

CITY OF WILDWOOD RECORD OF PROCEEDINGS

MEETING OF THE BOARD OF ADJUSTMENT
City of Wildwood's Board of Adjustment
Public Hearing of April 16, 2020
City Hall Council Chambers | 16860 Main Street
And Via Online Meeting Process [Zoom]

The Board of Adjustment meeting was called to order by Chair Giles, at 7:01 pm, on April 16, 2020, via Zoom and recorded live, via YouTube, from the Wildwood City Hall Council Chambers, which is located at 16860 Main Street. Members present were:

- Jared Frank, Board Member
- Arnie Sprunger, Board Member
- Deborah Coleman, Board Member
- Andy Bolazina, Alternate
- Mary Giles, Acting Chair
- Bob Nandor, Alternate [would only to vote in the instance of lost Board Member communications with Zoom]

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
- Kathy Arnett, Asst. Director/Zoom Moderator
- Travis Newberry, Planner/Zoom Moderator

After opening comments and reading the Public Hearing procedures into the record, for the benefit of the petitioners, petitioners' representatives, and those other individual participating via Zoom, Chair Giles requested the first case be read into the record by Senior Planner Gaston:

BA8-20 Andrew & Blair Daub, 18482 Hencken Valley Estates Drive, Wildwood, Missouri 63069 - request an exception to the *Natural Resource Protection Standards* for the purpose of constructing a new single-family dwelling upon property located at 18482 Hencken Valley Estates Drive [St. Louis County Locator Number 26X110041; Lot 2 - Hencken Valley Estates Resubdivision (Est. 2001/Resubdivided 2006 – Plat Book 354, Page 176)]. If granted, this variance would thereby authorize the relocation of the Natural Resource Protection Line, as well as its associated twenty-five (25) foot foundation setback, to accommodate the placement of the proposed dwelling into the currently protected areas, while maintaining the existing amount of preservation area on the overall property [i.e. an equal exchange between preservation and building areas]. This request is contrary to Chapter 420.200 Natural Resource Protection Standards and Procedures of the City of Wildwood Municipal Code, as applied to properties located in the NU Non-Urban Residence District – Chapter 415.090 NU Non-Urban Residence District Regulations of the City of Wildwood Zoning Ordinance. **(Ward Six)**

INITIAL COMMENTS:

After Senior Planner read the case into the record and 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: Andrew Daub, 18048 Manchester Road, was sworn in by Court Reporter Tallman, as the petitioner and owner of record of the property,, where the requested variance is being sought (18482 Hencken Valley Estates Drive). He provided testimony regarding the variance, which included an exchange of preservation and building areas that would result in no-net-loss in the amount than that originally preserved, and would allow for construction of the proposed single-family dwelling to be situated at a higher elevation than the current building location per the Record Plat, which would be in proximity to floodplain and an ephemeral drainage area. With said exchange, if approved, no trees would be removed, and other associated improvements could also be installed as well, i.e. geothermal heating.

SPEAKERS IN FAVOR/OPPOSITION: None

ADDITIONAL ITEMS: Director Vujnich endorsed the petitioner's request, supporting it based upon no-net-loss of the Natural Resource Protection Area, yet conditioned upon the recording of a deed and exhibits, which will depict the original and now amended Natural Resource Protection Lines.

BOARD DECISION: Board Member Frank made a motion to approve the requested variance, as submitted by the petitioner, and conditioned by the Department, per its favorable 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 – Coleman, Frank, Bolazina, Sprunger, and Giles

Nays – none

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

Senior Planner Gaston read the next case into the record, at Chair Giles request:

BA9-20 Scott & Rachel Moore, 2408 Autumn Blaze Court, Wildwood, Missouri 63011 - request an exception to the Minimum Yard Requirements (General) for the purpose of constructing a new deck onto an existing single-family dwelling (circa 2019), which is to be upon the property located at 2408 Autumn Blaze Court [St. Louis County Locator Number 23V330857; Lot 5C – The Villages at Brightleaf Subdivision – Plat 3 (Est. 2018 – Plat Book 366, Pages 497-503)]. If granted, this variance would thereby authorize a rear-yard setback distance of twenty-eight (28) feet in lieu of the required thirty (30) foot standard. This request is contrary to the requirements of Chapter 415.140 R-3 10,000

square-foot Residence District Regulations of the City of Wildwood's Zoning Ordinance and Planned Residential Development Overlay District (PRD) Ordinance #2145, approved by the City Council in January 2016. **(Ward Five)**

INITIAL COMMENTS: After Senior Planner read the case into the record and 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: Scott Moore, 2408 Autumn Blaze Court, was sworn in by Court Reporter Tallman, as the petitioner and Wildwood property owner. He provided testimony regarding the necessity for this variance with regard to constructing a proposed deck upon his property with a rear-yard setback distance of twenty-eight (28) feet in lieu of the thirty (30) foot requirement for this lot.

