

**DEADWOOD PLANNING AND ZONING COMMISSION**

**Wednesday, October 17, 2018 – 5:00 p.m.**  
City Hall, 102 Sherman Street, Deadwood, SD

**AGENDA**

1. Call Meeting to Order
2. Approval of September 12, 2018 Minutes
3. Planning and Zoning Commission and Board of Adjustments  
**Consolidation Parcels – Deadwood Stage Run Addition – Joseph Lee Schmitz Trust**  
Lot 8A, Block 2 of Palisades Tract of Deadwood Stage Run Addition, Formerly Lots 6A, 6B and 8 of Block 2; All located in the SW ¼ Section of 14, the SE ¼ of Section 15, the NE ¼ NE ¼ of Section 22 and the N ½ NW ¼ of Section 23, T.5N, R.3E, B.H.M., City of Deadwood, Lawrence County, South Dakota  
Action Required:
  - a. Approval/Denial by Planning and Zoning
  - b. Approval/Denial by Deadwood Board of Adjustments
4. Items from Staff
  - a. Comprehensive Plan
  - b. Main Street Master Plan
  - c. Downtown Gathering Space
5. Adjourn

CITY OF DEADWOOD  
PLANNING AND ZONING COMMISSION  
Wednesday, September 19, 2018

The meeting of the Deadwood Planning and Zoning was called to order by Chairperson Tony Biesiot on Wednesday, September 19, 2018, at 5:00 p.m. in the Deadwood City Hall Meeting Room, located at 102 Sherman Street, Deadwood, SD 57732.

**Planning and Zoning Commission Present:** Tony Biesiot, Jim Shedd, Bill Rich and Brett Runge

**Absent:** John Martinisko

**Board of Adjustments Present:**

**Staff Present:**

Bob Nelson, Jr. and Bonny Anfinson

**Approval of September 5, 2018 Minutes:**

*It was moved by Mr. Shedd and seconded by Mrs. Runge to approve the September 5, 2018 meeting minutes. Aye - All. Motion carried.*

**Planning and Zoning Commission and Board of Adjustments:**

**Findings of Fact and Conclusion - 79 Sherman Street - Rellik Tattoo/Dustin Flynn**

Mr. Nelson Jr. stated before you is the Findings of Fact and Conclusion for the request for Conditional Use Permit for Rellik Tattoo, Dustin Flynn. The Board of Adjustments will review at the City Commission meeting. *It was moved by Mr. Rich and seconded by Mr. Shedd to approve the Findings of Fact and Conclusion for 79 Sherman Street, Rellik Tattoo, Dustin Flynn. Aye - All. Motion carried.*

**Separate Parking from Unusable Land - 612 to 614 Main Street - APEX 1996 LLC**

Mr. Nelson Jr. stated the applicant is requesting approval of a plat to determine boundaries of the parking area behind the structure. *It was moved by Mrs. Runge and seconded by Mr. Rich to approve the plat of Lots 1 and 2 of APEX SUBDIVISION; Formerly Lot Ij-1 of Block H, Lot 403A, Being a subdivision of probate lot 403, Lots I, J and K of Block H and Portions of Vacated Broadway Street, all located in the Original Town of Deadwood, City of Deadwood, Lawrence County, South Dakota. Aye - All. Motion carried.*

**Items From Staff** (no action taken)

- Mr. Nelson Jr. stated there is a copy of the proposed changes to the Sign Ordinance in your packet for review. Quentin has not provided guidance as of yet.

**Adjournment:**

*It was moved by Mrs. Runge and seconded by Mr. Shedd to adjourn the Regular Meeting of the Planning and Zoning Commission. Aye - All. Motion carried.*

There being no further business, the Planning and Zoning Commission adjourned at 5:09 p.m.

ATTEST:

\_\_\_\_\_  
Chairman, Planning & Zoning Commission

\_\_\_\_\_  
Secretary, Planning & Zoning Commission

Bonny Anfinson, Planning & Zoning Office/Recording Secretary

OFFICE OF  
PLANNING, ZONING AND  
HISTORIC PRESERVATION  
108 Sherman Street  
Telephone (605) 578-2082  
Fax (605) 578-2084



**Bob Nelson, Jr.**  
Planning & Zoning Administrator  
Telephone (605) 578-2082  
bobjr@cityofdeadwood.com

**STAFF REPORT  
PLANNING AND ZONING  
OCTOBER 17, 2018 JOINT MEETING**

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**APPLICANT:** Joseph Lee Schmitz Trust

**PURPOSE:** Consolidating Parcels

**GENERAL LOCATION:** Deadwood Stage Run Addition

**LEGAL DESCRIPTION:** Lot 8A, Block 2 of Palisades Tract of Deadwood Stage Run Addition, Formerly Lots 6A, 6B and 8 of Block 2; All located in the SW ¼ Section 14, the SE ¼ of Section 15, the NE ¼ NE ¼ of Section 22 and the N ½ NW ¼ of Section 23, T.5N, R.3E, B.H.M., City of Deadwood, Lawrence County, South Dakota

**FILE STATUS:** All legal obligations have been completed.

**ZONE:** R1 – Residential District

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**STAFF FINDINGS:**

Surrounding Zoning:

North: R1 - Residential  
South: Future Development Area  
East: R1 - Residential  
West: Future Development Area

Surrounding Land Uses:

Residential Dwellings  
Vacant  
Vacant Lots and Dwellings  
Vacant

**SUMMARY OF REQUEST**

The Final Plat for Lot 8A, Block 2 of the Stage Run Addition has been submitted to consolidate parcels of common ownership. The property is located off of Mt. Roosevelt Road and the lot fronts Stage Run. The address for Lot 8A, Block 2 is 749 Stage Run.

