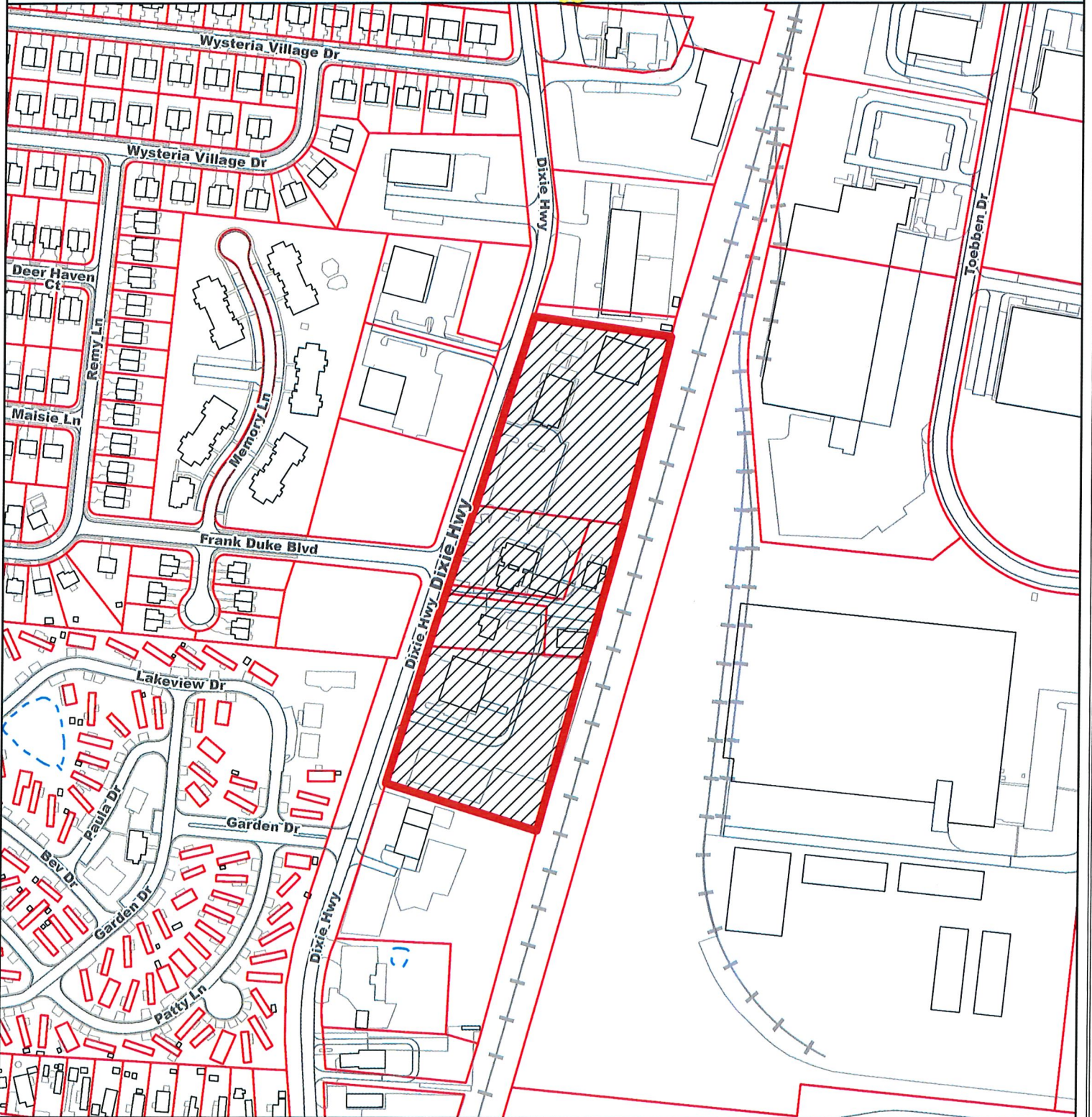
MDS/ss

Attachments

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

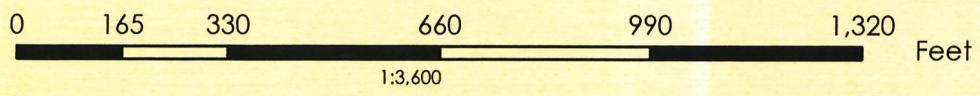
Vicinity Map

www.boonecountygis.com



