



WILDWOOD

Determination of Issues and Findings of Facts

Board of Adjustment Case B.A. 11-23

City of Wildwood's Board of Adjustment

Public Hearing of June 15, 2023

City Hall Council Chambers

16860 Main Street, Wildwood, Missouri

Nature of Request.

B.A. 11-23 Sam Reiss, 2704 Sun Meadow Drive, Wildwood, Missouri 63005 – requests an exception to the Minimum Yard Requirements (General) and the requirements set forth in the approved Planned Environment Unit (PEU) Ordinances No. 8431 and 8951 for the purpose of expanding an existing driveway, being upon the property that is located at 2704 Sun Meadow Drive (Locator Number 21U320051, Valley View Plat 2 – Lot 187), thereby authorizing a southwestern side yard setback distance of six (6) feet in lieu of eight (8) feet. This request is contrary to the requirements of Chapter 415.120 R-1A 22,000 square feet Residence District Regulations of the City of Wildwood Zoning Ordinance and the Planned Environment Unit (PEU), Ordinance No. 8431 and 8951, approved by St. Louis County Council in 1977 and 1978, respectively. **(Ward Two)**

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. 11-23**, the issues relating to the variance's reasonableness and appropriateness are as follows:

Area and Site Characteristics

1. The subject site of this request is a residential lot that is part of the Valley View Subdivision Plat 2, being located in the northeastern portion of Wildwood, north of Clayton Road. This lot is 0.37 acres in size and was platted in 1979.
2. This lot abuts the southeastern side of Sun Meadow Drive, a fifty (50) foot wide, public roadway maintained by the City of Wildwood. It has one hundred (100) feet of frontage along it.
3. The property has several easements upon it, including a five (5) foot utility easement that is located along the southwestern border of the property (the same side of the lot of the variance request), a five (5) foot easement along the front, and ten (10) foot areas on the other side and rear yards of the property.
4. The subject property is rectangular in shape and has a single-family dwelling located upon it, which was built in 1985. The dwelling has a total living area of 2,934 square feet.

5. The dwelling is supported by a group of improvements, including a driveway, attached garage, concrete patio, porch, fence, and an in-ground swimming pool, with associated concrete decking.
6. The subject property is zoned R-1A 22,000 square foot Residence District and part of a Planned Environment Unit (PEU), Ordinance No. 8431 and 8951, approved by St. Louis County Council in 1977 and 1978, respectively, which establishes requirements for the placement of any structures or buildings upon it. Principal among these requirements are the setback distances from any property line, which are twenty (20) feet for any front-yard area or roadway right-of-way line, eight (8) feet for any side yard areas, and fifteen (15) feet for the rear yard area. Additionally, PEUs allow for smaller lot sizes clustered, being around large common ground areas, which exists in this instance to the northeast and rear of the dwelling.
7. The property descends in slope from its front yard area to its rear lot line, with a total relief of thirty-two (32) feet.
8. The subject property is primarily grassy turf area, with heavily wooded areas bordering the rear and sides of it.
9. The area around the subject property has a similar land use pattern as this lot. This pattern includes other dwellings that are part of the same residential subdivision.

Current Request

10. The current request is to expand upon the existing asphalt driveway, which would thereby authorize a southwestern side yard setback distance of six (6) feet in lieu of the eight (8) foot requirement. A retaining wall, less than three (3) feet in maximum height, and not the subject of this variance request, will also be constructed, if the request is granted. The applicant notes the intent is to expand the driveway to the location of this retaining wall, which would create an additional parking space.
11. The applicant has obtained trustee approval for the driveway expansion.
12. The applicant notes an existing tree to the southwest of the driveway will need to be removed as part of this project. The Department had its consultant review the tree and assess its value. It was determined to be an undesirable species (Bradford Pear) and at the end of its life.
13. The applicant notes in his application that he was advised the Wildwood Municipal Code had been revised in recent years to not allow a driveway in the setback area for front entry garages. For background, the impetus for this revision was to ensure an appropriate buffer between residences and vehicle parking areas.

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, 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.
13. The Department of Planning has received no written comments pertaining to this request at the time this report was written and completed for distribution in this regard.

14. The review of the City's files indicates no similar variance has been granted to the subject property, but two (2) side yard setback variances were granted for retaining walls within the same subdivision.

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's characteristics, which render a unique hardship or a practical difficulty and impacts on adjoining properties, and believes it **does meet** the requirements set forth to be considered reasonable and appropriate. This position is premised upon a number of site-specific characteristics. These factors are as follows:

1. The requested variance is minimal, given only two (2) feet of the eight (8) foot required distance is to be impacted. Thus, any vehicle parked or staged upon it would still be a reasonable distance away from the neighboring property. Furthermore, the most impacted residence to the southwest does not appear to have outdoor living areas (patios, porches, decks, etc.) directly adjacent to the area where the driveway is proposed to be expanded.
2. The tree that is to be removed is an undesirable type and is at the end of its life, minimizing the impact of its loss. The Department would note and recommend below that an approved landscaping plan along the retaining wall would further offset the loss of this tree and the addition of impervious area to the front yard.
3. If this request is granted, the five (5) foot utility easement, located in that same area, will not be affected by it.
4. The request has been approved by the subdivision trustee(s).

Recommendation:

Based upon the above-listed Findings of Fact, the Department recommends the requested variance be approved, conditioned upon Department approval of a landscape plan along the retaining wall.

Respectfully submitted,
CITY OF WILDWOOD
Department of Planning