

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 Three Hundred Fifty-eight (358) of Eastport Village Plat Three (3), a subdivision located in the City of Columbia, Boone County, Missouri, as shown by the plat thereof recorded in Plat Book 37, Page 42, Records of Boone County, Missouri.

which is presently zoned R-1 and known, or to be known, as 5700 Camden Circle
(Street Number and Name)

County Assessor's 14 Digit Real Estate Tax Number: 17-220-00-02-058.00 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 Inspector Josh Hombs

On the 15th day of August, 20 25 said official did fail BSD Framing and Rough-in inspection

The reason given for such action was that covered rear deck exceeds 60 sq. ft. max in rear setback. Actual documented rear deck is ~ 75 sq. ft. in total area within rear setback as explained by this request.

which does not comply with Section Sec. 29-4.1, Table 4.1-5, Code of Ordinances of the City of Columbia, Missouri, which Section provides or requires that canopies and "open" porches within the rear yard setback are limited in area to no greater than 60-sq. ft. and cannot extend more than 6-feet into the required front or rear yard setback.

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)** no previous inspection noted any concern or warning and costs to alter the deck and awning would include removal of posts, roofing, siding, concrete, new pier footings, concrete slab, new framing and back half of roof replacement to maintain warranty. Total costs to exceed \$20,000 and 3 months of delay.

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)** the additional 15 sq. ft. of encroachment in backyard is still within the maximum allowable encroachment of 6-feet, fully open deck, and the neighbors have given verbal acceptance of the structure "as-is".

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 rough-in inspection for framing be approved to allow construction to proceed with final occupancy certificate pending all other codes and ordinances are in compliance

9/29/2025

DATE

SIGNATURE(S)
PRINTED NAME
ADDRESS
TELEPHONE

Rebecca Lamar
Rebecca Lamar Smith Lewis LLP
111 S. Ninth St., Ste. 209, Columbia, MO 65201
573-443-3141

CAPACITY OR INTEREST IN PROPERTY

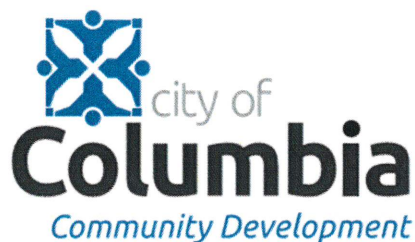
Attorney for Property Owner

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

COMMUNITY DEVELOPMENT DIRECTOR OR DESIGNEE

DATE

Patrick R. Jenner
9/29/2025



September 29, 2025

Mr. Kyle Saunders
Envy Builders, LLC
1603 N. Pin Oak Boulevard
Columbia, MO 65202

Mr. Saunders:

This letter is to inform you that approval of your requested City of Columbia Building and Site Development "framing & rough-in" inspections associated with the presently constructed covered deck at property address 5700 Camden Circle cannot be granted without obtaining approval of a variance from the City's Board of Adjustment. The constructed cover deck exceeds the maximum allowable 60 sq. ft. of "covered" area within the property's rear yard as limited by Section 29-4.1(c)(2), Table 4.1-5 of the Unified Development Code. The "covered" area within the required rear yard setback is approximately 75 sq. ft. which is 15 sq. ft. larger than permitted. The deck's placement into the rear yard setback; however, is otherwise compliant with the maximum allowable 6-feet of encroachment

Prior to being capable of obtaining approval of the requested framing and rough-in inspections associated with this construction, relief from the Board of Adjustment must be granted. The required variance application may be obtained at <https://www.como.gov/boards/board-of-adjustment/board-of-adjustment-forms/> and selecting the links associated with "Notice of Application for a Variance".

Please note, given this property is owned by an LLC, the **application submitted must be signed by a duly qualified and authorized attorney at law licensed in the State of Missouri**. Failure to submit your completed application with it being signed by an attorney will delay the City's acceptance and processing of your request.

Please ensure that this letter, a complete Board of Adjustment Variance Application citing the above referenced section of the Unified Development Code, and the required \$450 application fee is submitted **in hard copy, no faxes/emails accepted**, to the Community Development Department – Planning & Zoning Division no later than 12:00 p.m. (noon) on the application day as stated within published and attached calendar. Following your hard copy submission, an electronic copy of the entire application package **MUST** be emailed to Planning@como.gov with a **PDF & WORD version** of the parcel's legal description.

Should you have additional questions please contact our offices.

Sincerely,

A handwritten signature in red ink that reads "Patrick R. Zenner".

