

CITY OF WILDWOOD RECORD OF PROCEEDINGS

MEETING OF THE BOARD OF ADJUSTMENT
WILDWOOD CITY HALL
16860 MAIN STREET
OCTOBER 17, 2019

The Board of Adjustment meeting was called to order by Acting Chair Giles, at 7:00 pm, on October 17, 2019, in the Wildwood City Hall Council Chambers, located at 16860 Main Street. Members present were:

- Andy Bolazina, Alternate
- Bob Morris, Board Member
- Arnie Sprunger, Board Member
- Bob Nandor, Alternate
- Mary Giles, Acting 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

Upon the Acting Chair's request, Senior Planner Gaston read the first case into the record.

B.A. 17-19 Geeta Ramayan Group of Greater St. Louis, 131 Tartan Green Boulevard, Ellisville, Missouri 63021 c/o Mike Buescher, MB Engineering, Inc., 14851 Remington Road, Marion, Illinois, 62959 – requests an exception to the *Minimum Yard Requirements (General)* for the purpose of constructing a place of worship, with associated parking area, at 1431 State Route 109 [St. Louis County Locator Number 22W640123 – a 5.72-acre tract of land located in Section 35, T45N, R3E], which would thereby authorize a front yard setback distance of twenty-five (25) feet in lieu of the required fifty (50) foot standard, from both Old Eatherton Road and State Route 109. 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 Three)** *Action on this item was postponed at the August 15, 2019 meeting, given the petitioner submitted a revised plan, which eliminated the requested setback reduction along the property's State Route 109 frontage, but retained the same for Old Eatherton Road in terms of the Board of Adjustment's consideration.*

INITIAL COMMENTS:

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

PRESENTED BY:

Mike Buescher, MB Engineering, Inc., 14851 Remington Road, Marion, Illinois, was sworn in by Court Reporter Tallman, as the property owners' representative for 1431 State Route 109, Wildwood, Missouri, as indicated upon the petition by the Geeta Ramayan Group of Greater St. Louis. He provided testimony regarding the necessity for

this variance with regard to the limited amount of buildable area on the site due to easements, drainageways, and variable topography associated with it. Furthermore, given the building is a place of worship, its orientation must face eastward; therefore, it could not be rotated for different positioning upon the site.

SPEAKERS IN

FAVOR/OPPOSITION:

Michael Ashley, 1240 Babler Park Drive, Wildwood, Missouri, was sworn in by Court Reporter Tallman. He noted he and his wife have been residents in the area for 36 years and stated their concerns relative to traffic.

ADDITIONAL ITEMS:

Director Vujnich noted the petitioner's request as reasonable and Department's recommendation favorable, given the hardship of three (3) roadway frontages, as well as the expanse of Ameren-Missouri easement reducing the buildable area of the property. He also stated, if/when the petitioner moves forward with construction plans, the Department of Public Works would conduct a traffic study and, upon analysis of such, roadway improvements would most likely be necessary.

BOARD DECISION:

Alternate Nandor made a motion to approve the requested variance, as submitted by the petitioner and supported by the Department's recommendation, which was seconded by Board Member Sprunger. Having heard no further discussion or objections, Acting Chair Giles called the question and roll was taken, with the following results:

Ayes – Bolazina, Morris, Nandor, and Giles

Nays – Sprunger

The motion passed [4-1] and the variance was approved, as requested, and as recommended by the Department's Recommendation Report.

Senior Planner Gaston read the next case into the record, at the Acting Chair's request.

B.A. 18-19 Joshua Holland & Dwayne Duncan (owners under contract) c/o Robert & Tracy Kelly, 19203 Brookhollow Drive, Wildwood, Missouri 63038 - request an exception to the Minimum Yard Requirements (General) and the Non-Conforming Uses, Lands, and Structures Regulations for the purpose of constructing a detached garage and deck addition onto an existing single-family dwelling at 2985 Woods Avenue [St. Louis County Locator Number 25V530088 - Outlot of Bartizan Point Estates Subdivision (Est. 1999 - PB347; Pg218)], which would thereby authorize a front-yard setback distance of zero (0) feet in lieu of fifty (50) feet and a side-yard setback distance of twenty (20) feet in lieu of thirty (30) feet, upon a legally non-conforming lot (i.e. 1.35 acres in lieu of three (3) acres), being located in the NU Non-Urban Residence District. These requests are contrary to the requirements of Chapter 415.090 NU Non-Urban Residence District Regulations and Chapter 415.460 Non-Conforming Uses, Lands, and Structures Regulations of the City of Wildwood Zoning Ordinance.