**FACTUAL INFORMATION**

1. The property is currently zoned R1 – Residential District
2. Lot 8A, Block 2, is comprised of 0.84 Acres±.
3. The subject property is located within a low density residential designation.
4. The property is not located within a flood zone or flood hazard zone.
5. Public facilities are available to serve the property.

6. The area is currently characterized by open space, many new homes, and homes under construction.

### **STAFF DISCUSSION**

The subject property is owned by a single owner and they desire to have three parcels consolidated into one parcel. The lot meets the area and bulk requirements for square footage.

1. The North Arrow is shown on the plat with a direct reference to the coordinate mapping system.
2. Land is identified with a new legal description for the transfer of the land.
3. Surveyor's Certificate is shown with the name of the surveyor and his registered land surveyor number.
4. A date is shown on the plat and serves to "fix in time" the data represented on the plat.
5. The street bounding the lot is shown and named.
6. All certifications are indicated and correct on the plat.
7. Dimensions, angles and bearings are shown along the lot lines.
8. Scale of the plat is shown and accompanied with a bar scale.
9. Area's taken out of the mineral survey and remaining acreage is indicated on the plat.

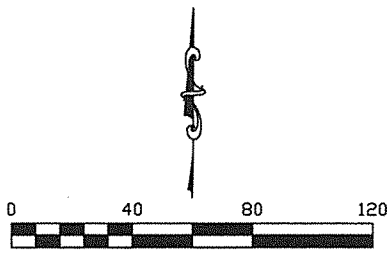
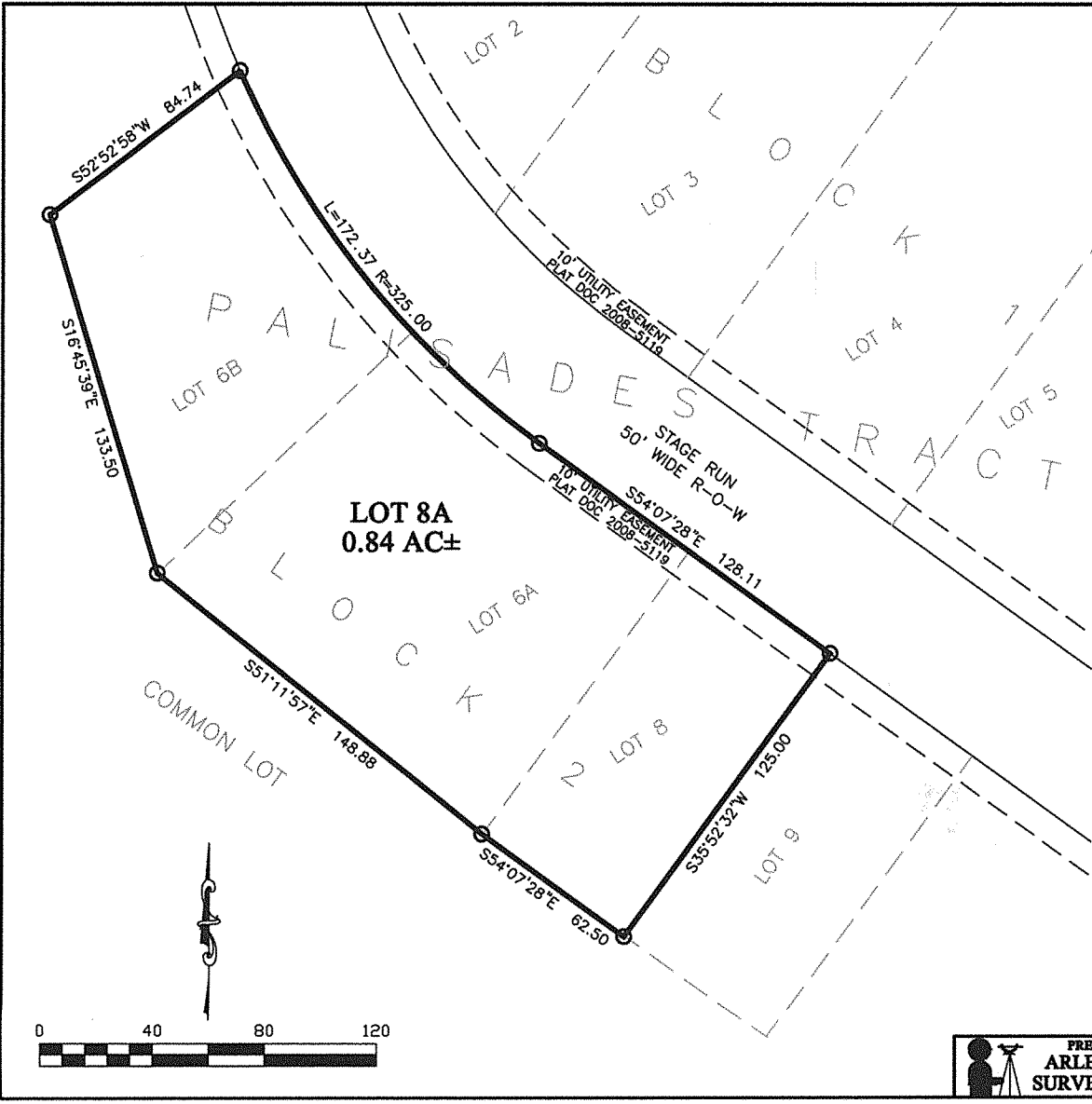
### **ACTION REQUIRED:**

