

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 101B of Providence Walkway, Plat No. 1A, as recorded in Plat Book 59, Page 40, of the Boone County Records.

which is presently zoned R-MF and known, or to be known, as 308 Trinity Place
(Street Number and Name)

County Assessor's 14 Digit Real Estate Tax Number: 16-319-00-37-001.00

Notice is hereby given that Applicant(s) requests a variance with respect to the above described property from the Decision of Patrick Zenner, Development Services Manager

On the 26th day of September, 20 25 said official did deny a request for a preliminary plat that would have created temporary non-conformity with respect to building setbacks.

The reason given for such action was that plat that would have created temporary non-conformity with respect to building setbacks.

which does not comply with Section 29-4-4(a), Table 4.1-4, Code of Ordinances of the City of Columbia, Missouri, which Section provides or requires that a rear yard setback in an R-MF zoning district shall 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 The request would be per the attached letter and exhibits.

9-30-2025
DATE

SIGNATURE(S)
PRINTED NAME
ADDRESS
TELEPHONE

Attysean Clayborn
Attysean Clayborn
414 E. 66th St. Kansas City MO 64131
(816) 285-3470

CAPACITY OR INTEREST IN PROPERTY

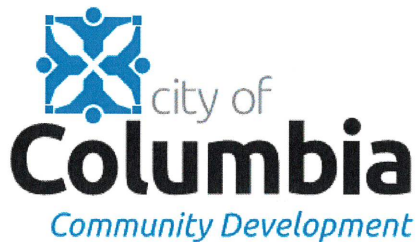
Attorney for the Housing Authority of Columbia

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

COMMUNITY DEVELOPMENT DIRECTOR OR DESIGNEE

DATE

Patrick R. Zenner
9/29/2025



September 26, 2025

Mr. Randy Cole, Executive Director Columbia Housing Authority
C/O Tim Crockett, Crockett Engineering
Crockett Engineering Consultants
1000 W. Nifong Boulevard, Bldg. 1
Columbia, MO 65203

Re: Denial Letter – 211 Boone Drive (i.e. Providence Walkway Plat 1A) Subdivision
Parcel Number – 16-319-00-37-001.00 01

Mr. Cole and Crockett:

This letter has been prepared in response to your recent submission of a preliminary subdivision plat involving the above referenced parcel into two lots such that final financing may be pursued and full redevelopment of the Columbia Housing Authority's property more commonly known as "Providence Walkway" can proceed. Upon review of the preliminary subdivision plat (Exhibit 2 of your submission), the new lot intended to isolate the existing CHA Maintenance Building (211 Boone Drive) to its own parcel will create a "temporary" non-conformity. This "temporary" non-conformity would be created between 211 Boone Drive and the building to the east (305 N. Providence and 213-217 Boone Drive) with respect to the required 25-foot rear setback applicable to the newly created lot.

Given this "temporary" non-conformity, any submitted formal platting action to isolate 211 Boone Drive from the remainder of the parcel upon which it is located **cannot** be approved without relief from the Board of Adjustment being granted. Given the proposed lot to isolate 211 Boone Drive from the remainder parcel is being shown as "compliant" with the required setbacks for the R-MF district, your request for relief would be for the structure addressed 305 N. Providence and 213-217 Boone Drive.

The section of the UDC from which you will need to seek relief is found within **Section 29-4.1(a), Table 4.1-1 [Dimensional Standards]** specifically applicable to the R-MF (Multiple-family Dwelling) zoning district's rear yard setback. Based upon the dimensions shown on your submitted Exhibit 2, the amount of **variance** you would need to request is 19-feet.

Your submitted variance application will need to cite the above referenced Section and contain the amount of relief you are seeking. The proposed setback from the desired lot line of 211 Boone Drive is only 6.31-feet from 305 N. Providence and 213-217 Boone Drive prior to redevelopment. Additionally, your application will need to contain sufficient documentation (i.e. the Exhibits submitted with your denial letter request) and a written explanation of the duration that this "temporary" non-compliance will exist as well as why the variance is necessary and the only possible alternative to address the current hardship.

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Columbia, Missouri 65205



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A **VARIANCE** application seeking approval of the aforementioned deficiency must be submitted for the Board of Adjustment's consideration. This denial letter shall accompany the application as well as the preliminary subdivision plat, legal description (WORD and PDF) of **EXISTING LOT**, and filing fees (\$450). Given the subject property is owned by a Corporation, a licensed attorney in the State of Missouri must sign the application and be present during the Board's public hearing to represent the owner; however, Mr. Crockett would likely be the individual providing a "fact-based" presentation to the Board of Adjustment to justify the relief sought.

