



An appeal to exceed, by 2', the maximum
height for fences of 6', as required by
City Code Section 10-19-3(C).

Appeal Case #940 1203 Vista Ct

0 30 60 120 Feet

CITY OF MUSCATINE

APPEAL UNDER THE ZONING ORDINANCE

NOTE: This appeal must be filed within thirty (30) days of the decision or refusal of the Zoning Administrator, from which this appeal is taken.

Board of Adjustment Case No.: 940

Filed: May 19, 2015

BOARD OF ADJUSTMENT
CITY OF MUSCATINE, IOWA

Ladies and Gentlemen:

On May 19, 2015, the undersigned applied for (a building/an occupancy) permit to
Construct an 8' fence around a pool.

Located on Lot 14 Block _____ Addition Brossart-Lucas 3rd Addition Address 1203 Vista Court
_____ in the R-3 Zoning District.

This permit was refused because (this is to be completed by the Zoning Administrator):
The fence exceeds the maximum height of 6 feet established by City Code Section 10-19-3 (C).

The above decision of the Zoning Administrator is hereby appealed on the grounds that
See attached.

Very truly yours,

APPELLANT SIGNATURE

Mona Manatt, Sue Cox & William Cox (co-tenants)

PRINT NAME

1203 Vista Court, Muscatine

ADDRESS

563-260-3693

PHONE

Fee Paid: \$150.00 5/19/15

Receipt No.: 18184

Date of Hearing: 07/07/15

Notice Sent: 06/30/15

Approved by Andrew Fangman: Yes

Filing fee is \$150.00.

**APPLICANT, OR REPRESENTATIVE FOR, MUST BE
PRESENT AT MEETING FOR ACTION TO BE TAKEN.**

CHECK LIST

- Request must be submitted two weeks prior to meeting date. Board meets the first Tuesday of each month.
- Letter of explanation for request.
- Site plan.
- Names & addresses of property owners within 200 feet of property lines.

Tuesday, May 19, 2015

I, Mona Manatt, and cotenants Sue Cox (my daughter) and William Cox, (son-in-law) are please asking that we be granted a waiver/variance to have 24" of lattice work to be allowed on top of the 6' fence around the above ground pool in our back yard. This request is based on the following:

- 1) We had an above ground pool and 4' deck on one side of the pool with a 6' fence surrounding the pool and deck built in June 2014.
- 2) The deck is 4' in height to allow easy access to the pool. The fence surrounding the pool and deck is 6' in height. After the construction of the deck and fence we realized that the fence only allowed for 2' of privacy from the two busy streets (Bidwell Rd and Wier St) and the neighbors directly behind us. Feeling like we ~~had~~ had no privacy while sunbathing and sitting on the deck, we installed 24" of lattice work on two sides of the fence. We were unaware that we could not place this on the existing fence.
- 3) Our home, located at 1203 Vista Ct, is on a corner lot of Vista Ct and Bidwell Rd. Again with the deck being 4', the fence being 6', that only left 2' of privacy from the busy St of Bidwell Rd and of the adjacent street, Wier St, which there is a stop sign at the intersection of Bidwell Rd and ~~Wier~~ St. Cars stopping at this intersection could see directly over the

(2)
(cont)

fence and see anyone sitting or standing on the deck, which is bothersome when trying to relax in bathing attire.

4) The neighbors directly behind us could view the same, anyone sitting or standing on the deck in bathing attire.

5) We want to add that the lattice work is not solid, but can be seen through, but does offer a bit of privacy when sitting on the deck, however when standing, anyone on the deck can be seen by the streets (Bidwell Rd and Wier St) and by the neighbors behind us.

6) We are asking for the 24" of lattice work on the two sides of the fence to be able to remain, on the street side of Bidwell Rd and the intersection of Wier St and Bidwell Rd, and on the back side of the fence that faces a partial view of Bidwell Rd and the neighbors directly behind us.

7) Please note that the back side ^{of the fence} is 7' from the property line of the neighbors directly behind us. The only reason we are asking for the lattice to remain is for privacy only while sunbathing and in bathing attire.

8) Please note that our lot slopes midway in the back of our yard, so at the end of the side where the deck is located, the 6' fence also descends with that slope. While the deck remains at 4', in

(page 3)
(cont)

places that does not even leave 2' of privacy to the back of us.

- a) The lattice work can be seen through, and when standing on the deck, anyone driving by on Bidwell or stopping at Wier St stop sign, or the neighbors to the back of us can still see from the streets or the neighbors to the back of us from their yard and windows, primarily their sliding glass door.
- b) My mother has planted numerous trees in the past to the back side of the lot for privacy, long before the fence was in place. They all died, resulting in the cost of the trees and the lack of privacy that they would have offered.
- c) We ask that you please take into consideration the reasoning for the placement of the lattice work on the fence. We are not trying to cause harm to anyone, it is only for privacy.

