



# CITY OF RAPID CITY

RAPID CITY, SOUTH DAKOTA 57701-2724

Building Inspection Division

Code Enforcement

300 Sixth Street

605-355-3465 • FAX 605-394-6636

13 December 2000

**NOTICE AND ORDER**

**UNIFORM CODE FOR THE ABATEMENT OF DANGEROUS BUILDINGS**

**CERTIFIED MAIL**

**RETURN RECEIPT REQUESTED**

Stath Mantzeoros

915 Halley Avenue

Rapid City, SD 57701

**RE:** Properties located at 2710 Eglin Street and Lot 1A of Lot 1 of SE1/4SE1/4 .

Dear Stath Mantzeoros:

With the direction of the Rapid City Council, Code Enforcement Division has completed re-inspections of the properties located at above address. We have also received information from the Rapid City Fire Department concerning this property. At this time, your property is in violation of the Rapid City Municipal Code and declared a public nuisance. All below listed violations and issues must be corrected and the property must be brought up in compliance with the Rapid City Municipal Code.

1. During the early morning hours of 29 Oct 2000, Rapid City Fire Department inspectors conducted an occupancy check at 2710 Eglin Street. According to the inspectors, there were an excess of 500 people inside the main building. It was a dance event organized for young adults.

**This main building was declared substandard on 23 November 1999.** Since November 1999, none of the required repairs have been completed and/or no permits have been applied to. Additionally, without an occupancy certificate and disregarding the minimum life and safety requirements, this building was rented to this group, to be used in violation of the Rapid City Municipal Code. According to the Fire Department inspectors, had a fire or other building emergency occurred during the dance event, serious injury and fatalities would have occurred.

According to the 23 November 1999, certified notice and order; "The Building Official deemed the building substandard according to the Uniform Code for the Abatement of the Dangerous Buildings. **The building must be kept secured against entry until the code deficiencies are corrected or repaired.** Final inspections must be completed prior **to occupying the building for any purpose or use.**

Due to the substandard nature of the building on the property, as described in the Uniform Code for the Abatement of Dangerous Buildings, the Building Official has ordered the main building to be **demolished by or before 15 January 2001.**

A demolition permit must be obtained before commencing the demolition.

A written appeal of the demolition order may be made to the Office of the Building Official within thirty (30) days. Failure to appeal will result in the waiver of all rights to an administrative hearing. Copy of the appeal sample is enclosed.



EQUAL HOUSING  
OPPORTUNITY

EQUAL OPPORTUNITY EMPLOYER



Stath Mantzeoros  
915 Halley Avenue  
Rapid City, SD 57701

2. This property is zoned General Commercial. According to the ordinance, outdoor storage of building materials is allowed **only** if they are screened by a seven-foot opaque fence. Existing military net cover is not considered an opaque fence **and must be replaced with a seven-foot opaque fence by no later than 15 January 2001.**
3. The sale, storage and sorting of junk, waste, discarded or salvaged materials, machinery and equipment is not permitted in the General Commercial Zoning District. All such items must be removed from the property.
4. Salvage operations, the sale of rock-sand-gravel, roofing operations and a contractor's equipment yards are not permitted in the General Commercial Zoning District. All such activities must be removed from this property.
5. Dwelling units in the General Commercial Zoning District are only allowed if they are above the ground floor. A detached caretaker's residence may be permitted as a use on review in conjunction with the facility, only if the lot area exceeds five acres. This lot is only 1.83 acres. Using the existing building as a residence is in violation of the Rapid City Municipal Code, Sec (17.18.020- (21) and Sec. (17.18.030- (16).
6. Tar distillation or tar productions manufacturing is a permitted use in the Heavy Industrial Zoning District. (Sec. 17.24.020). It is not a permitted use in the General Commercial Zoning District. All such activities must be removed from this property.
7. There are several inoperative and/or unlicensed vehicles, parts, tires, dismantled machinery and debris on the property. These are considered public nuisances and must be removed from the property. An ordinance amending § 8.16.010 of Chapter 8.16 of the Rapid City Municipal Code relating to nuisances requires that any such violations must be removed from the property.  
Amended Rapid City Municipal Code § 8.16.010 states in pertinent part:  
*No person or persons, owner, occupant or person in charge of any house, building, lot or premises, create, maintain or commit, or permit to be created, maintained or committed, any public nuisance.*
  1. **R.C.M.C. §8.28.010 – “Noxious matter”** in that the property contains trash, garbage and other material that is strewn about or otherwise apparently abandoned, including but not limited to; trash, junk, appliances;
  2. **R.C.M.C. §8.28.020 – “Prohibited conditions”** in that the property contains noxious matter which is declared to be a nuisance.
  3. **R.C.M.C. §10.56.020 --“Nuisance Declared”** in that if the property contains junk motor vehicles, which are, declared to be a nuisance.

