

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):  
See attached deed

which is presently zoned R-2 and known, or to be known, as 2 Fourth Ave. Columbia MO 65203  
(Street Number and Name)

County Assessor's 14 Digit Real Estate Tax Number: 16-315-00-01-095.00 01

Notice is hereby given that Applicant(s) requests a variance with respect to the above described property from the Decision of City of Columbia Building & Site Development

On the 10th day of November, 20 25 said official did deny a building permit application for an ADU on above property.

The reason given for such action was that the ADU would be required to meet the 25' setback requirement on a corner lot in R-2

which does not comply with Section 29.4.1-1 Table 4.1-1, Code of Ordinances of the City of Columbia, Missouri, which Section provides or requires that the sideyard setback on a corner lot be 25 feet.

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) See attached letter

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) See attached letter

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, a building permit will be obtained for the proposed ADU.

12/27/25  
DATE

SIGNATURE(S) [Signature]  
PRINTED NAME A. Coley Colbert  
ADDRESS 827 E Broadway, 1st D  
TELEPHONE 577-442-7575

CAPACITY OR INTEREST IN PROPERTY Attorney for Owner

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

COMMUNITY DEVELOPMENT DIRECTOR OR DESIGNEE Patrick R. Zenner  
DATE 12/29/25

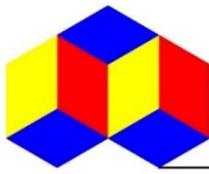
From: **Doug Kenney** <[Doug.Kenney@como.gov](mailto:Doug.Kenney@como.gov)>

Date: Mon, Nov 10, 2025 at 9:34 AM

Subject: Re: 2 Fourth St.

To: Ben Burgett <[benb@cmca.us](mailto:benb@cmca.us)>

After review of the site plan it has been determined that the ADU would be required to meet the 25' setback requirement from Garth St. You could request a variance from the Board of Adjustment. Pat Zenner would be the contact for this process and can be contacted at [pat.zenner@como.gov](mailto:pat.zenner@como.gov) or at 573-874-7246



December 24, 2025

Pat Zenner  
City of Columbia Department of Community Development  
701 E. Broadway  
Columbia, MO 65201

Re: Setback Relief on a Corner Lot and Request to Allow a Private Residential Driveway

Dear Mr. Zenner,

On behalf of Central Missouri Community Action, the owner of the property located at 2 Fourth Avenue, Columbia, Missouri 65203, we are submitting the attached documentation to request two variances related to the proposed project. A building permit application for an accessory dwelling unit (ADU) was submitted on November 10, 2025, and was subsequently denied due to the 25-foot side yard setback requirement for corner lots in the R-2 zoning district.

Our first request is for the Board of Adjustment (BOA) seeking approval of a variance to Section 29-4.1-Dimensional Summary Table, 4.1.1. This is necessary to allow a reduced corner lot street side setback from the R-2 minimum of 25 feet to 9 feet. The proposed Accessory Dwelling Unit (ADU) will comply with all other current dimensional standards.

The second request is for the Director of Community Development, seeking a variance to Section 29-5.1(F)(2)(iii) to allow the placement of a private residential driveway on an arterial or collector street. This will allow direct access to the ADU.

The proposed ADU will also meet all of the requirements of Section 29-3.3(gg), Use-Specific Standards – Accessory and Temporary Uses of Land and Buildings: Accessory Dwelling Units per the following:

- 1) There will be no more than two dwelling units, including the accessory dwelling, on the lot.
- 2) The lot meets the definition of a "lot, substandard" with a minimum lot area of 3,000 s.f. (4,907.62 s.f.) and a minimum width of 30 feet (36.50 feet).
- 3) The proposed detached accessory dwelling is located a minimum of 10 feet (15.68 feet) behind the principal dwelling, a variance request to the BOA is herewith submitted to allow for less than the 25 foot corner lot side yard setback, and the center of the rear wall will be no further than 150 feet (29.21 feet) from the nearest street frontage.
- 4) The proposed ADU will not exceed seventy-five percent (510 s.f./690 s.f.= 74%) of the total square feet of the principal dwelling and will not occupy more than thirty percent (72.92s.f./911.68s.f.= 8%) of the rear yard.
- 5) The proposed ADU will not exceed the 17.5 feet (12.5 feet) height of the principal dwelling.
- 6) A variance request to the Director of Community development is herewith requested to allow for an additional drive and parking space off of Garth Avenue, a major collector street.
- 7) The proposed driveway and parking space will be concrete.
- 8) A plot plan showing the existing building and proposed ADU location has been previously provided.

