



# WILDWOOD

Determination of Issues and Findings of Facts  
Board of Adjustment Case **B.A. #2-21**  
City of Wildwood's Board of Adjustment  
Public Hearing of January 21, 2021  
City Hall Council Chambers | 16860 Main Street  
And Via Online Meeting Process [Zoom]

## *Nature of Request:*

**B.A. 2-21 Praveen Vaddanam, 119 Sweet Cherry Way, Wildwood, Missouri 63040** - requests an exception to the Minimum Yard Requirements (general) for the purpose of maintaining a sundeck on an existing single-family dwelling (circa 2016), which is located upon the property addressed as 119 Sweet Cherry Way [St. Louis County Locator Number 24V640681; Lot 6A of The Manors at The Meadows at Cherry Hills Subdivision]. If granted, this variance would thereby authorize a front-yard setback distance of sixteen (16) feet in lieu of the required twenty (20) foot standard. This request is contrary to the requirements of Chapter 415.150 R-4 7,500 square foot Residence District and Planned Residential Development Overlay District Ordinance #2060, which was approved by the City of Wildwood on November 10, 2014. **(Ward Eight)**

## *Determination of Issues:*

Principle to this request is the identification of its issues. This identification process is intended to determine whether the variance is reasonable and appropriate under the criteria that the property's site-specific characteristics create a unique hardship or practical difficulty with the application of individual ordinance requirements and, if granted, its impacts are contained to the tract of land under consideration or negligible enough upon adjoining properties to be considered acceptable. In the instance of **BA #2-21**, the issues relating to the variance's reasonableness and appropriateness are as follows:

### **General Site and Area Conditions**

1. The subject site of this request is a 0.11 acre property that is part of the recently completed Manors at the Meadows of Cherry Hills Subdivision, which is a residential development of thirty-five (35) traditional and neo-traditional lots approved by the City of Wildwood in November 2014. Of the thirty-five (35) lots, twenty-three (23) of them were traditional in nature, while the remainder were neo-traditional, and only these properties are served by a system of private alleys.

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2. The subject property is served by a public street and a private alley. The public street is Cherry Hills Meadows Drive, while Sweet Cherry Way is the alley, which is located on the east side of the dwelling. The public street is maintained by the City of Wildwood, while the private alley is subject to the maintenance of the Homeowners Association of the Subdivision.
3. The double frontage condition of the lot, although one (1) of the boundaries is a private alley, requires it to have two (2) front yard setback areas, one (1) on the west side of the property and the other on its east end. Both of these setback areas have twenty (20) foot distances associated with them.
4. The shape of the subject lot is rectangular and has a width of fifty-five (55) feet and a depth of eighty-five (85) feet.
5. The subject property, identified on the plat as Lot 6A, of the Manors at the Meadows of Cherry Hills Subdivision, is zoned R-4 7,500 square foot Residence District, with a Planned Residential Development Overlay District (PRD), and has a detached, single family dwelling located upon it. This zoning district designation and the Planned Residential Development Overlay District (PRD), establish certain areas on the lot where building and structures cannot be located (setbacks), while ensuring the requirements of the Town Center Plan are met.
6. The single family dwelling is a two (2) story elevation and has approximately 2,280 square feet of total living space, according to St. Louis County Department of Revenue records.
7. The physical characteristics of this area are reflective of the recently developed property, with limited topographic relief, recently planted landscaping, mature street trees, and the undeveloped area of the lot in turf.
8. The subject site was platted by the City of Wildwood, as part of a thirty-five (35) lot residential subdivision, and is governed by the regulations and procedures of the City's Zoning Ordinance and the regulations of Planned Residential Development Overlay District (PRD).
9. The single family dwelling has a deck constructed on the rear of the house, towards Sweet Cherry Way. The deck was issued Zoning Authorization by the City of Wildwood on July 6, 2020, a building permit from St. Louis County on July 29, 2020, and Homeowners Association approval on September 2, 2020.

### **Current Request**

10. The intent of this request is to allow the petitioner to maintain the existing sun deck off the rear of the dwelling, which serves as an above-grade access from the dwelling, which causes it to extend into the front yard setback area that is associated with the private alley.
11. The variance, if granted, would thereby authorize a front-yard setback distance of sixteen (16) feet in lieu of the required twenty (20) foot standard. This request would be contrary to the requirements of Chapter 415.150 R-4 7,500 square foot Residence District and Planned Residential Development Overlay District Ordinance #2060, which was approved by the City of Wildwood on November 10, 2014.
12. The sun deck was installed legally, with all of the necessary permits. Upon review of the plans in December 2020, it was discovered by City staff the bottom landing portion of the stairs, to finished grade, were authorized into the setback. The landing is four (4) foot by four (4) foot in size.

13. The petitioner notes that, without the granted variance to accommodate the deck, a portion would have to be removed, which would remove access from the second-story deck to the rear yard area.

### Correspondences and Previous Actions

14. The site was duly posted in accordance with City code requirements, including the placement of a sign on the property, an advertisement in a newspaper, and a posting at City Hall. Along with these notifications, a direct mailing was sent to surrounding properties advertising the request.
15. The Department of Planning has received no comments in regards to the said request, at the time of the writing of this report. The Department of Planning would also note the Homeowners Association, as represented by its trustees, have submitted a favorable letter in this regard.
16. The Department's review of the Board of Adjustment's files indicates no variances have been requested for this particular lot, but a similar variance request (front yard setback to Sweet Cherry Way) has been granted in the overall subdivision. This request was granted in December 2020 for the adjacent lot to the north.

### *Findings of Fact:*

The Department of Planning has reviewed this request with regard to the criteria established for its approval or denial, i.e. site characteristics, which render a unique hardship or a practical difficulty and impacts on adjoining properties, and believes this request **does meet** the requirements set forth to be considered reasonable and appropriate. This position is premised upon a number of site-specific findings. These findings are as follows:

1. The sun deck is already constructed and was approved by the City, prior to its installation.
2. The amount of impact on adjoining properties is minimal. The property directly impacted by the encroachment is a small parking area, provided for off-street parking due to the small width of the alley (Sweet Cherry Way).
3. The discrepancy was only discovered when Department staff reviewed the plans during its due diligence on the variance request submitted on the adjacent lot.
4. The need for access from the above-grade area of the dwelling is clearly needed and without such would create a practical difficulty for the petitioner.
5. The application of the New Urbanism principles on this lot, and the other neo-traditional types associated with this subdivision, does create a unique hardship, given, in this instance, the amount of space in the rear yard area for use, in conjunction with the second floor rear access.

### *Recommendation:*

Considering the above-listed Findings of Fact, the Department recommends the Board of Adjustment approve the requested variance, as submitted by the petitioner.

Respectfully submitted,  
**CITY OF WILDWOOD**  
Department of Planning