



WILDWOOD

Determination of Issues and Findings of Facts

Board of Adjustment Case B.A. #14-22

City of Wildwood's Board of Adjustment

Public Hearing of May 19, 2022

City Hall Council Chambers - 16860 Main Street

Nature of Request:

B.A. 14-22 Ken and Lori Koch, 17266 Portland Cove Lane, Wildwood, MO 63038 - request an exception to the Minimum Yard Requirements (General) for the purpose of constructing a detached garage and breezeway addition onto an existing single-family dwelling at 17266 Portland Cove Lane (St. Louis County Locator Number 22W320106 – Portland Cove Subdivision – Plat One Lot 13), which would thereby authorize a side-yard setback distance of twenty (20) feet in lieu of thirty (30) feet, all being upon this three (3)-acre lot, which is located in the NU Non-Urban Residence District. 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 One)**

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.#14-22**, the issues relating to the variance's reasonableness and appropriateness are as follows:

General Site and Area Conditions

1. The 3-acre site of this requested variance is an existing legal lot of record that is part of the Portland Cove Subdivision, which was platted by St. Louis County in 1990.
2. The subject property's zoning designation is NU Non-Urban Residence District, which requires a front yard setback distance of fifty (50) feet and side and rear yard setback distances of thirty (30) feet for all new buildings or structures.
3. There is a fifty (50) foot wide, private roadway along the north, east, and west sides of the property, with twenty-five (25) feet of said easement located on this property.
4. The subject site is utilized for a single-family, two (2) story dwelling, constructed in 1992 and is approximately 3,172 square feet in size.
5. The area around this site includes other similar lots and dwellings located on large properties, in the same zoning district designation as the subject property.

6. The lot is irregular in shape, with approximately two hundred twenty-eight (228) feet of frontage along Portland Cove Lane, a private street situated to the north and widens to approximately four hundred eighty (480) feet along the rear of the property.
7. The topography of the property slopes gradually to the south and west, from its highest point at its frontage until reaching flood zones along the rear half of the property.
8. The Department's investigation of this request, and related site visit, identified that the location of the proposed garage was marked as well as the property line.

Current Request

9. The applicant is seeking an exception to the Minimum Yard Requirements (General) and the Non-Conforming Uses, Lands, and Structures Regulations for the purpose of constructing a garage, which would thereby authorize a side-yard setback distance of twenty (20) feet in lieu of thirty (30) feet.
10. The hardship identified in the petitioners' request, is that the location is necessary in order to construct the proposed detached garage within close proximity to the home and driveway, and further states that no other suitable space exists on the property for proper aesthetics and function.

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 received no written comments and/or phone calls, at the time of the writing of its report.
13. The Department's review of files indicates that no previous variances have been granted to this property by St. Louis County or the City of Wildwood.
14. The applicant has provided a signed consent from the owners of the property that abuts the site along the property line of which the variance is being requested (17258 Portland Cove Lane).
15. The applicant further explained onsite the proposed garage is intended to store and protect his vehicles from the elements.

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 pending any additional information provided during the Public Hearing, this request **does meet** the requirements set forth to be considered reasonable and appropriate based on the following site-specific findings:

1. The location of the existing home and related improvements should be taken into consideration. All improvements are located on half of the existing lot, approximately forty (40) feet from the property line.

2. The vehicular access and improvements required for additional locations on the lot should be taken into consideration, given that such would lead to more site disturbance and installation of impervious surface.
3. The proposed location would have less visual impact, given the structure is to be partially blocked by the existing home and landscaping.

Recommendation:

Considering the above-listed Findings of Fact, the Department recommends that if the Board of Adjustment approves the requested variance for the side yard setback.

Respectfully submitted,
CITY OF WILDWOOD

Department of Planning