

8/5/10

Bart and Mary Swanson
4519 Steamboat Circle
Rapid City, SD 57702

Brad Solon
Rapid City Growth Management Department
300 6th St.
Rapid City, SD 57701

Dear Mr. Solon,

On July 30, 2010, we received a violation notice from you and the Growth Management Department stating that the 12 year old fence in our back yard violates Rapid City Municipal code 15.40. We have now been asked to reduce the height of this fence from 6 feet to 4 feet. We wish to apply for a fence height variance and respectfully ask you to consider the following:

1. In 1998, we replaced an existing fence after consulting with the building inspection department. At that time we were advised that a backyard fence could be no higher than 6 feet and we built it accordingly.
2. RCMC 15.40.020 states, "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 fence in question is clearly in our back yard. (Please refer to attached photographs.)
3. The fence is within our property boundaries. When we purchased our home in 1991, the parcel of land directly behind us belonged to High Place Condominiums. This is supported by the attached letter from Mely Rahn of the Rapid City Engineering Division on October 5, 1993. After receiving the violation notice, we questioned why our back yard is considered a frontage, especially since we did not believe our property was adjacent to Chapel Lane.

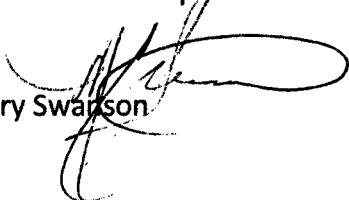
You and other members of the Growth Management Department have professionally and patiently answered our questions and have updated us on the change in ownership regarding the parcel of land behind our home.

We respectfully request that a height variance be granted for our existing fence and we will gladly provide any other information that might assist you in making this decision.

Bart Swanson



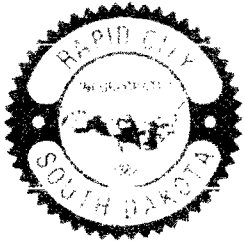
Mary Swanson



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AUG - 9 2010

Rapid City Growth
Management Department



CITY OF RAPID CITY

RAPID CITY, SOUTH DAKOTA 57701-2724

Engineering Division

300 Sixth Street

605-394-4154 • FAX 605-394-6636

October 5, 1993

CERTIFIED MAIL

Barton L. and Mary O. Swanson
4519 Steamboat Circle
Rapid City, SD 57702

RE: Sidewalk Construction: Lot D of Lot 10 of Block 1, Chapel Valley
4519 Steamboat Circle

Dear Mr. and Mrs. Swanson:

I have checked ownership of the land adjacent to Chapel Lane, and it appears that there is a parcel of land located between your property and the Chapel Lane right of way. Therefore, this letter is notification that you will not be required to install a sidewalk along Chapel Lane as your property does not abut the Chapel Lane right of way.

Please disregard the letter of September 24, 1993. I regret any inconvenience this letter may have caused you.

If you have any questions, please contact me at this office.

Sincerely,

CITY OF RAPID CITY

Mely Rahn, P.E.
Project Manager

CC: Larry Kostaneski, Engineering Division Manager

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AUG - 9 2010

Rapid City Growth
Management Department