Zoning Report

Site Information

<table>
<thead>
<tr>
<th>Field</th>
<th>Details</th>
</tr>
</thead>
<tbody>
<tr>
<td>Address</td>
<td>2310 REFUGEE RD, COLUMBUS, OH</td>
</tr>
<tr>
<td>Mailing Address</td>
<td>7725 BASIL WESTERN RD NW CANAL WINCHESTER OH 43110</td>
</tr>
<tr>
<td>Owner</td>
<td>HALL RANDALL</td>
</tr>
<tr>
<td>Parcel Number</td>
<td>010238695</td>
</tr>
<tr>
<td>In Columbus?</td>
<td>Yes</td>
</tr>
<tr>
<td>County</td>
<td>FRANKLIN</td>
</tr>
</tbody>
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Zoning Information

<table>
<thead>
<tr>
<th>Field</th>
<th>Details</th>
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</thead>
<tbody>
<tr>
<td>Zoning</td>
<td>750, Manufacturing, M, 1/20/1958, H-35</td>
</tr>
<tr>
<td>Historic District</td>
<td>None</td>
</tr>
<tr>
<td>Short North Special Parking Area</td>
<td>Out</td>
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<tr>
<td>Council Variance</td>
<td>None</td>
</tr>
<tr>
<td>Board of Zoning Adjustment (BZA) Variance</td>
<td>None</td>
</tr>
<tr>
<td>Commercial Overlay</td>
<td>None</td>
</tr>
<tr>
<td>Planning Overlay</td>
<td>None</td>
</tr>
<tr>
<td>Graphics Variance</td>
<td>None</td>
</tr>
<tr>
<td>Area Commission</td>
<td>Columbus Southside Area Commission</td>
</tr>
<tr>
<td>Historic Site</td>
<td>No</td>
</tr>
<tr>
<td>Flood Zone</td>
<td>Out</td>
</tr>
<tr>
<td>Airport Overlay Environrs</td>
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Pending Zoning Action

<table>
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<tr>
<th>Field</th>
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<tr>
<td>Zoning</td>
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<tr>
<td>Board of Zoning Adjustment (BZA) Variance</td>
<td>12311-00475, Proposed</td>
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<tr>
<td>Council Variance</td>
<td>None</td>
</tr>
<tr>
<td>Graphics Variance</td>
<td>None</td>
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</table>
Board of Zoning Adjustment Application

Application Number: BZA17-133

Date Received: 11/13/17

Application Accepted by: L. Reis

Fee: $1,200.00

Commission/Civic: SouthSide Area Commission

Existing Zoning: M

Comments: 1/23/18

TYPE(S) OF ACTION REQUESTED (Check all that apply):

☐ Variance ☐ Special Permit

Indicate what the proposal is and list applicable code sections:
See Exhibit "B"

LOCATION

Certified Address: 2310 Refugee Road

City: Columbus, OH Zip: 43207

Parcel Number (only one required): 010-238695

APPLICANT (If different from Owner):

Applicant Name: Randall Hall

Phone Number: 614-443-2683

Address: 2181 Alum Creek Drive

City/State: Columbus, OH Zip: 43207

Email Address: RHall@cautoshred.com

Fax Number: 

PROPERTY OWNER(S) ☐ Check here if listing additional property owners on a separate page

Name: Randall Hall

Phone Number: 614-443-2683

Address: 2181 Alum Creek Drive

City/State: Columbus, OH Zip: 43207

Email Address: RHall@cautoshred.com

Fax Number: 

ATTORNEY / AGENT (Check one if applicable): ☐ Attorney ☐ Agent

Name: 

Phone Number: Ext.: 

Address: 

City/State: Zip: 

Email Address: 

Fax Number: 

SIGNATURES (All signatures must be provided and signed in blue ink)

Consultant: Dave Perry (David Perry Company, Inc.)

411 E Town Street, 1st FL, Columbus, Ohio 43215

APPLICANT SIGNATURE:

PROPERTY OWNER SIGNATURE:

ATTORNEY / AGENT SIGNATURE:

PLEASE NOTE: Incomplete information will result in the rejection of this submittal.

