

NOTICE OF APPLICATION TO THE BOARD OF ADJUSTMENT

(FOR A VARIANCE)

TO: BOARD OF ADJUSTMENT
Community Development Department
City Hall, 701 E. Broadway, Columbia, Missouri 65203

SUBJECT: Notice of appeal from Decision of Chad Herwald, City Arborist
in regard to the following described property located in the City of Columbia,
County of Boone, State of Missouri (legal description):
Lot 1 of Midland Subdivision in the City of Columbia, Boone County, Missouri, as shown by the plat thereof recorded in Plat
Book 33, Page 18, Records of Boone County, Missouri.

which is presently zoned M-N and known, or to be known, as 912 Old 63 South
(Street Number and Name)

County Assessor's 14 Digit Real Estate Tax Number: 17-410-00-10-001.00

Notice is hereby given that Applicant(s) requests a variance with respect to the above described property.

On the 8th day of August, 20 17 said official did
deny request not to construct a screening fence at the north and east property lines.

The reason he gave for such action was that
the building originally was permitted with a fence and Section 29-4.4(e)(1) requires landscaping and a
screening device between commercial and residential uses.

which does not comply with Section 29-4.4(e)(1) Code of Ordinances of the City of Columbia,
Missouri, which Section provides or requires that landscaping and a screening device be constructed
between commercial and residential uses.

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 (1) the adjoining neighbors have objected to the fence and requested that it not be
installed and have agreed that a landscaping buffer be used instead; and (2) installation of a fence or similar screening device
creates a security risk for adjoining and nearby residences.

If the Board of Adjustment varies or modifies the application of the Ordinance as requested by this appeal,
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

the required landscaping buffer will provide adequate buffering and screening and is preferred by the residential
neighbors.

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 the requirement for the screening fence be waived.

Attached hereto and made a part hereof is a sheet entitled "Parties in Interest" which lists the names and
addresses of all other parties in interest, to the best knowledge and belief of Applicant(s).

DATE 11/21/17

SIGNATURE(S) [Signature]
ADDRESS Thomas M. Harrison, Attorney for Applicant
1103 E Broadway, P.O. Box 1017, Columbia MO 65205
TELEPHONE 573-874-7777

CAPACITY OR INTEREST IN PROPERTY Attorney for Owner, Anicar, LLC

I hereby acknowledge receipt of a signed copy of the above Notice of Application, and I also acknowledge
receipt of the deposit required to be made with said Notice of Application.

COMMUNITY DEVELOPMENT DIRECTOR OR DESIGNEE
DATE



CITY OF COLUMBIA, MISSOURI

COMMUNITY DEVELOPMENT

DEPARTMENT OF PLANNING AND DEVELOPMENT

(573) 874-7239

BUILDING AND SITE DEVELOPMENT

(573) 874-7474

OFFICE OF NEIGHBORHOOD SERVICES

(573) 817-5050

August 8, 2017

Mark Timberlake, P.E., LEED-AP, C.E.M.

Timberlake Engineering, P.C.

1100 E. Walnut Street

Columbia, Mo 65201

The proposal not to build a screening device at 912 Old 63 South is denied for the following reasons:

- 1). originally the building was permitted with the fence shown.
- 2). 29-4.4(e)(1) requires landscaping and a screening devise between commercial use and residential.

Thank you,
Chad Herwald
City Arborist
573-874-6357