

CITY OF WILDWOOD RECORD OF PROCEEDINGS

**MEETING OF THE BOARD OF ADJUSTMENT
WILDWOOD CITY HALL
16860 MAIN STREET
AUGUST 18, 2016**

The Board of Adjustment meeting was called to order by Vice-Chair Garrett, at 7:00 pm, on August 18, 2016, in the Wildwood City Hall Council Chambers, located at 16860 Main Street. Members present were:

- Mikel Garrett, Vice-Chair
- Bob Morris, Board Member
- Mary Giles, Board Member
- Bob Nandor, Board Alternate
- Andrew Bolazina, Board Alternate

Department of Planning staff and Officials present were:

- Joe Vujnich, Director of Planning
- Kathy Arnett, Assistant Director of Planning
- John A. Young, City Attorney

Vice-Chair Garrett noted four (4) cases were on the agenda for consideration, however, the petitioner of the final request was seeking a postponement. Board Member Giles made a motion to postpone action on variance request **B.A. 18-16 Scott Fieser**, until the next meeting on September 15, 2016. The motion was seconded by Board Alternate Bolazina. Having heard no further discussion or objections, Vice-Chair Garrett called the question, with the following results:

Ayes – Morris, Giles, Nandor, Bolazina, and Garrett

Nays – none

The motion passed unanimously and **B.A. 18-16 Scott Fieser** was postponed to the next meeting.

B.A. 18-16 Scott Fieser, 10 Whitsetts Fork Ridge Road, Wildwood, Missouri 63038 - requests exceptions to the Minimum Yard Requirements (General) and the Outdoor Game Court Standards for the purpose of maintaining an outdoor game court, with lighting, at 10 Whitsetts Fork Ridge Road (Locator Number 26V430121; Whitsetts Fork Subdivision - Plat 4, Lot 1), which would thereby authorize the following: (1.) a side yard setback distance of zero (0) feet in lieu of the required thirty (30) foot standard; and (2.) a light standard height of twenty (20) feet in lieu of the required sixteen (16) 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 Six**)

Assistant Director Arnett read the first case into the record, upon the Chair's request.

B.A. 15-16 Cornerstone Baptist Church, 17617 Manchester Road, Wildwood, Missouri 63038, c/o Bill Yount Signs, 2002 Woodson Road, St. Louis, Missouri, 63114 - requests an exception to the Minimum

Yard Requirements (General) for the purpose of replacing a monument sign at 17617 Manchester Road (Locator Number 23W140190, known as Parcel A of the Boundary Adjustment Plat of Part of Lot 2 of the Joel R. Frazier Estate Subdivision), which would thereby authorize a front yard setback distance of seven (7) feet in lieu of the required fifty (50) 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 One)**

INITIAL COMMENTS: After Director Vujnich noted the pertinent codes, the affidavit of the meeting's public posting, and the file compiled for this request for the record, Assistant Director Arnett provided a slide presentation, giving the Board a visual description of the subject property.

PRESENTED BY: Erin Schroeder, Bill Yount Signs, 2002 Woodson Road, St. Louis, Missouri, 63114 was sworn in by Court Reporter Tallman, as the petitioner's representative, then provided her testimony regarding the necessity for this variance.

SPEAKERS IN FAVOR/OPPOSITION: None

ADDITIONAL ITEMS: After discussion regarding the age of the current sign, Director Vujnich reviewed the Department's report and recommended the Board support the request.

BOARD DECISION: Board Alternate Nandor made a motion to approve the variance request. The motion was seconded by Board Member Giles. Having heard no further discussion or objections, Vice-Chair Garrett called the question, with the following results:

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

The motion passed unanimously and the variance was approved.

Assistant Director Arnett read the next case into the record, upon the Vice-Chair's request.

B.A. 16-16 Kyle and Cassie Steiniger, 944 Strecker Road, Wildwood, Missouri 63005 – request an exception to the Minimum Yard Requirements (General) for the purposes of installing a detached garage at 944 Strecker Road (Locator Number 20U140247, Hawk Valley Estates Subdivision, Lot 1), which would thereby authorize a front yard setback distance of zero (0) feet in lieu of the required thirty (30) foot standard. This detached garage would have an overall size of 1,040 square feet. This request is contrary to the requirements of Chapter 415.070 FP Floodplain District Regulations and Chapter 415.110 R-1 One-Acre Residence District Regulations of the City of Wildwood Zoning Ordinance. **(Ward Two)**

INITIAL COMMENTS: After Director Vujnich noted the pertinent codes, the affidavit of the meeting's public posting, and the file compiled for this request for the record, Assistant Director Arnett provided a slide presentation, giving the Board a visual description of the subject property.

PRESENTED BY: Kyle and Cassie Steiniger, 944 Strecker Road, Wildwood, Missouri, were sworn in by Court Reporter Tallman, as the petitioners and property owners, then stated their testimony regarding the necessity for this variance, as well as their rationales for the selected location of the garage, which included less cost and preservation of their viewscape in the rear yard.

