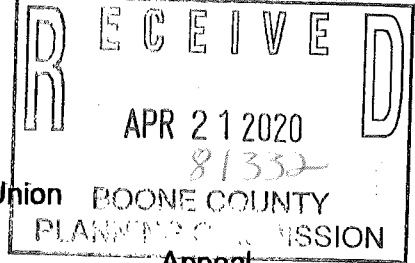


APPLICATION FORM

BOARD OF ADJUSTMENT AND ZONING APPEALS ACTION BOONE COUNTY PLANNING COMMISSION

FIVE (5) SCALED COPIES AND ONE (1) 11X17 REDUCTION OF SUBMITTED DRAWINGS ARE REQUIRED

See Boone County Zoning Regulations



SECTION A (To be completed by applicant)

- 1. (Check One) Boone Florence Walton Union
2. (Check One) Conditional Use Permit Variance Appeal
3. Applicant's Name The G. I. Thornburg Co., Inc. d/b/a Viking Supply
Applicant's Address 1639 Yovell Rd
4. Description of Request: Wholesale trade of non-containerized chemicals and storage of chemicals used for water and wastewater treatment
5. Name of Development
6. Location of Development
7. Acreage Under Review 2.749 acres
8. Lot Number and Name of Subdivision (if part of a subdivision) Lot 5A Brossart's Subdivision
9. Owner of Property Parsons Properties LLC
Address of Property Owner 1639 Yovell Rd
10. City Hebron KY State KY Zip 41048
Phone Number 859-525-8080 Fax No. E-Mail jparsons@vikingsupply-ky.com
11. Proposed Use(s) on Site wholesale trade of non-containerized chemicals and storage of chemicals - liquid chemicals delivered from tanker trucks into totes
12. Total Square Footage of Existing and/or Proposed Buildings 7000 sq ft
13. Current Zoning on Property I-1
14. Deed Book 899 Page No. 372 Group No. 4706 2026
15. Is the site subject to a zone change? No
16. Have you submitted a Site Plan with this request? No
17. Have you submitted a list of adjoining property owners with this request? Yes
18. I, or we, understand and agree that this application and drawing(s) are being filed in accordance with the Boone County Zoning Regulations.

ORIGINAL Property Owner's Signature: James H. Parsons
(Faxed, Photocopied or Scanned Signatures will NOT be Accepted)

ORIGINAL Applicant's Signature: Jeff. Alwell
(Faxed, Photocopied or Scanned Signatures will NOT be Accepted)

**BOARD OF ADJUSTMENT AND
ZONING APPEALS ACTION
APPLICATION
PAGE 2**

SECTION B (To be completed by the Boone County Planning Commission Staff)

1. Date Received 4-21-20 Fee Received \$1,116.⁰⁰ Receipt # 81332
2. Is application complete? Yes No
3. Staff Reviewer M. Schwartz
4. Scheduled Board Action Date 6/10/2020
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
(859) 334-2196 - Phone
(859) 334-2264 - Fax
plancom@boonecountyky.org - E-mail
www.boonecountyky.org - Web Page**

NOTE: See Boone County Planning Commission Fee Schedule for Board of Adjustment Fees.

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.

STAFF REPORT

#2

APPLICANT: The C.I. Thornburg Co., dba Viking Supply, per Jeffrey Morrison, on behalf of James Parsons

LOCATION: 1639 Youell, Boone County, Kentucky

ZONING: Rural Suburban (RS) and Industrial One (I-1)

DATE: June 10, 2020

PROPOSAL

- A. The applicant is requesting a Conditional Use Permit to allow the storage of chemicals and the wholesale trade of non-containerized chemicals.

SITE HISTORY

- 1994 –
1997 Based on Boone County GIS data, the site was developed.
- 2005 The lot was created as part of Brossart's Subdivision, Section 2.
- 2020 On April 21, 2020, the Boone County Planning Commission staff approved a Minor Site Plan authorizing the site to be used for the distribution of water and sewer pipe products and the wholesale trade of containerized chemicals used in the water and wastewater markets and the installation of a fence.

