



# BOARD OF ADJUSTMENT - APPLICATION FOR APPEAL (From A Decision made by an Official of The City of Columbia)

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

**SUBJECT:** Notice of appeal from Decision of **Doug Kenney, Senior Building Inspector, Building and Site Development** in regard to the following described property located in the City of Columbia, County of Boone, State of Missouri (legal description):

**Lot 201B of East Pointe, Plat 2-E as recorded in Plat Book 54 at Page 22 of the Boone County records.**

which is presently zoned **M-N** and known, or to be known, as **2710 Bluff Creek Blvd.**

County Assessor's 14 Digit Real Estate Tax Number: **17-415-00-04-015.01**

Notice is hereby given that Applicant(s) appeals the decision made by said official on the **20th** day of **March**, 2026, with reference to the above described property.

On that day said official did **deny** a permit application for a detached garage, swimming pool, and pool house, located on the above mentioned tract of land.

The reason given for such action was that the **proposed structures and improvements would be forward of the principal structure that is existing on the tract.**

which does not comply with Section **29-3.3(ii)(2)(iii)(A)**, Code of Ordinances of the City of Columbia,

Missouri, which Section provides or requires that **detached accessory structures and accessory surface improvements (such as tennis courts, basketball courts, swimming pools, or paved patios) shall be located:**

**(A) Not forward of the principal structure**

A copy of the letter of said official is hereto attached. The decision is erroneous because the **site contains 2.62 acres, has substantial grade across the site, and has limited options for the placement of the proposed improvements.**

Applicant(s) requests that the Board of Adjustment reverse the above stated decision and (direct) **city staff to accept, review, and approve the application for building permit for the proposed improvements and structures.**

Date 4/24/26, 8:47 AM

**SIGNATURE(S)**  
**PRINTED NAME**  
**ADDRESS**  
**TELEPHONE**



**Caleb Colbert**  
1203 W. Broadway  
Columbia, MO 65203  
(573)-442-3535  
Caleb@showmelaw.com

Application For Appeal Document - City of Columbia, Missouri

**CAPACITY OR INTEREST IN PROPERTY**

Attorney for the property owner

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

**COMMUNITY DEVELOPMENT DIRECTOR OR DESIGNEE**



**DATE**

**4/28/2026**



March 20, 2026

Lockett Custom Homes  
306 Searsport Dr  
Columbia, MO 65201  
573-234-3246

Re: Denial Letter – 2710 Bluff Creek Blvd  
Parcel Number –14-415-00-04-015.01 01

A permit for the pool, pool house, and proposed detached garage as shown in the attached exhibit would be denied per Sec. 29-3.3(ii)(2)(iii)(A) of the Unified Development Code given such accessory uses are not permitted forward of the principal dwelling on the property. The relevant code section is shown below.

**(ii) Accessory and temporary uses of land and buildings: Customary accessory uses and related structures.**

- (1) All customary accessory uses and accessory structures shall comply with the following additional standards, unless otherwise provided in this Code:
  - (i) All accessory uses and accessory structures shall be subordinate to the principal structure(s) and primary use(s) on the property. The aggregate first floor square footage of all accessory structures on a lot shall not exceed the first floor square footage of any principal structure on the lot. The aggregate square footage of all areas devoted primarily to accessory uses on a lot shall not exceed the square footage of all areas devoted to the primary use of the lot;
  - (ii) All accessory uses and structures shall comply with all dimensional regulations (i.e. building height, lot coverage, and minimum yard) applicable to the principal structure(s) on the property unless this chapter provides a specific exception to those regulations;
  - (iii) No part of a detached accessory structure shall be closer than ten (10) feet to another structure;
  - (iv) An accessory use may not begin operation before a permitted primary use or an approved conditional primary use begins operation on the property. An accessory structure may not be constructed before a permitted principal structure is constructed on the property; and
  - (v) Driveways, parking areas and loading areas shall comply with the requirements of section 29-4.3.
- (2) Customary accessory uses and accessory structures to one-family, two-family, live-work, shall also comply with the following standards:
  - (i) Detached accessory structures shall not exceed twenty-four (24) feet in height or the height of the principal structure, whichever is less, and may not occupy more than thirty (30) percent of a required rear yard;
  - (ii) For any dwelling there shall be permitted one garage with space for not more than one motor vehicle for each two thousand (2,000) square feet of lot area, provided that total garage space shall not exceed the total habitable first-floor floor area of the primary dwelling;
  - (iii) Detached accessory structures and accessory surface improvements (such as tennis courts, basketball courts, swimming pools, or paved patios) shall be located:
    - (A) Not forward of the principal structure,
    - (B) Not less than three (3) feet from any side lot line, and
    - (C) Not less than one foot from any alley line;
  - (iv) Notwithstanding the provision of subparagraph (iii) above, when the rear lot line is common to a side or rear lot line of another lot, detached accessory structures and accessory surface improvements must be located a minimum of three (3) feet from such rear lot line. For corner lots, detached accessory structures and accessory surface improvements must be located not less than the distance required for residences from side streets; and
  - (v) 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, provided that on a corner lot, a garage integrally attached to the main building may extend to a point not less than eighteen (18) feet from the rear lot line, but shall not occupy more than thirty (30) percent of the rear yard.