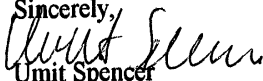
**Stath Mantzeoros**  
915 Halley Avenue  
Rapid City, SD 57701

I am therefore providing you notice that within 30 days of receipt of this Notice, the property must be brought into compliance concerning all above listed violations. Failure to do so will result in the City initiating all appropriate abatement procedures, with all associated costs to be borne by the owner.

Appeals to this notice may be made in writing and must be received by the Building Official within 30 days of its receipt. The address is: 300 Sixth Street, Rapid City, SD 57701. Failure to appeal will result in the waiver of all rights to an administrative hearing.

Thank you for your prompt attention to this matter.

Sincerely,

  
Umit Spencer  
Ordinance Officer

Cc: City Attorney's Office

Enclosures: Appeal sample

**BEFORE THE  
BOARD OF APPEALS  
OF THE CITY OF RAPID CITY**

**APPEAL OF STATH MANTZEOROS**

1. Stath Mantzeoros owns the property at 2710 Eglin Street and Lot 1A of Lot 1 of the SE1/4 SE1/4.
2. Stath Mantzeoros appeals the demolition order dated December 13, 2000. Appellant seeks time to bring the large structure on this property into compliance with the applicable building code. It is Appellant's intention to have a qualified electrician, plumber, and roofer to perform repair work on this structure to bring it into compliance. The electrician and plumber should be able to complete their work within 100 days. The roofing work will be completed as weather allows.
3. The issues raised in the December 13, 2000, demolition order involving property outside the large structure above referred involves property owned by tenant Kent Hazelrigg and/or his associates. Appellant will be communicating with the City and Mr. Hazelrigg about complying with any ordinances that apply. The December 13, 2000, demolition order does not specify in detail the items that need to be fenced and/or removed from the property and therefore, it is difficult for this Appellant to evaluate the violation allegations. However, this Appellant or his representative will communicate with the City to determine the specifics of the allegations and will see to it that any violations of any ordinance or code are remedied.
4. With reference to the residence located on the above-referred property, this property has been used as a residence of Kent Hazelrigg for over 20 years and was used as a

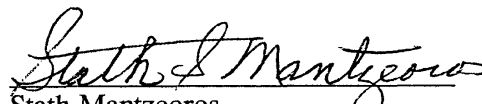
residence by Mr. Hazelrigg at the time that this property was zoned General Commercial and has been continuously used by Mr. Hazelrigg as his residence since that time.

5. Mr. Mantzeoros does have a health concern relating to his heart, and that may cause some problem as far as his ability to monitor the work that needs to be done on the above-referred property. However, his medical concerns are being addressed and hopefully treatment will allow him to assist in remedying any ordinance or building code violations.

6. The demolition of the structures on the above-referred land would cause a great financial hardship upon the Appellant since it is the Appellant's intention to bring this building up to code and sell the same. Appellant has owned this property since 1960. The larger building was built about 1980.

WHEREFORE, your Appellant requests this Board to dismiss the demolition order and to give him ample time to bring the large structure into code, to remove and/or fence personal property located on the subject land and to stop any activity which is barred by applicable ordinances.

Dated this 29<sup>th</sup> day of December, 2000.

  
Stath Mantzeoros  
915 Halley Avenue  
Rapid City, SD 57701



**LaFleur, LaFleur & LaFleur, P.C.**

*Attorneys at Law*

815 St. Joe Street  
Mailing Address P.O. Box 8147  
Rapid City, South Dakota 57709

(605) 343-4322

Robert F. LaFleur  
Mitchell C. LaFleur  
Jon J. LaFleur

Telecopier  
(605) 343-2098

December 29, 2000

Office of Building Official  
300 Sixth Street  
Rapid City, SD 57701

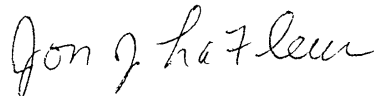
Re: Appeal by Stath Mantzeoros  
Our File No. 00077

Dear Building Official:

Enclosed is an Appeal by Stath Mantzeoros of the demolition order dated December 13, 2000. Please process the same. Thank you.

Sincerely yours,

LaFleur, LaFleur & LaFleur, P.C.



