

**City of Columbia**  
BOARD OF ZONING APPEALS  
April 9, 2026

**CALL TO ORDER:**

Chairman Jimmy Dugger called the April meeting of the Board of Zoning Appeals for the City of Columbia to order at 9:00 a.m. The meeting was held in the Council Chambers at City Hall.

**I. ROLL CALL:**

Quorum present and included the following:

Present were: Mr. Eddie Ables  
Mr. Jimmy Campbell  
Mr. Jimmy Dugger  
Ms. Debbie Wiles

Absent was: Ms. Kristen Newton

Other attendees: Mr. Jeremy Humphrey, Planner II  
Mrs. Sandra Richardson, Recording Secretary  
Mrs. Melissa Sanders, Planner I

**II. APPROVAL OF MINUTES:**

The March minutes were presented for approval.

Mr. Ables moved to approve the minutes, with Ms. Wiles seconding. The motion to approve the minutes passed three to zero, with Mr. Campbell abstaining.

**III Public Comments**

**IV. Old Business**

**1. Case #26-0061**

**Request from Nick Madonia for Variance approval of a front yard setback regarding the building site for a financial institution at 1907 Shady Brook Street, being Tax Map 100N Group L Parcel 5, a CD-4C (General Urban Corridor Character District) zoned district.**

**Staff Review:**

Mr. Jimmy Dugger, Chairman read the agenda item. Mr. Jeremy Humphrey stated that the applicant has requested a deferral on this item until next month.

**City of Columbia**  
BOARD OF ZONING APPEALS  
April 9, 2026

**Discussion and Motion:**

Mr. Ables moved to defer, and Mr. Campbell seconded. The motion to defer passed four to zero.

**2. Case #26-0059**

**Request from Nick Madonia for Variance approval of a front yard setback regarding the building site for a quick serve restaurant at 1907 Shady Brook Street, being Tax Map 100N Group L Parcel 5, a CD-4C (General Urban Corridor Character District) zoned district.**

**Staff Review:**

Mr. Jimmy Dugger, Chairman read the agenda item. Mr. Jeremy Humphrey stated that the applicant has requested to withdraw this application.

**V. New Business**

**1. Case #26-0091**

**Request from Justin McKennon for Conditional Use Permit approval for a Major Home Occupation at 214 Pleasant Drive, being Tax Map 101L Group E Parcel 13, a CD-3 (Residential Character District) zoning district.**

**Staff Review:**

Mr. Jimmy Dugger, Chairman read the agenda item. Mr. Jeremy Humphrey read the details of the staff report. He read the limitations to Major Home Occupations. Activities such as manufacturing firearms, assembling firearms from component parts for sale, or similar production-oriented activities could introduce operational characteristics inconsistent with the residential nature of a home occupation. These activities could introduce operational characteristics more consistent with industrial districts (manufacturing) than with a typical residential home occupation. For this reason, staff recommends that it is imperative that the Board clearly define the scope of permitted activities to ensure the home occupation remains consistent with the intent of the zoning ordinance, the preservation of residential character, and does not expand beyond the scale described in the application, if the Board moves to approve the conditional use. He read the recommendations from staff.

**City of Columbia**  
BOARD OF ZONING APPEALS  
April 9, 2026

**Discussion and Motion:**

Justin McKennon 214 Pleasant Drive was present to answer questions. Mr. McKennon stated that he wants to have a web site where he can sell firearms. In order to do so he needs a Home Occupation permit. The discussion included that he likes to repair firearms, offsite gun shows, online, he is not planning to run a machine shop, and making money off the hobby. Mr. Ables asked if he had any problems with the conditions that staff have set forth. Mr. McKennon stated no. Mr. Dugger asked if someone found out the Mr. McKennon is not complying with the conditions what will happen at that point. Mr. Humphrey stated that it would be a zoning enforcement issue, and he further explained. Mr. Austin Brass discussed the issue.

Ms. Wiles asked who monitors these, and what happens if a condition has been violated. Mr. Humphrey stated that it would be a complaint based due to staff limitations to monitor all of the conditions out there.

Ms. Wiles asked if there would be inventory. Mr. McKennon stated no, they were not planning to keep inventory, unless there was a special order, and he further explained. Ms. Wiles asked if he was purchasing it somewhere and sending it directly to someone. Mr. McKennon stated once he has all the licenses, he can do that, and he further discussed the process.

Mr. Humphrey stated that he did receive a call from a neighbor that was in opposition to this request, due to traffic and safety concerns. They discussed property value of having a gun dealer next door. Mr. Dugger asked if it was one call. Mr. Humphrey confirmed yes.

Mr. Dugger read the eight recommendations from staff, and he asked Mr. McKennon if he had any problems with what was read. Mr. McKennon asked him to repeat the last one he read. Mr. Dugger read number eight. The home occupation shall be limited to online sales, firearm transfers, and minor firearm cleaning or repair services conducted within the dwelling. The fabrication, manufacture, or assembly of firearms or firearm receivers from component parts for the purpose of transfer or sale shall not occur on the premises. Mr. McKennon stated that the gun smithing process requires him to replace broken parts, he stated that he was not sure how that would interact with the last part of that with the assembly. He also stated that he does not plan to mass produce firearms, and he further explained.