Applications must be submitted by appointment. Call 614-645-4522 to schedule.
AFFIDAVIT
STATE OF OHIO
COUNTY OF FRANKLIN

Being first duly cautioned and sworn (1) NAME David B. Perry (David Perry Company, Inc.)
of (1) MAILING ADDRESS 411 East Town Street, 1st Floor, Columbus, Ohio 43215
deposes and states that he/she is the applicant agent or duly authorized attorney for same and the following is a list of the
name(s) and mailing address(es) of all the owners of record of the property located at
(2) per ADDRESS CARD FOR PROPERTY 2310 Refugee Road, Columbus, OH 43207
for which application for a rezoning, variance, special permit or graphics plan was filed with the Department of Building and
Zoning Services, on (3)

(THE LINE TO BE FILLED OUT BY CITY STAFF)

SUBJECT PROPERTY OWNERS NAME
AND MAILING ADDRESS

(4) Randall Hall
2181 Alum Creek Drive
Columbus, Ohio 43207

APPLICANT’S NAME AND PHONE #
(same as listed on front application)

Randall Hall
(614) 443-2683

AREA COMMISSION OR CIVIC GROUP
AREA COMMISSION ZONING CHAIR
OR CONTACT PERSON AND ADDRESS

(5) Columbus Southside Area Commission
c/o Curtis Davis
584 E Moler Street, Columbus, OH 43207

and that the attached document (6) is a list of the names and complete mailing addresses, including zip codes, as shown on
the County Auditor’s Current Tax List or the County Treasurer’s Mailing List, of all the owners of record of property
within 125 feet of the exterior boundaries of the property for which the application was filed, and all of the owners of any property
within 125 feet of the applicant’s or owner’s property in the event the applicant or the property owner owns the property contiguous to
the subject property

(7) SIGNATURE OF AFFIANT

Sworn to before me and signed in my presence this 10th day of November, in the year 2017

Stacy L. Danza
Notary Seal Here

(7) SIGNATURE OF NOTARY PUBLIC

Stacy L. Danza
Notary Public, State of Ohio
My Commission Expires 11-05-2018

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EXHIBIT A, Public Notice
2310 Refugee Road
BZA-____
November 10, 2017

APPLICANT
Randall Hall
2181 Alum Creek Drive
Columbus, Ohio 43207

PROPERTY OWNER
Randall Hall
2181 Alum Creek Drive
Columbus, Ohio 43207

ATTORNEY FOR APPLICANT
James B. Harris, Attorney
Harris McClellan Binau & Cox
37 W Broad Street, Suite 950
Columbus, OH 43215

COMMUNITY GROUP:
Columbus Southside Area Commission
c/o Curtis Davis
584 E Moler Street
Columbus, OH 43207

Katherine L Gall (or current occupant)
2262 Refugee Road
Columbus, OH 43204-2843

PROPERTY OWNERS WITHIN 125 FEET
US BIR Inc. (or current occupant)
6955 Sparrow Lane
Columbus, Ohio 43235-6200

U Part It LLC (or current occupant)
2181 Alum Creek Drive
Columbus, Ohio 43207-2204

2298 Property LLC (or current occupant)
2298 Refugee Road
Columbus, OH 43207-2843

Larry E Kaffernbarger, TR (or current occupant)
10991 Ballentine Pike
New Carlisle, OH 45344-9533

ALSO NOTIFY
David B. Perry
David Perry Company, Inc.
411 E. Town Street, Fl 1
Columbus, OH 43215

2310 Refugee Road
BZA-____, November 10, 2017
Exhibit A, Public Notice
Page 1 of 1
STATEMENT IN SUPPORT OF VARIANCE(S)

APPLICATION #

3307.09 Variances by Board.

A. The Board of Zoning Adjustment shall have the power, upon application, to grant variances from the provisions and requirements of this Zoning Code (except for those under the jurisdiction of the Graphics Commission and except for use variances under the jurisdiction of the Council). The board shall take into account all of the following facts and conditions when considering variances:

1. Whether the property in question will yield a reasonable return or whether there can be any beneficial use of the property without a variance.
2. Whether the variance is substantial.
3. Whether the essential character of the neighborhood would be substantially altered or whether adjoining properties would suffer a substantial detriment as a result of the variance.
4. Whether the variance would adversely affect the delivery of governmental services (e.g., water, sewer, refuse service).
5. Whether the property owner purchased the property with knowledge of the zoning restriction.
6. Whether the property owner's predicament feasibly can be obviated through some method other than a variance.
7. Whether the spirit and intent behind the zoning requirement would be observed and substantial justice done by granting the variance.