All required supporting documentation is included with these requests:

- Board of Adjustment variance application
- Legal description with deed
- City of Columbia denial email
- Site plan/exhibit
- Images of existing home and aerial view
- Written response addressing the variance "approval criteria" questions
- Application fee

Criteria for Board of Adjustment approval. Sections 29-6.4(d)(2)(i)

The board may approve an application for a variance from the terms and provisions of this chapter if it determines that all of the following are true.

General criteria:

- (A) The variance is required to address practical difficulties or unnecessary hardships related to the shape, size, terrain, location or other factors of the applicant's site, those difficulties or hardships are not generally applicable to property in the area, and the difficulties or hardships were not created by the actions of the applicant;

The requested variance is necessary to address a practical difficulty resulting from the substandard width and corner-lot configuration of the property. Application of the 25 foot side yard setback on this corner lot significantly limits the buildable area and creates an unnecessary hardship that is not generally applicable to other properties in the area. Due to the lot's dimensions the ADU cannot be reasonably located on the site without relief from the corner lot street side setback standard. The hardship is not self-created. The lot was legally established prior to adoption of the current setback requirements, and the existing house has a side yard setback of approximately 5.54 feet, reflecting the longstanding constraints of the site rather than actions of the applicant.

- (B) The variance will not have the effect of permitting a use of land that is not indicated as a permitted or conditional use in [section 29-3.1](#) (permitted use table) in the zone district where the property is located, nor shall a variance be granted to modify a standard that operates as part of the definition of any use;

Granting the requested variance will not have the effect of permitting a use that is not otherwise allowed within the zoning district. The existing single-family dwelling and the proposed accessory dwelling unit are permitted uses under Section 29-3.1 of the Unified Development Code in the R-2 zoning district. The variance relates only to a dimensional setback standard and does not modify a standard that operates as part of the definition of any use.

- (C) The variance will not permit a development that is inconsistent with the adopted comprehensive plan;

The requested variance will not permit development that is inconsistent with the adopted comprehensive plan. The proposed ADU is consistent with the goals and policies of Columbia Imagined, including encouragement of:



- Density & development within the City core
- A broader range of housing options
- Infill development on existing residential lots

The proposed development maintains compatibility with the surrounding neighborhood in terms of scale, intensity, and residential character.

(D) The variance is the least change from the requirements of this chapter necessary to relieve the difficulty or hardship; and

The requested reduction to a 9 foot side yard setback represents the minimum variance necessary to alleviate the practical difficulty created by the lot's substandard width and corner-lot configuration. The request does not seek to match the existing 5.54 foot setback of the primary structure and instead increases the setback relative to existing conditions. Further reduction is not requested, and greater compliance would not adequately relieve the hardship.

(E) The variance will not harm the public health, safety, or welfare or be injurious to other property or improvements in the area where the property is located.

Approval of the variance will not be detrimental to the public health, safety, or welfare, nor will it be injurious to other property or improvements in the area. The reduced setback:

- Maintains adequate separation
- Does not adversely impact access, utilities, or sight distance
- Is consistent with existing development patterns

Given that the existing dwelling already encroaches further into the setback than proposed, the variance will not create impacts beyond those currently present.

For all these reasons, we believe the request is reasonable and that granting the setback variance is justified. Approval would allow the project to move forward in a practical manner while remaining consistent with the intent of the zoning regulations, the surrounding neighborhood, and Columbia Imagined.

We appreciate your time, and please contact us with any questions or requests for additional information.