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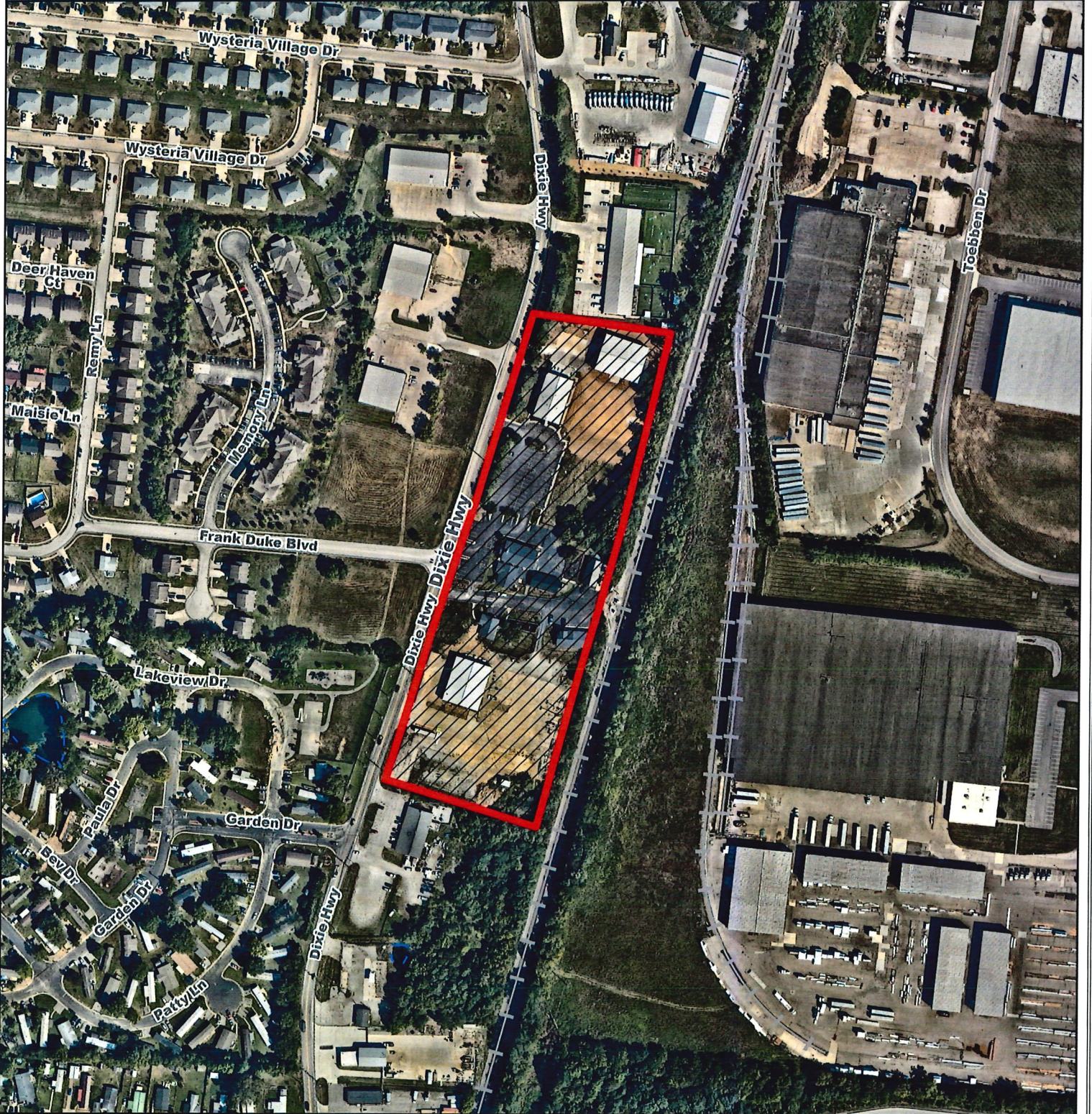
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Boone County GIS - Putting Northern Kentucky on the Map