B. In granting a variance, the Board may impose such requirements and conditions regarding the location, character, and other features of the proposed uses or structures as the Board deems necessary to carry out the intent and purpose of this Zoning Code and to otherwise safeguard public safety and welfare.

C. Nothing in this section shall be construed as authorizing the Board to affect changes in the Zoning Map or to add to the uses permitted in any district.

List all sections of Code to be varied and explain your reasoning as to why this request should be granted.

PLEASE NOTE: It is the applicant's responsibility to identify all variances required for the project. If any necessary variances are not included, a new application (and applicable fees) will be required.

I have read the foregoing and believe my application for relief from the requirements of the Zoning Code demonstrates practical difficulty as contemplated by that section, in the following ways (use separate page if needed or desired):

See Exhibit 'B'

__________________________
Signature of Applicant

__________________________
Date

__________________________
Consultant

(Dave Perry, David Perry Company, Inc.)

__________________________
Date

PLEASE NOTE: Incomplete information will result in the rejection of this submittal.
Applications must be submitted by appointment. Call 614-645-4522 to schedule.
EXHIBIT B

Request for Special Permit and Statement In Support (Variance)

2310 Refugee Road, Columbus, OH 43207

BZA: SP17/V17 -

2310 Refugee Road is an 8.6 +/- acre parcel on the north side of Refugee Road, approximately one-half mile west of Alum Creek Drive, and is zoned M, Manufacturing. Applicant owns and operates Columbus Auto Shredding and U-Part It, both of which are businesses located on parcels to the south and east. Applicant purchases salvage and junk vehicles for the removal and sale of parts by customers at the U-Part It business. Salvage and junk vehicles are collected and temporarily stored at the 2310 Refugee Road site to supply vehicles for the U-Part It business. Applicant also proposes an expansion of the U-Part It business on the south side of the existing building at 2310 Refugee Road, contiguous with U-Part It. The expansion area is for additional vehicle storage area for vehicles in the U-Part It business, for removal of parts and subsequent salvage of vehicles. The Board of Zoning Adjustment approved a Special Permit and Variance (12311-00475, October 30, 2012) for this site previously. Applicant proposes this new application to update the previous Board Order and to include the expansion area for the U-Part It business. The site is part of a large area zoned M, Manufacturing and developed with industrial uses. The proposed use is appropriate for the area and is supported by the South Side Plan (2014). Recycling of vehicles, other metals and car parts is consistent with public policy goals for recycling and diversion of recyclable materials from landfills.

Special Permit (SP):

By previously granting a Special Permit, the Board of Zoning Adjustment (BZA) has determined the site met the criteria for granting a Special Permit based on the applications at the time of approval. Applicant requests a new Special Permit (3389.07, Impound Lot, Junk Yard or Salvage Yard), to update the 2012 Special Permit and to expand the vehicle storage/parts removal area for U-Part It. The BZA has the authority to grant a Special Permit upon finding that the proposed Special Permit

"... can be granted without substantial detriment to the public good, without substantial impairment of the general purpose and intent of the zoning district in which the use is proposed to be located, and without significant incompatibility with the general character of the neighborhood.” (Section 3307.06 (A), Special Permits).

Applicant believes the Special Permit meets the criteria of Section 3307.06 (A), in that the new Special Permit will not be detrimental to the public good, will not be detrimental
to the general purpose and intent of the zoning district (M, Manufacturing) and is not incompatible with the general character of the neighborhood, in that the site is zoned M, Manufacturing, is in an area of extensive M, Manufacturing District zoning, and industrial uses are supported by the South Side Plan (2014).

The requested variances will not be injurious to neighboring property owners and will not be contrary to the public interest or the intent of the Zoning Code. Applicant has hardship and practical difficulty to comply with the referenced code sections to reasonably conduct the business as stated.