APPLICABLE REGULATIONS

- A. Section 220 of the Boone County Zoning Regulations states that one of the duties of the Board of Adjustment is to grant conditional uses permits as specified by the zoning order, with such additional safeguards as will uphold the intent of the zoning order.
- B. The Board should evaluate the request as it relates to the criteria necessary for granting a Conditional Use Permit as stated in Sections 262, and 1133 of the Boone County Zoning Regulations.
1. Findings listed in Section 262 (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 not 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 such services;
 - e. Will not create excessive additional requirements at public cost for public facilities and services and will not be detrimental to the economic welfare of the community;
 - f. Will not 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 designated as not to create an interference with traffic on surrounding public thoroughfares.
2. Criteria listed in Section 1133 of the Boone County Zoning Regulations (I-1 District):
- a. The activity is provided primarily in support of and obtains its trade from the employees of the district;
 - b. The activity is of integral relation to the purpose of the district;
 - c. The use, building or structure is subservient to and not of scale, nature, trade or other character which will compete, detract or conflict with the purpose and permitted uses of the district; and
 - d. Provided the arrangement of uses, buildings or structures is mutually compatible with the organization of permitted and accessory uses to be protected in the district.
- C. Section 1133.1.i of the Boone County Zoning Regulations identifies a primary business activity that involves the storage of chemicals as a conditional use in the I-1 district.
- D. Section 1133.3 of the Boone County Zoning Regulations identifies wholesale trade of non-containerized chemicals as a conditional use in the I-1 district.
- E. Section 1030 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.”

RELATIONSHIP TO THE COMPREHENSIVE PLAN

- A. The Our Boone County Plan 2040 Future Land Use Plan designates the site for “Industrial”, which is defined as manufacturing, wholesale, warehousing, distribution, assembly, mining, and terminal uses.
- B. The following Our Boone County Plan 2040 Goals and Objectives apply to this application:

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).

Development policies shall not discriminate against any person (Demographics Goal A, Objective 1).

Employment opportunities for a highly skilled and educated workforce shall be encouraged and promoted for the residents and businesses of Boone County (Economy Goal A, Objective 1).

Industries shall be promoted in suitable locations to make the county a vital part of a strong regional economy (Economy Goal A, Objective 2).

Local agriculture, business products, and services shall be encouraged and supported (Economy Goal A, Objective 4).

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).

Industrial development shall be encouraged to locate near railroad lines, highways, the Ohio River, the Airport, and where infrastructure exists or is planned (Economy Goal B, Objective 5).

Provisions shall be made for proper control of industrial uses that involve processes or products that could be hazardous to human life and property (Economy Goal B, Objective 8).

- C. Youell Road is identified as a local street providing for two way traffic within two driving lanes. There are no sidewalks along the roadway.

SITE CHARACTERISTICS

- A. The approximate 2.7 acre site is located along the south side of Youell Road, approximately 550 feet east of Limaburg Road.
- B. The site is a flag lot with the flag portion of the lot being zoned RS and the developable portion of the lot being zoned I-1.
- C. The site is located within a Kentucky Opportunity Zone which are low-income, distressed districts where investors can receive significant federal tax breaks and deferrals for investing in a variety of economic development projects.
- D. The site is located within the 65 day/night noise level of the Cincinnati/Northern Kentucky International Airport.
- E. The site is currently occupied by an industrial building, outside storage areas, and off street parking areas.
- F. Topographically, the developable portion of the site is relatively flat.

SURROUNDING LAND USES AND ZONING

- North: Vacant (RS)
- South: Industrial (I-1)
- East: Industrial (I-2)
- West: Industrial and Vacant (RS and I-1)

PROPOSED DEVELOPMENT

- A. To utilize the existing property, with no external changes, other than the installation of the previously approved fence, for the distribution of water and sewer pipe products and the wholesale trade of containerized and non-containerized chemicals used in the water and wastewater markets.