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

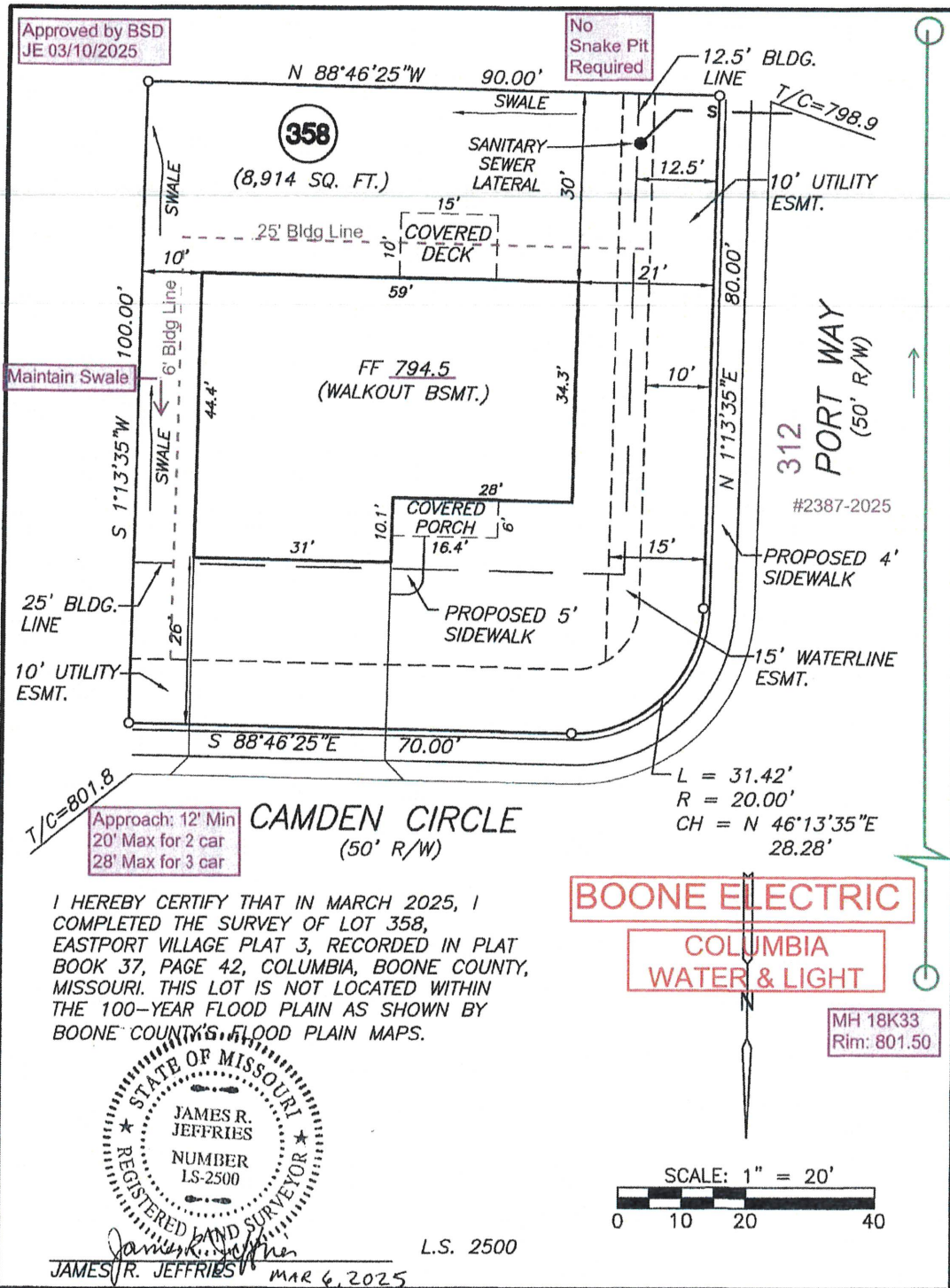
Our vision: Columbia is the best place for everyone to live, work, learn and play.

Public Water Supply District No. 9
Service Territory
(573)474-9521

Approved by BSD
JE 03/10/2025

No
Snake Pit
Required

MH 18K34
Rim: 797.70



INSPECTION WORKSHEET (BLDG-170270-2025)

CITY OF COLUMBIA

701 E Broadway 573-817-5050

Case Number: BLDR-002387-2025

Inspection Date: Mon May 12, 2025

Inspector: Tiffany, Andy

Case Module: Permit

Inspection Status: Passed Permit Inspection

Inspection Type: BSD-Footing

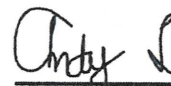
Job Address: 312 PORT WAY
COL, MO, 65201

Parcel Number: 1722000020580001

Contact Type	Company Name	Name
Plumbing Contractor	CC PLUMBING LLC	
Mechanical Contractor	CC PLUMBING LLC	
General Contractor	Envy Builders LLC	Saunders, Kyle
Applicant	Envy Builders LLC	Saunders, Kyle
Electrical Contractor	JJ & TC ELECTRIC LLC	