A. Applicant requests a Special Permit, to permit the collection and storage of junk and salvage vehicles and to permit the display and removal of parts from junk and salvage vehicles south of the existing building, contiguous to U-Part It (PID 010-237395).

B. Applicant requests the following variances:

1). 3363.41(b), Storage, to reduce the 600 foot separation from an apartment residential district to the north to 320’ (closest point) to the north property line and to zero (0) feet for part of PID 010-112470, a 14 acre parcel abutting the west side of 2310 Refugee Road, most of which is zoned M, Manufacturing, but part, along the Refugee Road frontage, is zoned R, Rural from annexation; to not provide an opaque screen along the north and west property lines and where contiguous with U-Part It, but existing 6’ chain link fence to remain; and to reduce the setback for outside storage from 20 feet to zero (0) feet along all property lines except the west property line.

November 12, 2017
DEED OF FIDUCIARY
(5302.09 O.R.C.)

Larry E. Kaffenbarger, Trustee of The Larry E. Kaffenbarger Revocable Trust
u/d/o February 19, 2002, as amended and restated on November 15, 2007, by the power
conferred by the terms of said Trust, and every other power, for valuable consideration
paid, grants, with Fiduciary Covenants, to Randall Hall, the Grantee, whose tax mailing
address is: 7725 Basil Western Rd. Canal Winchester, Ohio, 43110, the following real
property:

(See Legal Description on EXHIBIT A attached hereto)

Price Instrument Reference: 200403160056496
Tax Parcel No: 010 – 238695

Grantee accepts the title to this property subject to the restriction that the property shall
not be used for a period of Fifteen (15) years from the date of recording of this Deed for
the purpose of manufacturing and distributing new truck bodies and new truck equipment
without the prior written consent of Grantor. This restriction shall run with the land and
shall bind Grantee, its successors and assigns, and be enforceable by law or in
equity by Grantor, its successors and assigns.
This conveyance, and Grantor's covenants, are subject to conditions, covenants, restrictions, leases, reservations, and easements of record; all legal highways; zoning and building ordinances; and real estate taxes and assessments, both general and special, accruing from the date of delivery of this instrument and thereafter, which Grantee assumes and agrees to pay in accordance with the terms of the purchase agreement between the parties.

Executed this 31st day of June, 2013.

LARRY E. KAFFENBARGER, TRUSTEE

STATE OF OHIO

COUNTY OF Franklin

Before Me, a Notary Public in and for said County and State, personally appeared the above named Larry E. Kaffenbarger, Trustee of The Larry E. Kaffenbarger Revocable Trust dated February 19, 2002, as amended and restated on November 15, 2007, who acknowledged that he did sign the foregoing instrument and that the same was his free act and deed on behalf of said Trust.

In Testimony Whereof, I have hereunto set my hand and official seal at Hilliard, Ohio, this 31st day of June, 2013.

CHRISTINA M. YODER
NOTARY PUBLIC

This Instrument Prepared By:
Jeffrey D. Windon - Attorney
EXHIBIT A

Situated in the State of Ohio, County of Franklin, and in the City of Columbus. Being parts of Half Section 36 and 37, Township S, Range 22 of the Refugee Lands, and being part of the same 31.824 acre tract as conveyed in a deed to SKI Ltd., an Ohio limited liability company, (as shown in Official Record 34012) and being more particularly described as follows:

Beginning for reference at a State of Ohio Department of Transportation Centerline monument box (found) at station 69+24.53, as shown on a Centerline Plot of the Relocated Refugee Road (page 2205245 thru 245245 also 325 thru 245245), thence with the centerline of Refugee Road South 43° 46' 14" West a distance of 224.53 feet to Survey nail (set) at station 84+00;

thence North 45° 13' 46" West a distance of 40.00 feet to an iron pipe (found) at station 84+00 (40 feet right), and being the north right-of-way line of Refugee Road;

thence with the following 4 calls along the north line of said Refugee Road right-of-way, South 43° 46' 14" West a distance of 400.00 feet to an iron pipe (found);

thence South 61° 44' 59" West a distance of 195.64 feet to an iron pipe (found);

