

## CITY OF WILDWOOD RECORD OF PROCEEDINGS

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<p style="text-align: center;"><b>MEETING OF THE BOARD OF ADJUSTMENT WILDWOOD CITY HALL 16860 MAIN STREET FEBRUARY 20, 2020</b></p>
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The Board of Adjustment meeting was called to order by Chair Giles, at 7:00 pm, on February 20, 2020, in the Wildwood City Hall Council Chambers, located at 16860 Main Street. Members present were:

- Bob Nandor, Alternate
- Arnie Sprunger, Board Member
- Jared Frank, Vice-Chair
- Mary Giles, Chair

Department of Planning staff, officials, and others present were:

- Joe Vujnich, Director of Planning
- Terri Gaston, Senior Planner
- John Young, City Attorney
- Courtney Tallman, Court Reporter

After opening comments and reading the Public Hearing procedures into the record, such being for the benefit of the petitioners, petitioners' representatives, and others in attendance, Chair Giles requested the first case be read into the record, which was done so by Director Vujnich.

**Request to Withdraw by Petitioner: BA2-20 Fellowship of Wildwood, 17770 Mueller Road, Wildwood, Missouri 63038 c/o Russ Ewing, Executive Pastor, 17770 Mueller Road, Wildwood, Missouri 63038** - requests an exception to the City's Sign Regulations to allow for a freestanding monument sign upon property located at 17770 Mueller Road [St. Louis County Locator Number 23W410031 – Part of Lot 1 of J.R. Frazier Estate circa 1974] at a size no greater than seventy-eight (78) square feet, which is larger in area than the allowable fifty (50) square foot threshold, along the subject site's State Route 100 frontage, at its intersection with Mueller Road, while also having a height of twelve and one-half (12.5) feet, thereby greater than the allowable ten (10) 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, Chapter 415.410 Sign Regulations for "FP," "NU," and all "R," Districts of the City of Wildwood Zoning Ordinance, and Planned Residential Development Overlay District Ordinance #522. **(Ward One) This property was granted a variance for the existing monument sign in June 2003 for its placement at a zero (0) foot frontyard setback distance in lieu of the fifty (50) foot standard, as well as for other signage (directional and wall types) in October 2019. The Board of Adjustment's action in October 2019 also included action relating to the zero (0) foot setback for the allowable freestanding monument sign located along the property's State Route 100 frontage. Postponed by Petitioner – January 16, 2020.**

COMMENTS:

Per the Petitioner's request for withdrawal, Director Vujnich suggested the Board make a motion, with a second, to remove this item from the docket.

BOARD DECISION:

Board Member Sprunger made a motion to withdraw BA#2-20, as requested by the petitioner, which was seconded by Alternate Nandor. Having heard no further discussion or objections, Chair Giles called the question and roll was taken, with the following results:

Ayes – Sprunger, Nandor, Frank and Giles

Nays – none

The motion passed [4-0] and this case was removed from the docket.

Director Vujnich read the next case into the record, at Chair Giles request.

**NEW POSTING BY SAME PETITIONER, RE-ADVERTISED AS FOLLOWS:**

**BA3-20 Fellowship of Wildwood, 17770 Mueller Road, Wildwood, Missouri 63038 c/o Russ Ewing, Executive Pastor, 17770 Mueller Road, Wildwood, Missouri 63038** - requests an exception to the City's Sign Regulations to allow for the allowable freestanding monument sign upon a property, which is located at 17770 Mueller Road [St. Louis County Locator Number 23W410031 – Part of Lot 1 of J.R. Frazier Estate circa 1974], to be at a size no greater than sixty (60) square feet in lieu of the allowable fifty (50) square foot standard, while also having a height of ten and one-half (10.5) feet in lieu of the allowable ten (10) foot standard, along the subject site's State Route 100 frontage, near its intersection with Mueller Road. This request is contrary to the requirements of Chapter 415.090 NU Non-Urban Residence District Regulations of the City of Wildwood Zoning Ordinance, Chapter 415.410 Sign Regulations for "FP," "NU," and all "R," Districts of the City of Wildwood Zoning Ordinance, and Planned Residential Development Overlay District Ordinance #522. ***This property was granted a variance for the existing monument sign in June 2003 for its placement at a zero (0) foot frontyard setback distance in lieu of the fifty (50) foot standard, as well as for other signage (directional and wall types) in October 2019. The Board of Adjustment's action in October 2019 also included action relating to the zero (0) foot setback for the allowable freestanding monument sign located along the property's State Route 100 frontage.***

INITIAL COMMENTS:

After Senior Planner Gaston introduced the pertinent codes, the affidavit of the meeting's posting, and the file compiled for this request into the record, Director Vujnich provided a slide presentation, giving the Board a visual description of the subject property and surrounding area.

