



WILDWOOD

Determination of Issues and Findings of Facts

Board of Adjustment Case B.A. #13-21

City of Wildwood's Board of Adjustment

Public Hearing of June 17, 2021

City Hall Council Chambers - 16860 Main Street

Nature of the Request:

B.A. 13-21 Tony Rademeyer, 17808 Suzanne Ridge Drive, Wildwood, Missouri 63038, c/o Gary Sulin, GDS Properties, 200 Clearview Drive, St. Charles, Missouri 63303 - requests an exception to Minimum Yard Requirements (General) for the purpose of replacing a modular-block, retaining wall system upon the property at 17808 Suzanne Ridge Drive (Locator Number 21V430362; Oak Ridge Trails Subdivision, Plat 3, Lot 82). The petitioners are requesting a one (1) foot rear yard setback distance in lieu of the fifteen (15) foot standard, at an overall height of eight point five (8.5) feet, which requires Board of Adjustment consideration. This request is contrary to the requirements of Chapter 415.110 R-1 One-Acre Residence District and St. Louis County Planned Environment Unit District Ordinance #17,648, approved by St. Louis County Council on July 14, 1995. **(Ward Three)**

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 **B.A. #13-21**, the issues relating to the variance's reasonableness and appropriateness are as follows:

Area and Site Characteristics:

1. The subject site is a legal lot of record that is located on the east side of Suzanne Ridge Drive, which is a public street maintained by the City of Wildwood, near its terminus into a cul-de-sac. The right-of-way of this public street is fifty (50) feet in width and contains the pavement area for the roadway, sidewalks, tree lawns on both sides of it, and stormwater management facilities.
2. The subject site is generally rectangular in shape and has a width of approximately ninety-five (95) feet along its frontage and an average depth of two hundred (200) feet. The lot is 18,148 square feet in overall area.

3. The subject site is part of the Oak Ridge Trails Subdivision, which consists of 141 single family dwellings on individual lots. This subdivision was approved by St. Louis County in 1995 and started under its review and regulations, but was platted, permitted, and completed by the City of Wildwood, after its incorporation in 1995.
4. The property is zoned R-1 One Acre Residence District, with a Planned Environment Unit (PEU). The Planned Environment Unit (PEU) is St. Louis County's version of the City's Planned Residential Development Overlay District (PRD), both of which are intended to allow the clustering of lots and the creation of common ground properties, and other subdivision amenities for its residents.
5. The single family dwelling that is located upon the lot was constructed in 1997 and, according to St. Louis County Records, has a total living area of approximately 3,645 square feet in size (two story style). Along with the single family dwelling, with an attached garage, is an elevated sundeck, off the rear of the dwelling, and the outdoor game court, with retaining wall.
6. The lot has a large area of turf, with a wedge of mature and large trees located in its northeast corner, with landscaping around the dwelling. Slope is substantial across the subject lot, which trends from the northeast and southeast corners of the lot toward its center. The amount of relief is sixteen (16) feet, which is primarily encompassed in the area where the retaining and outdoor game court are situated.
7. The area in the immediate vicinity of the subject site is developed with residential properties. The surrounding zoning district pattern is primarily R-1 One Acre Residence District and R-1A 22,000 square foot Residence District, with the Planned Environment Units (PEU's), which were approved by St. Louis County, creating a pocket of three (3), residential subdivisions of single-family dwellings on individual lots, with large areas of common ground, i.e., Oak Ridge Trails, Westhampton Woods, and Garden Valley Farms Subdivisions.
8. The subject lot's rear yard area abuts a 6.1 acre common ground property that is fully wooded, with mature trees that extends to the north, south, and east of it.

Current Request:

9. The petitioner is requesting the authorization to replace a modular-block, retaining wall system upon the property at 17808 Suzanne Ridge Drive. To accommodate the replacement of this structurally-deficient, existing retaining wall location, a one (1) foot rear yard setback distance in lieu of the fifteen (15) foot standard is being requested, at an overall height of eight point five (8.5) feet, which requires Board of Adjustment consideration.
10. The outdoor game court's dimensions are approximately sixty-five (65) feet in length and thirty (30) feet in width. The overall size of the outdoor game court, based upon these dimensions, is 2,080 square feet. Part of this outdoor game court is the modular block retaining wall, which is the subject of this request and is collapsing at this time, threatening the stability of this play structure.

11. The reasons provided by the lot owner for this request relate to a desire to retain the outdoor game court on the lot, which cannot be accomplished, if the retaining wall is not replaced/repared to address its stability and integrity.

Correspondences and Previous Actions:

12. The site was duly posted in accordance with City code requirements, including the placement of a sign on the property, advertisement in a newspaper, and posting at City Hall. Along with these notifications, direct mailings were sent to surrounding properties advertising the request.
13. The Department of Planning has received the Homeowners Association's comment letter for accessory types of projects, which contains the signatures of the two (2) most impacted property owners, who appeared to support the request.
14. The City of Wildwood's Board of Adjustment has not granted any previous variances to this lot. Within this subdivision, one (1) variance has been granted. This variance was for the installation of a retaining wall.

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 location of the current retaining wall is premised on the placement of the outdoor game court, which is within the allowable buildable area of the lot.
2. The impact of the installation of the retaining wall into the rear yard setback area will be minimal, given the abutting property is common ground and heavily wooded.
3. The installation of the existing retaining wall occurred without the benefit of a permit or, with a permit, but the plan for such was not followed. This situation is not the fault of the current property owner, who purchased the property with these improvements in place at that time.
4. The denial of the variance, given the existing retaining wall is essential to the support of the outdoor game court, would create a greater determinant than allowing it to be retained at the requested reduced setback distance and protecting the other structure from imminent failure.

Recommendation:

Based upon the above-listed Findings of Fact, the Department recommends the Board of Adjustment support the requested variance, as submitted.

Respectfully submitted,
CITY OF WILDWOOD
Department of Planning