
**Board of Adjustment
November 18, 2025
Staff Report**

Application Summary –

A request of Ulysses Clayborn (attorney), on behalf of The Columbia Housing Authority (owner), seeking a 19-foot rear yard setback variance that will allow a final plat to be approved placing the structure addressed as 211 Boone Drive on its own individual lot as required by Section 29-4.1(a), Table 4.1-1 of the Unified Development Code.

Site Characteristics

The subject site is presently known as Lot 101B of Providence Walkway, Plat No. 1A and is improved with multiple multi-family and services buildings that are part of the Columbia Housing Authority's (CHA) Providence Walkway campus which is zoned R-MF (Multiple-family Dwelling) district. The property is bounded by Switzler Street on the north, Providence Road on the east, Boone Drive on the south, and Trinity Place on the west. All surrounding development outside the subject lot is owned and managed by CHA.

The residential structures and laundry facility presently occupying the site (see attached applicant correspondence Exhibit 1) are scheduled to be replaced with new public housing as part of the CHA's overall Master Plan subject to finalization of financing agreements relating to the project. Among the many aspects associated with securing final financing is a Federal requirement that the land to be redeveloped must be placed in a Declaration of Trust held by the Housing and Urban Development Administration (HUD). In preparing the plan to facilitate this transfer, it was identified that the CHA Maintenance and Property Management Facility located at 211 Boone Drive would be required to be platted onto its own. Such action ensures that CHA will maintain control over the property while the remainder of the Providence Walkway campus is redeveloped.

In reviewing the desired platting action to create the new lot containing the structure addressed 211 Boone Drive it was identified that a violation of the required 25-foot rear yard setback between the new property line and the existing residential building to the east containing the addresses 213, 215, 217 Boone Drive and 305 Providence Road would be created (see attached applicant correspondence Exhibit 2). Given this violation, processing of the required plat needing to separate 211 Boone Drive from the rest of Lot 101B cannot be pursued without the Board acting on the applicant's request for relief from the required rear yard setback.

Relief Sought and Purpose

The applicant is seeking a 19-foot variance from the required 25-foot rear yard setback applicable to dwellings located in the R-MF district as shown within Sec. 29-4.1(a), Table 4.1-1 of the UDC. The variance, if approved, would reduce the required rear yard setback between the residential dwelling containing 213, 215, 217 Boone Drive and 305 Providence Road and the future property line of the newly created lot containing 211 Boone Drive to 6-feet. All other structures located on the remainder of Lot 101B following creation of the new lot containing 211 Boone Drive would be compliant with the setback standards of the R-MF district. Furthermore, the placement of structure addressed 211 Boone Drive would be compliant with all setback standards of the R-MF district following creation of the new lot upon which it would be located. Exhibit 2 of the attached applicant correspondence provides a graphical depiction of setbacks impacting the Lot 101B and the proposed new lot containing 211 Boone Drive.

The relief requested is necessary in advance of the staff's and City Council's consideration of the final plat containing the structure addressed 211 Boone Drive. Per the UDC, a platting action cannot be considered for approval that does not comply with the dimensional standards of the UDC or that has not been granted relief from those standards by the Board. The Board's action on the relief requested is a prerequisite to the applicant's submission of the future platting action.

Variance Analysis –

Summary and Impacts –

The applicant is seeking a variance from the following regulatory requirements of the Unified Development Code:

General Dimensional Standards - Section 29-4.1(a), Table 4.1-1

The applicant is seeking relief from the required 25-foot rear yard setback from a property line within the R-MF district. The requested relief specifically relates to the creation of a future property line between the residential building containing the addresses 213, 215, 217 Boone Drive and 305 Providence Road and 211 Boone Drive. The applicant seeks approval to reduce the required 25-foot setback from the residential structure by 19-feet such that the new property line would only be 6-feet from the existing the residential structure. The structure addressed as 211 Boone Drive would be fully compliant with the required R-MF setbacks on all sides.

It should be noted that the existing residential structure to which the reduced rear yard setback would be applied is scheduled for demolition as a part of the overall redevelopment of the CHA's Providence Walkway campus. As such, the building's non-compliance with the standard R-MF setbacks will be temporary. Exhibit 3 of the attached applicant correspondence illustrates the final building layout of the redeveloped Providence Walkway campus and shows the rear setbacks from 211 Boone Drive and the future reconstructed residential building now containing 213, 215, 217 Boone Drive and 305 Providence Road being greater than 25-feet from the shared rear property line.

