



BOARD OF ZONING ADJUSTMENT APPLICATION

City of Columbus, Ohio • Department of Building & Zoning Services

757 Carolyn Avenue, Columbus, Ohio 43224 • Phone: 614-645-7433 • www.columbus.gov

OFFICE USE ONLY

Application Number: 13310-0-00331
Date Received: 5/13/13
Commission/Group: Star South
Existing Zoning: M Application Accepted by: H. Reiss Fee: \$1,900.00
Comments: 7/23/13

TYPE(S) OF ACTION REQUESTED

(Check all that apply)

☒ Variance ☐ Special Permit

Indicate what the proposal is and list applicable code sections. State what it is you are requesting.

Capital Resin Corporation ("CRC") is requesting a variance to Section 3363.24 (building lines) of the code from 25 feet to zero foot set back to allow for the installation of new process facilities and equipment necessary to operations and production of the plants expansion. Additionally, CRC is requesting a variance to section 3309.14 (height districts) to increase the allowable height to 60' at the location of a cooling tower inward from the property line and set back.

LOCATION

1. Certified Address Number and Street Name 324 Dering Avenue

City Columbus State OH Zip 43207

Parcel Number (only one required) 010-104073

APPLICANT: (IF DIFFERENT FROM OWNER)

Name Capital Resin Corporation c/o Dan Yinger

Address 324 Dering Avenue City/State Columbus, OH Zip 43207

Phone # 419-204-3779 Fax # 614-445-7290 Email dyinger@capitalresin.com

PROPERTY OWNER(S):

Name Hansen Properties LLC

Address 324 Dering Avenue City/State Columbus, OH Zip 43207

Phone # 419-445-7177 Fax # 614-445-7290 Email dyinger@capitalresin.com

☒ Check here if listing additional property owners on a separate page.

ATTORNEY / AGENT (CHECK ONE IF APPLICABLE)

☒ Attorney ☐ Agent

Name James V. Maniace, Esq.

Address 65 E. State St., Suite 1000 City/State Columbus, OH Zip 43215

Phone # 614-221-2838 Fax # 614-221-2007 Email: jmaniace@taftlaw.com

SIGNATURES (ALL SIGNATURES MUST BE PROVIDED AND SIGNED IN BLUE INK)

APPLICANT SIGNATURE

PROPERTY OWNER SIGNATURE

ATTORNEY / AGENT SIGNATURE

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

For all questions regarding this form and fees please call: 614-645-4522

Please make all checks payable to the Columbus City Treasurer



Mayor Michael B. Coleman

BOARD OF ZONING ADJUSTMENT APPLICATION

City of Columbus, Ohio • Department of Building & Zoning Services

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Comments: Page 2

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Indicate what the proposal is and list applicable code sections. State what it is you are requesting.

SEE PREVIOUS SHEET

LOCATION

1. Certified Address Number and Street Name 324 Dering Ave.

City Columbus State OH Zip 43207

Parcel Number (only one required) 010-104073

APPLICANT: (IF DIFFERENT FROM OWNER)

Name SEE PREVIOUS SHEET

Address _____ City/State _____ Zip _____

Phone # _____ Fax # _____ Email _____

PROPERTY OWNER(S):

Name City of Columbus

Address 109 N. Front St. City/State Columbus, OH Zip 43215

Phone # 614-645-8290 Fax # _____ Email _____

☒ Check here if listing additional property owners on a separate page.

ATTORNEY / AGENT (CHECK ONE IF APPLICABLE)

☒ Attorney ☐ Agent

Name Jim Maniaci

Address 65 E. State St. Suite 1000 City/State Columbus, OH Zip 43215

Phone # 614-221-2838 Fax # 614-221-2007 Email: _____

SIGNATURES (ALL SIGNATURES MUST BE PROVIDED AND SIGNED IN BLUE INK)

APPLICANT SIGNATURE _____

PROPERTY OWNER SIGNATURE Mark Kelly, Director

ATTORNEY / AGENT SIGNATURE _____

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Revised 02/01/11



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AFFIDAVIT

13310-00331
324 Dering Ave.