CONCLUSION

- A. KRS 100.237 and Section 220 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
Planner

MDS/ss

Attachments

- *Vicinity Map
- *Aerial Map
- *Topographical Map
- *Zoning Map
- *2040 Future Land Use Map
- *Noise Contour Map
- *Application
- *Project Summary

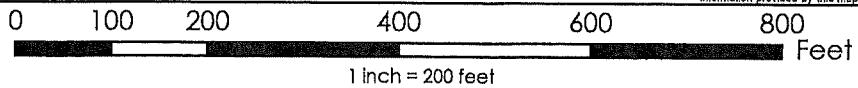
Vicinity Map

www.boonecountygis.com



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Boone County GIS - Putting Northern Kentucky on the Map



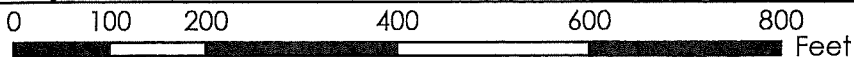
Aerial Map

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1 Inch = 200 feet



Boone



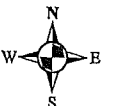
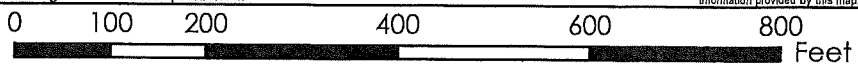
Topographical Map

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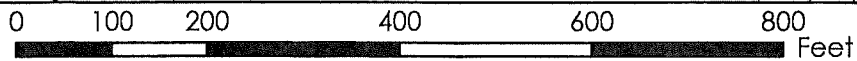
Zoning Map

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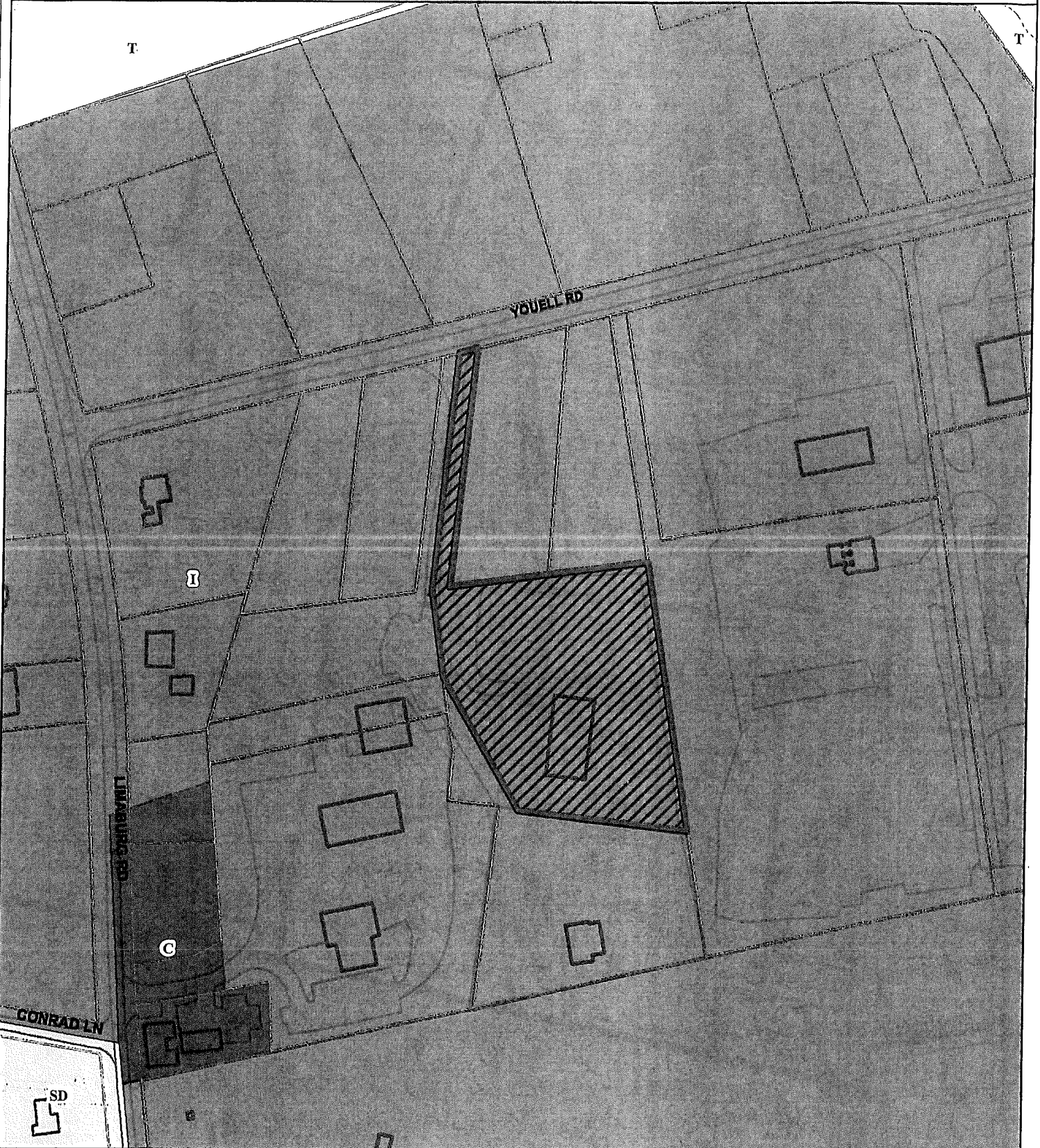


