



# CITY OF RAPID CITY

RAPID CITY, SOUTH DAKOTA 57701-2724

## CODE ENFORCEMENT

Mailing Address: 300 Sixth Street  
 Office Location: 333 Sixth Street  
 Telephone: 605-355-3465  
 email: codeenforcement@rcgov.org

NOTICE AND ORDER  
 INTERNATIONAL PROPERTY MAINTENANCE CODE  
 CERTIFIED MAIL  
 RETURN RECEIPT REQUESTED

April 13, 2009

Donald R. & Lori A. Ebsen  
 4827 Mandalay Lane  
 Rapid City, SD 57701

**RE:** Property located at 4827 Mandalay Lane, legally described as Lot 21 of Block 2 of South Pointe Subdivision.

Dear Donald R. & Lori A. Ebsen:

The City of Rapid City recently inspected the property listed above. This inspection revealed that a portion of the fence on the property is over the required 4 foot front yard height. According to Rapid City Municipal Code, fences over 4 feet high along a front yard setback require a variance in residential zones.

### 15.40.020 Residential, general agriculture, park forest and public zoning districts.

A. *Fences and walls.* Fences and walls may be erected or maintained; provided that no fence or wall over 4 feet in height shall be erected or maintained in any front yard. The exception to this is sound barrier walls and screening fences less than 6 feet in height located along major streets, the design and materials of such fences shall require Council approval, and the petitioner shall send by certified mail to the adjacent property owner's written notice of the date of such Council meeting. On corner lots, fences shall be permitted in 1 of the front yards provided the fence does not extend any closer to the public right-of-way than the building line of a principal building which has been permitted within the standard front yard set-back. Fences and walls located along side or rear yards shall not exceed a height of 6 feet.

RECEIVED

MAY 7 2009

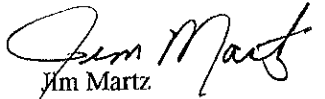
Rapid City Growth  
 Management Department

CITY SOLON  
 - Brad Sullivan  
 394-4157  
 ---  
 Dave Butler  
 431-1000  
 343-2113

The City of Rapid City requires that you take steps to bring your property into compliance with the City Code. All required permits must be obtained by **May 13, 2009**. The City will inspect your property again on **June 15, 2009**. If the property is not in compliance with City Code at that time, Section 106.3 of the Property Maintenance Code gives the City the authority to institute appropriate proceedings at law or equity to restrain, correct or abate the violations. The costs of any action taken by the City to correct the violations on this property shall be charged at your expense and shall become a lien against this property. In addition, the City can charge you criminally for violating the City Code.

If you wish to appeal the staff's determination that the structures located on your property violate the City Code you must do so in writing to the City's Building Official, who is located on the second floor of the City/School Administration Building at 300 Sixth Street here in Rapid City, within **20 days** of receiving this letter.

Sincerely,

  
Jim Martz  
Code Enforcement Officer  
cc. attached photo

**RECEIVED**

MAY 7 2009

Rapid City Gr.  
Manager