

## Public Works Committee:

Why reward the favor of a variance to a resident who constantly breaks codes until called upon & forced to live by the given code.

Please take a moment & read my letter, regarding the reason, why I think Mr Bourne should not be granted the fence height exception.

From past & present day experience with Mr. Bourne, we have found he does not want to comply with city or county codes unless forced upon him.

An example: He use to let his terrier dog run loose all over our neighborhood. Mr. Bourne's dog entered my yard, bit my brother, tearing his jogging pants & breaking his skin. I told Mr. Bourne, "that his dog had entered my yard & bit my brother." Mr. Bourne laughed & stated, "I'll be damn, I didn't think he had it in him."

Mr. Bourne let that dog run every day, my husband & I couldn't step out of our house, to bring in our mail or shop without his dog barking & biting at us. That dog acted like our yard & driveway was his territory.

Finally, I was left with no choice but to drive to the Animal Shelter & I filed a complaint against Mr. Bourne & his dog.

The following day, I was in my front yard when Officer Brown spoke to Mr. Bourne about his dog. Mr. Bourne told Officer Brown, "that it was Todd's (another neighbor's) dog that was running loose, that the dogs resembled each other & everyone kept getting them confused." I yelled at Officer Brown, "he's lying."

At a later date, I saw officer Brown. He said, "he had a heck of a time getting the point across to Mr. Bourne that his dog & cat can't run loose, no animal at large." Mr. Bourne still lets the cat run & I constantly clean up behind it.

Another Example: Kevin Bourne decided to open his own automobile painting business in his garage, that's attached to his house. He was actually sanding & painting cars in his garage, He's aware he lives in a private residence, people living next door, people living across the street, children playing outside his house, breathing in all the paint particles & fumes. He was also aware, OSHA has set standards & codes for proper ventilation. His idea of ventilation was, open the regular sized door on the north side of the garage & open the large garage door on the south side & let the wind blow the paint particles & fumes on your neighbors.

We all called the code department, all agencies that dealt with this newest, health hazard he presented us with, Mr. Bourne was

quickly made aware that you can't paint cars in your garage in a private residential neighborhood, but he continued to do so.

Weeks later, on a Thursday night, we watched a lady give Mr. Bourne a check & left her car at his house. Early that same Saturday morning, he was painting her car. He knew, the code department & all other agencies were closed, no one could call & report his painting of that car.

I called the police department, Officer Doug Povel came to my house. He said, "that paint smell is horrible." Officer Povel went over to Mr. Bourne's residence & had a good talk with him. The painting of that car ceased & he has never painted another car.

Whenever my husband & I want to make any improvements or changes to our property, we call the city & the county to find out what limits & guidelines that are set forth for us, to work within.

We put up a privacy fence. Before we had a contractor come in & erect the fence, my husband called the city. He was told, "our 6 foot privacy fence had to sit back 25 feet from the sidewalk." We complied, & our fence was built within code.

When we decided to put up a chain link fence to enclose our entire front yard, my husband again called the city to make sure that none of the codes had changed.

We enclosed our front yard because we had homeless camping out, they were bathing fully clothed in our sprinkler when watering & they approached us, asking for money. We had problems of stray dogs in the yard, dogs grabbing the back of our legs when we were mowing.

I, too, would have loved to put up a 6 foot wood privacy fence all around my yard, I would have a larger back yard to enjoy.

Mr. Bourne should have filed for this variance before he built this fence. Again, he does what he wants until he's forced to comply.

If everyone in our city & county built or did as they pleased, what would this fair city look like or become? There are reasons why these codes are set forth & why all of us must live within them not just a selected few.

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Rapid City Growth  
Management Department

Thank you  
Linda Bishop