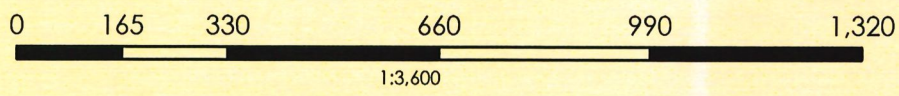
Aerial Map

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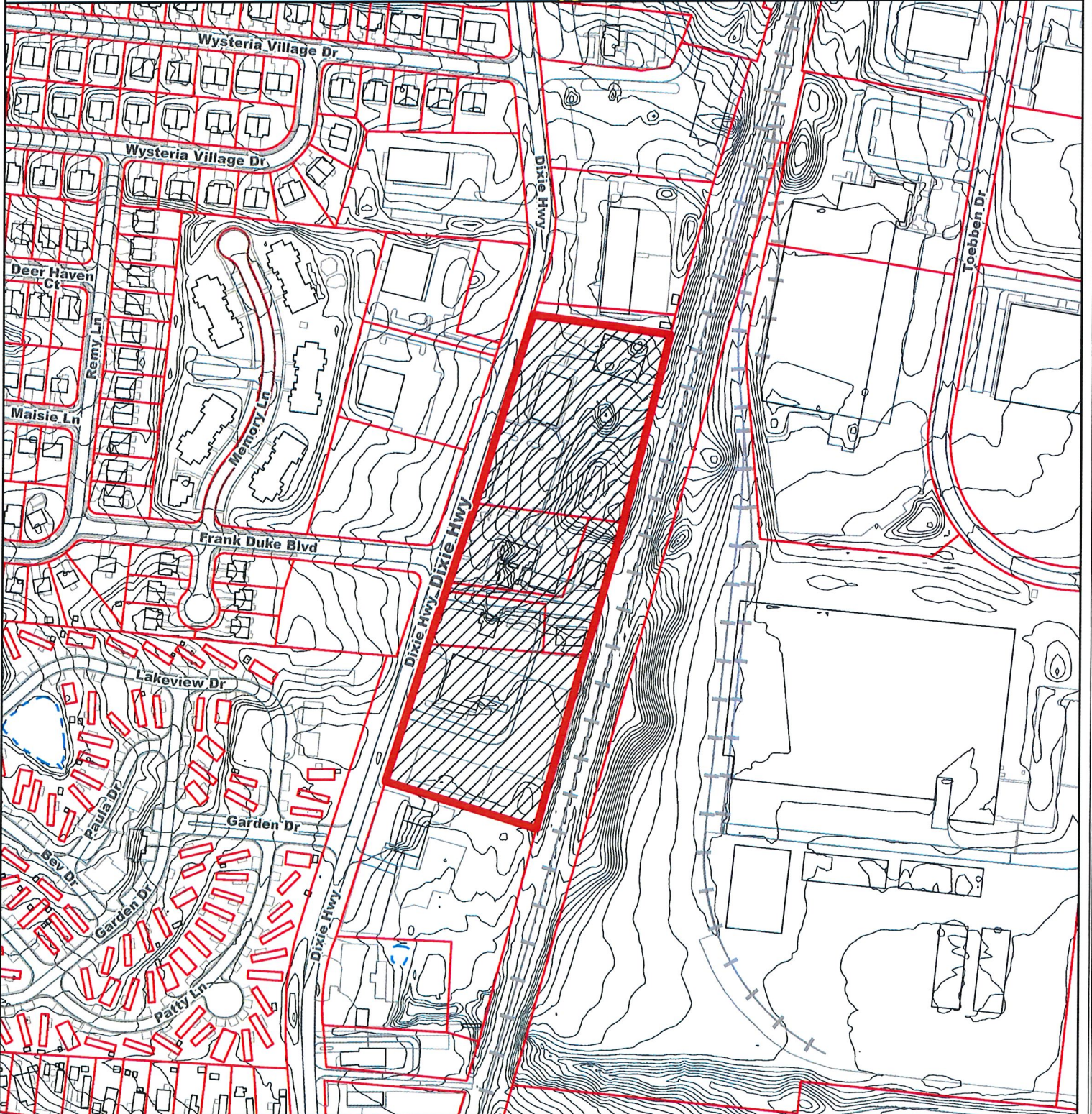
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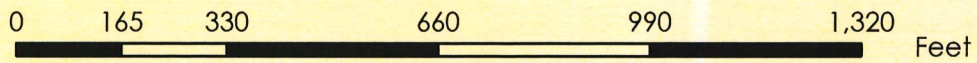
Topographic Map