(Ward Six) This property was granted a variance for the new construction of the existing dwelling in July 2008, which was sought after the former residence was extensively damaged in a fire.

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

PRESENTED BY: Tracy Kelly, 19203 Brookhollow Drive, Wildwood, Missouri, was sworn in by Court Reporter Tallman, as the property owners' representative for 2985 Woods Road. As indicated upon the petition, she stated she was the former owner of the subject site at the time the original variance request was made on behalf of the then owners-under-contract. She provided testimony regarding the necessity for this variance due to the limited amount of buildable area on the site, specifically noting the sheer rock bluff, and the need for storage space, given the existing home has very little.

Joshua Holland, petitioner, 2985 Woods Avenue, Wildwood, Missouri, was sworn in by Court Reporter Tallman, and stated it was his desire for this detached garage for storage of vehicles and lawn equipment. He also explained that, when he approached the trustees of Bartizan Point Estates to connect to their sewer system, adding a garage was requested by them, although the property, being an Outlot, is exempt from the Indentures.

SPEAKERS IN FAVOR/OPPOSITION: Howard Self, 16609 Bartizan Drive, Wildwood, Missouri, was sworn in by Court Reporter Tallman, then noted the information supplied to the neighborhood association was vague.

ADDITIONAL ITEMS: Director Vujnich noted that, while he recognizes the storage needs associated with this property, it is an existing non-conforming site and any additional variance for it would increase nonconformity versus bringing it closer to compliance with code requirements; therefore, the Department was not supportive of the request. He noted that, if the petitioners would consider a lesser request, i.e. a smaller accessory building in lieu of a 2-car detached garage, the request could be reconsidered.

BOARD DECISION: Board Member Sprunger made a motion to postpone action on the variance, allowing additional time for the petitioner to amend the request. The motion was seconded by Board Member Morris. Having heard no further discussion or objections, Acting Chair Giles called the question and roll was taken, with the following results:

Ayes – Bolazina, Morris, Sprunger, Nandor, and Giles
Nays – none

The motion passed [5-0] and the item postponed to the November meeting or until the petitioners could revise their plans.

Upon the Acting Chair’s request, Senior Planner Gaston read the next case into the record.

B.A. 19-19 Michael Parsons, 2120 Wakefield Farm Road, Wildwood, Missouri, 63038 c/o Jacob Hinshaw, Baker Pool Construction, 527 Spirit of St. Louis Boulevard, Chesterfield, Missouri 63005 - requests an exception to the Natural Resource Protection Standards for the purpose of installing an accessway for construction purposes in conjunction with a planned inground swimming pool and associated retaining wall at 2120 Wakefield Farm Road [St. Louis County Locator Number 23W510111 - Lot 7 of Wakefield Forest Subdivision (Est. 2016 - PB364; Pg339)], which would thereby authorize the relocation of the Natural Resource Protection Line, and accompanying twenty-five (25) foot foundation setback, to another portion of the lot, 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 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 One)**

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

PRESENTED BY: Michael Parsons, 2120 Wakefield Farm Road, Wildwood, Missouri, was sworn in by Court Reporter Tallman, as the property owner and petitioner. He provided testimony regarding the variance was being requested due to previous clearing of the area by a utility company. He further stated that delivery personnel actually access said location, instead of navigating the lengthy driveway, and he would like to restore and landscape this area, so it is not used for such access purposes, after construction is completed.

SPEAKERS IN FAVOR/OPPOSITION: None

ADDITIONAL ITEMS: Director Vujnich endorsed the petitioner’s request, supporting it based upon no net loss to the Natural Resource Protection Area.

