

# Board of Zoning Adjustment Application

DEPARTMENT OF BUILDING  
AND ZONING SERVICES

111 N Front Street, Columbus, Ohio 43215  
Phone: 614-645-4522 • ZoningInfo@columbus.gov • www.columbus.gov/bzs

OFFICE USE ONLY

Application Number: BZA25-076 Date Received: 06/18/25  
Assigned Planner: Adam Trimmer Fee: \$2500  
Contact Information: ADTrimmer@columbus.gov;614-645-1469  
Comments: July 3, 2025, Staff Review

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

- Variance       Special Permit

Project Description:

See Exhibit B

**LOCATION**       Check here if listing additional parcel numbers on separate page

Certified Address: 45 West Barthman Avenue City: Columbus, OH Zip: 43207

Parcel Number(s): 010 - 007536

Neighborhood Group: Columbus Southside Area Commission Current Zoning: UCT

**APPLICANT (If different from Owner):**

Applicant Name: NRP Properties, LLC; c/o Dave Perry Phone: (614) 228-1727 Ext: --

Address: David Perry Co, Inc; 411 E Town, Fl 1 City/State: Columbus, OH Zip: 43215

Email Address: dave@daveperryco.net Fax Number: --

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

Name: OSC I, LLC; c/o James D. Gilbert, Attorney Phone: (614) 766-5423 Ext: --

Address: 6065 Frantz Road City/State: Dublin, OH Zip: 43017

Email Address: gilbertjamesd@gmail.com Fax Number: --

**AGENT (Check one if applicable)**       Attorney       Agent       Licensed Architect or Engineer       Landscape Architect

Name: Donald Plank (FOR APPLICANT) Phone: (614) 947-8600 Ext: --

Address: Plank Law Firm; 411 E Town, Fl 2 City/State: Columbus, OH Zip: 43215

Email Address: dtp@planklaw.com Fax Number: --

**SIGNATURES**

APPLICANT SIGNATURE NRP Properties LLC by David B. Perry Agent

PROPERTY OWNER SIGNATURE James D. Gilbert c/o 7624 Att. Alan Cleary OSC I LLC

ATTORNEY SIGNATURE Donald Plank

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## AFFIDAVIT

Application # BZA25-\_\_\_\_\_

STATE OF OHIO  
COUNTY OF FRANKLIN

Being first duly cautioned and sworn (1) NAME David B. Perry  
of (1) MAILING ADDRESS David Perry Company, Inc.; 411 East Town Street, Floor 1, Columbus, OH 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 PROPERTY ADDRESS 45 West Barthman Avenue, 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

SUBJECT PROPERTY OWNER'S NAME  
AND MAILING ADDRESS

(3) OSC I, LLC  
c/o James D. Gilbert, Attorney  
6065 Frantz Road, Dublin, OH 43017

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

NRP Properties, LLC  
c/o Dave Perry, (614) 228-1727

NEIGHBORHOOD GROUP  
ZONING CHAIR OR CONTACT PERSON  
AND EMAIL ADDRESS

(4) Columbus Southside Area Commission  
c/o Kathy Green  
Email: kathygreen@gmail.com

and that the attached document (5) 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.

SIGNATURE OF AFFIANT

David B. Perry

Sworn to before me and signed in my presence this 13<sup>th</sup> day of June, in the year 2025

SIGNATURE OF NOTARY PUBLIC

MaryAlice Wolf

My Commission Expires \_\_\_\_\_



MaryAlice Wolf  
Notary Public, State of Ohio  
My Commission Expires:  
October 24, 2028

*This Affidavit expires six (6) months after date of notarization.*

**BZA25-\_\_\_\_\_**  
**45 West Barthman Avenue**  
**Exhibit A, Public Notice List**  
**June 13, 2025**

**APPLICANT:**

NRP Properties, LLC  
c/o Dave Perry, Agent  
David Perry Company, Inc.  
411 East Town Street, Floor 1  
Columbus, OH 43215

**PROPERTY OWNER:**

OSC I, LLC  
c/o James D. Gilbert, Attorney  
6065 Frantz Road  
Dublin, OH 43017

