

BOARD OF ADJUSTMENT – APPLICATION FOR A VARIANCE

TO: BOARD OF ADJUSTMENT
Community Development Department
City Hall, 701 E. Broadway, Columbia, Missouri 65201

SUBJECT: Request for approval of a variance from requirements of the Unified Development Code on the following described property located in the City of Columbia, County of Boone, State of Missouri (legal description):

Lot(s): 2A, of Knipp-Boggs, Subdivision Plat 2, City of Columbia, County of Boone, Missouri,

according to the recorded plat thereof, as recorded in Book 44, Page 14 of the records of Boone County, Missouri

which is presently zoned R-2 and known, or to be known, as 602 Florence Avenue
(Street Number and Name)

County Assessor's 14 Digit Real Estate Tax Number: 16-314-00-10-012.00 01

Notice is hereby given that Applicant(s) requests a variance with respect to the above described property from the Decision of Doug Kenney, Senior Building Inspector, Community Development Department

On the 16 day of September, 20 25 said official did deny the ADU application building permit.

The reason given for such action was that When the ADU is attached to the main structure it would have to meet the setback requirements of the main structure which is a 25' rear yard setback. I can not permit this with the rear yard encroachment.

which does not comply with Section 29-3.3(ii)(2)(v), Code of Ordinances of the City of Columbia, Missouri, which Section provides or requires that An accessory structure or accessory surface improvement constructed as an integral part of the main building shall be subject to the setback standards affecting the main building.

A copy of the letter of said official is hereto attached.

There are practical difficulties or unnecessary hardships, or both, in the way of carrying out the strict letter of the Ordinance because **(all claims shall be justified by supporting documentation. Add additional pages or provide separate letter for response)** Please see the attached letter for full descriptions.

If the Board of Adjustment varies or modifies the application of the Ordinance as requested. nevertheless there will be a substantial compliance with the Unified Development Code, the spirit of the Unified Development Code will be observed, public safety and welfare will be secured, and substantial justice will be done because **(applicant shall fully respond to "Criteria for Approval" as shown in Section 29-6.4(d)(3)(i). All claims to be justified by supporting documentation. Add additional pages or provide separate letter for response)** Please see the attached letter for full descriptions.

Applicant(s) requests that the Board of Adjustment vary or modify the application of the Ordinance to the above described property to the extent indicated, and that if approved, we would abide by all requirements therein.

10/27/25

DATE

SIGNATURE(S)
PRINTED NAME
ADDRESS
TELEPHONE

Scott Claybrook
Scott Claybrook (Oct 27, 2025 16:29:41 CDT)
602 Florence Ave,
573 808 3932

Angela Claybrook
Angela Claybrook (Oct 27, 2025 16:31:24 CDT)
602 Florence Ave, Columbia, MO 65203

CAPACITY OR INTEREST IN PROPERTY Shared Owners; Homeowners; Principal Dwelling

This application is hereby acknowledged as being received for Board of Adjustment consideration by:

COMMUNITY DEVELOPMENT DIRECTOR OR DESIGNEE

DATE

Patrick R Jenner
10/27/2025



Scott Claybrook <claybrookconcepts@gmail.com>

602 Florence Ave • BLDR-006028-2025 ADU Application

Doug Kenney

Tue, Sep 16, 10:53AM

to me

When the ADU is attached to the main structure it would have to meet the setback requirements of the main structure which is a 25' rear yard setback. I can not permit this with the rear yard encroachment. Let me know if you have questions. Thanks

--

Doug Kenney
Senior Building Inspector
Community Development Department
City of Columbia
573-874-7262

On Thu, Sep 11, 2025 at 9:12AM Scott Claybrook <claybrookconcepts@gmail.com> wrote:

Good morning Doug!

I hope your day is going well.

Our family is growing and we are looking at creative ways to grow in place. We've decided to move forward with an attached ADU addition on our primary residence.

I have submitted a permit detail assigned to this permit number: BLDR-006028-2025. Additionally, I have attached the ADU Application that mirrors the process we've done on other ADU's with you all in the past.

Here are a few more details:

- Existing R-2 Zoning;
- Attached ADU within the confines of requirements;
- Upgrading the electrical service to a duplex meter and separating the panels to keep unit-specific panels in each unit (e.g. Main House and Apt 101 for ADU); I've spoken with Engineering who is waiting for this application to determine if the overhead wire drop size is appropriate for us to accomplish or if we need to upgrade the drop.
- Master water meter and single sewer lateral tap.
- No gas line work.

I'll shoot you a call later to touch base on this. Let me know if you have any questions or if I'm missing anything.

Appreciate you!