Jon J. LaFleur

JJL:mks  
Enc.

cc: Tamara Pier, City Attorney (w/enc.)

## **Spencer Umit**

---

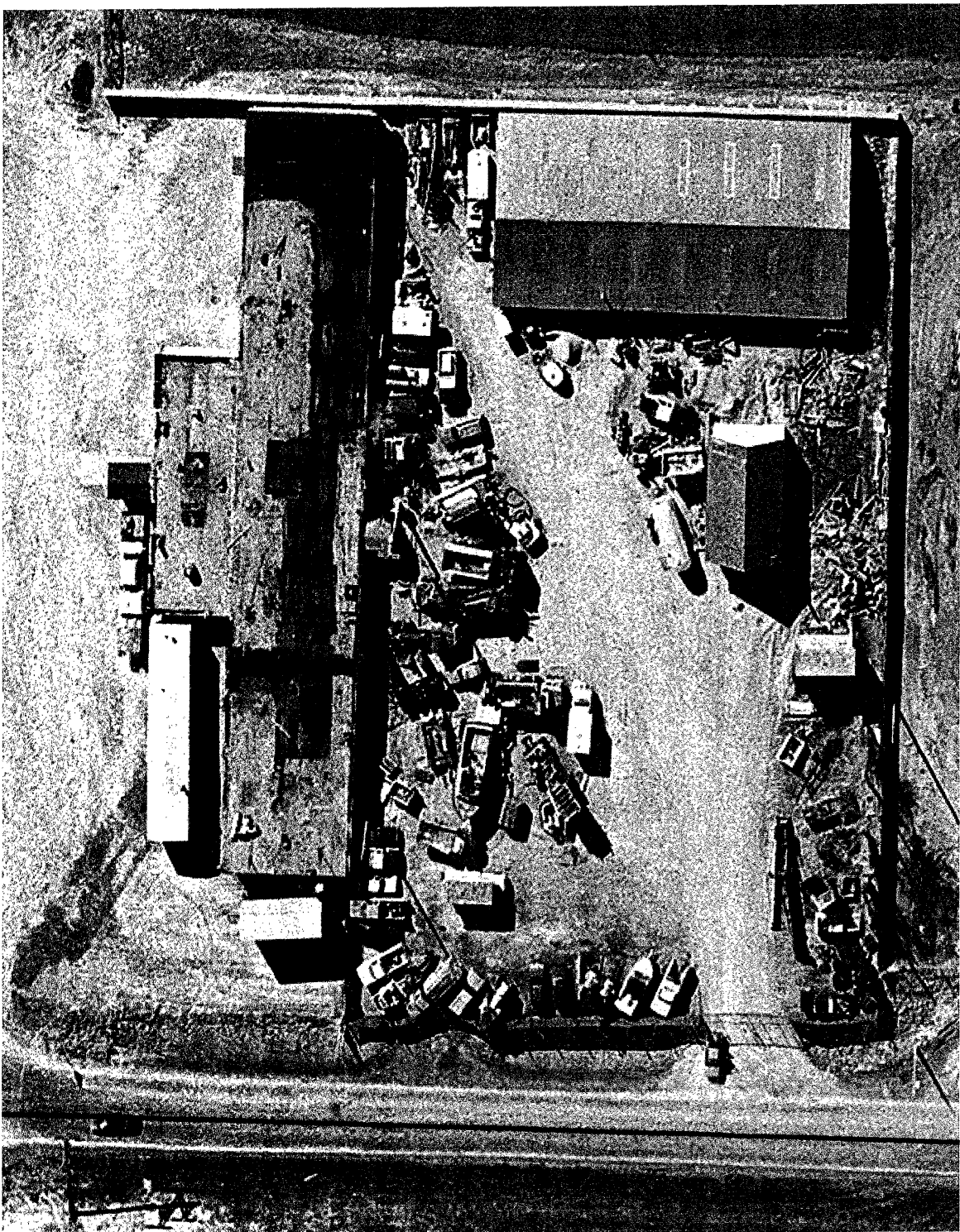
**From:** Svoboda Ed  
**Sent:** Wednesday, January 03, 2001 7:47 AM  
**To:** Spencer Umit  
**Subject:** VERIFICATION OF SERVICES

This memo is to advise you that there are no city water or sewer services to the property of 2710 Eglin. They must be on a private well and have a septic system.