PRESENTED BY:

Jeff Krueger, 4596 Bucklick School Road, New Haven, Missouri, was sworn in by Court Reporter Tallman, as the property owners' representative for 17770 Mueller Road, which was indicated upon the filed petition by Fellowship of Wildwood. He provided testimony regarding the necessity for this variance due to the limited visibility of the site [i.e. landscaped berm; higher elevation than adjacent streets]; its location on a major arterial roadway, with high speed limits [i.e. State Route 100; 55 mph]; and the large campus and its associated many uses [i.e. church, school, aftercare facility, youth center, recreational lake, and ball field]. He noted the need for sign, at the slight increase in size, which he believed to be reasonable, based upon perspective studies.

SPEAKERS IN  
FAVOR/OPPOSITION:

None

ADDITIONAL ITEMS:

Senior Planner Gaston thanked the petitioner for working with the City to find an agreeable resolution for the monument sign, which the Department could support, as stated in its Recommendation Report.

BOARD DECISION:

Vice-Chair Frank made a motion to approve the size variance for the monument sign, as requested by the petitioner, and as recommended by the Department's Recommendation Report. The motion was seconded by Board Member Sprunger. Having heard no further discussion or objections, Chair Giles called the question and roll was taken, with the following results:

Ayes – Sprunger, Nandor, Frank and Giles

Nays – none

The motion passed [4-0] and was approved, as stated above.

Director Vujnich read the next case into the record, at Chair Giles request.

**BA4-20 Gisele Kuhn, 432 Highway 109, Wildwood, Missouri 63005 c/o Cathy Shaw-Connely, Tom Shaw Real Estate, 17736 Edison Avenue, Chesterfield, Missouri 63005** - requests an exception to the Minimum Yard Requirements (General) for the purpose of installing a new septic system and associated drainfield upon a property located at 432 Highway 109 [St. Louis County Locator Number 19W120012 – a parcel of ground created prior to 1965], which would thereby authorize a side and rear yard setback distances of ten (10) feet in lieu of thirty (30) feet from the north and east boundary lines to the drainfield, and a well-to-drainfield distance of fifty-five (55) feet, in lieu of the required 100-foot-separation distance, per International Plumbing Code [IPC], upon a legally non-conforming lot (i.e. 1.6 acres in lieu of three (3) acres). These requests are contrary to the requirements of Chapter 415.090 NU Non-Urban Residence District Regulations of the City of Wildwood Zoning Ordinance. **(Ward One)**

INITIAL COMMENTS:

After Senior Planner Gaston introduced the pertinent codes, the affidavit of the meeting's posting, and the file compiled for this request into the record, Director Vujnich provided a slide presentation, giving the Board a visual description of the subject property and surrounding area.

PRESENTED BY:

Cathy Shaw-Connely, Tom Shaw Real Estate, 287 Larimore Valley Drive, Wildwood, Missouri 63050, was sworn in by Court Reporter Tallman, as the petitioner's representative, who is the buyer of the subject property in this case. She provided testimony regarding the necessity for this variance, specifically in regard to utilizing the existing well, while a replacement septic drainfield be constructed at side and rear yard setback distances of ten (10) feet, thereby placing it only fifty-five (55) feet apart, given the difficult terrain to install a new well at the minimum 100-foot requirement.

SPEAKERS IN  
FAVOR/OPPOSITION:

None

ADDITIONAL ITEMS:

Senior Planner Gaston stated the Department was in support of the setback reduction to accommodate the septic drainfield; however, the a new well, at a minimum 100' setback from it, would be necessary, per the rationales stated in its Recommendation Report. Director Vujnich cautioned allowing the utilization of the existing well, in such close proximity to the new septic drainfield, for potable water.