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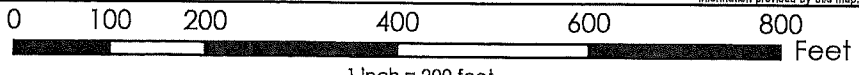
2040 Future land Use Map

www.boonecountygis.com



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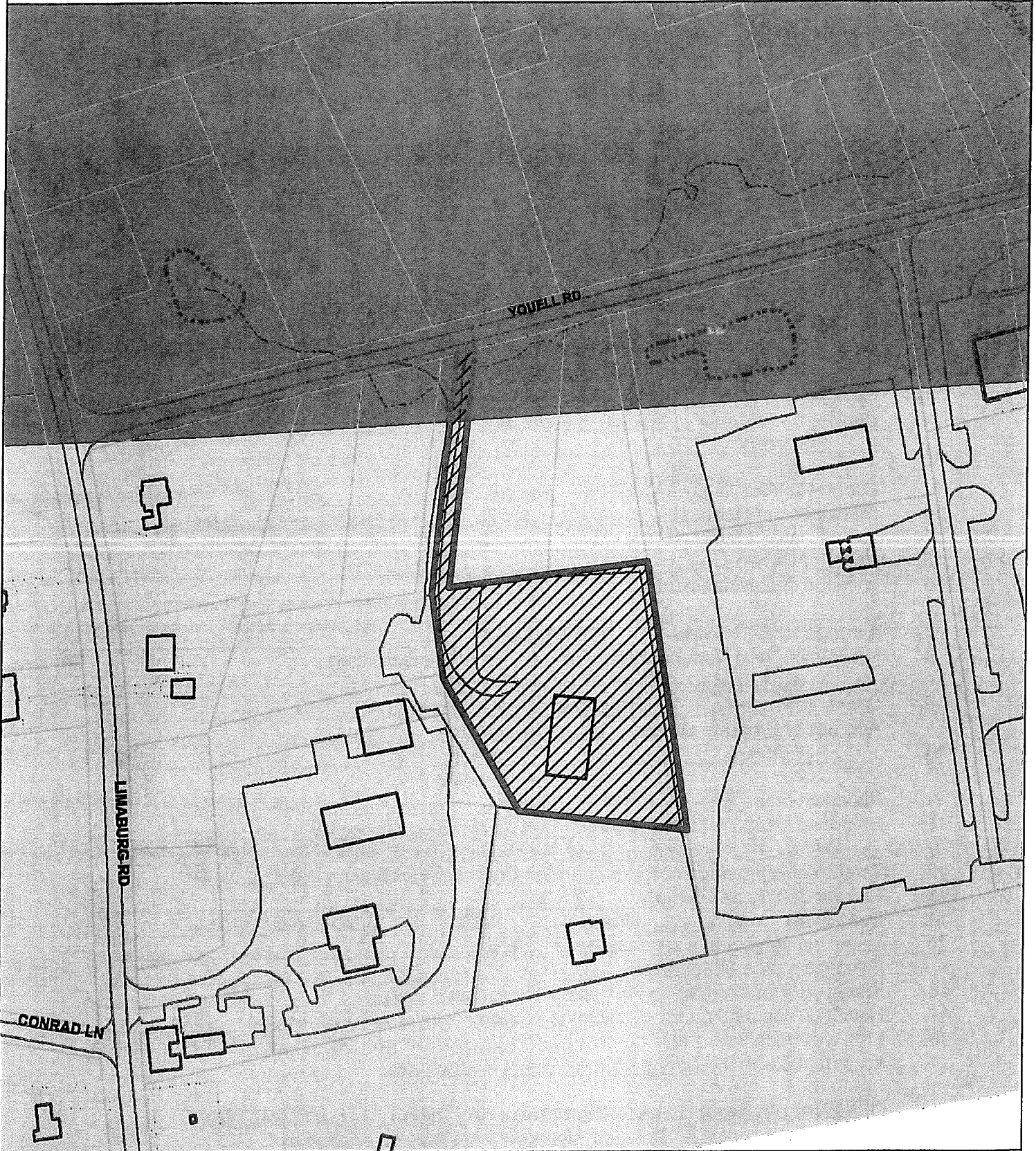