www.boonecountygis.com



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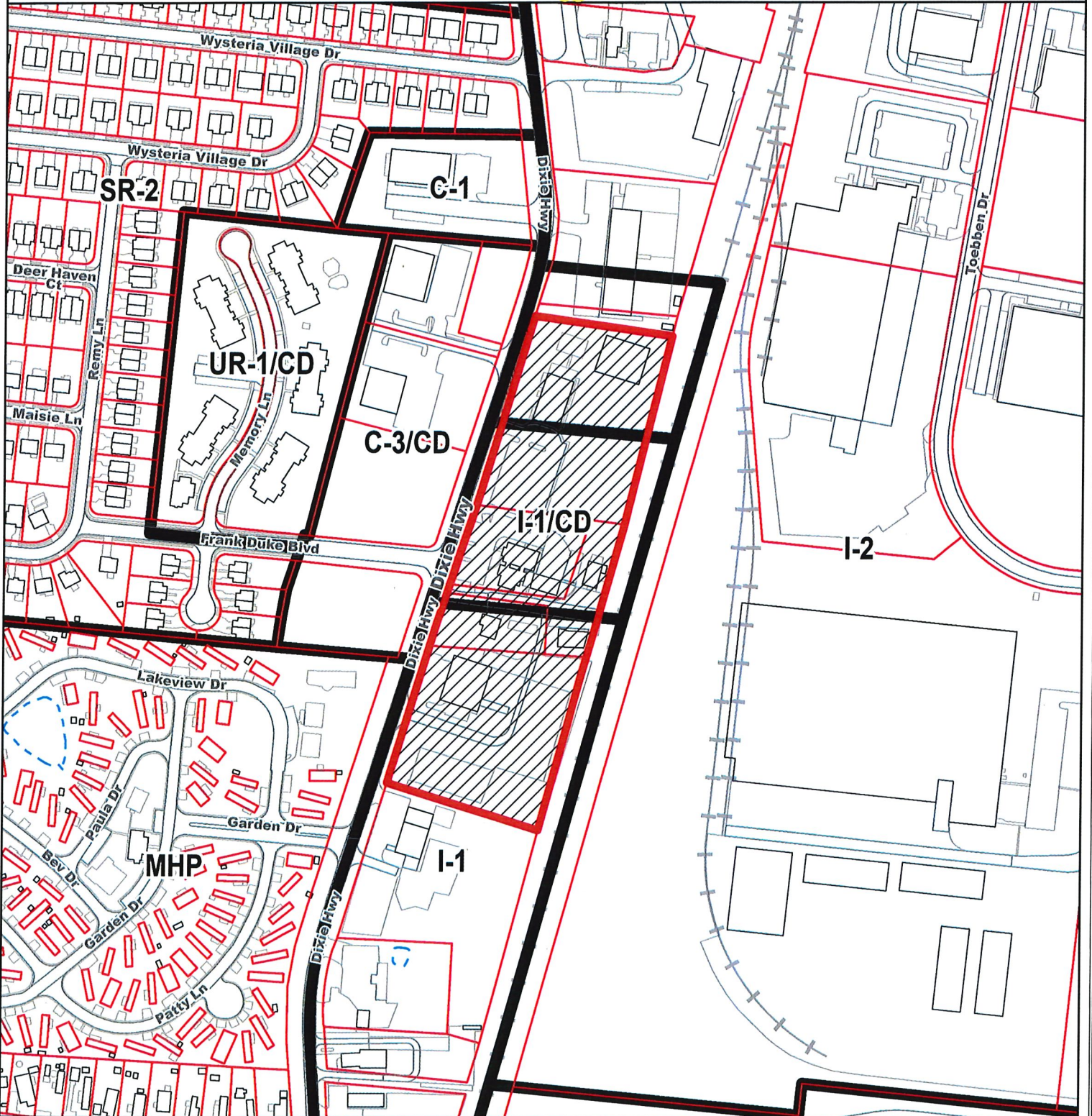
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Boone County GIS - Putting Northern Kentucky on the Map