Ed

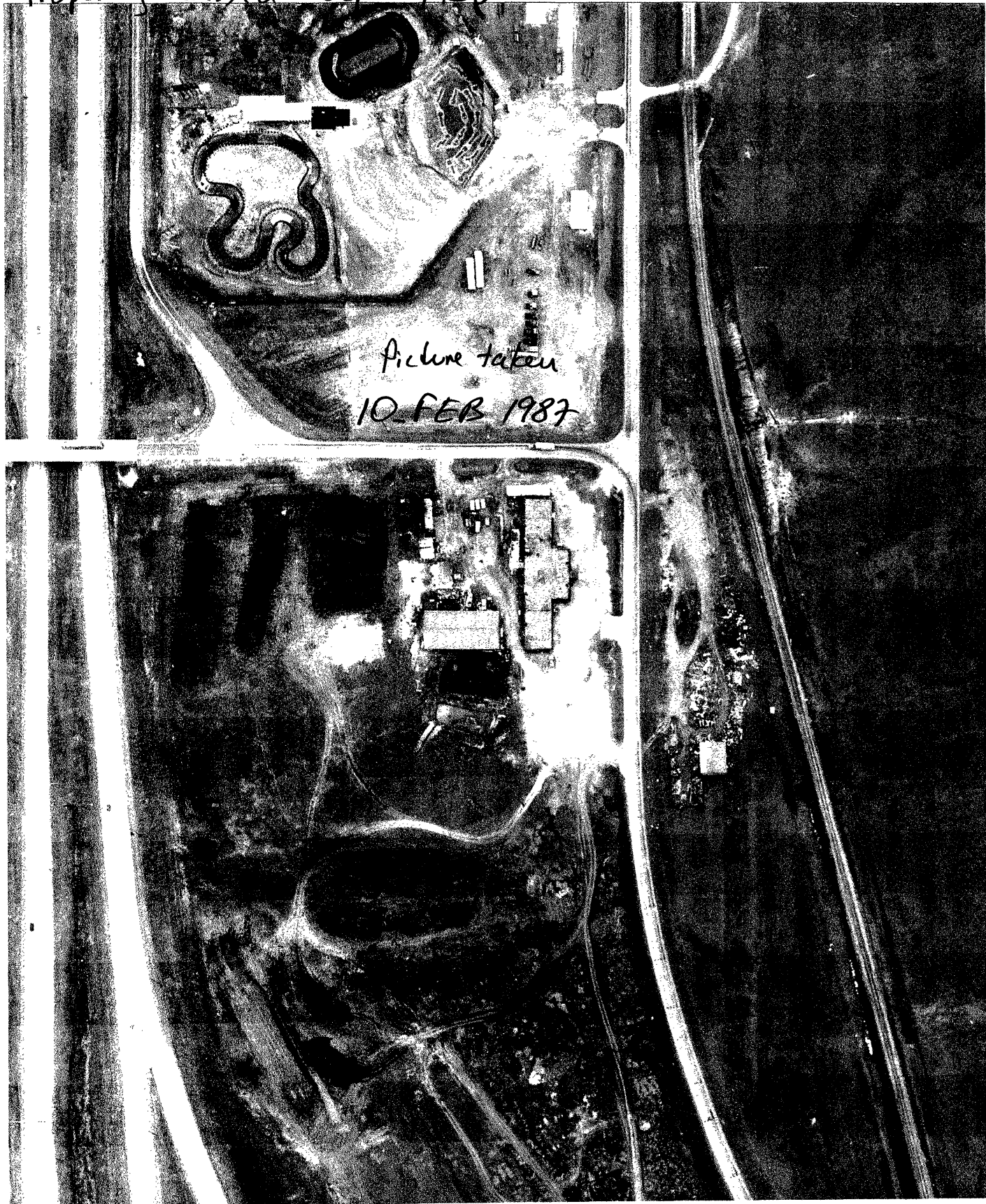


# 2710 Eglin St



RC Roads

Property annexed Sept 1986



Picture taken  
10 FEB 1987



# CITY OF RAPID CITY

RAPID CITY, SOUTH DAKOTA 57701-2724

**Building Inspection Division**

**Code Enforcement**

**300 Sixth Street**

**605-355-3465 • FAX 605-394-6636**

November 23, 1999

**NOTICE AND ORDER**

**UNIFORM CODE FOR THE ABATEMENT OF DANGEROUS BUILDINGS**

**CERTIFIED MAIL**

**RETURN RECEIPT REQUESTED**

Sam Marris

915 Halley Avenue

Rapid City, SD 57701

**RE:** Property located at 2710 Eglin Street.

Dear Sam Marris:

Rapid City Building Inspection and Code Enforcement Divisions have completed inspections of the property located at above address. These inspections revealed that above building is not being used at this time and it is secured against entry.

