



WILDWOOD

Determination of Issues and Findings of Facts

Board of Adjustment Case B.A. #10-22

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. 10-22 Claude Welcome, 215 Strecker Road, Wildwood, Missouri 63011 – requests an exception to the Minimum Yard Requirements (General) for the purpose of constructing a new twenty-four (24) foot by thirty-eight (38) foot detached garage upon the property located at 215 Strecker Road (Locator Number 22U240015, Section 31 Township 45 Range 4 East), which would authorize a side yard setback of twenty (20) feet in lieu of the thirty (30) 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 Four**)

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 #10-22**, the issues relating to the variance's reasonableness and appropriateness are as follows:

Area and Site Characteristics

1. The subject location of this request is a parcel of ground, 2.5 acres in size, situated on the southwestern side of Strecker Road. The site is occupied by a 2,288 square foot home, built in 2018.
2. The subject lot is triangular in shape and has approximately 814 feet of frontage along Strecker Road, which is a two-lane, City-maintained arterial roadway located in the northeastern part of Wildwood.

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.
4. The subject lot is primarily wooded, with the higher elevations located along Strecker Road and the western property line, with the land then descending into a small valley. There is an overall relief of approximately fifty (50) feet.
5. The land use pattern in the vicinity of the site is all residential. However, there is a unique circumstance to this lot in that, while it is a large lot at 2.5 acres and zoned NU Non-Urban Residence District, all lots surrounding it are zoned either R-3 10,000 square foot Residence District or R-2 15,000 square foot Residence District, with many a part of Planned Environmental Units (PEUs) approved by St. Louis County, characterized by densely clustered residential development on small lots around large tracts of Common Ground.
6. The residential properties abutting the western side yard property line of the subject lot are all zoned R-3 10,000 square foot Residence District, part of the Timber Ridge Estates - Plat One, and range from 10,375 square feet to 12,208 square feet in size. The rear yard setback of these lots, established by PEU Ordinance #14,735, approved by St. Louis County in 1989, is fifteen (15) feet.

Current Request

7. This request pertains to the proposed construction of a new twenty-four (24) foot by thirty-eight (38) foot detached garage to the west of the existing single-family dwelling. The garage is to be placed at the terminus of the existing access drive to the property. The petitioner is requesting a side yard setback of twenty (20) feet in lieu of thirty (30) feet for this purpose.
8. The information provided by the applicant notes the unique hardship presented by the slopes that exist on portions of the lot beyond the location most logical for the garage.
9. The applicant has submitted photos that identify the trees to be removed or preserved, as part of the project, noting that the largest tree to be removed is an oak with a sixteen (16) inch diameter at breast height (DBH), which is not classified as a Grand Tree. According to the applicant's submission, four (4) trees will be removed for this project, with none classified as Grand Trees. The applicant has noted in a letter to the Board there is a plan to plant trees along the fence line of neighboring properties to mitigate any visual impacts to them.

Correspondences and Previous Actions

10. 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.
11. The Department of Planning has received five (5) written comments from neighbors, all in support of the request, at the time this report was written and completed for distribution. Three (3) of these comments are in the form of emails from the abutting neighbors most impacted by the proposed project, indicating they had been shown the applicant's plans and support the request based on the proposed mitigation plan (one neighbor mentioned that three (3), eight (8) foot cedar trees were proposed to be planted along the fence line).
12. No previous variances have been granted to this property.

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 substantial slope from where the residence is placed on the lot to its eastern side and rear limits the number of viable locations for the proposed detached garage.
2. The proposed placement of the garage is logical, in that it is located at the driveway terminus on level ground.
3. The surrounding land use pattern, which is noted in the analysis above as small sized residential lots with fifteen (15) foot rear yard setbacks, offsets the impact in this area the garage would have on the abutting properties along the western side property line, given the character already established.
4. The tree preservation plan and landscape plan provided by the petitioner further minimizes impacts to these properties, by shielding the structure from view.
5. The applicant's neighbors most impacted by the request have been engaged in the proposed plans and appear to support them, with the mitigation measures that are proposed.

Recommendation:

Based upon the above-listed Findings of Fact, the Department recommends the Board of Adjustment approve the requested variance, as submitted, with the Condition that a final landscape plan and tree preservation plan be reviewed and approved by the Department, as part of its Zoning Authorization process.

Respectfully submitted,
CITY OF WILDWOOD
Department of Planning