Zoning Map

www.boonecountygis.com



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Feet

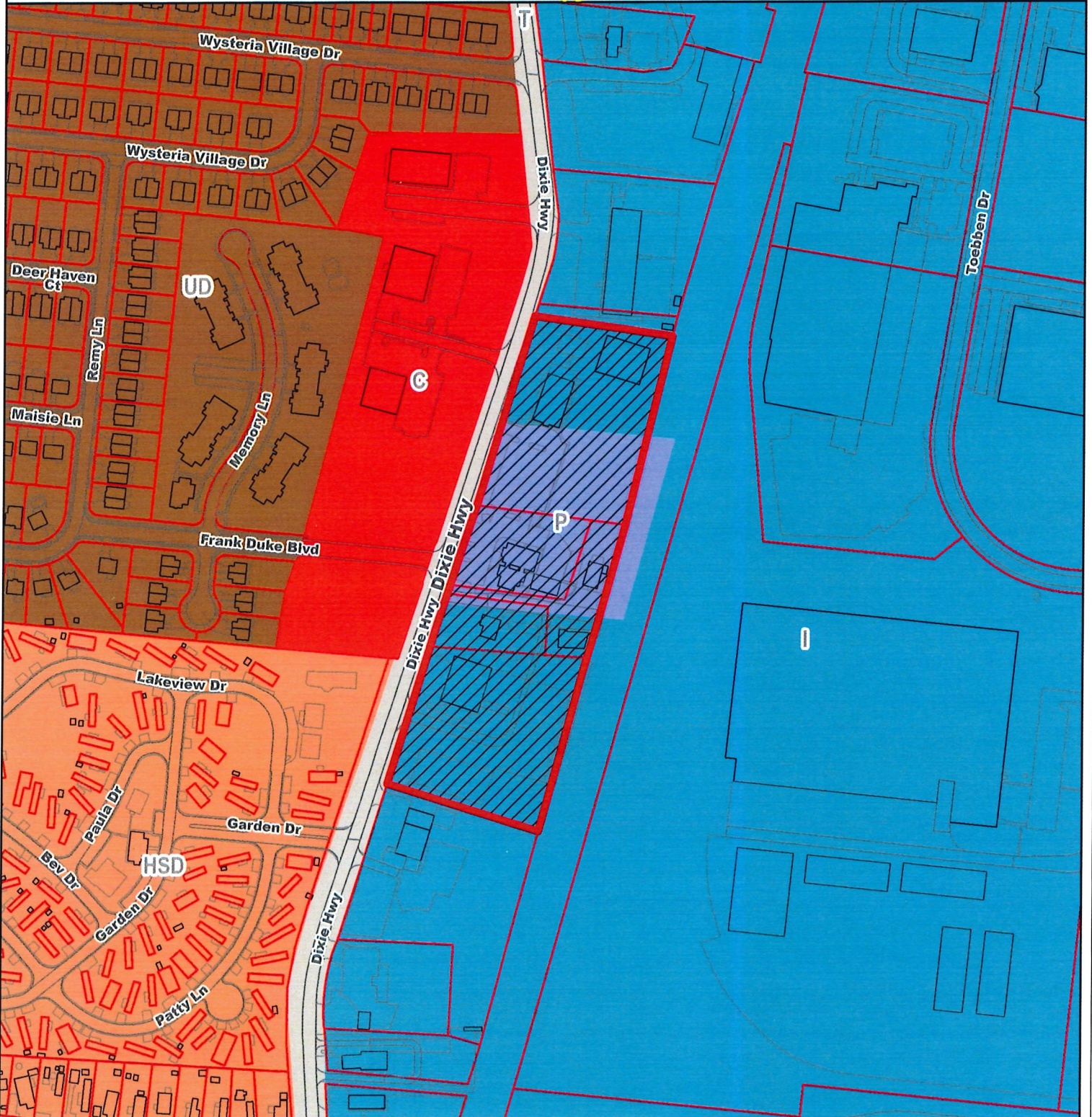
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Boone County GIS - Putting Northern Kentucky on the Map