STATE OF OHIO
COUNTY OF FRANKLIN

Being first duly cautioned and sworn (1) NAME Dan Yinger
of (1) MAILING ADDRESS 324 Dering Ave. Columbus, OH 43207

deposed 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

for which the application for a rezoning, variance, special permit or graphics plan was filed with the Department of Building and Zoning Services, on (3) _____

(THIS LINE TO BE FILLED OUT BY CITY STAFF)

SUBJECT PROPERTY OWNERS NAME

AND MAILING ADDRESS

(4) Hansen Properties LLC

Hansen Properties LLC

324 Dering Ave.

Columbus, OH 43207

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

Capital Resin Corporation c/o Dan Yinger

614-204-3779

AREA COMMISSION OR CIVIC GROUP

AREA COMMISSION ZONING CHAIR OR

CONTACT PERSON AND ADDRESS

(5) Far South Columbus

Becky Walcott

723 Ivorton Rd South Columbus, OH 43207

and that the following 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:

(6) PROPERTY OWNER(S) NAME	(6A) ADDRESS OF PROPERTY	(6B) PROPERTY OWNER(S) MAILING ADDRESS
Eric H. Lee	277 Dering Ave.	Eric H. Lee 277 Dering Ave. Columbus, OH 43207
Metropolitan Property Group LLC	281 Dering Ave.	2411 Seventh LLC PO Box 600 New Albany, OH 43054
KCK of Ohio LTD	00321 Dering Ave	KCK of Ohio LTD 321 Dering Ave. Columbus, OH 43207
Certified Oil Corp.	2483 Parsons Ave.	Certified Oil Co. 949 King Ave. Columbus, OH 43212
Mary A. & Carl F. Weiffenbach Co-TRS	330 E. Dering Ave.	Mary A. Weiffenbach & Carl F. Weiffenbach Co-TRS 618 Fairway Blvd Columbus, OH 43213

☒ (7) Check here if listing additional property owners on a separate page

SIGNATURE OF AFFIANT

Subscribed to me in my presence and before me this 10 day of May, in the year 2013

SIGNATURE OF NOTARY PUBLIC

My Commission Expires



Susan M. Karrer
Notary Public, State of Ohio
My Commission Expires 04-14-2014

(8)

(8)

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(6) PROPERTY OWNER(S) NAME (6A) ADDRESS OF PROPERTY (6B) PROPERTY OWNER(S) MAILING ADDRESS

CSX Transportation Inc. Chesapeake & Ohio Ry		CSX Transportation Inc. Tax Dept. 500 Water St. Jacksonville, FL 32202
Hanson Properties LLC	MULTIPLE PROPERITES	Hanson properties LLC 324 Dering Ave. Columbus, OH 43207
Hudson Meat Co.	MULTIPLE PROPERTIES	Hudson Meat Co. c/o Leslie D Hope 2320 S. 7 th St. Columbus, OH 43207
Donathan S. & Amy L. Holmes	241 Dering Ave.	Bac Tax Services Corp. TX-975-02-01 2375 N. Glenville Dr. Richardson, TX 75082
James E. Johnson	271 Dering Ave.	James E. Johnson 927 E. Temple St. Wash CH, OH 43160

13310-00331
324 Dering Ave.

APPLICANT

Capital Resin Corporation
c/o Dan Yinger
324 Dering Ave.
Columbus, OH 43207

**AREA COMMISSION OR
NEIGHBORHOOD GROUP**

Far South Columbus
c/o Becky Walcott
723 Ivorton Rd. South
Columbus, OH 43207

PROPERTY OWNER

Hansen Properties LLC
324 Dering Ave.
Columbus, OH 43207

**SURROUNDING PROPERTY
OWNERS**

CSX Transportation Inc.
Tax Dept.
500 Water St.
Jacksonville, FL 32202

BAC Tax Services Corp.
TX – 975 – 02 – 01
2375 N. Glenville Dr.
Richardson, TX 75082

2411 Seventh LLC
PO Box 600
New Albany, OH 43054

Mary A. & Carl F. Weiffenback Co-TRS
618 Fairway Blvd.
Columbus, OH 43213

Hansen Properties LLC
324 Dering Ave
Columbus, OH 43207

James E. Johnson
927 E. Temple St.
Wash CH OH 43160

KCK of Ohio LTD
321 Dering Ave.
Columbus, OH 43207

ATTORNEY

Taft Stettinius & Hollister LLP
c/o James V. Maniace
65 E. State Street, Suite 1000
Columbus, OH 43215

Hudson Meat Co.
c/o Leslie D. Hope
2320 S. 7th St.
Columbus, OH 43207

Eric H. Lee
277 Dering Ave.
Columbus, OH 43207

Certified Oil Co.
949 King Ave.
Columbus, OH 43212

13310-00331
324 Dering Ave.