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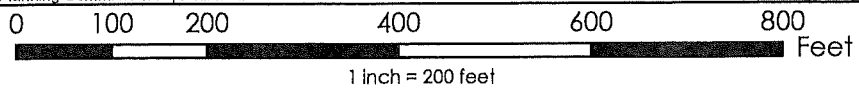
Noise Contour Map

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Boone

Map Created: 01/01/2018



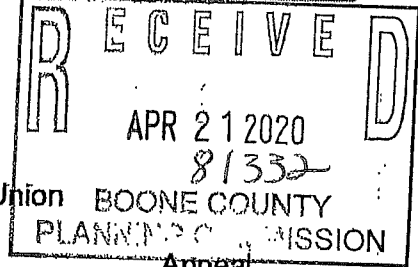
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APPLICATION FORM

BOARD OF ADJUSTMENT AND ZONING APPEALS ACTION BOONE COUNTY PLANNING COMMISSION

FIVE (5) SCALED COPIES AND ONE (1) 11X17 REDUCTION OF SUBMITTED DRAWINGS ARE REQUIRED

See Boone County Zoning Regulations



SECTION A (To be completed by applicant)

(Check One)

1. [X] Boone [] Florence [] Walton [] Union

(Check One)

2. [X] Conditional Use Permit [] Variance [] Appeal

[] Change In Non-Conforming Use

3. Applicant's Name The C. I. Thornburg Co., Inc. Atlanta Mining Supply

Applicant's Address 1639 Yowell Rd

Hebron KY 41048

City State Zip

Phone Number 859-525-8080 Fax No. E-Mail jtd@mmmsandthornburg.com

4. Description of Request Wholesale trade of non-containerized chemicals

and storage of chemicals used for water and wastewater treatment

5. Name of Development

6. Location of Development

7. Acreage Under Review 2.749 acres

8. Lot Number and Name of Subdivision (if part of a subdivision)

Lot SA Brossart's Subdivision

9. Owner of Property Parsons Properties LLC

Address of Property Owner 1639 Yowell Rd

10. Hebron KY 41048

City State Zip

Phone Number 859-525-8080 Fax No. E-Mail jparsons@atlantaminingsupply-ky.com

11. Proposed Use(s) on Site Wholesale trade of non-containerized chemicals and

storage of chemicals - liquid chemicals delivered from tanker trucks into tanks

12. Total Square Footage of Existing and/or Proposed Buildings 7000 sq ft

13. Current Zoning on Property I-1

14. Deed Book 675 Page No. 232 Group No. 4706

15. Is the site subject to a zone change? No

If yes, give date of approval

16. Have you submitted a Site Plan with this request? No

17. Have you submitted a list of adjoining property owners with this request? Yes

18. I, or we, understand and agree that this application and drawing(s) are being filed in accordance with the Boone County Zoning Regulations.