The **variance** application and filing deadlines can be obtained from the following link.

<https://www.como.gov/boards/board-of-adjustment/board-of-adjustment-forms/>

Please note, pursuant to prior discussion, this application shall be received no later than **12 Noon on September 30** as a fully executed **hardcopy** original to our offices. An electronic copy of the application, inclusive of all supporting documentation, **SHALL** be forwarded to patrick.zenner@como.gov concurrent with their hardcopy submission.

Sincerely,



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

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



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

September 29, 2025

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

Re: Application for a Variance for Lot 101B of Providence Walkway, Plat No. 1A

Mr. Zenner:

On behalf of the property owner, Housing Authority of the City of Columbia (CHA), I would like to take this opportunity to request a variance to Section 29-4.1(a), Table 4.1-1 for a tract of land they own located on the west side of Providence Road between Switzler Street and Boone Drive. Said tract is also known as Lot 101B of the Providence Walkway, Plat No. 1A as recorded in Plat Book 59, Page 40 of the Boone County records.

Specifically, the variance is seeking relief from the rear yard setback for a newly proposed lot within a proposed replat of said Lot 101B. Exhibit 1, attached hereto, illustrates the existing conditions of the site. Said Lot 101B currently contains 9 residential structures along with a single maintenance building. The desire of the Housing Authority is to replat Lot 101B into two lots. This proposed configuration is illustrated on Exhibit 2.

In order to replat Lot 101B as shown, relief would be needed to a rear yard setback for one of the existing structures with the addresses of 213, 215, and 217 Boone Drive as well as 305 Providence Road. It is the intent of CHA to redevelop the residential portion of the site as shown in Exhibit 3. Once done, the rear yard setback issue ceases to exist. This is due to the fact that the existing residential structures on the site will be removed and replaced with new, updated housing units. The location of these new buildings would comply with all setback regulations.

The question of why does Lot 101B need to be replatted in order to redevelop the site has been asked. The land and buildings on the proposed plat are public housing and currently subject to a Declaration of Trust held by HUD, which places strict federal requirements on public housing operations. Among these is a prohibition on demolition until HUD authorizes it at the financial closing and Rental Assistance Demonstration (RAD) conversion of the project.

variance be granted to modify a standard that operates as part of the definition of any use.

The existing zoning of the tract of land is R-MF (residential multi-family). Currently, the site is compliant with that zoning classification. The intent is to redevelop the site with new multi-family residential units which will also be fully compliant with the underlying zoning.

(C) The variance will not permit a development that is inconsistent with the adopted Comprehensive Plan.

By granting this variance, the site will not be inconsistent with the adopted Comprehensive Plan. The type of use for the site will not change from its current use.

(D) The variance is the least change from the requirements of this Chapter necessary to relieve the difficulty or hardship.

The variance, as requested, is the least change from the requirements. The variance would only be temporary as the final buildout of the site would be compliant with all setback regulations.

(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.

There will be no impact to the public health, safety, or welfare. The variance will not impact other properties or owners in the area.

We believe that the proposed variance request is an appropriate proposal for this site and given use. As indicated, the variance would be temporary until such time as the subject property closes with HUD and the site can be redeveloped. The variance is the cleanest, most clear, and least impactful to both the site as well as any adjacent property. 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", with a stylized, flowing script.

Tim Crockett, PE

In preparing the draft plat, CHA excluded its maintenance and property management building to ensure the facility remains under CHA ownership rather than being conveyed to the limited partnership. Retaining this building as a CHA-controlled operational asset protects long-term capacity and provides clarity in allocating administrative resources and expenses.

CHA has received approvals to proceed with both the RAD conversion and Low-Income Housing Tax Credit (LIHTC) financing at Blind Boone, and is working through the final due diligence phase requirements, in order to obtain approval for final closing. Both require that the property be transferred at closing to a new ownership entity — a limited partnership in which CHA will retain an ownership interest — to comply with IRS and HUD regulations. As part of HUD, MHDC, and investor land purchase requirements, CHA must also secure a commitment for title insurance and the associated pro forma; however, this cannot be obtained until the plat for the property receives approval.

In summary: Finalizing the plat and legal description is a critical regulatory and financing requirement. Without it, CHA cannot satisfy HUD, MHDC, and investor due diligence, close on the project, or advance the Blind Boone redevelopment.