CITY OF COLUMBUS

DEPARTMENT OF BUILDING AND ZONING SERVICES

One Stop Shop Zoning Report Date: Thu May 16 2013

General Zoning Inquiries: 614-645-8637

SITE INFORMATION

Address: 324 DERING AVE COLUMBUS, OH
Mailing Address: 324 DERING AVE
COLUMBUS OH 43207

Owner: HANSEN PROPERTIES LLC
Parcel Number: 010104073

ZONING INFORMATION

Zoning: 770, Manufacturing, M
effective 4/28/1958, Height District H-35

Board of Zoning Adjustment (BZA): N/A

Commercial Overlay: N/A

Graphic Commission: N/A

Area Commission: Far South Columbus Area Commission

Planning Overlay: N/A

Historic District: N/A

Historic Site: No

Council Variance: N/A

Flood Zone: OUT

Airport Overlay Environs: N/A

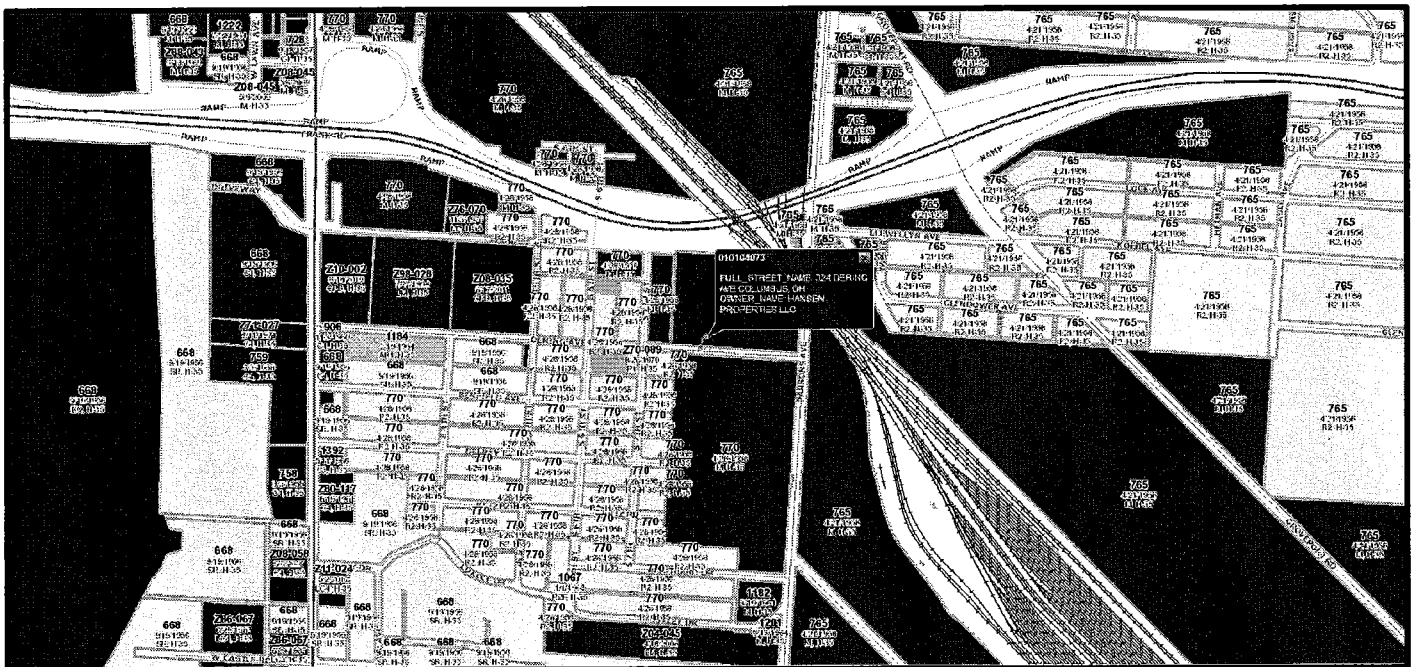
PENDING ZONING ACTION

Zoning: N/A

Board of Zoning Adjustment (BZA): N/A

Council Variance: N/A

Graphic Commission: N/A



JAMES V. MANIACE
DIRECT: 614.334.6151
jmaniace@taftlaw.com

May 13, 2013

Board of Zoning Adjustment Application
City of Columbus
Department of Building & Zoning Services
757 Carolyn Avenue
Columbus, OH 43224

Re: Capital Resin Corporation

Dear Sir/Madam:

The following constitute the statement of hardship for the application for variance of Capital Resin Corporation ("CRC").

GENERAL PROJECT BACKGROUND

Capital Resin Corporation (CRC) is making an investment in what will be its largest reactor vessel in order to increase revenue opportunity and support future business growth at the Dering Avenue facility. Throughout this process, CRC has been in discussions with the City of Columbus to procure additional properties north of its existing property line boundaries. These areas include a previously vacated alley (ordinance number 2587-85), and a triangular shaped portion of property adjacent to SR 104 right of way. It should be noted that the SR 104 paved surface is suspended above the right of way, with no means of access from SR 104 to CRC's site as currently configured or either of the two city parcels which may be acquired.

The anticipated conveyance of property from the City of Columbus to CRC is uncertain with regard to timing and sequencing. The Development Department of the City of Columbus has asked that this variance request be submitted contemplating three different scenarios, including one in which the transfer of either of the City properties to Capital Resin has not occurred at the time of hearing. As a means to document the

property purchase intent, the application for Zoning Variance has been co-signed by the Public Service Department of the City of Columbus.