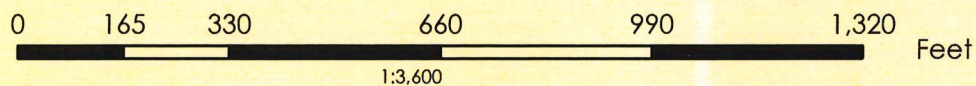
2040 Future Land Use Map

www.boonecountygis.com



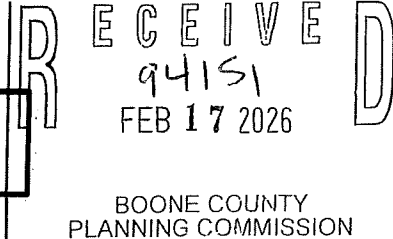
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Boone County GIS - Putting Northern Kentucky on the Map

**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: 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 Youth Ministry and Gymnasium~~

5. Name of Development: Gathering Place Church - Youth Ministry Building & Gymnasium

6. Location of Development: 10310 - 10336 Dixie Highway

Florence KY 41042
City State Zip Code

7. Acreage Under Review: 0.62 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

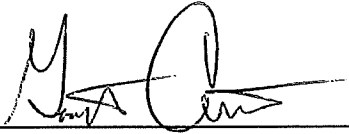
Phone Number: 859-462-4243 Fax Number: N/A

Email: pastorgarrett@gpcky.com

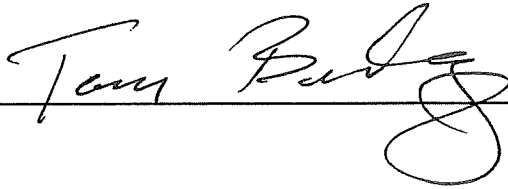
Youth Ministry & Gymnasium

10. Proposed Use(s) on Site: _____
11. Total Square Footage of Existing and/or Proposed Buildings: 13,000 / 20,500
12. Current Zoning: I-1
13. 877,470 1199 422,1202 331,64 279 25,709 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: 2/17/20 Fee Received: \$1,110⁰⁰ Receipt #: 94151