**ATTORNEY FOR APPLICANT:**

Donald Plank  
Plank Law Firm  
411 East Town Street, Floor 2  
Columbus, OH 43215

**COMMUNITY GROUP:**

Columbus Southside Area Commission  
c/o Kathy Green  
458 East Whittier Street  
Columbus, OH 43206

OSC I, LLC  
8548 Duvall Road  
Ashville, OH 43103

**SURROUNDING PROPERTY OWNERS WITHIN 125 FEET**

NRP Properties, LLC  
c/o Scott Skinner  
1228 Euclid Avenue, 4<sup>th</sup> Floor  
Cleveland, OH 44115

NRP Properties, LLC  
c/o Rajeev Raina  
366 Fifth Avenue, Suite 701  
New York, NY 10001

Daniel M. Keever, P.E.  
GHL Associates  
2931 Silver Lake Road  
Silver Lake, OH 44224

Rolando Mattan  
MA Design  
775 Yard Street, Suite 325  
Columbus, OH 43212

Garrett Baker, PE  
American StructurePoint  
2550 Corporate Exchange Drive, Suite 300  
Columbus, OH 43231

Lois D. Gaber  
(or current occupant)  
3178 Bembridge Road  
Columbus, OH 43221

Salvation Army  
1675 South High Street  
Columbus, OH 43207

1795 South High Street, LLC  
1925 Adam Clayton Powell Jr. Blvd, Apt 2  
New York, NY 10026

Eichhorn Investments, LLC  
1410 Pleasantville Road NE  
Pleasantville, OH 43148

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**BZA25-\_\_\_\_\_**  
**45 West Barthman Avenue**  
**Exhibit A, Public Notice List**  
**June 13, 2025; Page 1 of 2**

Central Ohio Community  
Improvement Corporation  
845 Parsons Avenue  
Columbus, OH 43206

Dashnor Kodhelaj  
(or current occupant)  
4991 Mengal Lane  
Hilliard, OH 43026

Strata Group, LLC  
P.O. Box 75  
New Albany, OH 43054

Aryan Nagi, LLC  
5756 Langhorn Drive  
Columbus, OH 43235

TSR 1895, LLC  
1895 South High Street  
Columbus, OH 43207

Pennsylvania Lines, LLC  
110 Franklin Road SE  
Roanoke, VA 24042

CSX Transportation, Inc.  
Chesapeake & Ohio Railway  
500 Water Street (C910)  
Jacksonville, FL 32202

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## PROJECT DISCLOSURE STATEMENT

Application # BZA25-\_\_\_\_\_

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.

STATE OF OHIO  
COUNTY OF FRANKLIN

Being first duly cautioned and sworn (NAME) Donald Plank

of (COMPLETE ADDRESS) Plank Law Firm; 411 East Town Street, Floor 2, Columbus, OH 43215

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**

\_\_\_\_\_  
OSC I, LLC

\_\_\_\_\_  
6065 Frantz Road

\_\_\_\_\_  
c/o James D. Gilbert

\_\_\_\_\_  
Dublin, OH 43017

\_\_\_\_\_  
NRP Properties, LLC

\_\_\_\_\_  
1228 Euclid Avenue, 4th Floor

\_\_\_\_\_  
c/o Scott Skinner

\_\_\_\_\_  
Cleveland, OH 44115

SIGNATURE OF AFFIANT Donald Plank

Sworn to before me and signed in my presence this 13<sup>th</sup> day of June, in the year 2025

MaryAlice Wolf  
SIGNATURE OF NOTARY PUBLIC

\_\_\_\_\_  
My Commission Expires Notary Seal Here



MaryAlice Wolf  
Notary Public, State of Ohio  
My Commission Expires:  
October 24, 2028

**This Project Disclosure Statement expires six (6) months after date of notarization.**

June 16, 2025

City of Columbus  
111 N. Front Street  
Columbus, OH 43215

**Attn:** Jamie Freise

**Project:** Barthman Family Homes  
**Re:** 45 Barthman BZA



Dear Mr. Freise:

Please review our responses to the following items:

1). Review Chapter F.20: Massing and Articulation Standards, pages 1 – 8 and tell me how the buildings comply (or not) with “modules”, “base, middle and top design” modules are in compliance with F20 “blank wall treatment”.