The multiple scenarios are as follows:

SCENARIO 1

Scenario One describes current site conditions, legitimizes an existing encroachment into the setback area, and provides for a general zero foot setback from the northern property line to permit the use of land for further equipment which may need to be installed within the setback area. This Scenario assumes no land has been obtained from the City of Columbus at the time this application is heard. These conditions are represented in drawings C.1.0 and C.1.2.

Portions of the existing Capital Resin Facility, not currently involved within the construction process discussed above, are in non-conformance with the 25' setback cited in section 3363.24 of the Code. Though these elements are grandfathered, CRC requests a variance from this setback for the northern portion of the existing building from the north property line. Processing improvements and modifications require the installation of mechanical equipment and safety devices that will likely be located in the setback area to insure the safe operation of the equipment and maintain the welfare of the employees. As the Code currently stipulates, CRC would be in nonconformance installing this equipment in the area noted. CRC requests a zero foot setback variance from the northern property line to allow for the current and future installation of such equipment.

The application of any setback against the northern boundary of the property is a hardship and also is not justified by the public policy concerns addressed by setbacks. First, the property is subject to two front yard setbacks (Dering & SR104). The imposition of two front yard setbacks on a parcel is a classic hardship justifying a variance. Further, the imposition of a front yard setback against the northern property line is completely unnecessary. It creates a setback against an unused and unusable buffer parcel owned by the City of Columbus. The parcel is an embankment sloping vertically to SR 104. Given the uses already predominantly visible to SR 104, one may question the necessity for any setback, but considering the roadway at SR 104 is approximately 30 to 40 feet above the subject property, the setback serves to screen a use which is substantially invisible from the roadway.

SCENARIO 2

Scenario Two describes the site as modified by the purchase of a triangular portion of land on the northern boundary. This variance proposal requests a zero foot setback from the northern boundary to permit the replacement of a pump room and tower. The existing pump room and tower encroach into the setback

and exceed the allowable height limit set forth in sections 3363.24 and 3309.14 of the Code. The addition of the triangular City parcel would eliminate the need for a height variance but a zero foot setback would be required to permit a generator to be located at the northernmost point of the triangle, and to permit other ancillary equipment to be located generally in the setback area for the same reasons explained in Scenario One. These conditions are represented in drawing C 1.1.

Capital Resin Corporation (CRC) is investing in new processing equipment for its facility. To install this equipment, a portion of existing building must be torn down and a new, slightly taller building section installed to allow for pump room equipment installation and safe operations. The existing installation and proposed installation infringes on the 25' setback and H-35M zoning height requirements as stated in sections 3363.24 and 3309.14 of the code. CRC is requesting a variance which would allow for a zero foot setback from the northern property line, a preexisting condition. Granting this variance would allow for the installation of the building pump room necessary to supply cooling water to process equipment and required ancillary equipment also process necessary. By so granting, this would also allow for the necessary increased height of the building elements to include a process required cooling tower which will be installed on the new building roof surface, as section 3309.142(A) grants one foot of additional building elevation for every one foot of distance away from the setback line in H-35 Height districts.

The application of any setback against the northern boundary of the property is a hardship and also is not justified by the public policy concerns addressed by setbacks. First, the property is subject to two front yard setbacks (Dering & SR104). The imposition of two front yard setbacks on a parcel is a classic hardship justifying a variance. Further, the imposition of a front yard setback against the northern property line is completely unnecessary. It creates a setback against an unused and unusable buffer parcel owned by the City of Columbus. The parcel is an embankment scoping vertically to SR 104. Given the uses already predominantly visible to SR 104, one may question the necessity for any setback, but considering the roadway at SR 104 is approximately 30 to 40 feet above the subject property, the setback serves to screen a use which is substantially invisible from the roadway.

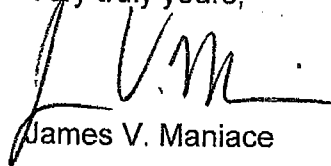
SCENARIO 3

Scenario Three describes the site as modified by two property acquisitions, one being the above mentioned triangular City parcel and the other being a 25 foot alley. The acquisition of both parcels greatly reduces the need for a setback variance along the northernmost property line, but the usability of the property is still hampered by the setback at the westerly portion of the building as shown on drawing C 1.11, which shows the installation of equipment which would otherwise encroach the setback without a reduction to zero feet.