ORIGINAL Property Owner's Signature: James H. Parsons (Faxed, Photocopied or Scanned Signatures will NOT be Accepted)

ORIGINAL Applicant's Signature: J. J. Yowell (Faxed, Photocopied or Scanned Signatures will NOT be Accepted)

**BOARD OF ADJUSTMENT AND
ZONING APPEALS ACTION
APPLICATION
PAGE 2**

SECTION B (To be completed by the Boone County Planning Commission Staff)

1. Date Received 4-21-20 Fee Received \$1,116.⁰⁰ Receipt # 81332
2. Is application complete? Yes No
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
(859) 334-2196 - Phone
(859) 334-2264 - Fax
plancom@boonecountyky.org - E-mail
www.boonecountyky.org - Web Page**

NOTE: See Boone County Planning Commission Fee Schedule for Board of Adjustment Fees.

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.

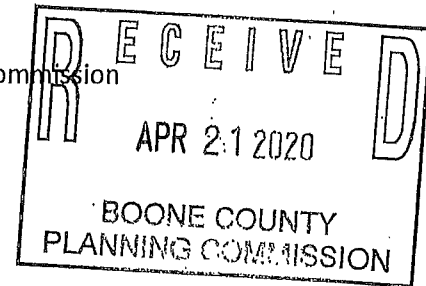


The C.I. Thornburg Co., Inc.

P.O. Box 2163 • Huntington, WV 25722
4034 Altizer Avenue • Huntington, WV 25705
(304) 523-3484 • FAX (304) 523-0510

April 20, 2020

Board of Adjustment and Zoning Appeals, Boone County Planning Commission
2950 Washington St, Rm 317
P.O. Box 958
Burlington, KY 41005



Dear Board,

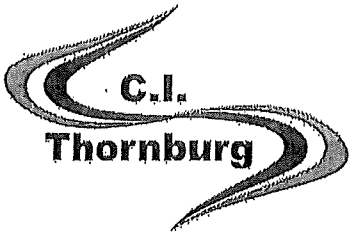
The C.I. Thornburg Co., Inc. is proud to have acquired Viking Supply from Mr. Jim Parsons, located at 1639 Youell Road in Hebron. C.I. Thornburg is a family-owned and operated company focused on the distribution of products in the water and wastewater markets. Viking Supply specialized in water and sewer pipe products for municipalities and all types of contractors. We are excited to broaden the product portfolio that Viking has provided to its customer base to more completely supply the needs of water and sewer companies.

C.I. Thornburg is a wholesale distributor, selling the full breadth of products to take water from the source – river, lake, or stream – and enable our customers to pump, treat, distribute, meter, and manage the clean water that is delivered to peoples' faucets. We also sell the pipes, valves, fittings, and all products needed to collect dirty water, treat it, and return it to the ecosystem.

One important set of products that we supply to water and sewer companies is their water and wastewater treatment chemicals. Many of these products are containerized – bought and sold in self-contained drums, bags, cylinders, or totes. C.I. Thornburg has also developed a delivery system that we call mini-bulk – allowing our customers to have safer and cleaner in-plant storage, and lower-priced chemical supplies, by purchasing their liquid chemicals in bulk. We have installed tanks at water and wastewater treatment plants across our territory of Kentucky, West Virginia, Southwest Virginia, and Tennessee. To supply these tanks, we use refillable 300-gallon totes to support the mini-bulk deliveries. Our suppliers deliver liquid chemical to C.I. Thornburg facilities in tanker trucks, and we receive and offload the liquid from the tankers directly into these refillable totes. We are not a chemical manufacturer – we buy treatment chemicals from our vendors, and sell them to municipalities and other water and wastewater companies on the schedule and at the volume that the treatment plants require. We transfer the liquid from the delivery tanker truck directly into refillable totes.

Leading the World Through Clean Water

Branch Offices: Bowling Green, KY • Bridgeport, WV • Lexington, KY • Nashville, TN
www.cithornburg.com



The C.I. Thornburg Co., Inc.

