

COUNTY ZONING PERMIT APPLICATION

FULTON COUNTY, OHIO

Permit # VA2021-1

If you are applying for a zoning permit requiring a new septic system and/or well, you must first obtain a septic and well permit from the Health Department. The applicant is required to provide our office a copy of said permits. In addition to the information requested on this form, the applicant is required to submit a drawing depicting the actual dimensions and shape of the lot, exact size and location of existing buildings on the lot, and the location and dimension of the proposed building(s) or alteration(s). Property lines and proposed building(s) must be staked out and an address sign must be posted on the property. This permit shall be void if work is not completed within one (1) year.

The undersigned applies for a zoning permit for the following use, said permit to be issued on the basis of the information contained within this application. The applicant hereby certifies that all information and any attachments to this application are true and correct.

Name of Township: York Township Zoning District: M2
 Messer LLC (200 Somerset Corporate Blvd. Suite
 Name of Owner: 7000 Bridgewater, NJ 08807 Phone #: 908 - 464 - 8100
 Address: 6744 County Road 10, Delta, OH 43515

Address Where Construction Will Occur: 6744 County Road 10, Delta, OH 43515

(✓) Existing Use: Agricultural/Residential _____ Industrial X Commercial _____
 (✓) Type of Permit: Sign _____ Fence/Deck/Porch _____ Commercial _____
 Addition _____ Accessory Building _____ Industrial X
 Pond or Pool _____ Residential _____ # of Residential Units _____ Other _____

If you are constructing an addition to your home, what is the purpose (use) of the addition? _____

(✓) Type of Sewage Disposal System: Public _____ Private _____ Permit # _____
 (✓) Source of Water Supply: Public _____ Private _____ Permit # _____

(A drive permit is required for new access to a county or state highway & some township roads.)

Have you obtained a drive permit? _____

Road Grade Elevation: _____

Lot Size: Width _____ Depth _____ Lot Area _____ # of Acres _____

Setbacks: Front Yard _____ Rear Yard _____ One Side _____ Sum of Side Yards _____
 (The front yard setback is measured from the highway right-of-way.)

Square Footage: Main Building _____ Basement _____ Accessory Building _____

Dimensions of Accessory Building: _____ Dimensions of Sign or Pool: _____

Building Height: Stories _____ Feet 20'4.2" Fence or Pool Height: _____

Is development more than 30 feet from a ditch or stream? Yes _____ No X

If no, how many feet from water body? _____

Is property known to be in the 100 year flood plain? Yes _____ No X

Is property in a wetland, as designated on the wetland map? Yes _____ No X

Do you have a wetland permit? Yes _____ No X

Estimated Cost of Construction: \$ _____ Permit Fee: \$ _____

Applicant Signature: Karen M. Meyer Date: 5/5/2021

(For the Townships of Amboy, Franklin, Fulton & York)

Application No. 2024-1

**FULTON COUNTY BOARD OF APPEALS
APPEAL OR VARIANCE**

This application form must be accompanied with a \$150.00 check, made payable to the Fulton County Regional Planning Commission, 123 Courthouse Plaza, Suite 1, Wauseon, OH 43567

Name of Applicant: Messer LLC (200 Somerset Corporate Blvd. Suite 7000 Bridgewater, NJ 08807)

Mailing Address: 6744 County Road 10, Delta, OH 43515

Telephone Number: Business 908 - 464 - 8100 Home _____

Locational Description: Township York Township Section M2
(Submit a Map of the Location)

I hereby appeal to the Board of Zoning Appeals the refusal of a zoning certificate by the Fulton County Zoning Inspector for the reason that:

- (✓) (check one)
____ There was the following error in said decision. (Appeal)
X A variance should be allowed in this case, to avoid unnecessary hardship.

Justification of Variance:

In order for a variance to be granted, the applicant must prove to the Board of Zoning Appeals that the following items are true:

(Please attach these comments on a separate sheet.)