Capital Resin Corporation (CRC) is investing in new processing equipment for its facility. A new electrical transformer and generator are required for the operation of the equipment and due to limited available site space within close proximity to the process equipment. Additional property is being procured from the City of Columbus. This land parcel is directly north of the current CRC property and included in the right of way for SR 104. Should the purchase of the land be limited to the existing fence line, CRC would request a variance to section 3363.24 requiring a 25' setback from the newly purchased northern border property line. CRS requests a zero setback from this property line to allow for the installation of the generator and transformer, which would be installed 10' inward from the existing fence line in compliance with NEC regulations. Currently, there is preexisting zero setback on the northern property line. It should be noted that the purchase of the referenced triangular shaped parcel is currently being requested and appropriate parties from the City of Columbus and CRC have indicated their agreement with the eventual transfer.

The application of any setback against the northern boundary of the property is a hardship and also is not justified by the public policy concerns addressed by setbacks. First, the property is subject to two front yard setbacks (Dering & SR 104). The imposition of two front yard setbacks on a parcel is a classic hardship justifying a variance. Further, the imposition of a front yard setback against the northern property line is completely unnecessary. It creates a setback against an unused and unusable buffer parcel owned by the City of Columbus. The parcel is an embankment scoping vertically to SR 104. Given the uses already predominantly visible to SR 104, one may question the necessity for any setback, but considering the roadway at SR 104 is approximately 30 to 40 feet above the subject property, the setback serves to screen a use which is substantially invisible from the roadway.

Very truly yours;