Mr. Humphrey gave a background on himself since they were going to be talking about firearms. He discussed the idea of going into components, manufacturing, making guns, gun smithing operation, assembling firearms, selling, Type 1, and Type 7 manufacturing license, and storing.

Mr. Dugger stated that having additional knowledge, can the applicant work with what was just said. Mr. McKennon stated yes. Ms. Wiles asked how this differs from what he is requesting. Are they both enterprises.

**City of Columbia**  
BOARD OF ZONING APPEALS  
April 9, 2026

Mr. Humphrey stated that essentially, they are one in the same in the aspects of any firearms business is going to require that they have a license. They must determine whether it is going to be a Type 1 or Type 7. The difference is Type 1 is basically a dealer. A Type 7 allows the manufacturing of things, and he further discussed. The discussion included taxes, Tech 931, online sales, zoning, and location.

Mr. Dugger asked Mr. McKennon if he understood that if he made a mistake and something happened, he will have to come back to this board. Mr. McKennon stated yes. Mr. Brass stated that the board would have the opportunity to deny, and he further explained.

Mr. Humphrey stated that in the application that was published the applicant calls out directly that he has a small office in the bedroom at home where he would like to provide minor firearm repair, cleaning, and transfers from other online sales. The way it is called out, he specifically comes before this board with the conditions that are there. He is not saying that he is going to be manufacturing. Mr. Humphrey asked Mr. McKennon if he agreed with that, and he stated yes. Mr. Humphrey stated that he wrote item eight to make it very clear that there will be no manufacturing at this location if this board is to approve the request. Mr. Ables moved to approve, finding that all seven criteria's have been satisfied, subject to the following conditions that have been discussed listing one through eight that staff recommended. Mr. Campbell seconded the motion. The motion to approve with conditions passed four to zero. Mr. McKennon requested copies of the expectations. Mr. Humphrey stated that he will send him an email with information on it for him.

**2. Case #26-0039**

**Request from Habitat for Humanity for Variance approval regarding front and rear setbacks at 413 West 3<sup>rd</sup> Street, being Tax Map 89M Group G Parcel 47, a CD-3 (Residential Character District) zoned property.**

**Staff Review:**

Mr. Jimmy Dugger, Chairman read the agenda item. Mr. Jeremy Humphrey, Planner II, gave the details of the staff report. Staff recommended denial of this request.

**Discussion and Motion:**

Ms. Lexi Bolinski, 109 Noah Drive, Franklin was present to answer questions. She discussed Habitat being for affordable housing. The discussion included designs of the existing neighborhood, the width of the house, the depth of the house, affordable housing opportunities, survey of the property, the proposed drive, parking pad, no pre-

**City of Columbia**  
**BOARD OF ZONING APPEALS**  
April 9, 2026

application meeting, being brought to BZA without a discussion with staff, a discussion was held with Mr. Keltner.

Leonard Thicklin, 311 North Frierson, stated that he was trying to understand what he was looking at. He asked if the variance changes how it affects his property. Mr. Jeremy Humphrey explained the request, the code requirements, and the parcel. Mr. Brass stated that his property is within the 200 feet radius.

Mr. James Cathey, Sherwood, Arkansas, has property located at 417 W 3<sup>rd</sup> Street. Mr. Brass explained why he received a notification letter.

David and Sheila Witherspoon, 419 W 3<sup>rd</sup> Street. Mr. Witherspoon stated that they are for this project.

Ms. Judy Patton, 412 W 3<sup>rd</sup> Street, stated that she doesn't have a problem with Habitat being there, but her concern is that everything washed down from that hill.

Fabian Jimenez 405 N Frierson Street expressed concerns with the road. Mr. Brass stated that it is called unimproved right of way, and he further explained.

Mr. Dugger asked if the right-of-way could be used. Mr. Brass explained the process. Additional discussion included the footprint size of the setbacks, minimal variance, requirements for the zoning ordinance, lack of preparation, and better plan. Mr. Brass stated that Mr. Humphrey is correct there is no defined hardship, and he discussed the house and surrounding character. Further discussion included challenges, promoting character, engineering perspective, the narrow front setback, conformity, fitting the character of the neighbor, building a single story, the tall and skinny, preferring the single level, infill, foot print, no immediate urgency, deferring, street front parking, parking in the back of the house, and discounted services. Mr. Campbell moved to defer, and Ms. Wiles seconded the motion. The motion to defer passed four to zero. Ms. Richardson stated that May 14<sup>th</sup> is the next meeting scheduled for BZA.

**V. OTHER BUSINESS:**

Mr. Dugger inquired about education. Mr. Brass will coordinate a meeting on Robert's Rules with Mr. Hubbell the City Attorney.

Mr. Jeremy Humphrey asked Mr. Rush about Sam Edwards, and conferences were discussed.

**VI. ADJOURNMENT:**

Mr. Ables moved to adjourn, and Ms. Wiles seconded the motion. The motion to adjourn passed four to zero. The meeting adjourned at 9:59 A.M.

  
\_\_\_\_\_  
Board of Zoning Appeals, Chairman  
Jimmy Dugger

\_\_\_\_\_  
Date

5-14-2026