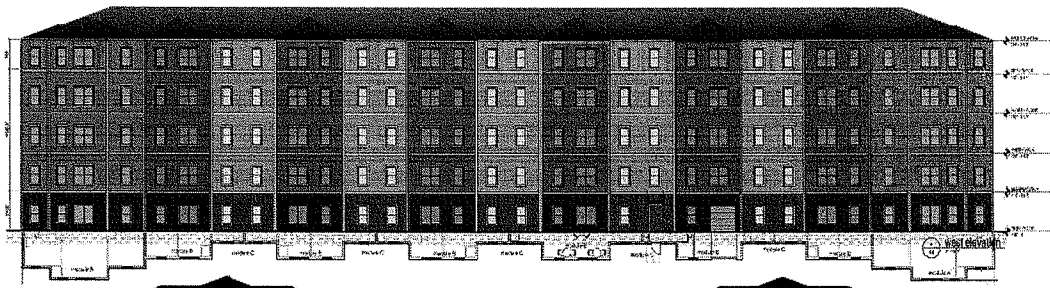
Responses- The module rhythm follows the steps back throughout the front and rear elevations with three modules A, B, & C as shown below following the rhythm of the elevation setbacks, and for the side elevations, in compliance with F20.

**Base** module is defined by fiber cement panel materials capped with a horizontal trim at the 2nd floor line detail to define the base

**Middle** is defined by the horizontal fiber cement siding with horizontal trim at the 2nd floor line and a horizontal cap trim at the 4th floor line

**Top** is defined by the vertical siding with a horizontal trim at the 4th floor line, and horizontal trim detail at the eave.

Blank wall treatment, the current design does not include blank walls, all elevations have dwelling units with windows penetrations on all exterior walls.



2). Review Chapter F.30: Frontage Type Standards, pages 1 – 22 and tell me which “frontage type” you consider the buildings to be, or combination of frontage types, and reply to me. Frontage Type,

Response- We are looking at lineal frontage with a rectilinear building, and no abutting elements.



775 Yard Street Suite 325  
Columbus, OH 43212 USA

phone 614 764 0407  
fax 614 764 0237

www.designwithma.com

3). Confirm floor to floor height for each floor.

Response-Ground to 2nd floor= 10'-8 5/8", 2nd to 3rd floor, 3rd floor to 4th floor & 4th floor to 5th floor=10'-7 3/4", & 5th floor to roof truss bearing= 9'-1 1/4", overall building height from ground floor to the top roof pick is 61'-2 1/4" (We allocate 8" from ground floor to grade)

4). Building Transparency: Ground Floor 17.5%, Upper floors: 19.1%. floors 2n thru 4th, 5th floor: 22.8% (Ground floor height defined is height from finished floor to finished ceiling of primary rooms, not including secondary rooms such as bathrooms, closets, etc.).

5). Roof or ground mounted mechanical equipment? Or both? If ground, we'll need to get location(s) on site plan, but not critical for initial submittal.

Responses-The ground floor HVAC units servicing the common area will be mounted on the ground and will use landscaping for shielding, all residential units HVAC systems are self-contained VTAC units, no need for condensing units.



Sincerely,  
MA Design

A handwritten signature in black ink, appearing to read 'Rolando Matias', written in a cursive style.

Rolando Matias, LEED AP  
Market Lead/Design Strategist Affordable Housing

## STATEMENT IN SUPPORT OF VARIANCE(S)

### 3307.09 Variances by Board.

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.**

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. Please answer in detail the following and check either Y or N.

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.

Yes  No

Prior to Zone-In, Applicant was permitted to develop a 208 DU apartment complex. The UCT district permits multi-family land use. Variances are required due to physical characteristics of the site: 1) north/south rectangle, abutting S. Wall Street (20') and major City of Columbus sewer easement.

2. Whether the variance is substantial.

Yes  No

Given site development limitations, such as, the abutting alley, desire for separation of the buildings from the alley, need for parking distribution throughout the site, significant drop in grade to the west and 50' City of Columbus sewer easement, all to design around, the variances aren't 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.