Section 29-6.4(d)(3)(i) of the UDC provides “Criteria for Approval” of a Variance. Please see below for information addressing that 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 applicant.

This variance is needed in order to redevelop the site with the newly proposed public housing units. This situation is very unique as it requires the land in which the proposed units sits on to be transferred to another entity. The existing maintenance and operation building is not being included in that transfer and therefore needs to be on a separate lot. That lot cannot be created without the proposed plat. The plat cannot be created in a fashion that does not create a setback issue. The setback issue will be rectified once the demolition of the existing units is completed. However, demolition cannot take place until the existing units are transferred. This process creates a very unique hardship to this particular tract that is not being created by the applicant, but rather being created by the process of the funding for the proposed project.

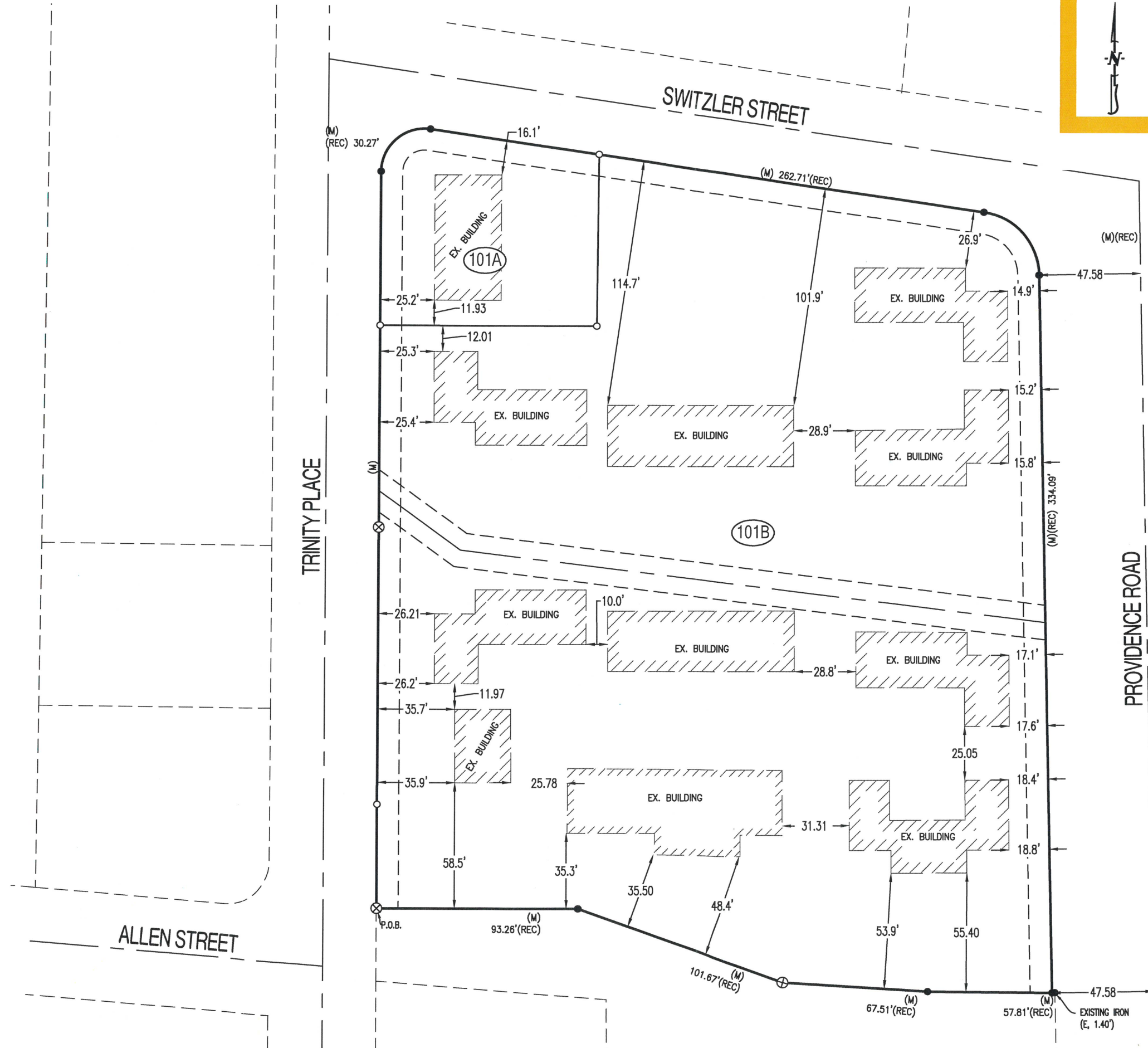
(B) The variance will not have the effect of permitting a use of land that is not indicated as a permitted or conditional use in Section 29-3.1 (Permitted Use Table) in the zone district where the property is located, nor shall a