2. Is application complete: _____

3. Staff Reviewer: _____

4. Scheduled Board Action Date: _____

5. Board Action: _____

_____ Approved

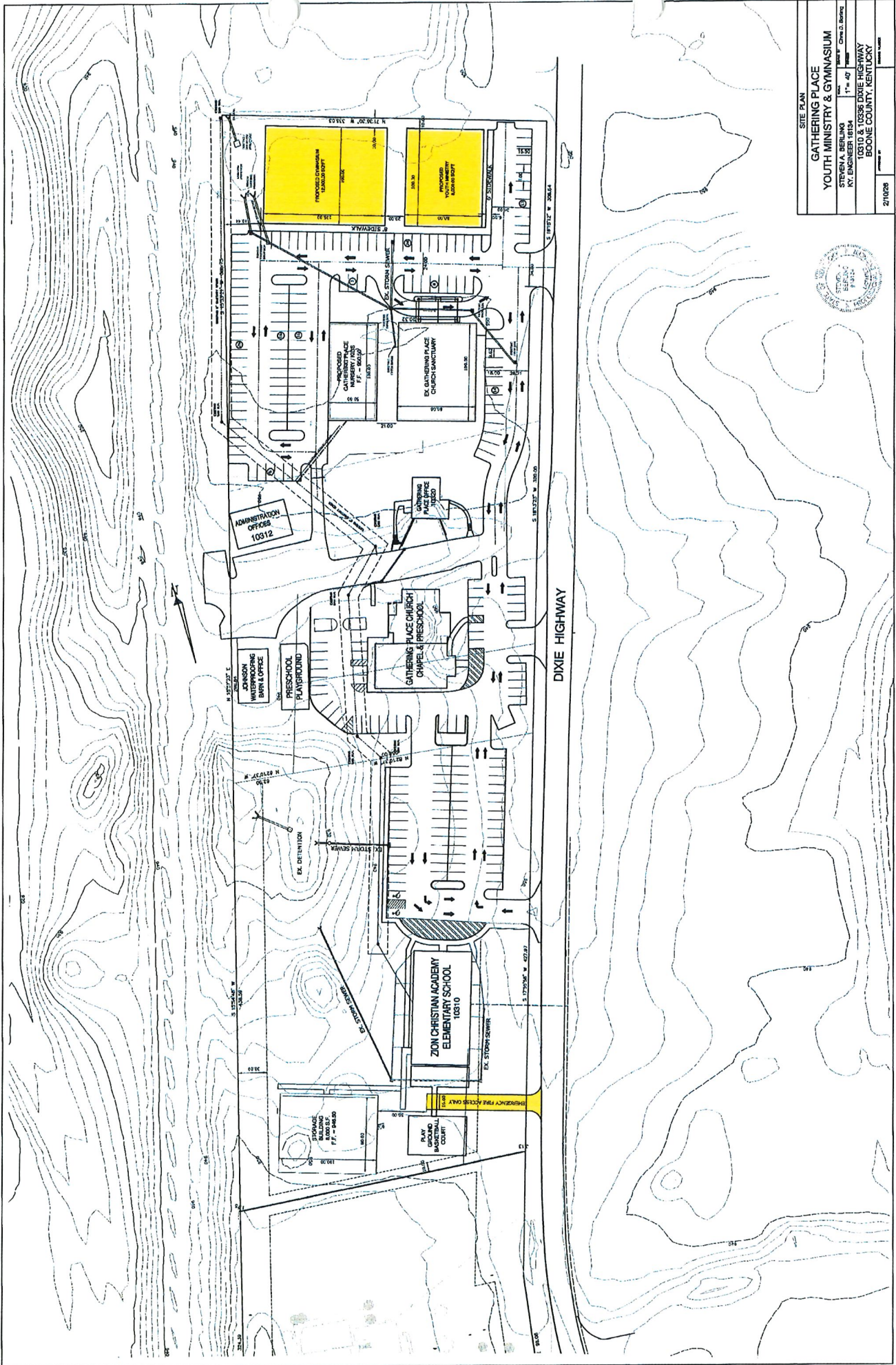
_____ Approved with Conditions (see #6)