SPEAKERS IN FAVOR/OPPOSITION: Robert Gilsinger, 2111 Hawk Valley Drive, Wildwood, Missouri, 63005, spoke in opposition to the request.

Jason Kinser, 7777 Bonhomme Avenue, Suite 1400, St. Louis, Missouri, 63105, stated he is the attorney for the Gilsinger Family and spoke in opposition to the request.

ADDITIONAL ITEMS: Discussion was held regarding alternate locations for the garage, the tree that would need to be removed, the subdivision indentures, and the homeowner's business.

BOARD DECISION: Board Member Giles made a motion to approve the requested variance. The motion failed for lack of a second.

Board Member Morris then made a motion to deny the requested variance. The motion was seconded by Board Alternate Nandor. Having heard no further discussion or objections, Vice-Chair Garrett called the question, with the following results:

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

The motion passed by a vote of 4-1 and the variance was denied.

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

B.A. 17-16 Pond Athletic Association, P.O. Box 111, Wildwood, Missouri 63040 - requests exceptions to the *Minimum Yard Requirements (General)* and the *Particular Yard Requirements* that are part of the Amended Conditional Use Permit (CUP) governing the use of these properties for the purposes of installing five (5) of the authorized nine (9) athletic field light standards at 1613 and 1725 Pond Road (Locator Number 22W330051 and 22W330042), which would thereby authorize the following: (1.) a side yard setback distance of five (5) feet in lieu of the required fifty (50) foot standard for proposed athletic field light standard labeled B4 on the submitted plans; (2.) a side yard setback distance of twenty-two (22) feet in lieu of a forty (40) foot standard for proposed athletic field light standard labeled C1 on the submitted plans; and (3.) a height of seventy (70) feet in lieu of the required sixty (60) foot standard for four (4) athletic field light standards identified as B1, B2, B3, and B4 on the submitted plans. The other four (4) athletic field light standards meet the requirements of the governing permit and require no action from the Board of Adjustment. This request is contrary to the requirements of Chapter 415.070 FP Floodplain District Regulations and Chapter 415.090 NU Non-Urban Residence District Regulations of the City of Wildwood Zoning Ordinance and the Amended Conditional Use Permit (CUP) granted by the City of Wildwood in 2006, governing these properties. **(Ward One)**

INITIAL COMMENTS: After Director Vujnich noted the pertinent codes, the affidavit of the meeting's public posting, and the file compiled for this request for the record, Assistant Director Arnett provided a slide presentation, giving the Board a visual description of the subject property.

PRESENTED BY: Keith Ellis, 17131 Lafayette Trails Drive, Wildwood, Missouri, 63038, President of Pond Athletic Association and Jeff Plunkett, 16815 Kingstowne Way Drive, Wildwood, Missouri, 63011, Past President of Pond Athletic Association (PAA), were sworn in by Court Reporter Tallman, as the petitioners and representatives of PAA, then stated their testimony regarding the necessity for this variance.

SPEAKERS IN FAVOR/OPPOSITION: Keith Dunn, 1336 Pond Road, Wildwood, Missouri, 63038, spoke in opposition of the variance request.

Penny Scholl, 17261 Portland Crest Court, Wildwood, Missouri, 63038, spoke in opposition of the variance request, particularly the athletic light standards, where additional height was requested.

Bill Sandbothe, 813 Babler Park Drive, Wildwood, Missouri, 63005, noted he is the caretaker for the property located at 1333 Pond Road, which is adjacent to the ballfields, and he spoke in opposition of the variance request.

ADDITIONAL ITEMS: Discussion was then held regarding the following: the height of the proposed and existing standards; the City's outdoor lighting requirements; the issues of glare, light trespass, and shielding; and the potential impact on adjacent properties.

BOARD DECISION: Board Member Morris made a motion to separate the two (2) variance requests into individual votes. The motion was seconded by Board Member Giles. A voice vote was taken on the motion, with no opposition.

A motion was made by Board Member Nandor to approve the requested setback variances. The motion was seconded by Board Alternate Bolazina. Having heard no further discussion or objections, Vice-Chair Garrett called the question, with the following results:

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

The motion passed by a vote of 4-1 and the variance was granted.

A motion was made by Board Member Giles to approve the additional height on the four (4) athletic field light standards, as requested. The motion failed for lack of a second.

A motion was made by Board Alternate Bolazina to deny the height variance. The motion was seconded by Board Member Morris. Having heard no further discussion or objections, Vice-Chair Garrett called the question, with the following results:

Ayes – Morris, Garrett, Nandor, and Bolazina

Nays – Giles

The motion passed by a vote of 4-1 and the variance was denied.

Adjournment:

With the final case having been postponed, there were no further cases on the docket for consideration, and hearing no objections by the Board, Vice-Chair Garrett declared the meeting adjourned at 8:45 p.m.