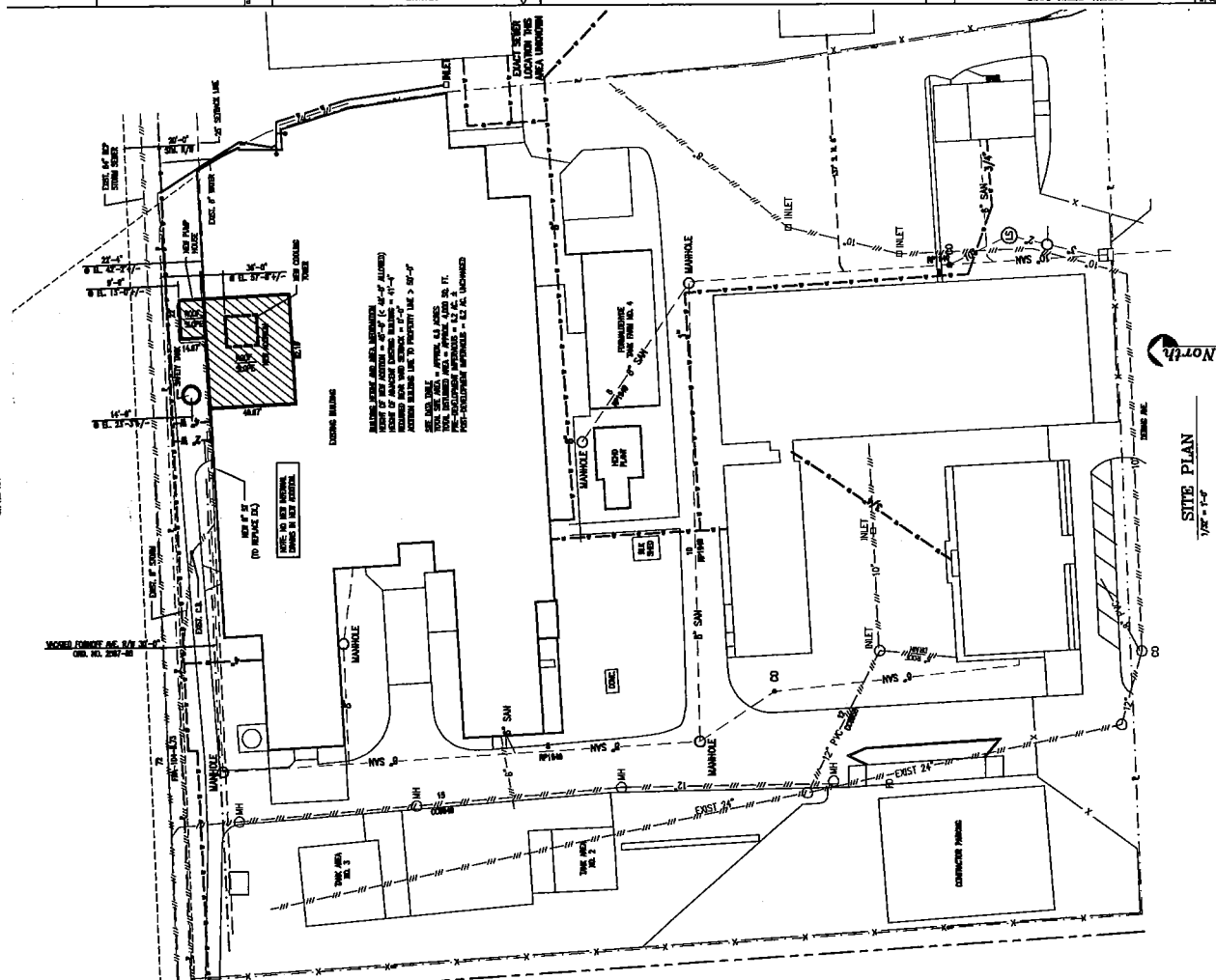


James V. Maniace

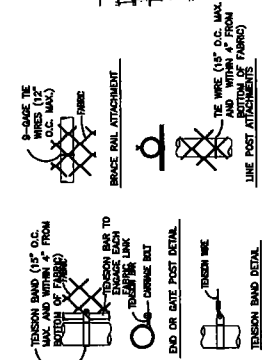
JVM/rlc

31379195.1

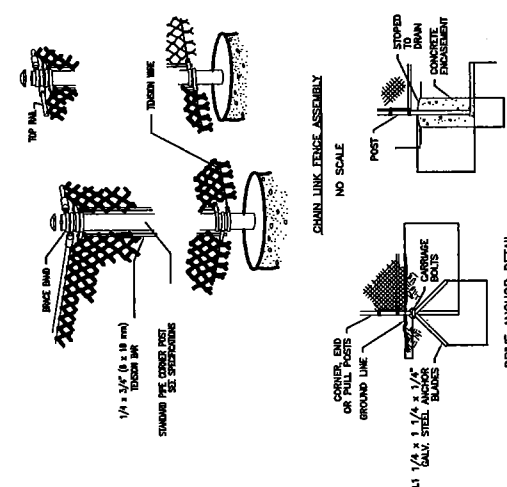
13310-00331
324 Dering Ave.



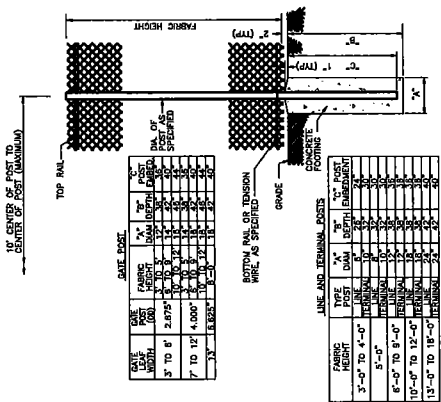
FASTENING DETAILS

[illegible]

TYP. POST. ENCASEMENT

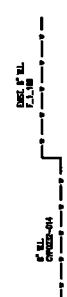


CHAIN LINK FENCE FOUNDATION

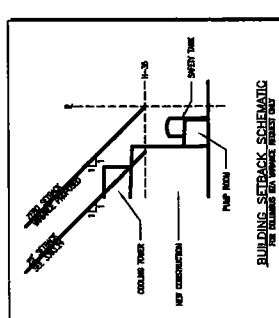


CHAI

WATER LINE DETAIL



BUILDING SETBACK SCHEMATIC



13310-00331
324 Dering Ave.

REVISIONS

NO.	DATE	DESCRIPTION
1	10/15/2012	ISSUED FOR PERMIT
2	10/15/2012	REVISED PER COMMENTS
3	10/15/2012	REVISED PER COMMENTS

SPONSOR
CAPITAL RESIN CORP.

