

**DEMERSSEMAN JENSEN TELLINGHUISEN**  
**STANTON & HUFFMAN, LLP**

---

L A W Y E R S

PO Box 1820, RAPID CITY, SD 57709-1820  
 516 FIFTH STREET, RAPID CITY, SD 57701

MICHAEL B. DEMERSSEMAN  
 CURTIS S. JENSEN  
 THOMAS W. STANTON  
 MICHAEL V. WHEELER  
 RICHARD E. HUFFMAN  
 GREGORY J. SPERLICH  
 ROGER A. TELLINGHUISEN

TELEPHONE  
 605-342-2814

July 13, 2011

FAX  
 605-342-0732

VIA HAND DELIVERY

Planning Department  
 Brett Limbaugh, Director  
 Growth Management Department  
 City of Rapid City  
 300 Sixth Street  
 Rapid City, SD 57701

RE: Notice of Appeal

Dear Mr. Limbaugh:

Pursuant to the provisions of Rapid City, SD Code of Ordinances, 17.54.030(F), please consider this letter Steve Wynia and Damon Reel's appeal of the Rapid City Planning Commissions' denial of their request for a conditional use permit to allow an on-sale liquor establishment, Request No. 11UR014, for Lots 1, 2, 3 and 4 of Block 26 of South Boulevard Addition located in Section 12, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at 703 and 705 Indiana Street, Rapid City, South Dakota 57701. It is my understanding that the hearing was held on July 7, 2011, and by delivery of this letter to you, such appeal will be processed according to the ordinance.

The reason for this appeal is that the action of the planning commission was arbitrary and capricious, and contrary to the law and ordinances in such cases provided for.

Please confirm receipt of this appeal by email to [reh@demjen.com](mailto:reh@demjen.com).

Very truly yours,



Richard E. Huffman [reh@demjen.com](mailto:reh@demjen.com)  
 DEMERSSEMAN JENSEN TELLINGHUISEN  
 STANTON & HUFFMAN, LLP

REH/bjm  
 cc client

**RECEIVED**

JUL 13 2011

**Rapid City Growth  
 Management Department**