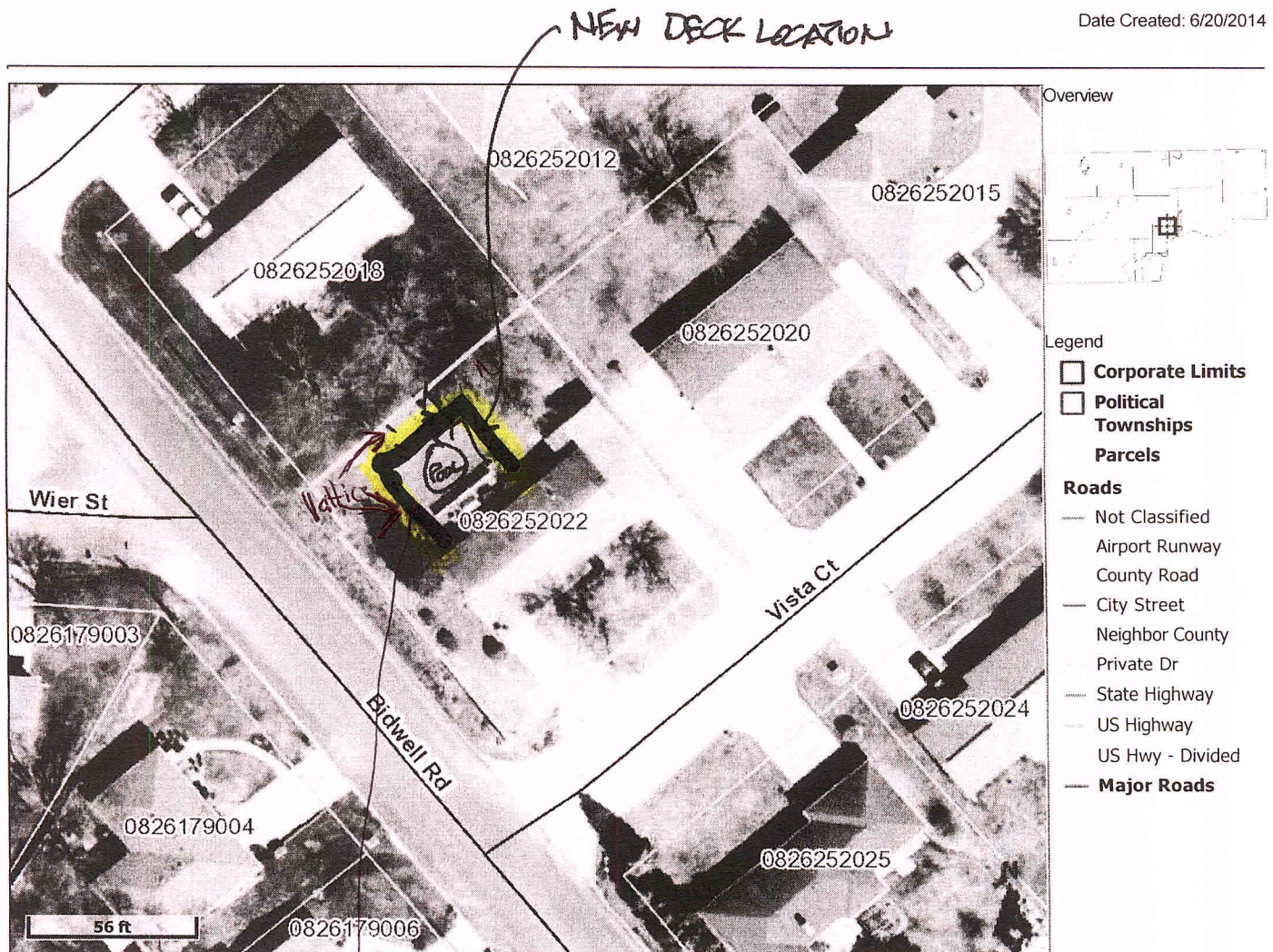
Sincerely,

Gloria Maratt
Dae Coy
William Coy

Muscatine Area Geographic Information Consortium (MAGIC)



Date Created: 6/20/2014



Parcel ID 0826252022
Sec/Twp/Rng 26-77-2
Property Address 1203 VISTA CT
 MUSCATINE

Alternate ID n/a
Class R - RESIDENTIAL
Acreage n/a

Owner Address MANATT MONA I
 1203 VISTA CT
 MUSCATINE IA 52761

District MCMUU - MUSCATINE CITY/MUSCATINE SCH/MUSCATINE FIRE
Brief Tax Description LOT 14 BROSSART-LUCAS 3RD ADD 6 PL 414
 (Note: Not to be used on legal documents)

Last Data Upload: 6/20/2014 7:31:30 AM

developed by
 The Schneider Corporation
www.schneidercorp.com

Fence 6' high around pool.
 7' from property line to neighbors back of us.
 Lattice would be 24" on side facing Bidwell Rd + Wier St, and on back side facing

