

BASIS FOR VARIANCE SOUGHT:

- Will the land in question yield a reasonable return without a variance being granted? (can the land be used for its intended purpose without the variance)
 - The land is useable, we just want to add a fence for privacy.

- Is the hardship unique to your property and not a general condition of the neighborhood?
 - No, it is not unique there are fences all around my neighborhood. There are even 6ft fences around the neighborhood.

- Will granting the variance alter the character of the surrounding area?
 - No, the surrounding area characteristics will not be altered. A fence is a normal property characteristic, ours is just needing an exception since we would greatly appreciate a 6ft fence all around our home to be granted.

State why you feel the variance should be granted:

- I believe this variance should be granted because as a homeowner with children, their safety comes first. I do not think 4ft is high enough personally. I also do not think putting up a 6ft high fence is a public safety issue nor does it obstruct the vision triangle for passengers.

PRIMARY CONTACT, IF DIFFERENT FROM APPLICANT:

____ Same as above ____
NAME

ADDRESS

PHONE

FAX

EMAIL

Signature of Appellant: ____ Sabahudin Sabic ____

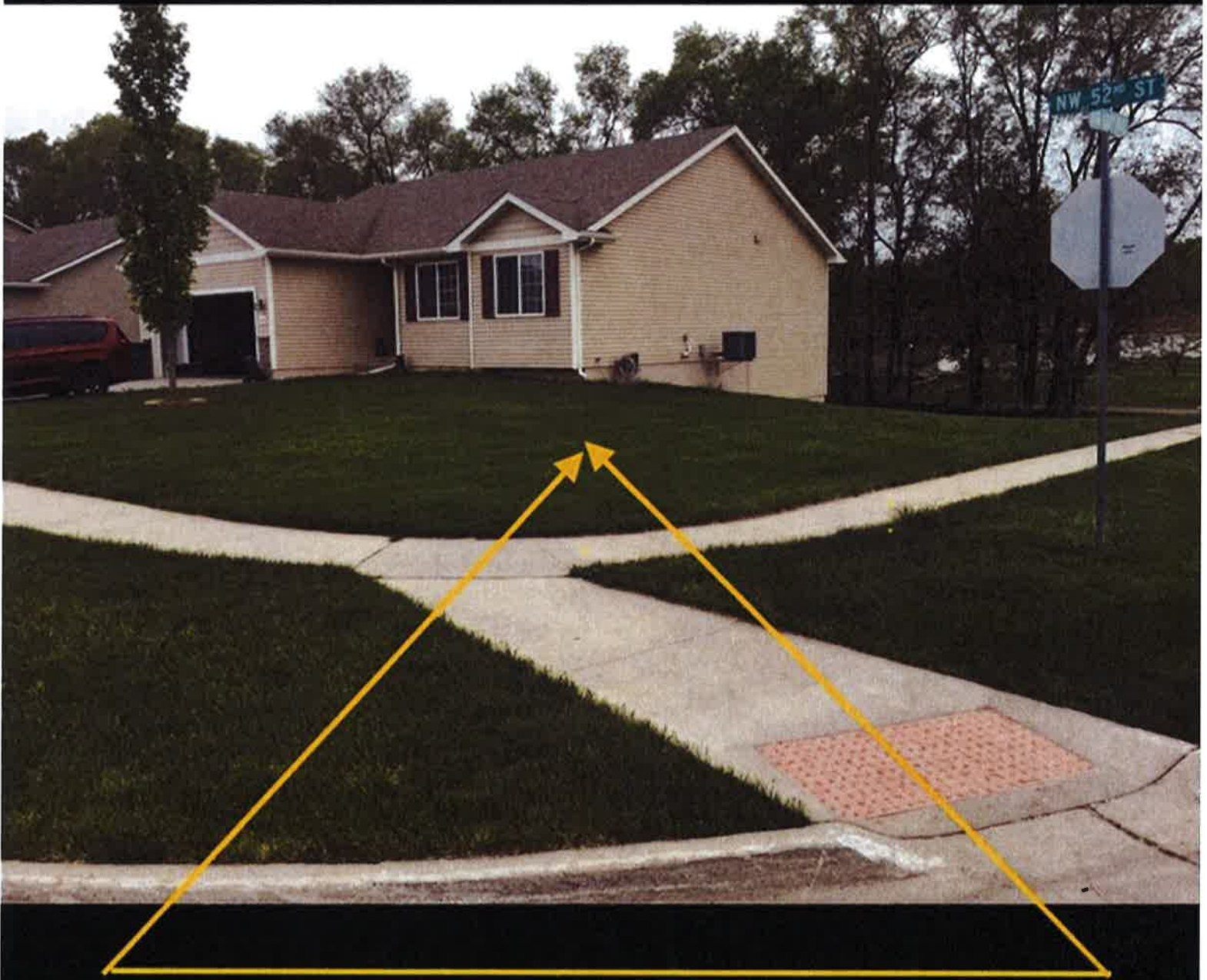


With application, please include filing fee:

- In residential and agricultural zones..... \$ 60.00
- In all other zoning districts..... \$ 100.00

The application should also include all background information needed. If you have oversized sheets (larger than 11"x17"), please submit 10 copies of each.

