

CITY OF WILDWOOD RECORD OF PROCEEDINGS

MEETING OF THE BOARD OF ADJUSTMENT
WILDWOOD CITY HALL
16860 MAIN STREET
JUNE 20, 2019

The Board of Adjustment meeting was called to order by Vice-Chair Garrett, at 7:04 pm, on June 20, 2019, in the Wildwood City Hall Council Chambers, located at 16860 Main Street. Members present were:

- Mikel Garrett, Vice-Chair
- Deborah Coleman, Board Member
- Jared Frank, Board Member
- Bob Nandor, Alternate

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

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

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

B.A. 10-19 Matthew & Kelly Godi, 278 Bountiful Pointe Circle, Wildwood, Missouri 63040 - request an exception to the Natural Resource Protection Standards for the purpose of completing the installation of a fence, which will encroach into a portion of the **100% protected area** upon the subject property, which is located at 278 Bountiful Pointe Circle (Locator Number 24U410531, Enclaves at Cherry Hills Subdivision, Plat 4, Lot 45), with the lot currently being zoned 'R-1A' 22,000 square foot Residence District, with a Planned Residential Development Overlay District [PRD]. This request is contrary to the requirements of Chapter 415.120 'R-1A' Residence District Regulations of the City of Wildwood's Zoning Ordinance, Chapter 420.200 Natural Resource Protection Standards of the City of Wildwood's *Subdivision and Development Regulations*, and Planned Residential Development Overlay District Ordinance #865. **(Ward Eight) This item was postponed at the May 16, 2019 Meeting and no action was taken.**

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, Assistant Director Arnett provided a slide presentation, giving the Board a visual description of the subject property and surrounding area.

PRESENTED BY:

Matthew Godi, 278 Bountiful Pointe Circle, Wildwood, Missouri, 63040, was sworn in by Court Reporter Tallman, as the property owner and petitioner. He provided testimony regarding the necessity

for this variance to allow the installation of a fence to curb a severe trespassing issue on his property.

SPEAKERS IN
FAVOR/OPPOSITION:

None

ADDITIONAL ITEMS:

Director Vujnich noted the Department's recommendation supports the requested variance, based on the petitioner's testimony at the May meeting, which delineated, in detail, the trespass and subsequent littering issues on the property.

BOARD DECISION:

Member Frank made a motion to approve the installation of the fence within the Natural Resource Protection Area, which was seconded by Member Coleman. Having heard no further discussion or objections, Vice-Chair Garrett called the question and took roll, with the following results:

Ayes – Coleman, Frank, Nandor and Garrett

Nays – none

The motion passed unanimously and the variance was approved, as requested, and as recommended by the Department's Recommendation Report.

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

B.A. 12-19 Glen & Brenda Keely, 1412 Bald Eagle Road, Wildwood, Missouri 63038 - request an exception to the Minimum Yard Requirements (General) for the purpose of constructing an accessory structure, i.e. 12'x16' storage shed, upon the property located at 1412 Bald Eagle Road (Locator Number 26U510037; Old State Farms Addition – Plat 1, Lot 30), thereby authorizing a side-yard setback distance of twenty-six (26) feet, in lieu of the thirty (30) foot standard, from the lot's southern boundary line. 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)**

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, Assistant Director Arnett provided a slide presentation, giving the Board a visual description of the subject property and surrounding area.

PRESENTED BY:

Glen and Brenda Keely, 1412 Bald Eagle Road, Wildwood, Missouri, 63038, were sworn in by Court Reporter Tallman, as the petitioners and owners of the property. They provided their testimony regarding the necessity for this variance, which was premised on the steep slope of their property and subsequent limited locations for an accessory structure to be constructed, as well as, into the subject setback area their desire to save a grand oak tree, which required the encroachment.

SPEAKERS IN
FAVOR/OPPOSITION:

None

ADDITIONAL ITEMS:

Director Vujnich noted the Department's recommendation supports the requested variance.

BOARD DECISION:

Alternate Nandor made a motion to approve the variance, as requested. The motion was seconded by Board Member Coleman. Having heard no further discussion or objections, Vice-Chair Garrett called the question and took roll, with the following results:

Ayes – Coleman, Frank, Nandor, and Garrett

Nays – none

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

Closing Comments & Adjournment:

The next meeting of the Board will be held on July 18, 2019, pending submittal of variance requests. With the final case completed, no others on the docket for consideration, and hearing no objections by the Board, Vice-Chair Garrett declared the meeting adjourned at 7:51 p.m.