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Scott Claybrook

"But whoever would be great among you must be your **servant**, and whoever would be first among you must be your slave, even as the Son of Man came **not to be served but to serve**, and to **give His life as a ransom for many**." – Matthew 20:26-28 ESV

Practical Difficulties and/or Unnecessary Hardships

Our family is seeking to establish an expansion of our home underneath the by-right ADU provisions for R-2 zoned lots.

My wife's mother is aging. She has been widowed as of 2 years ago with the loss of my father-in-law. We are seeking to prepare for the needed health care that may be needed for my mother-in-law by building onto our home with an additional ADU or "mother-in-law" suite. This is helping us to avoid costly nursing care potentials in the future, honor family & cultural expectations, and continue to remain in our current home in order to stay vital neighbors to our current neighborhood surroundings.

As seen in our Plot Plan, we are proposing a roughly 3' encroachment into the 25' rear-yard setback in order to make the project viable. We would remain 22' from the rear yard setback consistently across the entirety of our property with our proposed variance.

We've worked diligently with local design professionals to try multiple options. The current design option accommodates for needed space, adaptable design, and a staircase that is at a moderate rise and extra width to accommodate for aging needs.

This proposed encroachment variance is roughly 6.7% of the rear yard area. Under the ADU Ordinance provisions found in Use Specific Standards Section 29-3.3(gg)(3), **detached ADUs** are allowed greater impacts in the rear yard setback than **attached ADUs** that are an integral part of the main structure. With a **detached ADU**, the Ordinance allows for the structure to occupy up to 30% of the rear yard and to be built up to 6' to the rear property line.

If we built a **detached ADU** to navigate the issues, the following problems arise making the project unviable:

- Total rear yard area 1,529 sq/ft. Up to 30% of this area is 458.7 sq/ft. The size of this unit is prohibitive for the needed design to accommodate the aim of long-term aging-in-place family support.
- According to Section 29-3.3(gg)(5), we cannot increase the detached design by height because a detached unit shall not exceed the height of the main structure. Currently, as our proposed **attached ADU** design exists, the main structure roof line will increase to a height taller than the new attached ADU, allowing a second floor to be built underneath the height of the main structure. This is not possible with a **detached ADU** and would be a greater exception in the eyes of this Variance process.
- A **detached ADU** is less practical for the needs of our family. **An attached ADU** will allow easier access between the units which enables better social connection for our family and emergency access.
- While not typically seen as a hardship by this Board, the financial implications are in view for our family while seeking to create affordable housing options for our multi-generational family. The creation of a detached ADU adds significant, unneeded costs to the building process. This includes a 25% increase in costs for all parts of the building process that touch the foundation, framing, exterior finishes & elements, and insulation portions of the project estimated at a \$17,500-\$20,000 addition in costs.

As previously stated, we have worked all viable designs to overcome this issue within the currently allowed Ordinances and letter of the Code. We believe this variance request is an equitable solution with the currently allowed detached ADU encroachments in view while still retaining project viability. *We appreciate the time and consideration of this Board!*

Criteria for Approval

If approved, our approach will abide with the substantial compliance of the Unified Development Code, the spirit of the Unified Development Code, public safety and welfare, and substantial justice, we plan to do the following with Section 29-6.4(d)(3)(i) in view:

(i) General Criteria:

- (A) Abiding by the variance request as seen in this application with no further changes beyond what is suggested, if approved;
- (B) The approval of the suggested variance in this application does not change the permitted use of the land, either permitted or conditional use, according to Section 29-3.1 (permitted use table). The permitted by-right ADU provisions in R-2 zoned land is in view and no changes to this would occur;
- (C) The approval of the suggested variance in this application does not conflict with the adopted comprehensive plan. Rather, the approval further reinforces key guiding principles & policies stated within the current Comprehensive Plan such as:
 - (pg.5) Guiding Principles – No.3
Balance the quality of life enjoyed by residents with the needs of providing new employment and diverse housing and home ownership opportunities for an increasing population.
 - (pg. 120) Policy One: Support Diverse and Inclusive Housing Options
The demographic composition of the City reflects a need for a variety of housing options. Nearly one-third of the population is comprised of college students, the baby-boomer population is aging, and one in ten residents report a disability.¹ Additional demographic and market research and public input identify other unmet needs in the forms of affordable housing and diversity of housing choices. Strategies to support diverse and inclusive housing options include the promotion of universal design, aging in place, and affordable housing.
- (D) As stated in our section on “Practical Difficulties and/or Unnecessary Hardships”, we have thoroughly worked with local design professionals to try alternatives for project viability with no other success.
- (E) There is no harm to public health, safety, welfare and poses no threat to other property.

(ii) and (iii) There are no signage variances or applicable floodplain regulation concerns.