BOARD DECISION:

Board Member Sprunger made a motion to approve the variance request to the setback reduction for the septic drainfield, yet deny the request to utilize the existing well. The motion was seconded by Alternate Nandor. Having heard no further discussion or objections, Chair Giles called the question and roll was taken, with the following results:

Ayes – Sprunger, Nandor, Frank and Giles

Nays – none

The motion passed, unanimously, and only the setback variance was approved for the drainfield's intrusion into the minimum yard areas, as motioned by the Board and recommended by the Department.

Director Vujnich read the next case into the record at Chair's request.

**BA5-20 Pierre Ziadeh, 4028 Princeton Ridge Drive, Wildwood, Missouri 63038 c/o Drew Bradshaw, The Pool Specialists, 11766 Missouri Bottom Road, Hazelwood, Missouri 63042** - requests an exception to the Natural Resource Protection Standards for the purpose of maintaining existing retaining walls (a 2-tiered structure and a seat wall), circa 2006 and constructed under previous ownership, in conjunction with a planned inground swimming pool upon property located at 4028 Princeton Ridge Drive [St. Louis County Locator Number 26V240250 - Lot 4 of Radcliffe Bluffs Subdivision (Est. 2002 - PB350; Pg109)], which would thereby authorize these structures to remain, as is, although encroaching beyond the Natural Resource Protection Line, thus preventing any further disturbance to the protected area of the property. This request is contrary to the requirements of Chapter 420.200 Natural Resource Protection Standards and Procedures of the City of Wildwood *Subdivision and Development Regulations* and Chapter 415.090 "NU" Residence District Regulations of the City of Wildwood Zoning Ordinance. **(Ward Six)**

INITIAL COMMENTS:

After Senior Planner Gaston introduced the pertinent codes, the affidavit of the meeting's posting, and the file compiled for this request into the record, Director Vujnich provided a slide presentation, giving the Board a visual description of the subject property and surrounding area.

PRESENTED BY:

Drew Bradshaw, The Pool Specialists, 11766 Missouri Bottom Road, Hazelwood, Missouri 63042, was sworn in by Court Reporter Tallman, as the petitioner's representative for the requested variance at 4028

Princeton Ridge Drive. He provided testimony regarding the variance to allow the walls to remain, as is, given the property's existing conditions.

SPEAKERS IN  
FAVOR/OPPOSITION:

None

ADDITIONAL ITEMS:

Senior Planner Gaston noted the Department was in support of the request, as stated in its Recommendation Report. Ms. Gaston stated the petitioners inherited the violation from the previous owners who installed the wall and that denial of the variance would require removal of said structures, thus creating further disturbance to the site.

BOARD DECISION:

Vice-Chair Frank made a motion to approve the variance, as requested by the petitioner and recommended by the Department's Report. The motion was seconded by Alternate Nandor. Having heard no further discussion or objections, Chair Giles called the question and roll was taken, with the following results:

Ayes – Sprunger, Nandor, Frank and Giles  
Nays – none

The motion passed [4-0] and the variance was approved.

Upon Chair's request, Director Vujnich read the next case into the record.

**BA6-20 Robert Balice, 18617 Evansway Drive, Wildwood, Missouri 63005 c/o Louis Henry, Space+Forms Architects, 12981 Maurer Industrial Drive, St. Louis, Missouri 63127** - requests an exception to the Minimum Yard Requirements (General) for the purpose of constructing an attached garage addition onto an existing single-family dwelling (circa 1996) upon a property located at 18617 Evansway Drive [St. Louis County Locator Number 19X330302 – Adjusted Lot 23 of the Boundary Adjustment of Lots 23, 24, and common ground in Wildhorse Spring Farm Subdivision – Plat 7 (Est. 2000-PB348/Pg718)], which would thereby authorize a side yard setback distance of thirteen (13) feet in lieu of the required fifteen (15) foot standard. This request is contrary to the requirements of Chapter 415.090 NU Non-Urban Residence District Regulations of the City of Wildwood's Zoning Ordinance and St. Louis County Density Development Procedure (DDP) authorized in 1989. (**Ward One**)

INITIAL COMMENTS:

After Senior Planner Gaston introduced the pertinent codes, the affidavit of the meeting's posting, and the file compiled for this request into the record, Director Vujnich provided a slide presentation, giving the Board a visual description of the subject property and surrounding area.