Sincerely,



Lara Florea  
A Civil Group, LLC

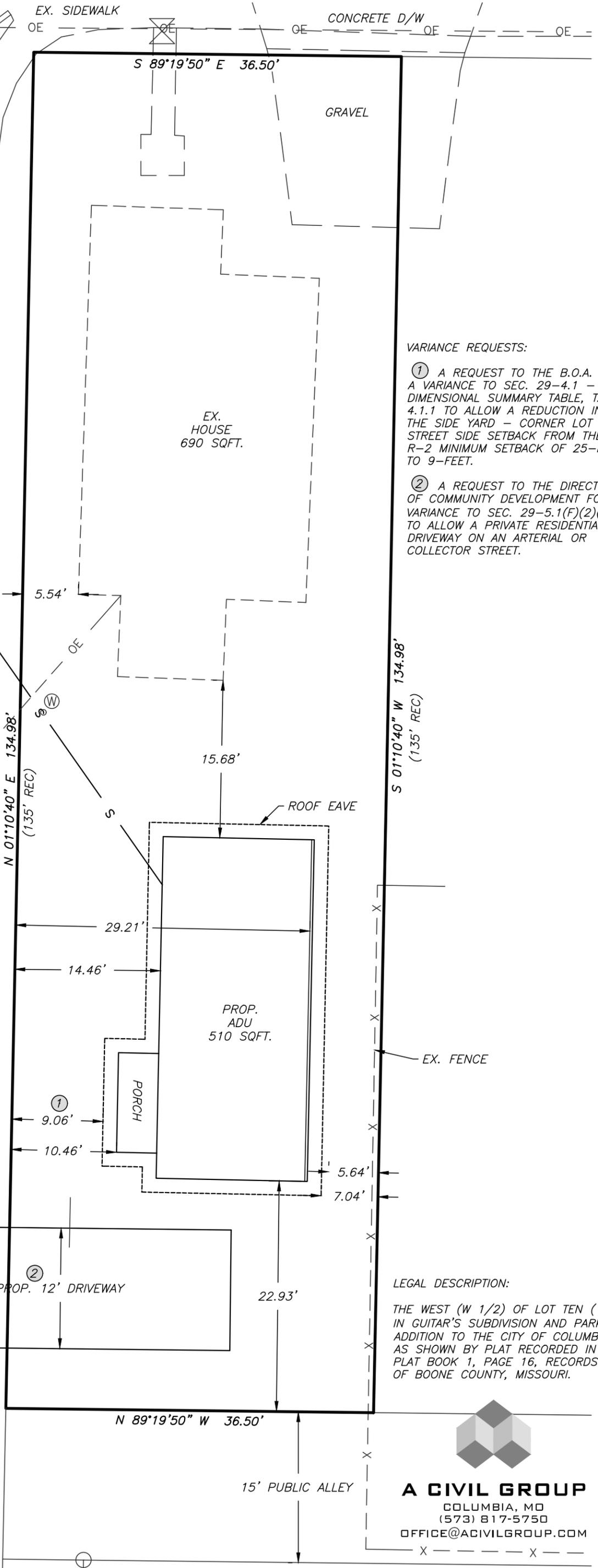
*File: CMCA24.02*



**FOURTH AVENUE**

**2 FOURTH AVENUE EXHIBIT**

**GARTH AVENUE**



**VARIANCE REQUESTS:**

- ① A REQUEST TO THE B.O.A. FOR A VARIANCE TO SEC. 29-4.1 - DIMENSIONAL SUMMARY TABLE, TABLE 4.1.1 TO ALLOW A REDUCTION IN THE SIDE YARD - CORNER LOT STREET SIDE SETBACK FROM THE R-2 MINIMUM SETBACK OF 25- FEET TO 9- FEET.
- ② A REQUEST TO THE DIRECTOR OF COMMUNITY DEVELOPMENT FOR A VARIANCE TO SEC. 29-5.1(F)(2)(III) TO ALLOW A PRIVATE RESIDENTIAL DRIVEWAY ON AN ARTERIAL OR COLLECTOR STREET.

**LEGAL DESCRIPTION:**

THE WEST (W 1/2) OF LOT TEN (10) IN GUITAR'S SUBDIVISION AND PARK ADDITION TO THE CITY OF COLUMBIA, AS SHOWN BY PLAT RECORDED IN PLAT BOOK 1, PAGE 16, RECORDS OF BOONE COUNTY, MISSOURI.



**A CIVIL GROUP**  
 COLUMBIA, MO  
 (573) 817-5750  
 OFFICE@ACIVILGROUP.COM

CENTRAL MISSOURI COMMUNITY ACTION  
2 FOURTH AVENUE COLUMBIA, MO 65203