P.O. Box 2163 • Huntington, WV 25722
4034 Alfizer Avenue • Huntington, WV 25705
(304) 523-3484 • FAX (304) 523-0510

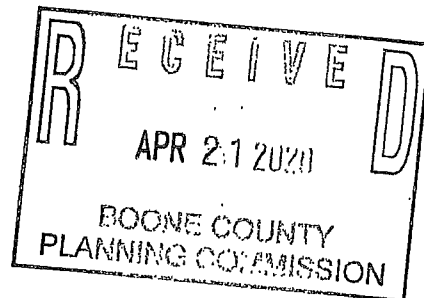
We have robust chemical transfer procedures and personal protective equipment requirements to ensure the safety of our team and our surroundings. We regularly train on and review our chemical procedures. The refillable totes are inspected as required by federal standards. And, we are proud to be the only water and wastewater-focused distributor that is a member of the National Association of Chemical Distributors. We are very serious about our commitment to the safe handling of chemicals that are essential to the supply of clean water in our communities. Since 2016, we have been certified through the NACD Responsible Distribution program, holding ourselves to the highest standards of care for chemical distribution. I have included some information on our NACD verification, and the Responsible Distribution program itself.

Based on the language in Section 1133 of the Boone County Zoning Regulations, C.I. Thornburg believes that we need to apply for a Conditional Use Permit for the "Wholesale trade of non-containerized... chemicals..." [line 3] to implement our mini-bulk chemical receiving process at the 1639 Youell Road facility. We also may need to apply for the Conditional Use of the "Storage of chemicals" [line 1.i] at the facility, as we do stock chemicals between purchase and reselling. No exterior or interior construction is part of this plan. We respectfully request approval for these Conditional Uses.

Please feel free to contact me for any additional information that would be helpful to determine your decision. I look forward to working with you, and we look forward to serving Boone County and the surrounding communities.

Sincerely,
THE C.I. THORNBURG CO., INC.

Mary Beth Anderson
Chief Operating Officer
304-523-3484
marybeth.anderson@cithornburg.com



Leading the World Through Clean Water

Branch Offices: Bowling Green, KY • Bridgeport, WV • Lexington, KY • Nashville, TN
www.cithornburg.com



RESPONSIBLE DISTRIBUTION WORKS

Gain Peace of Mind — Work with an NACD Responsible Distributor

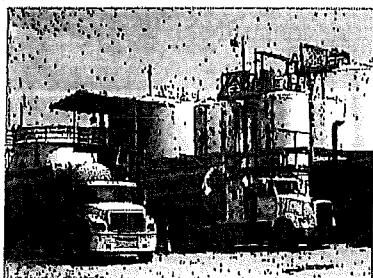
RESPONSIBLE DISTRIBUTION | THE SMART WAY FORWARD

As a member of the National Association of Chemical Distributors, our company strives to achieve the highest in quality, safety, and performance through NACD Responsible Distribution®. NACD Responsible Distribution is a mandatory, third-party-verified environmental, health, safety, and security program that requires demonstrated commitment to continuous performance improvement in every phase of chemical storage, handling, transportation, and disposal.



DEDICATED TO SUPERIOR PERFORMANCE AND SAFETY

- Boast a safety record of *less than one incident* for every half million miles traveled by industry vehicles.
- Nearly \$18.4 million invested in environmental sustainability programs.
- Verified at least once in every three-year cycle via on-site verifications by a third party contracted by NACD.



Working with an NACD Responsible Distributor means your products will be handled and delivered safely and properly. Participation in the Responsible Distribution program has resulted in:

- Increased company productivity.
- Fewer worker injuries, fatalities, and lost work days.
- Better relations with producers, customers, emergency responders, regulators, legislators, and local communities.

LEARN MORE ABOUT RESPONSIBLE DISTRIBUTION AT WWW.NACD.COM.

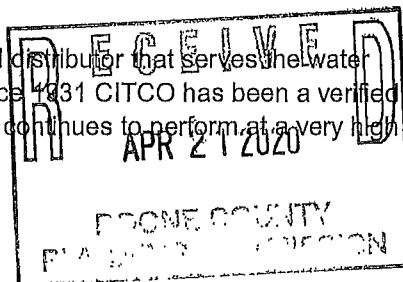
WHY WORK WITH US

In pursuit of our commitment to continuous improvement and as a condition of membership in NACD, we've pledged to operate our business in an ethical and responsible manner by following the 13 codes of the NACD Responsible Distribution Code of Management Practice.