BOARD DECISION: Board Member Sprunger made a motion to approve the requested variance, as submitted by the petitioner, with the Department’s recommendation to record a deed and exhibit depicting the adjustment to the protection limits. The motion was seconded by Alternate Nandor. Having heard no further discussion or objections,

Acting Chair Giles called the question and roll was taken, with the following results:

Ayes – Bolazina, Morris, Sprunger, Nandor, and Giles
Nays – none

The motion passed [5-0] and the variance was approved, as requested by the petitioner and recommended by the Department's Recommendation Report.

Senior Planner Gaston read the next case into the record, at the Acting Chair's request.

B.A. 20-19 Steve & Jennifer Earley, 1926 Matterhorn Drive, Wildwood, Missouri 63011 c/o Adam Callison, Done Right Landscapes, LLC., 148 North Gatty Drive, St. Peters, Missouri 63376 - request an exception to the Specific Yard Requirements and Exceptions for the purpose of replacing an existing tie wall [circa-1988], with a new modular-block wall system, which is situated on the property's northeastern boundary line and being located at 1926 Matterhorn Drive [St. Louis County Locator Number 22U110572- Lot 143 of The Village of Winding Trails Subdivision, Plat 2 (Est. 1987 - PB261; Pg81)], thereby authorizing the replacement structure at a height of eight (8) feet, in lieu of the six (6) foot maximum, within the required eight (8) foot side-yard setback area. This request is contrary to the requirements of Chapter 415.120 R-1A 22,000 square-foot Residence District of the City of Wildwood Zoning Ordinance and St. Louis County Planned Environment Unit Ordinance #16,822 that was approved in 1978. **(Ward Four)**

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

PRESENTED BY: Adam Callison, Done Right Landscapes, LLC., 148 North Gatty Drive, St. Peters, Missouri, and Steve Earley, 1926 Matterhorn Drive, Wildwood, Missouri, were sworn in by Court Reporter Tallman, as the contractor and property owner/petitioner, respectively. Mr. Callison provided testimony regarding the necessity to replace the existing tie-wall with a new stone wall, at the same length and height, given the slope of the property. Mr. Earley noted he did not want the new wall to be tiered, which would place it off his property and onto his neighbor's lot.

SPEAKERS IN FAVOR/OPPOSITION: None

ADDITIONAL ITEMS: Director Vujnich stated the Department supported the request, as depicted upon the plans, noting the hardship is apparent, given the existing wall's deterioration and the slope of the lot at its location.

BOARD DECISION:

Board Member Morris made a motion to approve the requested variance, as submitted by the petitioner and supported by the Department's recommendation, which was seconded by Alternate Nandor. Having heard no further discussion or objections, Acting Chair Giles called the question and roll was taken, with the following results:

Ayes – Bolazina, Morris, Nandor, and Giles
Nays – Sprunger

The motion passed [5-0] and the variance was approved, as requested by the petitioner and recommended by the Department's Recommendation Report.

With the Acting Chair's request, Senior Planner Gaston read the last case into the record.

B.A. 21-19 Fellowship of Wildwood, 17770 Mueller Road, Wildwood, Missouri 63038, c/o Jeff Krueger, 4596 Bucklick School Road, New Haven, Missouri 63068 - seeks exceptions to the City's Sign Regulations for the following purposes:

- i. A request for a freestanding monument sign that would be 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 exceeding the maximum height allowed for such a representation by five (5) feet, thereby taller than the allowable ten (10) foot standard, as set forth in 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 proposed freestanding monument-type sign would be located, where the existing structure is located;
- ii. A request for a front-yard setback reduction for the proposed freestanding monument sign that would allow it to be erected at a zero (0) foot setback in lieu of the required fifty (50) foot distance along the subject site's State Route 100 frontage, at its intersection with Mueller Road, as set forth in 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;
- iii. A request for an increase in the size of two (2) directional signs that are to be located to the east of the site's Mueller Road access point upon applicant's property to sixteen (16) square feet in lieu of the required ten (10) square foot maximum size, as set forth in 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; and
- iv. A request for an increase in the size of an allowable information sign that will be wall-mounted on the school building (facing toward State Route 100) at a size of one hundred eighteen point five (118.5) square feet in lieu of the required ten (10) square foot maximum area, which will identify 'Living Water Academy,' which is affiliated with 'Fellowship of Wildwood' and operates from this facility. This request is contrary to 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 a parking setback distance reduction that was approved in October 1999.

