



PUBLIC HEARINGS
BOARD OF ADJUSTMENT OF THE CITY OF WILDWOOD,
MISSOURI
City Hall Council Chambers
16860 Main Street
Thursday, January 19, 2017, 7:00 PM

The Board of Adjustment of the City of Wildwood will hold public hearings that will begin at **7:00 p.m., on Thursday, January 19, 2017,** in the City Hall Council Chambers, 16860 Main Street, Wildwood, Missouri 63040. The purpose of these hearings is to consider requests for variances to certain Zoning Ordinance regulations or interpretations of their intent made by the Director of Planning relating to the individual properties identified below. Please review the individual notice of publication pertaining to your petition of interest for information relating to it. To report any inaccuracies in the text or seek further information about these requests, please feel free to contact the Department of Planning and Parks at (636) 458-0440, prior to the hearings' date. At these hearings, the following requests will be considered by the Board of Adjustment for action:

- I. **B.A. 1-17 Michael R. Nettles, 17517 Radcliffe Place Drive, Wildwood, Missouri 63025**
requests an exception to the *Minimum Yard Requirements (General)* for the purpose of retaining a single family residence at 17517 Radcliffe Place Drive (Locator Number 26W340113, Radcliffe Place Addition Subdivision, Lot 111), which would thereby authorize a front yard setback of twenty-eight (28) 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 Zoning Ordinance and the Planned Residential Development Overlay District Regulations, per Ordinance #285, which was approved by the Wildwood City Council on December 9, 1996. **(Ward Six)**

Documents:

[B.A. 1-17 MICHAEL R. NETTLES - RECOMMENDATION REPORT.PDF](#)

- II. **B.A. 2-17 Thomas And Rhonda Loggia, 17830 Orrville Road, Wildwood, Missouri 63005**
request an exception to the *Minimum Yard Requirements (General)* for the purpose of constructing a detached garage at 17830 Orrville Road (Locator Number 20W540034), which would thereby authorize a side yard setback of five (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 Zoning Ordinance. **(Ward Three)**

Documents:

**III. Prior To The Conclusion Of The Meeting, The Board Members Will Discuss, And
May Elect, Officers For The Upcoming Year (2017).**

**If you would like to submit a comment regarding an item on this meeting agenda,
please visit the [Form Center](#).**

The City of Wildwood will provide reasonable accommodations for persons attending Board of Adjustment meetings. Requests for reasonable accommodations should be made by contacting Laura Rehtin, Deputy City Clerk at 636-458-0440 or email at laura@cityofwildwood.com at least 48 hours prior to the start of the meeting.



WILDWOOD

Determination of Issues and Findings of Facts

regarding

Board of Adjustment Case B. A. #01-17
City of Wildwood's Board of Adjustment
Public Hearing of January 19, 2017
City Hall Council Chambers
16860 Main Street

Nature of Request:

B.A. 1-17 Michael R. Nettles, 17517 Radcliffe Place Drive, Wildwood, Missouri 63025 – requests an exception to the Minimum Yard Requirements (General) for the purpose of retaining a single family residence at 17517 Radcliffe Place Drive (Locator Number 26W340113, Radcliffe Place Addition Subdivision, Lot 111), which would thereby authorize a front yard setback of twenty-eight (28) 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 Zoning Ordinance and the Planned Residential Development Overlay District Regulations, per Ordinance #285, which was approved by the Wildwood City Council on December 9, 1996. **(Ward Six)**

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. 01-17**, the issues relating to the variance's reasonableness and appropriateness are as follows:

Area and Site Characteristics

- 1) The location of this request is a 2.8 acre residential lot that is located in the Radcliffe Place Subdivision. The lot is shaped similar to a parallelogram and is defined by the abutting private roadway and other property lines of adjoining parcels of ground.
- 2) The property has a depth of approximately of 455 feet at its greatest extent and a width of 151 feet at its front line building line along Radcliffe Place Drive.
- 3) The abutting roadway is Radcliffe Place Drive, which provides access to the subject lot. This roadway is privately maintained, rural in character and, along petitioners' frontage, increases slightly in grade toward its southern end, which is a cul-de-sac. The roadway does

not have formal stormwater drainage facilities or sidewalks, given its narrow nature (a centerline is not striped upon it).