PRESENTED BY:

Louis Henry, Space+Forms Architects, 12981 Maurer Industrial Drive, Sunset Hills, Missouri 63127, was sworn in by Court Reporter Tallman, as the petitioner's representative and architect of the project. He provided testimony regarding the necessity for this variance,

specifically identifying the need for the variance to accommodate the proposed garage addition onto this existing single-family dwelling, which he based upon topography, existing improvements, and aesthetics of the garage addition being of similar architecture to the dwelling.

**SPEAKERS IN**

**FAVOR/OPPOSITION:** None

**ADDITIONAL ITEMS:** Senior Planner Gaston noted the Department was in support of the request, as stated in its Recommendation Report.

**BOARD DECISION:** Alternate Nandor made a motion to approve the variance, as requested by the petitioner and recommended by the Department's Report. The motion was seconded by Board Member Sprunger. Having heard no further discussion or objections, Chair Giles called the question and roll was taken, with the following results:

Ayes – Sprunger, Nandor, Frank and Giles

Nays – none

The motion passed, unanimously, and the variance was approved.

At Chair Giles request, the Board took a brief break at 8:19, reconvened at 8:24, and then she asked for the last case to be read into the record. Director Vujnich compiled.

**BA7-20 Brian Haberberger, 1610 Shepard Road, Wildwood, Missouri 63038 c/o Brent Kuenzel, Kuenzel Construction Inc., 1096 East Highway 50, Union, Missouri 63084** – requests an exception to the Minimum Yard Requirements (General) for the purpose of constructing an attached garage addition onto an existing single-family dwelling (circa 1971) upon a property located at 1610 Shepard Road [St. Louis County Locator Number 21V6101997 – Boundary Adjustment Plat of Parcel 3 in Section 25, Township 45 North, Range 3 East], which would thereby authorize a front yard setback distance of forty-four (44) feet in lieu of the required fifty (50) foot standard, such being measured from the property's northern boundary line along Shepard Ridge Road. This request is contrary to the requirements of Chapter 415.090 NU Non-Urban Residence District Regulations of the City of Wildwood's Zoning Ordinance. **(Ward Three)**

**INITIAL COMMENTS:** After Senior Planner Gaston introduced the pertinent codes, the affidavit of the meeting's posting, and the file compiled for this request into the record, Director Vujnich provided a slide presentation, giving the Board a visual description of the subject property and surrounding area.

**PRESENTED BY:** Brent Kuenzel, Kuenzel Construction Inc., 1096 East Highway 50, Union, Missouri 63084, was sworn in by Court Reporter Tallman, as the petitioner's representative. He provided testimony regarding the necessity for this variance with regard to a proposed garage addition onto this existing single-family dwelling, which would allow this

improvement to be constructed at a front-yard setback distance forty-four (44) feet. His rationales included the addition's proximity to the existing dwelling, provision for needed storage, and preservation of grand trees.

SPEAKERS IN  
FAVOR/OPPOSITION:

None

ADDITIONAL ITEMS:

Senior Planner Gaston noted the Department was in support of the request, as stated in its Recommendation Report, noting an alternate location was considered, yet it would require removal of the grand trees and an increase in grading.

BOARD DECISION:

Vice-Chair Frank made a motion to approve the variance, as requested by the petitioner and recommended by the Department's Report. The motion was seconded by Board Member Sprunger. Having heard no further discussion or objections, Chair Giles called the question and roll was taken, with the following results:

Ayes – Sprunger, Nandor, Frank and Giles  
Nays – none

The motion passed [4-0] and was approved, as stated above.

**Closing Comments & Adjournment:**

With there being no further business, Senior Planner Gaston announced the next meeting of the Board will be held on **March 19, 2020**, pending the submittal of petitions to the Department of Planning.

Board Member Sprunger made a motion to adjourn, which was seconded by Vice-Chair Frank. Hearing no objections by the Board, Chair Giles declared the meeting adjourned at 8:34 p.m.