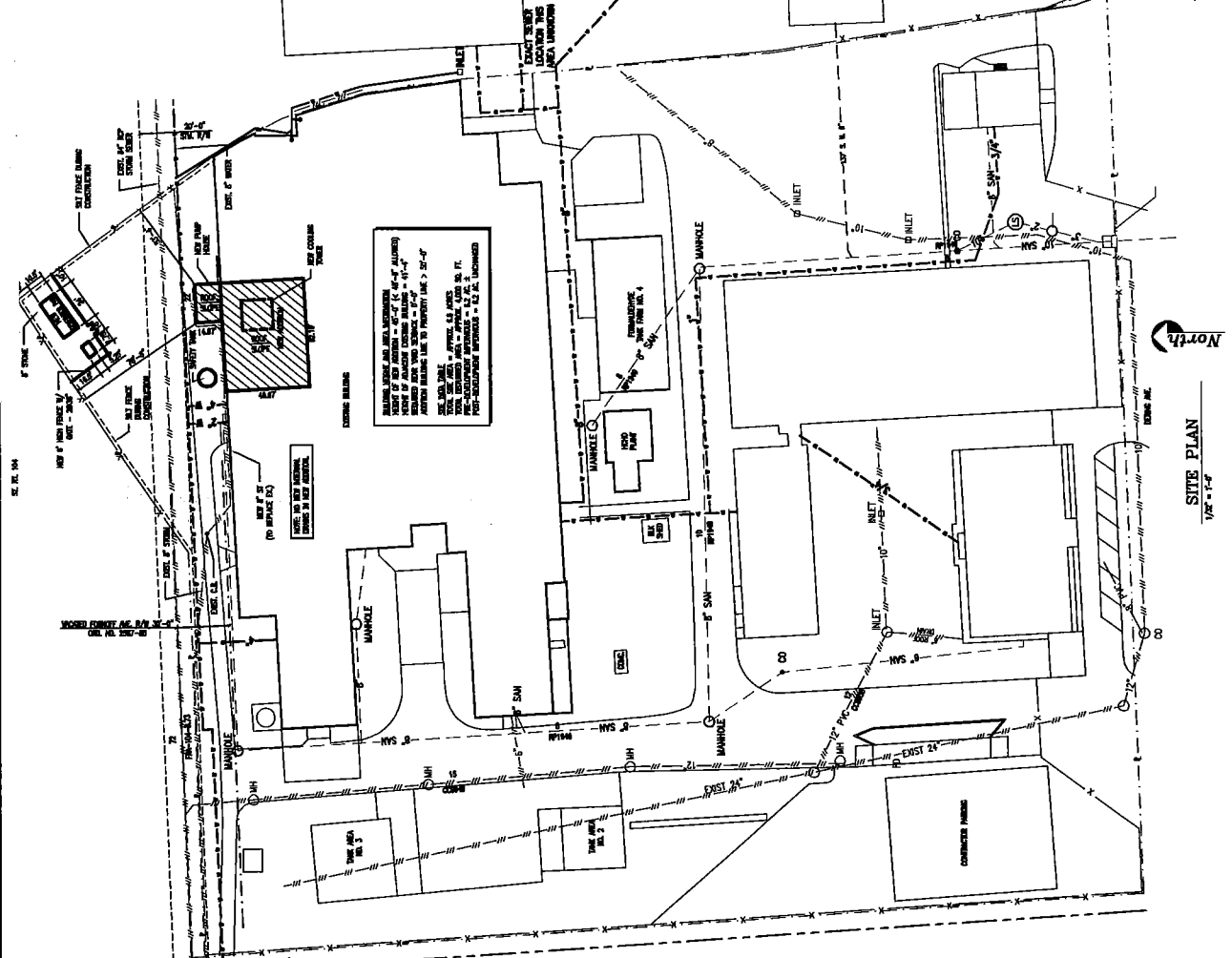
ENGINEERS • DESIGNERS • PROJECT MANAGERS
SPONSOR GROUP, INC.

808 W. KOSKILL RD., STE. A • SHERIDAN, WY 83301 • TEL: 337-462-0046

PROJECT
SITE PLAN, NOTES, DETAILS

DATE
10/15/2012

SCALE
1/2" = 1'-0"



FASTENING DETAILS

CHAIN LINK FENCE ASSEMBLY

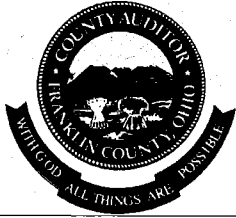
TOP POST ENGAGEMENT

CHAIN LINK FENCE FOUNDATION

NOTE: TERMINAL POSTS INCLUDE END, CORNER, AND PULL POSTS.

NTS.

POST	POST DIA.	POST LENGTH	POST WEIGHT
1"	1.315"	10'-0"	1.315
1 1/2"	1.625"	10'-0"	1.625
2"	2.062"	10'-0"	2.062
2 1/2"	2.618"	10'-0"	2.618
3"	3.268"	10'-0"	3.268
3 1/2"	4.000"	10'-0"	4.000
4"	4.812"	10'-0"	4.812



CLARENCE E MINGO II FRANKLIN COUNTY AUDITOR

MAP ID: J

DATE: 5/8/13



Disclaimer

Scale = 140

Grid

This map is prepared for the real property inventory within this county. It is based on survey plats, and other public records and data. Users of this map are notified that the information sources should be consulted for verification of the information. The county and the mapping companies assume no legal responsibilities for the accuracy of the information. Please notify the Franklin County GIS Division of any discrepancies.

13310-00331
324 Dering Ave.