- 4) The zoning district designation of this property is NU Non-Urban Residence District, with a Planned Residential Development Overlay District (PRD), which establishes a number of regulations regarding the types of uses allowed upon sites so zoned, as well as building and structure placement and heights. Along with these regulations, other requirements exist in this zoning district designation relating to accessory structures and their respective sizes.
- 5) The property is almost entirely wooded, except where existing improvements are located, which include the two-story dwelling that was constructed in 1998 (according to St. Louis County records), and access drive. These trees are mature, large, and appear to be in good condition.
- 6) The slope of the subject property is toward the southwest corner, which is moderately sloping. Overall relief across the site, from east to west, is 72 feet. Also defining this site is a drainageway that is located in that southwest corner of the property.
- 7) The surrounding land use to this subject property is all-residential and consists of large size lots, with single family dwellings located upon them. The adjoining lot to the west is approximately ten (10) acres in size, while others in the vicinity are greater than three (3) acres in area.
- 8) The City of Wildwood's Zoning Ordinance contains regulations that govern the placement of buildings and structures, along with the overlay district that contains specific requirements for the front, side, and rear yard areas.

Current Request

- 9) The current request is to allow a reduction in the front yard setback area along Radcliffe Place Drive from its required distance of thirty (30) feet to twenty-eight (28) feet to accommodate the existing dwelling, which was constructed into it in 1998.
- 10) The application filed by the petitioner notes the need for this variance is premised on the desire to retain the dwelling at its existing location and not remove the portion of it that encroaches into the setback area.
- 11) The petitioner has also identified in their filed application the dwelling was at this location when they purchased it and a title survey was completed.

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 not received any letters and/or comments at the time this report was written and completed for distribution in this regard.
- 14) The review of the City's files indicates the City of Wildwood's Board of Adjustment has not granted any variances to this property, but in its vicinity four (4) cases have been considered. These cases include the following:

- a. 29-99 Radcliffe Place Association - permitted information signs be 9' in lieu of 6' within front yard setback - recommends that all applicable easement releases are provided from all utility holders in area of these proposed signs – approved with conditions;
- b. 23-03 Hastie – Radcliffe Bluffs - Natural Resource Protection setback line of 12' in lieu of 25' - Maintaining an existing hearth room – approved;
- c) 8-09 Hastie – Natural Resource Protection Line setback distance of five (5) feet in lieu of the required twenty-five (25) feet – room addition – postponed; and
- d) 14-09 Degnan - encroachment across the platted Natural Resource Protection Line a maximum distance of thirty-five (35) feet to accommodate its construction – gazebo – denied

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 petitioner has established that, to remove the portion of the dwelling that encroaches into the setback area, would create a practical difficulty and an undue hardship, since it was no fault of theirs in terms of this current situation.
2. The encroachment of this dwelling into the front yard setback has been in place for almost eighteen (18) years and has not unduly impacted the neighborhood, nor surrounding property values – a major responsibility of local governments to preserve.
3. The impact of this request appears to be very minimal and limited to the property itself.

Recommendation:

Based upon the above-listed Findings of Fact, the Department recommends the requested variance be approved.

Respectfully submitted,
CITY OF WILDWOOD
Department of Planning



WILDWOOD

Determination of Issues and Findings of Facts

regarding

Board of Adjustment Case B. A. #02-17
City of Wildwood's Board of Adjustment
Public Hearing of January 19, 2017
City Hall Council Chambers
16860 Main Street

Nature of Request:

B.A. 2-17 Thomas and Rhonda Loggia, 17830 Orrville Road, Wildwood, Missouri 63005 - request an exception to the Minimum Yard Requirements (General) for the purpose of constructing a detached garage at 17830 Orrville Road (Locator Number 20W540034), which would thereby authorize a side yard setback of five (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 Zoning Ordinance. (**Ward Three**)

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. 02-17**, the issues relating to the variance's reasonableness and appropriateness are as follows:

Area and Site Characteristics

- 1) The location of this request is a 3.2 acre residential lot that is located on the west side of Orrville Road, southeast of its intersection with Old Eatherton Road. The lot is relatively square in shape and defined by the abutting roadway (Orrville Road) and other property lines of adjoining parcels of ground.
- 2) The property has an approximate length of four hundred (400) feet and a width of three hundred sixty (360) feet.
- 3) The abutting roadway is Orrville Road, which provides access to the subject lot, through the abutting property to the north. This roadway is City-maintained, rural in character, and, along petitioners' frontage rises sharply from Old Eatherton Road to the south. The roadway

does not have formal stormwater drainage facilities or sidewalks, given its narrow nature (a centerline is not striped upon it).

- 4) The zoning district designation of this property is NU Non-Urban Residence District, which establishes a number of regulations regarding the types of uses allowed upon sites so zoned, as well as building and structure placement and heights. Along with these regulations, other requirements exist in this zoning district designation relating to accessory structures and their respective sizes.
- 5) The property is almost entirely wooded, except where existing improvements are located, which include the one-story dwelling, an in-ground swimming pool, pool house, and access drive, with a long driveway from the aforementioned Orrville Road. These trees are mature, large, and appear to be in very good condition.
- 6) The slope of the subject property parallels that of the roadway, which is steep, with the fall of the site from south to north. Overall relief across the site, from east to west, is 96 feet. Also defining this site is a drainageway that bisects the site and drains to the south, toward Old Eatherton Road.
- 7) The surrounding land use to this subject property is all-residential and consists of three (3) acre or greater lots, with single family dwellings located upon them. The adjoining lot to the west is approximately fourteen (14) acres in size, while others in the vicinity are greater than ten (10) acres in area.
- 8) The City of Wildwood's Zoning Ordinance contains regulations that govern the placement of buildings and structures

Current Request

- 9) The current request is to allow a reduction in the sideyard setback area along the southern boundary of the lot from its required distance of thirty (30) feet to five (5) feet to accommodate a one-story detached garage that will have an overall size of 1,088 square feet (43.5' by 25'). The garage will accommodate three (3) vehicles of parking.
- 10) The application filed by the petitioner notes the need for this variance is premised on the topography of the site precludes any other location upon it from being able to accommodate this allowable accessory structure. Additionally, the placement is intended to allow for the use of the existing driveway and parking apron by the current garage to be utilized.
- 11) The petitioners have also identified in their filed application this location will require minimal grading and almost no existing trees will be removed to accommodate the garage's construction.

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 not received any letters and/or comments at the time this report was written and completed for distribution in this regard.

- 14) The review of the City's files indicates the City of Wildwood's Board of Adjustment has not granted any variances to this property, but in its vicinity three (3) cases have been considered. These cases include the following:
- a. 10-01 Barry Custom Homes – 17735 Orrville Road – front yard of 25' in lieu of 50' and height of 21' in lieu of 6' for retaining wall – Department recommended denial – Board denied;
 - b. 23-01 Barry – 17735 Orrville Lane – front yard of 0' in lieu of 30' – waterfall – Department recommended approval – Board approved; and
 - c. 23-13 Alioto – 17770 Orrville road – Board horse on temporary basis – Department recommended approval – Board approved.

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 petitioner has established a practical difficulty relating to the physical characteristics of the site - its very difficult topography.
2. The location of existing improvements dictate a location of this requested nature on the subject lot and, with the current design, allows for the logical use of them for the purposes of this accessory structure. By utilizing existing improvements for access and maneuverability, less grading and tree removal is required.
3. The impact of this request appears to be minimal and isolated to the abutting property to the south of the subject site. However, this impact is substantially mitigated by the elevation change (abutting dwelling is at a higher elevation) and the retention of trees in the remaining five (5) feet of lot area. Additionally, this nearby dwelling on the lot to the south of the subject site is approximately 175 feet away from the proposed detached garage.

Recommendation:

Based upon the above-listed Findings of Fact, the Department recommends the requested variance be approved.

Respectfully submitted,
CITY OF WILDWOOD
Department of Planning