- a. special conditions exist peculiar to the land or building in question
- b. that a literal interpretation of the resolution would deprive the applicant of rights enjoyed by other property owners
- c. that the special conditions do not result from previous actions of the applicant
- d. that the requested variance is the minimum variance that will allow a reasonable use of the land or buildings

(Decision of Board of Zoning Appeals – Within 30 Days After Case is Submitted)

----- (for office use) -----

_____ Date	_____ Appellant	_____ Date Application Filed
_____ Date of Application to Parties in Interest	_____ Date in Newspaper of General Circulation	
_____ Date of Hearing		

Attest:

_____ Secretary	_____ Chairman, Board of Zoning Appeals
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Northstar Bluescope (NSBS) is a premier producer of hot-rolled coil for use in the automotive, construction, energy, and manufacturing industries. The company has embarked on a \$700M expansion plan to increase its steel production from approximately 2.4 million short tons/yr., by adding 950,000 short tons annually at their facility in Fulton County, near Delta, Ohio.

Messer, a trusted supplier of gases to NSBS for more than 20 years, currently operates an Air Separation Unit (ASU) located on site at the (NSBS) facility located at 6744 County Road 10 Delta, OH 43515. This ASU supplies oxygen to NorthStar BlueScope for their steel making processes.

Messer and North Star BlueScope Steel (NSBS) have entered into an agreement to increase supply of gaseous oxygen at the facility. Messer is making a major investment to build a new air separation unit (ASU) in order to increase the oxygen supply to meet the steel production expansion plan needs.

The process to manufacture liquid and gaseous nitrogen and oxygen involves the completion of multiple stages, including filtration, compression, air purification, heat exchange, distillation and refrigeration. An air separation plant produces gaseous and liquid products using a cryogenic distillation process. The process starts with atmospheric air being compressed and sent through an adsorber bed to remove the moisture and carbon dioxide. The air then enters a series of distillation columns where pure nitrogen and oxygen gases are extracted. The gases are taken through the liquefaction process to produce liquid nitrogen and oxygen. The distillation and liquefaction processes are done under cryogenic conditions. These conditions are most efficiently maintained by performing them in insulated cold boxes.

In addition to supplying NSBS with their needs, Messer's new ASU will increase the company's own liquid capacity in the region, supporting growth and supply reliability for merchant customers in the growing midwestern market. Messer supplies liquid products to a wide range of industries that are essential to the local and regional economy, including healthcare, chemistry, food processing, welding, glass and metals fabrication