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: 010104073

Zoning Number: 324

Street Name: DERING AVE

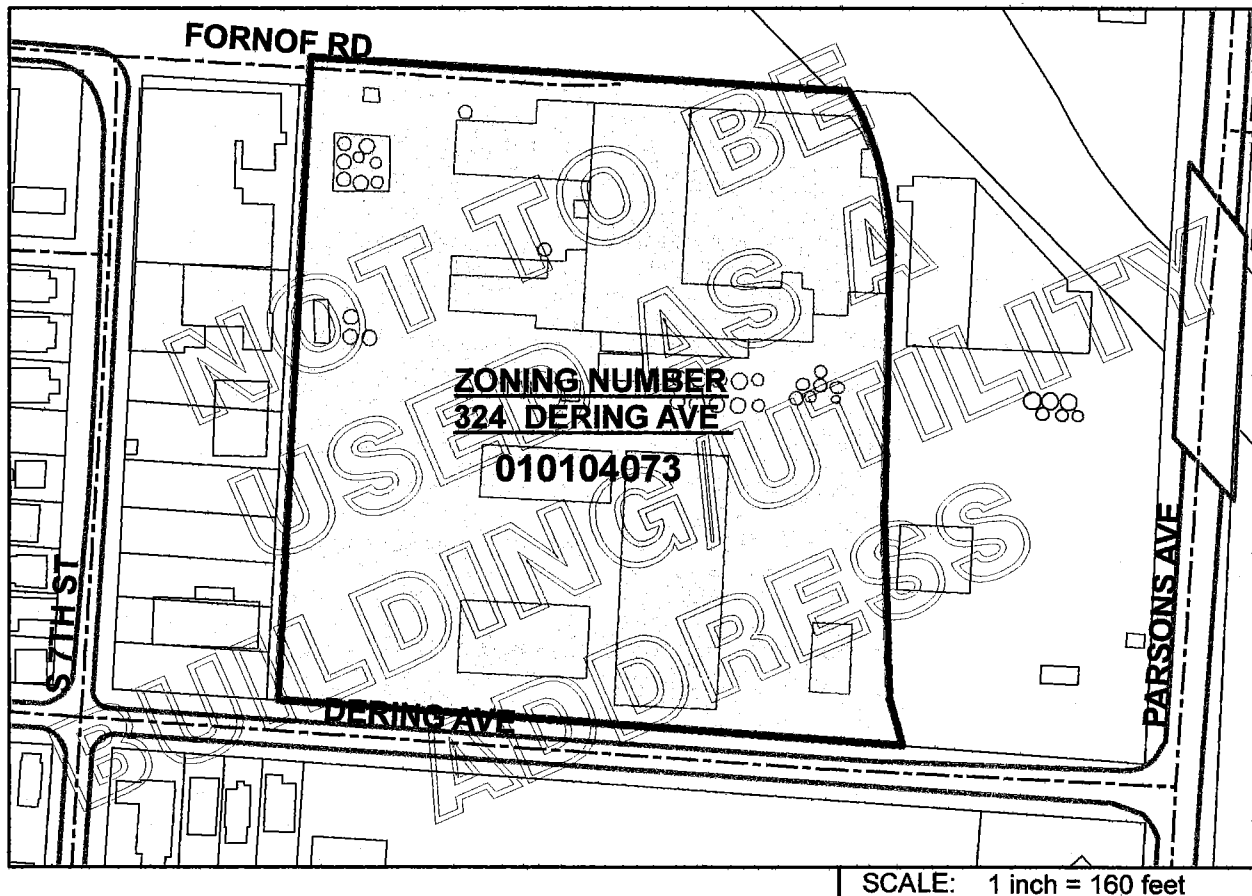
Lot Number: N/A

Subdivision: N/A

Requested By: CAPITAL RESIN CORPORATION (MATT DUCAY)

Issued By: *Richarda Whisenand*

Date: 5/9/2013



SCALE: 1 inch = 160 feet

GIS FILE NUMBER: 13459



PATRICIA A. AUSTIN, P.E., ADMINISTRATOR
DIVISION OF PLANNING AND OPERATIONS
COLUMBUS, OHIO



BOARD OF ZONING ADJUSTMENT APPLICATION

City of Columbus, Ohio • Department of Building & Zoning Services
757 Carolyn Avenue, Columbus, Ohio 43224 • Phone: 614-645-7433 • www.columbus.gov

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 # _____

13310-00331

STATE OF OHIO
COUNTY OF FRANKLIN

324 Dering Ave.

Being first duly cautioned and sworn (NAME) Dan Yinger
of (COMPLETE ADDRESS) 324 Dering Ave. Columbus, OH 43207

deposes and states that (he/she) is the APPLICANT, AGENT OR DULY 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	COMPLETE MAILING ADDRESS
Hansen Properties LLC	Hansen Properties LLC 324 Dering Ave. Columbus, OH 43207
Capital Resin Corporation	Capital Resin Corporation 324 Dering Ave. Columbus, OH 43207

SIGNATURE OF AFFIANT _____

Dan Yinger

Subscribed to me in my presence and before me this 10 day of May, in the year 2013

SIGNATURE OF NOTARY PUBLIC _____

Susan M. Kanner

My Commission Expires: _____

April 14, 2014



Susan M. Kanner
Notary Public, State of Ohio
My Commission Expires 04-14-2014

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