_____ Denial (See #7)

6. Conditions of Approval: _____

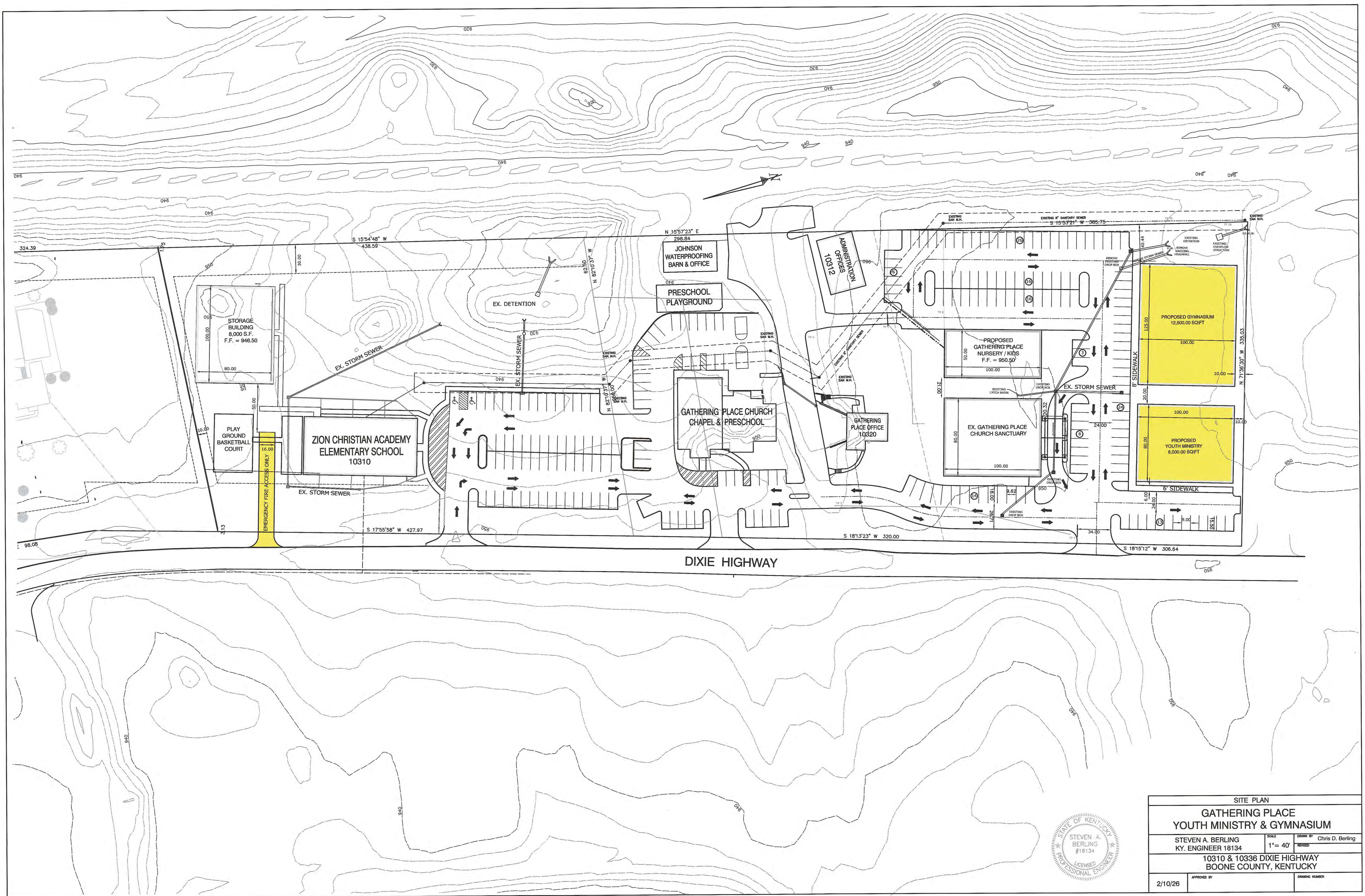
7. Reasons for Denial: _____

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



SITE PLAN	
GATHERING PLACE	
YOUTH MINISTRY & GYMNASIUM	
STEVEN A. BERLING	
DATE	2/1/08
SCALE	1" = 40'
10810 & 10836 DIXIE HIGHWAY	
BOONE COUNTY, KENTUCKY	
PROJECT #	2/10/08





SITE PLAN		
GATHERING PLACE YOUTH MINISTRY & GYMNASIUM		
STEVEN A. BERLING KY. ENGINEER 18134	SCALE 1" = 40'	DRAWN BY Chris D. Berling
10310 & 10336 DIXIE HIGHWAY BOONE COUNTY, KENTUCKY		
2/10/26	APPROVED BY	DRAWING NUMBER

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
10310-10336 Dixie Hwy
Florence, KY 41042
3. NAME OF SUBDIVISION OR DEVELOPMENT (if applicable)
Gathering Place Church
4. DEED BOOK 1199 PAGE NO. 279 GROUP NO. 2058
5. TYPE OF RESTRICTION(S) (Check all that apply)
- ___ Zoning Map Amendment: X Conditional Use Permit
From _____ To _____
- ___ 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 12th day of March, 2026.

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
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 Boone County Board of Adjustment and in accordance with the current zoning in effect as of March 11, 2026, Certificate of Land Use Restriction (#26-BCBOA-008-A), for Joyce Robinson Foundation, Property Owner(s).

The following conditions will apply:

1. A Buffer Yard A landscaping shall be installed along Dixie Highway between the original church building and the south property line.
2. The proposed emergency access point shall only be allowed if approved by KYTC. An approved encroachment permit shall be submitted with the Major Site Plan application.

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

DEED BOOK 1199

PAGE NO. 279

GROUP NO. 2058