The Building Official deemed the building substandard according to the Uniform Code for the Abatement of the Dangerous Buildings. The building must be kept secured against entry until the code deficiencies are corrected or repaired. Final inspections must be completed prior to occupying the building for any purpose or use. Copies of the inspection reports are attached for required repairs. The owner upon completion of the repairs must request required follow-up and final inspections. Please contact each Inspector personally, if you have any questions.

1. Due to the substandard nature of the buildings on the property, as described in the Uniform Code for the Abatement of Dangerous Buildings:

**Section 302, paragraph 4: ... any portion thereof has been damaged .....**

**Section 302, paragraph 15: Inadequate maintenance.....Unsanitary.....unfit for human habitation....**

Structural, electrical and mechanical permits must be obtained prior to repairs, before commencing any work.  
**Licensed contractors must carry out all repair work.**

A written appeal of this order may be made to the Office of the Building Official within thirty (30) days. Failure to appeal will result in the waiver of all rights to an administrative hearing. Copy of the appeal sample is enclosed.

Thank you for your prompt attention to this matter.

Sincerely,

Umit Spencer  
Ordinance Officer

Enclosures: Appeal sample + Inspectors' reports



EQUAL OPPORTUNITY EMPLOYER



INSPECTOR'S REPORT

CITY OF RAPID CITY

300 SIXTH STREET RAPID CITY SD 57701

(605) 394-4157

PERMIT NUMBER

ADDRESS 2710 Eplin  
OWNER Sam Morris  
CONTRACTOR(S)

DATE 10-27-1999  
TIME

INSPECTION(S) NEEDED:

- Electrical
- Plumbing
- Mechanical
- Concrete
- Other
- Excavation
- Framing
- Final
- JOB COMPLETE

DESCRIPTION OF INSPECTION

PREMISES USED FOR

CORRECTIONS/COMMENTS: SS 10:30 a.m. 11-10-1999

1-UNIT Heater

~~THE~~ only Heating Device That Appears To Be operable is installed improperly. Shall Be Fixed By A Licensed Mechanical Contractor Prior To occupying space

You are hereby notified to immediately correct the conditions as stated above. Re-inspection will be conducted after \_\_\_\_\_ days from date of service of this notice.

*Subert*

INSPECTOR

11-10-99  
DATE

CUSTOMER COPY

INSPECTOR'S REPORT

CITY OF RAPID CITY

300 SIXTH STREET RAPID CITY SD 57701

(605) 394-4157

PERMIT NUMBER

ADDRESS 2710 Eplin  
OWNER Sam Morris  
CONTRACTOR(S)

DATE 10-27-99  
TIME

INSPECTION(S) NEEDED:

- Electrical
- Plumbing
- Mechanical
- Concrete
- Other
- Excavation
- Framing
- Final
- JOB COMPLETE

DESCRIPTION OF INSPECTION

PREMISES USED FOR

CORRECTIONS/COMMENTS: SS 10:30 a.m. 11-10-1999 Wed

Plumbing has been altered over the years. Illegal fixtures & drains throughout the west end of building - Water off & winterized at time of inspection - Need to meet with a licensed contractor at the site to review corrections required

You are hereby notified to immediately correct the conditions as stated above. Re-inspection will be conducted after \_\_\_\_\_ days from date of service of this notice.

*Dave B*  
INSPECTOR

11/10/99  
DATE

CUSTOMER COPY

INSPECTOR'S REPORT

CITY OF RAPID CITY

300 SIXTH STREET RAPID CITY SD 57701  
(605) 394-4157

PERMIT NUMBER

ADDRESS 2710 Egleu

OWNER Sam Morris

CONTRACTOR(S)

DATE 10-27-99  
TIME

INSPECTION(S) NEEDED:

- Electrical
- Plumbing
- Mechanical
- Concrete
- Other
- Excavation
- Framing
- Final
- JOB COMPLETE

DESCRIPTION OF INSPECTION

PREMISES USED FOR

CORRECTIONS/COMMENTS: SS 10:30 a.m. 11-10-1999

1. THE ROOF HAS LEAKED FOR YEARS - IT PROBABLY NEEDS REPLACEMENT - NOT JUST THE ROOF, BUT STRUCTURAL ELEMENTS

2. DRAINAGE OF LOT IN FRONT IS BAD

3. THE INTERIOR IS FULL OF JUNK, ~~AND~~ DEBRIS ETC

You are hereby notified to immediately correct the conditions as stated above. Re-inspection will be conducted after \_\_\_\_\_ days from date of service of this notice.