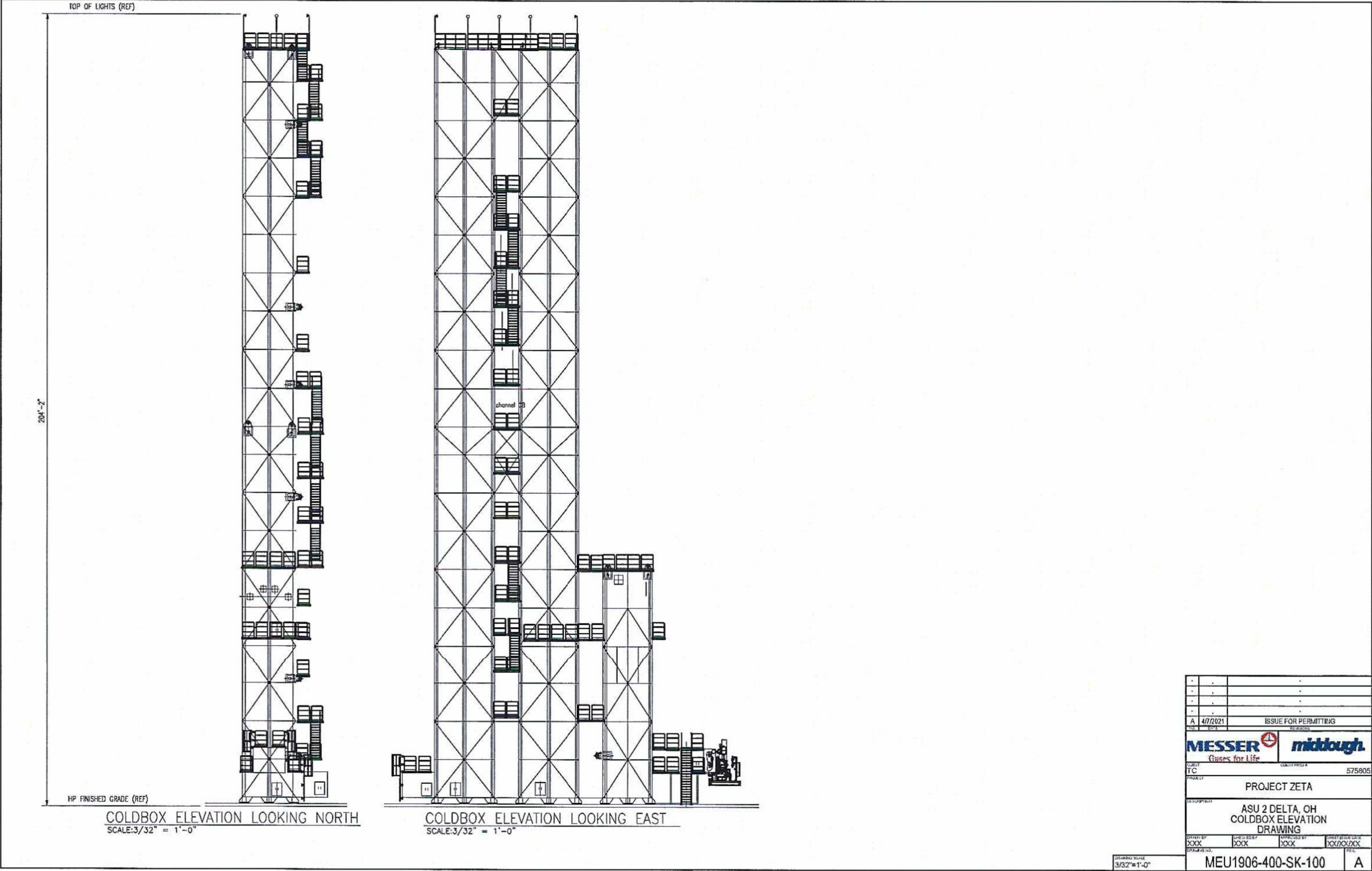
The project will be planned in accordance with the Fulton County Rural Zoning Code, under the General Industrial District (M2) regulations. As part of the design and due diligence efforts, a review of the zoning requirements has identified a maximum allowable building height of 150 feet. A Cold Box structure (3 cells) will be erected that will be 204'-2" above finished grade (see elevation view attached). It is our understanding that the proposed height of the structures will require a variance