thence South 66° 34' 29" West a distance of 200.59 feet to an iron pipe (found);

thence South 84° 38' 46" West a distance of 269.39 feet to an iron pipe (set) and being the True Place of Beginning;

thence continuing with the north line of said right-of-way, South 84° 38' 46" West a distance of 60.23 feet to an iron pipe (found), at the southeast corner of a 14.16 acre tract as conveyed in a certificate of transfer to Katherine & Essaile Gall (as shown in Official Record 333465-00);

thence with the east line of said 14.16 acre tract, North 00° 21' 33" West a distance of 1322.57 feet to an iron pipe (found), on the south line of the Toledo and Ohio Railroad (as shown in Deed Book 262 Page 105);

thence with the south line of said railroad, North 67° 36' 10" East a distance of 525.60 et to an iron pipe (set);

thence with the following 3 calls crossing said 31.824 acre tract South 14° 33' 51" East a distance of 562.17 feet to an iron pipe (set);

thence South 07° 08' 10" East a distance of 610.00 feet to an iron pipe (set);

Thence South 00° 21' 35" East a distance of 700.00 feet, to the True Place of Beginning containing 8.617 acres.

This description is based on an actual survey completed in December 1996 by the Harmon Surveying Company. Bearings were based on the North line of said 31.824 acre tract as being North 87° 08' 10" East as shown in previous deed reference (Official Record 16786D18). All iron pipes that are set are 30" in length x 3/4" CU with a yellow plastic cap marked "HARMON PS1904". All deed references are recorded with the Franklin County Recorder's Office.

RECORD: THIS DEED IS BEING RE-RECORDED TO CORRECT ERROR IN LEGAL DESCRIPTION

DEAN C. RINGLE, P.E., P.S.
DATE: 11/14/2014

DESCRIPTOR VERIFIED
DEAN C. RINGLE, P.E., P.S.
DATE: 11/14/2014
This is to certify that the foregoing is a true and correct copy of a Deed on record in Recorder's Office, Franklin County, Ohio, Instrument # 20130624161638 in testimony whereof I have hereunto subscribed my name and affixed my official seal this _______________ day of ___________ 2014.

Terry Brown, Recorder

By .......... Deputy
City of Columbus
Zoning Plat

ZONING NUMBER

The Zoning Number Contained on This Form is Herein Certified to Obtain Zoning, Rezoning, and Variances, and is NOT to be Used for the Securing of Building & Utility Permits

Parcel ID: 010238695
Zoning Number: 2310
Lot Number: N/A
Street Name: REFUGEE RD
Subdivision: N/A

Requested By: DAVID PERRY COMPANY INC. (DAVE PERRY)

Issued By: [Signature]

Date: 10/20/2017

FRANK D. WILLIAMS, ADMINISTRATOR
DIVISION OF INFRASTRUCTURE MANAGEMENT
COLUMBUS, OHIO

SCALE: 1 inch = 400 feet
GIS FILE NUMBER: 105733
Board of Zoning Adjustment Application

PROJECT DISCLOSURE STATEMENT

Parties having a 5% or more interest in the project that is the subject of this application.

THIS PAGE MUST BE FILLED OUT COMPLETELY AND NOTARIZED. Do not indicate ‘NONE’ in the space provided.

APPLICATION #

STATE OF OHIO
COUNTY OF FRANKLIN

Being first duly cautioned and sworn (NAME) Randall Hall

of (COMPLETE ADDRESS) 2181 Alum Creek Drive, Columbus, Ohio 43207
deposes and states that (he or she) is the APPLICANT AGENT, OR DULLY AUTHORIZED ATTORNEY FOR SAME and the following
is a list of all persons, other partnerships, corporations or entities having a 5% or more interest in the project which is the subject of
this application and their mailing addresses:

NAME
Randall Hall

COMPLETE MAILING ADDRESS
2181 Alum Creek Drive
Columbus, OH 43207

SIGNATURE OF AFFIANT

Sworn to before me and signed in my presence this 10th day of November in the year 2017

Notary Seal Here

SIGNATURE OF NOTARY PUBLIC

Stacey L. Danza
Notary Public, State of Ohio
My Commission Expires 11-06-2018

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