SPEAKERS IN FAVOR/OPPOSITION: None

ADDITIONAL ITEMS: Director Vujnich noted the Department supported the petitioner's request, given the dwelling is not constructed with a walk-out basement, therefore, the deck would be screened by the grade, an existing retaining wall and fence, thus resulting in very limited visual impact. Furthermore, there is an above-grade door that cannot be utilized, as-is, without some sort of exterior access to grade, or in this case, a minimally-elevated deck, which, with its 2-foot cantilevered overhang across the setback plane, it would actually protect the drainage swale from being disturbed.

BOARD DECISION: Board Member Frank made a motion to approve the requested variance, as submitted by the petitioner and supported by the Department, per its recommendation report. The motion was seconded by Alternate Bolazina. Having heard no further discussion or objections, Chair Giles called the question and roll was taken, with the following results:

Ayes – Coleman, Frank, Bolazina, Sprunger, and Giles
Nays – none

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

Upon the Chair Gile's request, Senior Planner Gaston read the next and last case into the record:

BA10-20 Joseph & Diane Monahan, 17321 Thunder Creek Road, Wildwood, Missouri 63025 c/o Drew Bradshaw, The Pool Specialists, 11766 Missouri Bottom Road, Hazelwood, Missouri 63042 - request an exception to the Minimum Yard Requirements (General) for the purpose of constructing an inground swimming pool, with associated concrete decking and retaining wall, all of which are

accessory to the established principal use (i.e. existing single-family dwelling, circa 1995), upon the property located at 17321 Thunder Creek Road [St. Louis County Locator Number 27V110077; Lot 7 – Thunder Valley Addition to Thunder Mountain Subdivision (Est. 1978 - Plat Book 183, Page 54)]. If granted, this variance would thereby authorize a rear-yard setback distance of six point five (6.5) feet in lieu of the required 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’s Zoning Ordinance. **(Ward Six)**

INITIAL COMMENTS: After Senior Planner Gaston read the case into the record and 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, 11766 Missouri Bottom Road, Hazelwood, Missouri 63042, was sworn in by Court Reporter Tallman, as the petitioner’s representative for the Monahan’s - Wildwood property owners located at 17321 Thunder Creek Road. He provided testimony regarding the necessity for this variance to construction of a proposed inground swimming pool, with a rear-yard setback distance of six point five (6.5) feet, as measured from the property line to the surrounding concrete decking, in lieu of the thirty (30) foot requirement. He noted the layout of these improvements was premised on a plan that had already been designed by a landscape architect and his company was hired on for the pool installation thereafter. Given other future improvements are also depicted upon the site plan, he mentioned the bocce ball court could be eliminated, where shown, and the pool possibly shifted into this area. Doing so would still necessitate a variance, so he was amenable to allowing additional time to revise plans and resubmit at the next BOA meeting.

SPEAKERS IN FAVOR/OPPOSITION: None

ADDITIONAL ITEMS: Director Vujnich noted the Department was not in support of the petitioner’s request, per the current design; however, the Department could support a lesser variance of 18-20 feet. He thanked Mr. Bradshaw for offering up an alternative design for the next meeting, then suggested the Board make a motion for postponement of action at this time.

BOARD DECISION: Board Member Sprunger made a motion for postponement, as suggested by the Department. The motion was seconded by Board Member Coleman. Having heard no further discussion or objections, Chair Giles called the question and roll was taken, with the following results:

Ayes – Coleman, Frank, Bolazina, Sprunger, and Giles

Nays – none

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

Closing Comments & Adjournment:

Senior Planner Gaston announced the next meeting of the Board will be held on **May 21, 2020**, for which the postponed case will be re-heard, and potentially several other submittals that are also pending receipt by the Department within the next couple weeks.

There being no further business and hearing no objections by the Board, Chair Giles declared the meeting adjourned at 8:16 p.m.