Sincerely,

Patrick R. Zenner, Development Services Manager  
City of Columbia, Community Development Department – Planning and Zoning Division

Building & Site • CATSO • Planning

573.874.7474 Service Counter  
573.874.7239 Administrative Offices

701 E. Broadway, P.O. Box 6015  
Columbia, Missouri 65205

CoMo.gov  
CoMo.gov/community-development

*Our vision: Columbia is the best place for everyone to live, work, learn and play.*



April 27, 2026

Pat Zenner  
Community Development Department  
City of Columbia 701 E. Broadway  
PO Box 6015  
Columbia, MO 65205

Re: Application for Appeal to the Board of Adjustment

Mr. Zenner:

On behalf of my client and the property owner, Richard G. Miller Revocable Trust, I would like to take this opportunity to request an appeal to a decision from the City of Columbia to the Board of Adjustment. Said decision from the City of Columbia has stated that the applicant is not allowed to construct accessory structures and a swimming pool in front of the primary structure located at 2710 Bluff Creek Boulevard.

A denial letter, attached hereto, states that a permit for a swimming pool, pool house, and detached garage would be denied per Section 29-3.3(ii)(2)(iii)(A) of the Unified Development Code. Based on existing conditions of the site, we feel that the request for an appeal to this code is justified. The site contains 2.62 acres and is currently zoned M-N (neighborhood commercial). The topography of the site is rather steep in most areas and the buildable area of the site is very limited.

There are several conditions of the site that demonstrate that there are particular hardships on this tract of land that prevent the applicant from complying with the said section of the regulations.

First of all, the topography of the site is steep, most of the 2.62 acre lot is impacted by steep slopes. Attached is a diagram that illustrates the areas of the site that exceed the steep slope limit of 25% as defined by the UDC. These slopes are protected and therefore are not allowed to be constructed upon. While the site is 2.62 acres, the steep slopes greatly reduce the buildable area of the lot. All of the areas that are located behind the principal structure are considered steep and therefore not able to be built upon. Simply put, there is no place behind the principal structure in which to construct the proposed improvements.

Second is access. Even if there was a spot that lay behind the primary structure that was suitable for construction of the proposed facilities, there is no accessible route to get to them. The area to the south of the existing house is very steep with a slope at about a 1:1 ratio. The slope to the north of the house is at about a 3:1 ratio. Both of these are just not practical to use as a points of access and also conflict with the steep slope condition of the UDC.

As shown by the attached exhibit, there are a couple of locations that lie in front of the principal structure that are suitable for construction. It is at these locations that we would like to build the detached garage, swimming pool, and pool house. These areas are not within a steep slope area and can easily be accessed from the existing house and existing driveway.

Should these improvements be allowed, they will not be a detriment to any of the neighbors or the general public. The existing house sits on a dead-end road with no other residential neighbors. The adjacent lots to the north contain a movie theatre and a large office building. Neither of which would be impacted by these proposed improvements. The nearest residential structure to the south is approximately 800 feet away and is separated from this site by Grindstone Creek and an extensive amount of green space. Again, these residences would not be impacted by these improvements in any way.

With regards to safety and the welfare of the general public, nothing about these improvements would impact that. There will be no additional traffic generated by these improvements and the roadway network that is in place now can more than adequately handle the existing traffic. The visibility of these improvements from any public right-of-way will be extremely limited due to existing vegetation. In addition to that, no other residences use this section of Bluff Creek Boulevard and therefore it will not have a visual impact on any neighbor. The general public will not be impacted whatsoever.

We believe that the proposed request to construct a detached garage, swimming pool, and pool house at the specified locations are appropriate given the site constraints and hardships. We appreciate your time in reviewing this request. Upon review of this submittal, if you have any questions please feel free to contact us.

Sincerely,

Crockett Engineering Consultants, LLC

A handwritten signature in black ink, appearing to read "Tim Crockett". The signature is fluid and cursive, with the first name "Tim" and last name "Crockett" clearly distinguishable.

Tim Crockett, PE

# CROCKETT

ENGINEERING CONSULTANTS

1000 W. Nifong Blvd., Building 1  
Columbia, Missouri 65203  
(573) 447-0292

[www.crockettengineering.com](http://www.crockettengineering.com)



SCALE: 1"=80'