PROVIDENCE WALKWAY EXISTING CONDITION SITE PLAN

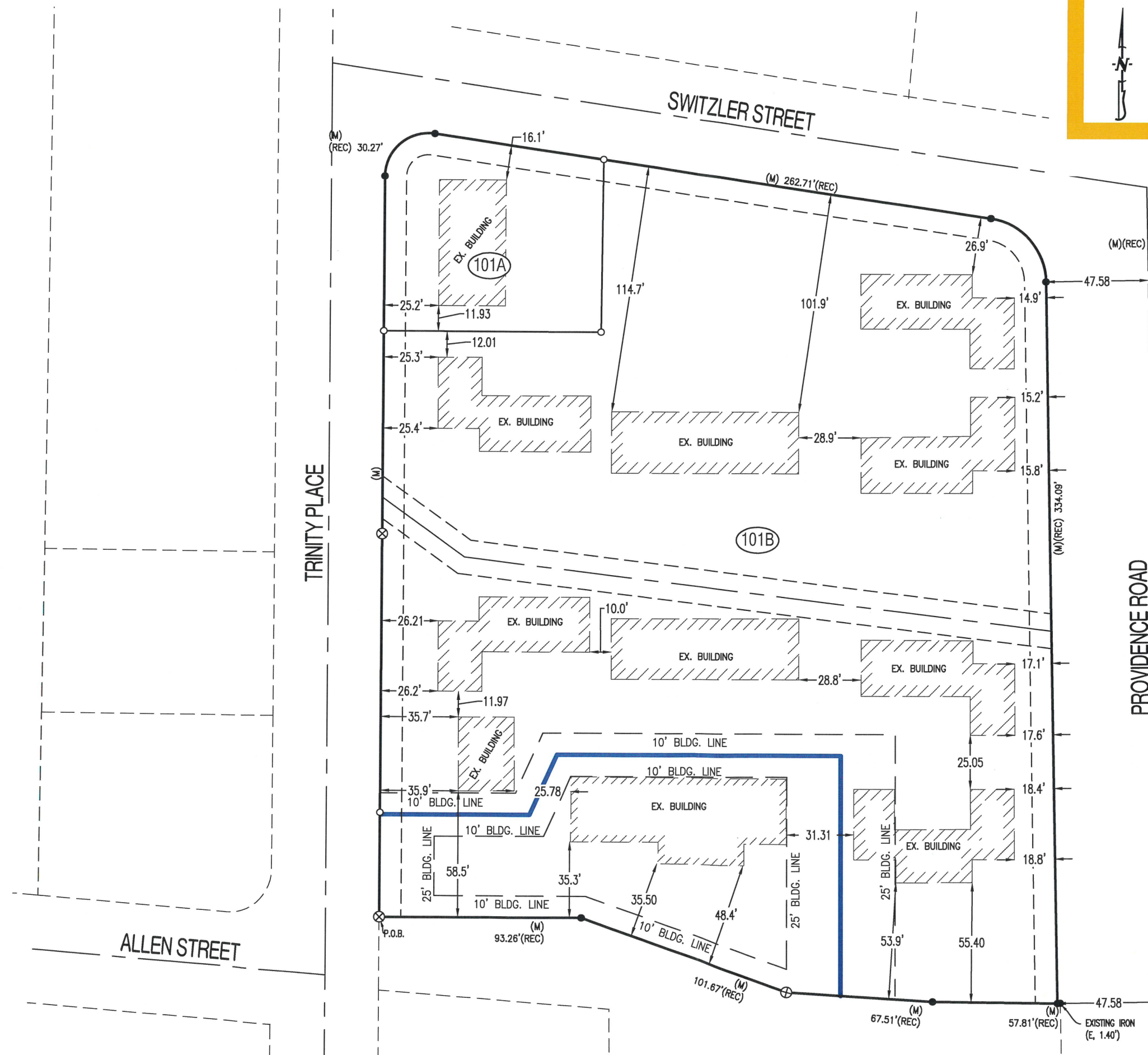
SCALE: 1" = 50'

EXHIBIT 1



4-N-5

EXHIBIT 2





PROVIDENCE WALKWAY POST DEVELOPMENT SITE PLAN

SCALE: 1" = 50'

EXHIBIT 3