Checklist Item

Status



Tiffany, Andy

INSPECTION WORKSHEET (BLDG-172634-2025)

CITY OF COLUMBIA

701 E Broadway 573-817-5050

Case Number: BLDR-002387-2025

Inspection Date: Wed Jun 11, 2025

Inspector: Hombs, Josh

Case Module: Permit

Inspection Status: Passed Permit Inspection

Inspection Type: BSD-Footing

Job Address: 312 PORT WAY
COL, MO, 65201

Parcel Number: 1722000020580001

Contact Type

Company Name

Name

Plumbing Contractor

CC PLUMBING LLC

General Contractor

Envy Builders LLC

Saunders, Kyle

Mechanical Contractor

CC PLUMBING LLC

Applicant

Envy Builders LLC

Saunders, Kyle

Electrical Contractor

JJ & TC ELECTRIC LLC

Checklist Item

Status


Hombs, Josh

INSPECTION WORKSHEET (BLDG-172952-2025)

CITY OF COLUMBIA

701 E Broadway 573-817-5050

Case Number: BLDR-002387-2025
Inspection Date: Fri Jun 13, 2025
Inspector: Tiffany, Andy

Case Module: Permit
Inspection Status: Passed Permit Inspection
Inspection Type: BSD-Deck Piers

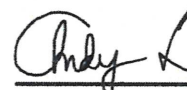
Job Address: 312 PORT WAY
COL, MO, 65201

Parcel Number: 1722000020580001

Contact Type	Company Name	Name
Mechanical Contractor	CC PLUMBING LLC	
Applicant	Envy Builders LLC	Saunders, Kyle
Electrical Contractor	JJ & TC ELECTRIC LLC	
General Contractor	Envy Builders LLC	Saunders, Kyle
Plumbing Contractor	CC PLUMBING LLC	

Checklist Item

Status


Tiffany, Andy

PHEBE LA MAR
SARAH E. GIBONEY
DANIEL G. BECKETT
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ATTORNEYS AT LAW

P.O. BOX 918
COLUMBIA, MISSOURI 65205-0918

•••

CITY CENTRE
111 SOUTH NINTH STREET, SUITE 200
COLUMBIA, MISSOURI 65201-4891
(573) 443-3141 • Fax (573) 442-6686

JACKIE L. RODGERS, JR.
JOHN NICHOLAS ROARK
ELIZABETH L. WEAVER
ALLISON HAZEN

LEGAL NURSE CONSULTANT
JENNY BECKETT, RN

ROBERT C. SMITH (1923-2016)
RAYMOND C. LEWIS, JR. (1926-2004)
BRUCE H. BECKETT (1947-2022)

October 3, 2025

Mr. Pat Zenner
Development Services Manager
City of Columbia
701 E. Broadway
Columbia, MO 65201

RE: Application for Variance for 5200 Camden Circle, Columbia, Missouri

Dear Pat:

I represent Envy Builders, LLC, the owner of the above-referenced property. You have received our Application for Variance. This Application meets the criterion for approval set forth in Section 29-6.4(d)(2), as follows:

- 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 deck and awning have been constructed completely pursuant to submitted plans, with no notice from the city prior to completion that it was not in compliance with the City's ordinances. The footing was inspected and approved in place, the framing was approved with a notice to change a ledger, and after these inspections were approved and completed, a final inspection resulted in notification that the deck is not in compliance with the roof covering limitations set out in Section 29-4.1(c)(2), Table 4.1-5 of the Unified Development Code. Prior to that, the roof covering has been shingled, soffit installed, rain gutters hung, electrical lighting installed, and framing stained and ready for railing to be installed. Changing the roof requires changing the post location, which requires concrete removal, replacement, rebuilding the whole structure to reduce size, and all new materials including concrete, framing, siding, roofing, rain gutters, electrical, trade labor, specialty tools for demo, and scaffolding rental. The total to complete the change to reduce the size of the deck by fifteen feet will cost in excess of \$34,000.
- 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. The variance only affects the appurtenance structure of the unenclosed deck and associated covering, and does not cause any encroachment into the side or rear yard setbacks, or otherwise affect any neighboring properties.

- The variance will not permit a development that is inconsistent with the adopted comprehensive plan, as it does not in any way impact the comprehensive plan.
- The variance is the least change from the requirements of this chapter necessary to relieve the difficulty or hardship. The variance is a request to permit 15 feet of additional deck space over what is permitted in the Unified Development Code, and removal of the 15 square feet is not feasible without a complete removal and rebuild of the deck.
- 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 in that if anything, permitting this variance may potentially increase property values in the vicinity without any negative effect on them.

For all of these reasons, and those set forth in the Application for Variance, we request approval of this Variance.

Sincerely,



Phebe La Mar