The C.I. Thornburg Co., Inc.

The C.I. Thornburg Co., Inc. is a chemical distributor that serves the water and wastewater industry. In business since 1931 CITCO has been a verified member of NACD since May of 2016 and continues to perform at a very high level in safety and security.



Company-specific statistics not endorsed or claimed by NACD.



National Association of
Chemical Distributors



Responsible Distribution

The Smart Way Forward™



APR 21 2020

Advancing Stewardship, Creating Connections™

What is Responsible Distribution?

In over 40 years of service to its members, NACD has placed its highest priority on the health, safety, and security of employees, communities, and the environment.

In December 1991, the member companies of NACD undertook its most important mission ever—the inception of Responsible Distribution, developed by NACD members for NACD members.

Responsible Distribution is a mandatory, third-party-verified environmental, health, safety & security program that lets members demonstrate their commitment to continuous performance improvement in every phase of chemical storage, handling, transportation, and disposal. It also serves to demonstrate their sensitivity and responsiveness to public concerns, and helps them, as elite distributors, be leaders in their communities, eager to work with local, state, and federal legislators.

Guidance and Support

Members enjoy comprehensive guidance and resources as they implement Responsible Distribution, such as its Mentoring Program, which offers one-on-one consultation with Responsible Distribution experts; other resources include mock audits, workshops, Webinars, and a wide variety of online tools.

Key Benefits of Responsible Distribution

There are many profound benefits including: members can lower their occurrences of safety and environmental incidents, enjoy better documentation of company policies, see better communication with their local community, share best practices and quality systems they can employ throughout operations, reduce their audit costs and decrease the time spent on audits, save on insurance expenses, enjoy flexibility of implementation and oversight for each member, improve their marketplace visibility and earn credibility through performance.

Independent Verification

2010 marks the beginning of NACD's fourth three-year cycle for Responsible Distribution verifications. The process requires two separate verifications conducted by independent third-party firms designated by NACD. The first of which is a document verification of policies and procedures; this is conducted once when a member joins. The second is an on-site verification of the implementation of these policies and procedures. Third, after the initial on-site verification, it is repeated a minimum of once every three years at each member company.

The Results That Prove It Works

In 2009, NACD members achieved a handling/storage safety record of 99.9997%, averaged just one traffic incident every 700,000 miles driven and had a safety record twice as good as the U.S. Department of Transportation's 2011 goal. The U.S. Environmental Protection Agency (EPA)'s Toxics Release Inventory (TRI) report for 2008 showed that the Chemical Distribution sector is the second best industry (behind Apparel) in lowest releases, with NACD members practicing Responsible Distribution having 72% less releases than non-NACD members.

RECEIVED

APR 21 2020

PLANNING COMMISSION

CLUR #20-BCBOA-009-A

CERTIFICATE OF LAND USE RESTRICTION

1. NAME AND ADDRESS OF PROPERTY OWNER(S)
Parsons Properties LLC
1639 Youell Road
Hebron, KY 410418
2. ADDRESS OF PROPERTY
1639 Youell Road
Hebron, KY 41048
3. NAME OF SUBDIVISION OR DEVELOPMENT (if applicable)
The C.I. Thornburg Co., Inc.
4. DEED BOOK 894 PAGE NO. 392 GROUP NO. 2026
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

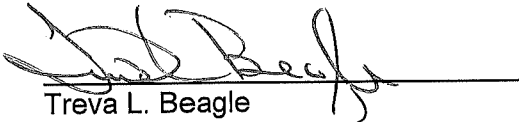
Michael D. Schwartz, Planner
Name and Title of Completing Official

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 9 day of July, 2020.



Treva L. Beagle
Notary ID 588897
NOTARY PUBLIC, State at Large

My commission Expires:
November 12, 2021

This instrument was prepared for recording purposes only by:



Ronica Wuest
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.)