See Clark  
INSPECTOR

11-10-99  
DATE

CUSTOMER COPY

INSPECTOR'S REPORT

CITY OF RAPID CITY

300 SIXTH STREET RAPID CITY SD 57701  
(605) 394-4157

PERMIT NUMBER

ADDRESS 2710 Egleu

OWNER Sam Morris

CONTRACTOR(S)

DATE 10-27-99  
TIME

INSPECTION(S) NEEDED:

- Electrical
- Plumbing
- Mechanical
- Concrete
- Other
- Excavation
- Framing
- Final
- JOB COMPLETE

DESCRIPTION OF INSPECTION

PREMISES USED FOR

CORRECTIONS/COMMENTS: SS 10:30 a.m. 11-10-1999

Electrical is in total disrepair

Open splices

Cord shall not be used for permanent wiring of lights & equipment

Bones & Raceways shall be properly supported

Openings in boxes & Panels - Covers & R.O.'s Missing

Service Equipment not accessible

Interior Bones, Raceways, & Fittings broken & pulled apart exposing conductors

Excavation Raceways, Bones, Fittings & Raceways shall be w.r.

Federal Pacific Panel has wiring over exposed hot energized parts

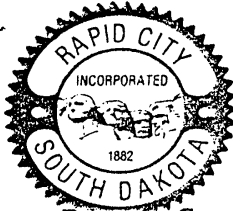
IF REPAIRS ARE NOT MADE ELECTRICAL SHOULD BE DISCONNECTED

You are hereby notified to immediately correct the conditions as stated above. Re-inspection will be conducted after 30 days from date of service of this notice.

Denise Hall  
INSPECTOR

11-10-99  
DATE

CUSTOMER COPY



# CITY OF RAPID CITY

RAPID CITY, SOUTH DAKOTA 57701-2724

Building Inspection Division  
Code Enforcement  
300 Sixth Street  
605-355-3465 • FAX 605-394-6636

RETURN OF CERTIFIED MAIL  
REQUESTED  
November 23, 1999

Sam Marris  
915 Halley Avenue  
Rapid City, SD 57701

RE: Property located at 2710 Eglin Street.

Dear Sam Marris:

Due to complaints, this office has completed inspections of the back portion of above listed property and the neighboring properties. These inspections revealed that the back portion of the property is in violation of the Rapid City General Commercial Zoning Ordinance and Nuisance Ordinance. Accumulation of such used materials, unlicensed and/or inoperative vehicles and debris on above property is a public nuisance and must be cleaned up. During our inspection, we were informed that the dilapidated building in the back would be removed from the property.

I am enclosing a copy of the General Commercial Zoning Ordinance for your information.

An ordinance amending § 8.16.010 of Chapter 8.16 of the Rapid City Municipal Code relating to nuisances requires that any such violations must be removed from the property.

Amended Rapid City Municipal Code § 8.16.010 states in pertinent part:

*No person or persons, owner, occupant or person in charge of any house, building, lot or premises, create, maintain or commit, or permit to be created, maintained or committed, any public nuisance.*

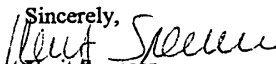
1. *R.C.M.C. §8.28.010 – “Noxious matter”* in that the property contains trash, garbage and other material that is strewn about or otherwise apparently abandoned, including but not limited to; trash, junk, appliances;
2. *R.C.M.C. §8.28.020 – “Prohibited conditions”* in that the property contains noxious matter which is declared to be a nuisance.
3. *R.C.M.C. §10.56.020 – “Nuisance Declared”* in that if the property contains junk motor vehicles, which are, declared to be a nuisance.

I am therefore providing you notice that within 30 days of receipt of this Notice of Violation the property must be brought into compliance. Failure to do so will result in the City initiating all appropriate abatement procedures, with all associated costs to be borne by the owner.

Appeals to this notice may be made in writing and must be received by the Building Official within 30 days of its receipt. The address is: 300 Sixth Street, Rapid City, SD 57701. Failure to appeal will result in the waiver of all rights to an administrative hearing.

Thank you for your prompt attention to this matter.

Sincerely,

  
Umit Spencer  
Ordinance Officer

Cc: Anthony E. Crawford, Attorney At Law



EQUAL OPPORTUNITY EMPLOYER

NOV 24 1999

1676 -