INITIAL COMMENTS: After Director Vujnich introduced the pertinent codes, the affidavit of the meeting’s posting, and the file compiled for this request into the record, Senior Planner Gaston 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, as indicated upon the 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]; the large campus and its associated many uses [i.e. church, school, aftercare facility, youth center, recreational lake, and ball field]; and the lack of adequate directional signage currently present. He noted the need for signs, at the increased sizes, was reasonable based upon perspective studies in accordance with signage at the allowable size and distance, as measured from the roadway [i.e. fifty (50) feet] versus to the property line [i.e. ninety-one (91) feet], and at the same level as the roadway versus being positioned upon the berm at the property line. He further stated these signs were proportioned for line-of-site for drivers of vehicles to see the signs, make a decision, then slow down to turn before passing the intersection.

SPEAKERS IN
FAVOR/OPPOSITION:

Jeff Roark, 16424 Green Pines Drive, Wildwood, Missouri, was sworn in by Court Reporter Tallman, then noted his support of the variance for these signs.

Kara Crisp, 515 Summer Oak Circle, Ellisville, Missouri, was sworn in by Court Reporter Tallman. She stated her position as Communications Director for Fellowship of Wildwood, then noted the signage assists in promoting the school and there is much more to the overall facility than just the worship center.

ADDITIONAL ITEMS:

Director Vujnich suggested to the Board that it could consider the petitioner’s multiple requests collectively or individually, the latter

providing clear action upon each. With that so noted, he stated the Department's recommendation of the requests as follows:

- Monument Sign 'A': the variance to the setback distance of zero (0') feet was supported, but not at the increased size or height of it;
- Directional Signage 'B' & 'C': the variances were reasonable, at the proposed sizes, as depicted, given they are internal to the site and cause no appreciable impact; and
- Wall Sign 'D': the Department would be supportive of a size no larger than fifty (50) square feet, but not as shown at 118.5-square feet.

BOARD DECISION:

Board Member Sprunger made a motion to approve the requested zero (0') foot setback distance of Monument Sign 'A', as requested by the petitioner, but deny the size and height increases, as recommended by the Department's Recommendation Report. The motion was seconded by Alternate Bolazina. Having heard no further discussion or objections, Acting Chair Giles called the question and roll was taken, with the following results:

Ayes – Bolazina, Morris, Sprunger, Nandor, and Giles
Nays – none

The motion passed [5-0] and was approved, as stated above.

Board Member Sprunger made a motion to approve Directional Signage 'B' & 'C', as requested and depicted on the proposed plans submitted by the petitioner, and recommended by the Department's Recommendation Report. The motion was seconded by Board Member Morris. Having heard no further discussion or objections, Acting Chair Giles called the question and roll was taken, with the following results:

Ayes – Bolazina, Morris, Sprunger, Nandor, and Giles
Nays – none

The motion passed [5-0] and was approved, as stated above.

Board Member Sprunger made a motion to approve Wall Sign 'D' at a size no larger than fifty (50) square feet, as recommended by the Department, and represented on the east corner of the church's school/gymnasium building. The motion was seconded by Alternate Nandor. Having heard no further discussion or objections, Acting Chair Giles called the question and roll was taken, with the following results:

Ayes – Bolazina, Morris, Sprunger, Nandor, and Giles
Nays – none

The motion passed [5-0] and was approved, as stated above.

Closing Comments & Adjournment:

Given the lateness of the evening, Director Vujnich requested the nominations/election of Officers take place at the next meeting, which Acting Chair Giles agreed to. The next meeting of the Board will be held on **November 21, 2019**.

Hearing no objections by the Board, Acting Chair Giles declared the meeting adjourned at 10:14 p.m.