



# WILDWOOD

## **Determination of Issues and Findings of Facts**

### **Board of Adjustment Case B.A. #09-22**

City of Wildwood's Board of Adjustment

Public Hearing of March 17, 2022

City Hall Council Chambers | 16860 Main Street

And Via Online Meeting Process [Zoom]

### ***Nature of Request:***

**B.A. 09-22 Claudia and Michael Wilkis, 912 Prince Charles Way, Ellisville, Missouri 63021** – request an exception to the Minimum Yard Requirements (General) for the purpose of constructing a new single family dwelling upon the property located at 3324 Pine Cliff Road (Locator Number 25V620101, Lasalle Woods Addition, Resubdivision – Lot 15), which would authorize a front yard setback of zero (0) feet in lieu of the fifty (50) foot standard. This request is contrary to the requirements of Chapter 415.090 NU Non-Urban Residence District Regulations of the City of Wildwood Zoning Ordinance. **(Ward Six)**

### ***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 #09-22**, the issues relating to the variance's reasonableness and appropriateness are as follows:

### **Area and Site Characteristics**

1. The location of this variance request is a vacant parcel of ground that is situated on the eastern side of Pine Cliff Road, but a portion of it is encumbered by an ingress/egress easement for the properties to the east. It is located within the LaSalle Woods Addition Resubdivision – Lot 15, approved by St. Louis County, and containing seven (7) large residential lots. The subject lot is 4.95 acres in size.
2. The subject site fronts Pine Cliff Road, which is a fifty (50) feet wide roadway easement, privately

maintained by the Homeowners Association of LaSalle Woods Subdivision, while the driveway easement is twenty (20) feet.

3. The property is zoned NU Non-Urban Residence District, which establishes requirements for the placement of any structures or buildings upon it. Principle among these requirements are the setback distances from any property line, which are fifty (50) feet for any front-yard area and thirty (30) feet for any side and rear yard areas. In this case, the fifty (50) foot front yard setback applies to both Pine Cliff Road and the ingress/egress easement.
4. The subject lot is irregular in shape, with 326 feet of frontage on Pine Cliff Road.
5. The subject lot is primarily wooded, and the slope of it severe; the most level area being the west and southwestern portions of it. The overall relief is nearly 150 feet.
6. The land use pattern in the vicinity of the site is all large-lot residential development; primarily lots well over three (3) acres in area. Most homes in this subdivision are located upon the top of a ridge.

### **Current Request**

7. This request pertains to the proposed construction of a single-family dwelling. The petitioner is requesting a front yard setback variance of zero (0) feet from the ingress/egress easement and thirty (30) feet from Pine Cliff Road.
8. The information provided by the applicant notes the unique hardship presented by the steep slope of the property, which limits its buildability, and the existence of the ingress/egress easement on the site.
9. The applicant also notes the subdivision was approved by St. Louis County, before Wildwood was incorporated, indicating the land use pattern at that time established a smaller front yard setback. According to the Department's review of the record plat, the front yard building line was originally platted at fifty (50) feet.
10. The petitioner has indicated to the Department that an alternative placement of the residence on the site is acceptable, if feasible, to minimize impacts to surrounding properties and to the character of the neighborhood. The Department has discussed with the petitioner the potential for orienting the front of the proposed residence to the southwestern corner of the property. One outcome of this alternative placement would be to avoid placing two (2) residences (3325 Pine Cliff Road & 3324 Pine Cliff Road), granted/potentially granted variances for smaller setbacks from Pine Cliff Road (thirty-five (35) feet and thirty (30) feet respectively), directly across

from one another. The petitioner is exploring the feasibility of this option with the architect and builder.

### **Correspondences and Previous Actions**

11. 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.
12. The Department of Planning has received six (6) written comments total, with two (2) in opposition of this request, one (1) with questions for the Department, and three (3) in support of this request, at the time this report was written and completed for distribution.
13. Three (3) variances to front yard setbacks have been granted to residences along Pine Cliff Road, with one (1) of these variances granted for the construction of the single-family residence directly across the street (thirty-five (35) feet was granted in lieu of fifty (50) feet). It should be noted that all three (3) of these variances were granted to the west of Pine Cliff Road, where the structures were situated below the grade of the roadway, minimizing the appearance of them.

### **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 with conditions** 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. There exists a substantial slope (nearly 150 feet of overall relief) to the lot, which hinders the buildability of it.
2. The most logical, and arguably only, placement for the proposed residence is on the more level portion of the lot, which is within the fifty (50) foot setback area, and strategically placed near the ingress/egress easement, which is located upon the subject property, in the southwestern corner of it.
3. The ingress/egress easement, located upon this subject parcel of ground, further limits the buildable area of the lot.
4. The driveway ingress/egress easement, located upon subject parcel of ground, reduces the impact of increased residential traffic to this proposed single-family dwelling, by eliminating the need for

a new curb cut/driveway off Pine Cliff Road, and by establishing a turnaround area at the top of the hill, where vision is obstructed.

5. The lot is heavily wooded, which helps to lessen the visual impact of the proposed residence.

### **Recommendation**

Based upon the above-listed Findings of Fact, the Department recommends the Board of Adjustment approve the requested variance, with the **Condition of Approval** the petitioner conduct a site analysis to explore the feasibility of an alternative orientation for the proposed residence. A final site plan should then be submitted to the Department for its review and approval, as part of the City's zoning authorization process and St. Louis County building permit requirements.

Respectfully submitted,  
CITY OF WILDWOOD  
Department of Planning