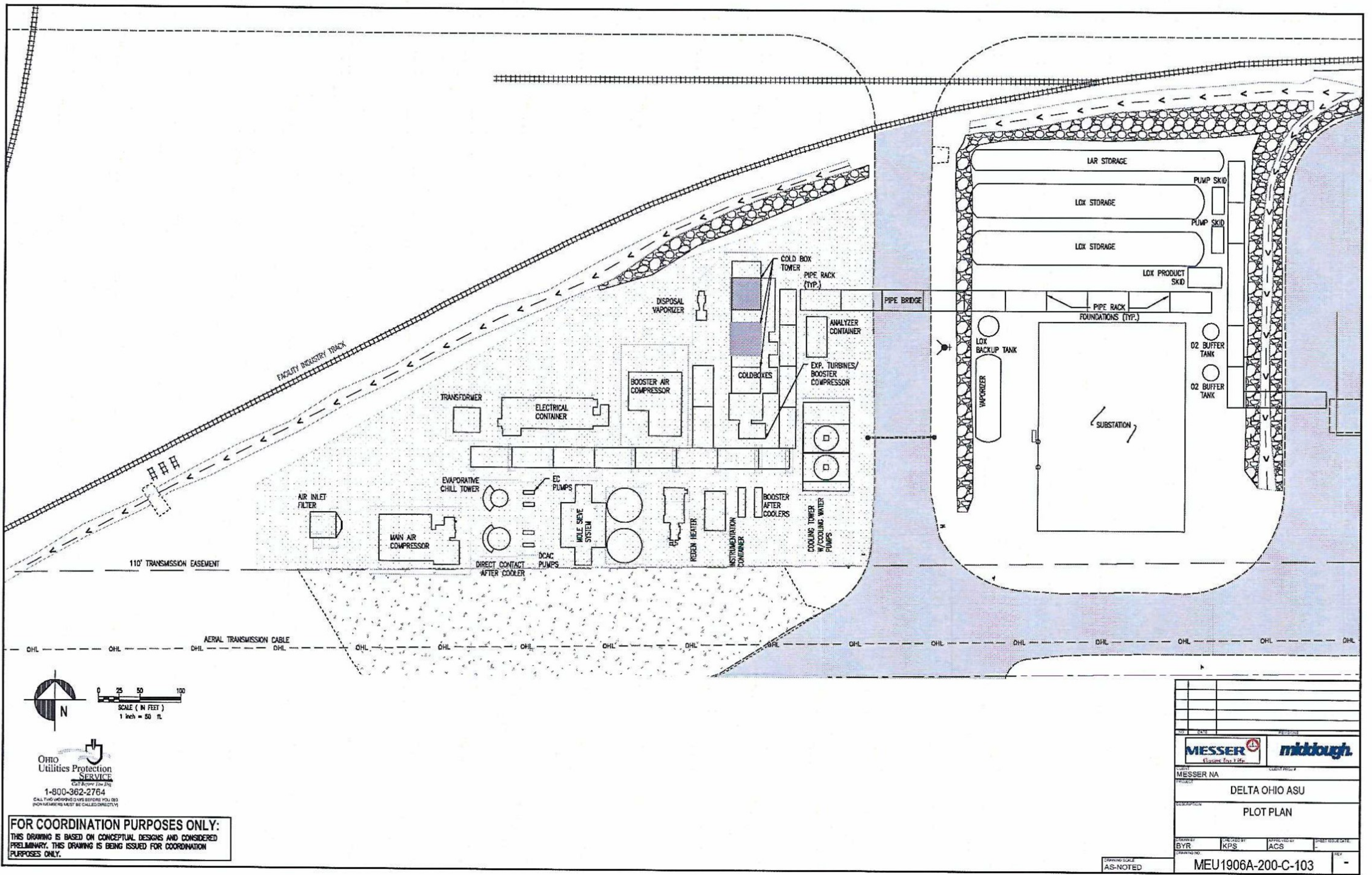
A height variance to allow the Cold Box Structures is hereby requested, noting the following:

The proposed structures conform to the size, height and use of existing structures at the facility. The proximity of the current and proposed ASU expansion and new Cold Boxes is centrally located on the property (more than approximately a quarter mile from adjoining roadways) making height variances less perceptible. Without the height variance, the project would not be able to support the planned NSBS expansion. The height of the proposed structures is

engineered to provide the best available technology to meet the needed supply and provide the minimum variance being requested.

We look forward to the approval of the variance request and to the future success of the project together with Fulton County. If you have any further questions or concerns, please feel free to contact us.





FOR COORDINATION PURPOSES ONLY:
THIS DRAWING IS BASED ON CONCEPTUAL DESIGNS AND CONSIDERED
PRELIMINARY. THIS DRAWING IS BEING ISSUED FOR COORDINATION
PURPOSES ONLY.

Ohio
Utilities Protection
SERVICE
1-800-362-2764
CALL TWO WORKING DAYS BEFORE YOU SEE
FOR INFORMATION HELP BE CALLED DIRECTLY

MESSER		midbough	
MESSER NA			
PROJECT: DELTA OHIO ASU			
DESCRIPTION: PLOT PLAN			
BY: KPS	DATE: ACS	DESIGNER: KPS	CHECKED: KPS
PROJECT NO: MEU1906A-200-C-103		PROJECT NO: MEU1906A	