Yes  No

The proposed use is consistent with several multi-family redevelopment projects west of S. Wall Street (20') in the area on former manufacturing sites, the 2023 CV and City of Columbus goals for development of affordable housing.

4. Whether the variance would adversely affect the delivery of governmental services (e.g., water, sewer, refuse service).

Yes  No

The variances won't affect the delivery of governmental services.

5. Whether the property owner purchased the property with knowledge of the zoning restriction.

Yes  No

The applicant is not the property owner. Property owner was unaware the property had been rezoned. Applicant was not aware the property was included in Zone-In until late 2024. The UCT district and applicable variances were determined during due diligence for the proposed revised project.

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6. Whether the property owner's predicament feasibly can be obviated through some method other than a variance.

Yes  No

Applicant's proposed development requires variances. Given the location of the site and site constraints, it is unlikley the site could be developed without variances.

7. Whether the spirit and intent behind the zoning requirement would be observed and substantial justice done by granting the variance.

Yes  No

The spirit and intent of the zoning requirement will be observed and substantial justice done by granting the variance request. The proposed development is consistent with provision of affordable housing, other projects in the area, site constraints and best use of the site.

**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.

**I have read the foregoing and believe my application for relief from the requirements of the Zoning Code demonstrates practical difficulty as contemplated by C.C. 3307.09(A), in the following ways (use separate page if needed or desired):**

See Exhibit B

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
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\_\_\_\_\_

Signature of Applicant: NR Properties LLC Date: 6/13/2025  
by David B. King, Agent  
Signature of Attorney: Donald Blank Date: 6/13/25

**EXHIBIT B**

**45 W BARTHMAN AVENUE**

**BZA25-\_\_\_\_\_**

**06/13/2025**

The site (PID: 010-007536) was zoned M, Manufacturing prior to Zone-In. It is now zoned UCT, Urban Center. By Ordinance 1938-2023 (CV23-029), applicant received zoning approval to build a 208 DU affordable housing apartment complex in the M District on this parcel and an abutting parcel to the north. Applicant submits this application for variances to build a 151 DU affordable housing 5 story apartment complex consisting of two (2) buildings as shown on the 4.57 acre parcel site plan. Applicant is making a 4% LITEC application to the Ohio Housing Finance Authority (OHFA). Affordable housing with an average 60% AMI and an AMI range of 30% and 80% is planned.

**Architecture (MA Design):**

**F.20: Massing and Articulation:**

The module rhythm follows the steps back throughout the front and rear elevations with three modules A, B, & C as shown below following the rhythm of the elevation setbacks, and for the side elevations, in compliance with F20.

**Base** module is defined by fiber cement panel materials capped with a horizontal trim at the 2nd floor line detail to define the base

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**Top** is defined by the vertical siding with a horizontal trim at the 4th floor line, and horizontal trim detail at the eave. Blank wall treatment, the current design does not include blank walls, all elevations have dwelling units with windows penetrations on all exterior walls.

**F.30: Frontage Type Standards:**

We are looking at lineal frontage with a rectilinear building, and no abutting elements.

**Floor to floor height for each floor:**

Ground to 2nd floor= 10'-8 5/8", 2nd to 3rd floor, 3rd floor to 4th floor & 4th floor to 5th floor=10'-7 3/4", & 5th floor to roof truss bearing= 9'-1 1/4", overall building height from ground floor to the top roof pick is 61'-2 1/4" (We allocate 8" from ground floor to grade).

**Building Transparency:**

Ground Floor 17.5%, Upper floors: 19.1%. floors 2n thru 4th, 5th floor: 22.8% .

Roof or ground mounted mechanical equipment:

The ground floor HVAC units servicing the common area will be mounted on the ground and will use landscaping for shielding, all residential units HVAC systems are self-contained VTAC units, no need for condensing units.