Given the background associated with why a new lot must be created to contain the structure addressed 211 Boone Drive, the lack of other available administrative options to address this matter, and the limited duration of setback non-compliance given the pending redevelopment of the Providence Walkway campus, approval of the requested variance is not viewed as inappropriate or negatively impactful upon the built environment. Based on the building layout shown in the Exhibit 3 of the applicant's correspondence, the relief sought is viewed as means to an end that must be taken based on the technical specifications of the UDC.

Compliance with Variance Criteria -

Staff has reviewed the "General Criteria" for the approval of a variance as articulated in sec. 29-6.4(d)(3)(i)(A-E) of the UDC. In relation to these criteria, staff finds that:

- A. The requested variance has been filed to address a practical difficulty imposed by the UDC relating to the lack of guidance on how to address "temporary" levels of non-compliance with required dimensional standards. This difficulty was not created by the applicant, but rather by the city's adoption of regulatory provisions that are designed to address the most common platting and redevelopment scenarios. The current request for relief is based on unique transactional requirements encountered in the redevelopment of land applicable to this specific applicant and not generally applicable to others. This subject property is owned by an entity that must comply with

stringent Federal financing and lending requirements mandating certain aspects of control over a property as it is redeveloped. Denial of the requested relief would likely result in a project delay which could jeopardize its final funding as well as require an early and unplanned relocation of residents located within the non-compliant structure such that it can be demolished prior processing the platting action necessary to secure the final funding for completion of the redevelopment project.

- B. Approval of the requested relief would allow a permissible use to be located closer to a property line than is otherwise permitted within the R-MF zoning district. Approval of the relief will not impact any part of a definition of an allowed land use within R-MF district.
- C. The Comprehensive Plan does not specifically address the issue of setbacks within residential development; however, does address the issue of creating “Livable and Sustainable Neighborhoods”. The establishment of setbacks applicable to various forms of development have been established to ensure that public health, safety, and welfare are maintained. The requested variance, if approved, would result in a “temporary” reduction in the required rear yard setback between the existing residential structure containing 213, 215, 217 Boone Drive and 305 Providence Road and the future property line of the newly created lot containing 211 Boone Drive. The “temporary” condition is based on the CHA Master Plan (Exhibit 3 of the applicant’s correspondence) which depicts the full build-out of the Providence Walkway campus. Upon completion of the redevelopment, the existing residential structure will be reconstructed and situated on its existing lot in such a manner that it will have a fully compliant R-MF rear yard setback.

During the period of non-compliance, the existing residential structure will remain “as-is” and occupied by its current residents. Creating the new lot for 211 Boone Drive will have no physical impact upon the current development patterns or use of the land. The action being taken to create the new lot is simply to facilitate finalization of the funding that supports the broader redevelopment of the Providence Walkway campus.

- D. Approval of the requested variance is the least change necessary to accommodate the creation of the lot needed to place the structure addressed 211 Boone Drive on its own lot. The only other option for the applicant to address the issue at hand would be seek a rezoning of the lot to PD (Planned Development) and ask for a “design exception” to the minimum dimensional standards. This option is viewed as being more significant than necessary given the time to process a PD request and its inability to meet several of the criterion necessary to justify such an action. The variance process is designed to address “unique” practical difficulties or hardships which staff finds do exist with respect to this request.
- E. Approval of the requested variance is not viewed as harming to the public health, safety, or welfare or as being injurious to adjacent property or improvements within area given the relief sought will be “temporary” in nature and resolved once the redevelopment of the Providence Walkway campus is completed. Approval permits the applicant to meet its special obligations with its lenders by platting 211 Boone Drive as a separate parcel and effectuates the construction of necessary housing within the community as shown within the CHA Master Plan.

Recommendation Action –

If the Board finds that compelling testimony has been given, a recommendation supportive of the following reduced setbacks applicable to structure on Lot 101B containing 213, 215, 217 Boone Drive and 305 Providence Road would be appropriate:

Front Yard (Providence Road) – 25-feet
Side Yard (Boone Drive) – 10-feet
Rear Yard (opposite front yard) – 6-feet

Conversely, if the Board does not believe compelling testimony has been provided a recommendation of denial would be appropriate.

In either instance, **for the purposes of establishing a “complete” public record**, Board justification supporting the variance or denial of the variance in accordance with the criteria defined in sec. 29-6.4(d)(3)(i)(A-E) shall be stated within the public record prior to a final decision being rendered.