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Vision triangle 15ft will
be visible all around for
passengers to see

is visible all around.

6 ft all around 🙏
Please



Fence will be properly put over the water drainage. There of course will

Aaron Wolfe

From: seri sabic <sssabic1990@hotmail.com>
Sent: Thursday, May 07, 2020 8:29 PM
To: Aaron Wolfe
Subject: Re: Fence
Attachments: Application for Variance.docx; fence pic.jpg; vision triangle.jpg

Aaron:

I filled out the form as best as I could. I attached two pictures of my home. I would like to add additional reasons for my wish of a 6ft fence.

I had problems in the past with vehicles not stopping at the stop sign on my corner lot, it was a big on-going issue and there is records with the Johnston police department of me always calling to get something done about this. Nothing really resolved, but my children do not freely play outside either. The standard 4ft fence does not offer privacy or safety in my opinion, anyone can just reach right over the fence. A 6ft fence, what we wish to put up, would offer that privacy for my family and myself, it has a safer feel to it as well.

I also believe having a 6ft fence does not obstruct the vision triangle for passengers. Once at the stop sign, vehicles can still see both ways as the fence would be alongside the house, like I drew in the picture. In my opinion, I do not believe the fence would be in the way of anyone's vision.

I hope my picture demonstrations prove what I am trying to explain what I would like-- Please let me know if you need additional drawings/comments from me or anything else that I can help with and move the process along.

I will call tomorrow 05/08/20 to pay the fee with the admin assistant.

Thank you,
--Saba

From: Aaron Wolfe <awolfe@cityofjohnston.com>
Sent: Thursday, May 7, 2020 10:41 AM
To: seri sabic <sssabic1990@hotmail.com>
Subject: RE: Fence

Seri,

The Board of Adjustment can grant a variance when you can demonstrate the following factors:

1. The property exhibits exceptional narrowness, shallowness, or shape of a specific piece of property, or where by reason of exceptional topographical conditions or other extraordinary or exceptional site conditions;
2. The above exceptional condition is not self-inflicted or the result of actions of the property owner;
3. A strict application of our ordinance prohibits use of the property in a manner reasonably similar to that of other property in the same district,

#1 and 2 are usually not too hard to demonstrate. With #3 you need to argue that our ordinance prohibits use of the property. I can't really say what the likelihood is of the board granting a variance, but #3 is what causes most requests

to be denied because it's generally difficult to say the inability to construct a fence prohibits use of the property (after all, it's been usable as-is since constructed).

The Board meets once a month. You missed the deadline for May. The June meeting is June 19th and I would need your application by May 22.

I don't believe you can apply for a variance online. However, you can fill out the attached application, scan and return to me. You will need to pay the fee over the phone right now. Or mail the application to our offices with a check. If paying by phone, call our admin assistant at 727-7778. She can confirm the fee, but I believe it's \$60.

When filling out your application, please don't simply answer the questions with "yes" or "no". Be as descriptive in your request as possible and provide drawings and photos as necessary to support the application. You will need to submit a site plan showing your property lines and the proposed fence location. With regard to that drainage flume shown in your aerial, it is likely located in an "overland flowage easement". Such an easement generally prohibits construction of a structure or fence that would obstruct the flow of water.

Each variance request is to be considered on it's own merits (previous decisions of the board do not form a precedent. If a variance is awarded, it does not go into effect until 30 days after the decision of the board (July 19th at earliest).

If you have further questions, please let me know.



Aaron Wolfe, AICP

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o: 515.727.7766 | c: 515.249.2393 | e: awolfe@cityofjohnston.com

[website](#) | [facebook](#) | [twitter](#) | [Linkedin](#)

From: seri sabcic <sssabic1990@hotmail.com>
Sent: Tuesday, May 05, 2020 11:22 AM
To: Aaron Wolfe <awolfe@cityofjohnston.com>
Subject: Fence

Hello,

My name is Saba and I submitted a permit for a fence. I talked to John with the city of Johnston who gave me your email— I submitted a permit application for a 6ft fence all around my yard I am at:

5902 NW 52Nd
Johnston, IA 50131

It is a corner lot, I'll attach the picture I sent John as well. I wanted to further my discussion with you since he proposed I talk to you about a possible variance for exception on my lot.

I look forward to hearing from you as my family and I would really like a 6ft fence for more privacy of course. The fence will be back away enough I don't believe it effects the vidim triangle.

Thank you,