Zoning:

Applicant requests the following variances:

- 1). Section E.20.060(C), Front Façade Zone, to increase the Façade Zone from 15' to 75' and to decrease the length of the east façade from 75% to 56%.
- 2). Section E.20.060(D), Building Form, to increase building height from 60' to 62'.
- 3). Section E.20.060(F), Façade Transparency, to decrease ground floor transparency from 40% to 17% and upper floor transparency from 25% to 22% for residential use.
- 4). Section E.20.060(G), On-Site Parking, to decrease bicycle parking from 76 spaces (1 bicycle space per 2 DU) to 20 spaces and to decrease the east parking setback from 24' to 5'.
- 5). Section G.20.040(B)(4), Dumpster, to permit two (2) dumpsters in the east setback (75'), located between 49' and 75' setback from the east property line



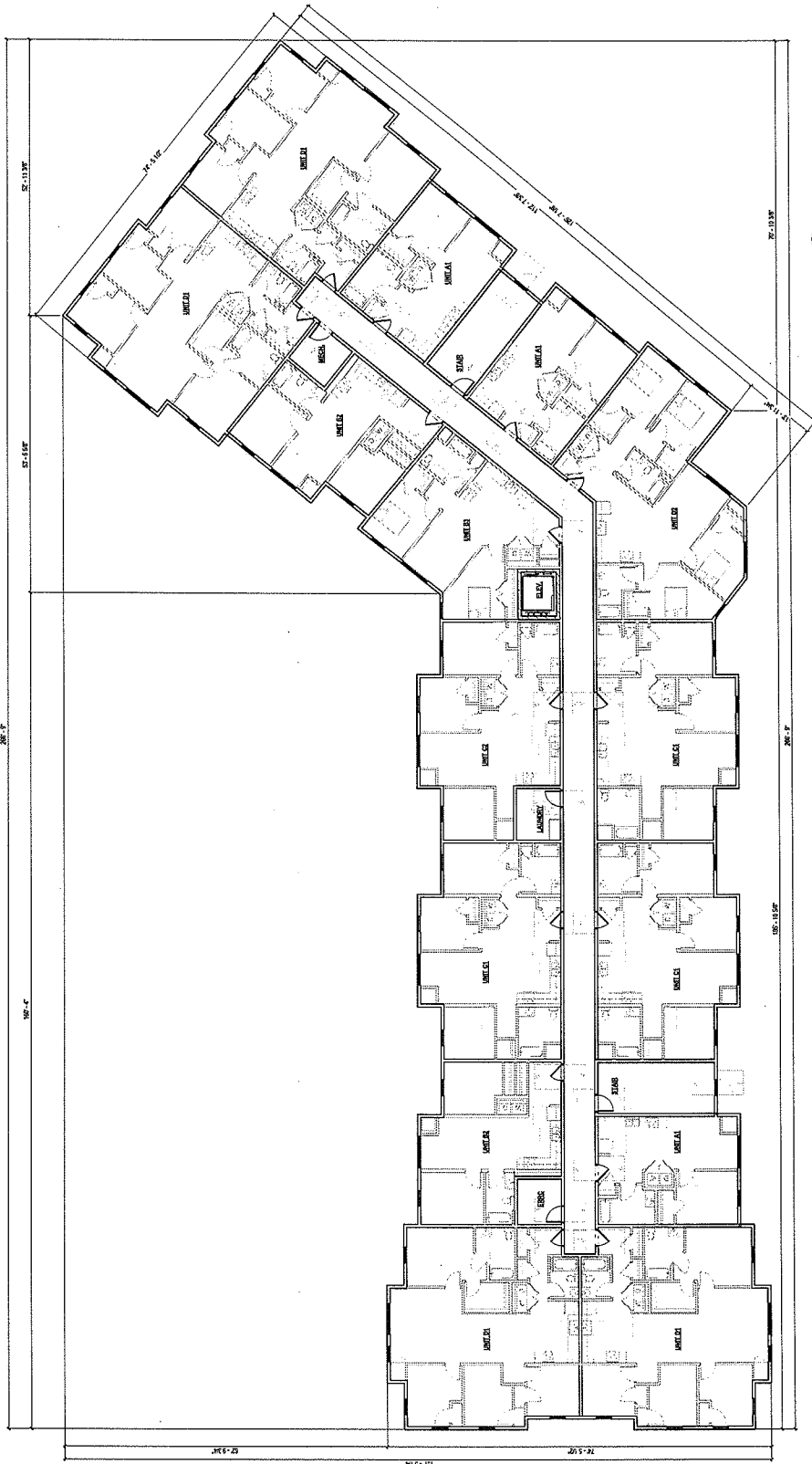


## **BARTHMAN FAMILY HOMES**

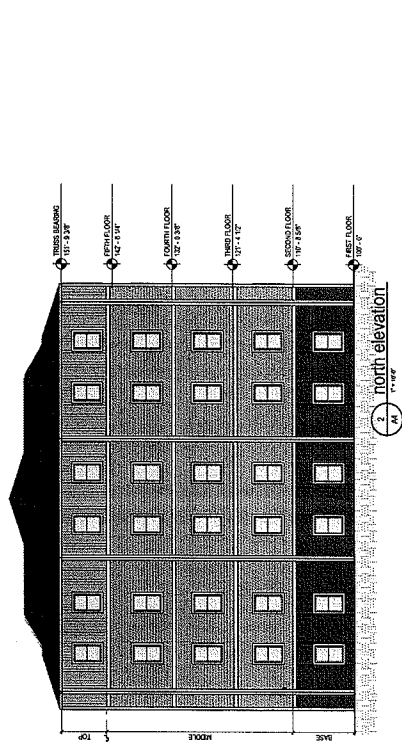
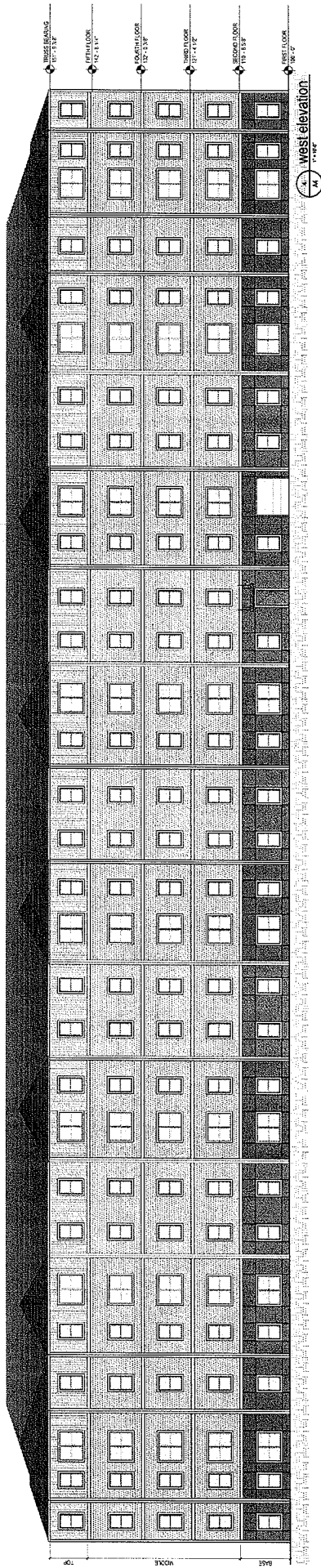
45 W. BARTHMAN AVENUE | COLUMBUS, OHIO 43207 |  
ZONING REVIEW PACKAGE  
06/16/2025







Second thru fifth floor plan.



MATERIAL TAKEOFF	
Material Name	Percentage
CONCRETE	15.0%
FORMWORK	10.0%
BRICK	15.0%
GLASS	10.0%
INSULATION	10.0%
ROOFING	10.0%
MECHANICAL	10.0%
ELECTRICAL	10.0%
PLUMBING	10.0%
PAINT	10.0%
FINISHES	10.0%
LANDSCAPE	10.0%
UTILITIES	10.0%
FOUNDATION	10.0%
CONCRETE	10.0%
FORMWORK	10.0%
BRICK	10.0%
GLASS	10.0%
INSULATION	10.0%
ROOFING	10.0%
MECHANICAL	10.0%
ELECTRICAL	10.0%
PLUMBING	10.0%
PAINT	10.0%
FINISHES	10.0%
LANDSCAPE	10.0%
UTILITIES	10.0%
FOUNDATION	10.0%