1. Approval / denial by Deadwood Planning and Zoning Commission.
2. Approval / denial by Deadwood Board of Adjustment.

**PLAT OF LOT 8A, BLOCK 2 OF  
PALISADES TRACT OF DEADWOOD STAGE RUN ADDITION,  
FORMERLY LOTS 6A, 6B AND 8 OF BLOCK 2;  
ALL LOCATED IN THE SW1/4 SECTION 14, THE SE1/4 SECTION 15;  
THE NE1/4NE1/4 SECTION 22 AND THE  
N1/2NW1/4 SECTION 23, T5N, R3E, B.H.M.,  
CITY OF DEADWOOD LAWRENCE COUNTY, SOUTH DAKOTA**

**LEGEND:**  
 ● SET REBAR AND CAP STAMPED ARLETH & ASSOC. LS 3977  
 ○ FOUND MONUMENT AS NOTED

**NOTES:**  
 1. PROPOSED LOT AREA = 0.84 ACRES±;  
 PROPOSED R-O-W AREA = 0.00 ACRES±;  
 AVERAGE DENSITY PER LOT = 0.84 ACRES±  
 TOTAL PROPOSED PLATTED AREA: 0.84 ACRES±  
 EASEMENTS INCLUDED IN ALL AREAS.  
 2. 8' UTILITY EASEMENT ON INTERIOR OF ALL LOT LINES.  
 3. ZONING IS R1 AND PU PER CITY OF DEADWOOD ZONING MAP.  
 4. WE HEREBY GRANT EASEMENTS TO RUN WITH THE LAND FOR  
 WATER, DRAINAGE, SEWER, GAS, ELECTRIC, TELEPHONE, OR OTHER  
 PUBLIC UTILITY LINES OR SERVICES UNDER, ON OR OVER THOSE  
 PORTIONS OF LAND DESIGNATED HEREON AS EASEMENTS.



 PREPARED BY: <b>ARLETH LAND SURVEYING, LLC</b>	24 CLIFF ST. DEADWOOD, SD 57732 1-605-578-1637	DATE: OCTOBER 9, 2018 REV: SCALE: 1" = 40'	APPROVED: JMA DRAWN: FD FILE: 9078.dwg
	(Empty space for additional notes or signatures)		

**PLAT OF LOT 8A, BLOCK 2 OF  
PALISADES TRACT OF DEADWOOD STAGE RUN ADDITION,  
FORMERLY LOTS 6A, 6B AND 8 OF BLOCK 2;  
ALL LOCATED IN THE SW1/4 SECTION 14, THE SE1/4 SECTION 15;  
THE NE1/4NE1/4 SECTION 22 AND THE  
N1/2NW1/4 SECTION 23, T5N, R3E, B.H.M.,  
CITY OF DEADWOOD LAWRENCE COUNTY, SOUTH DAKOTA**

SURVEYOR'S CERTIFICATE

STATE OF SOUTH DAKOTA COUNTY OF LAWRENCE  
I, JOHN M. ARLETH, 24 CLIFF STREET, DEADWOOD, SD, DO HEREBY CERTIFY THAT I AM A LICENSED LAND SURVEYOR IN THE STATE OF SOUTH DAKOTA. THAT AT THE REQUEST OF THE OWNER AND UNDER MY SUPERVISION, I HAVE CAUSED TO BE SURVEYED AND PLATTED THE PROPERTY SHOWN AND DESCRIBED HEREON. TO THE BEST OF MY KNOWLEDGE, INFORMATION AND BELIEF, THE PROPERTY WAS SURVEYED IN GENERAL CONFORMANCE WITH THE LAWS OF THE STATE OF SOUTH DAKOTA AND ACCEPTED METHODS AND PROCEDURES OF SURVEYING.  
DATED THIS \_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
JOHN M. ARLETH, R.L.S. 3977

OWNER'S CERTIFICATE

STATE OF SOUTH DAKOTA COUNTY OF LAWRENCE  
\_\_\_\_\_, DO HEREBY CERTIFY THAT WE ARE THE OWNERS OF THE PROPERTY SHOWN AND DESCRIBED HEREON, THAT WE DO APPROVE THIS PLAT AS HEREON SHOWN AND THAT DEVELOPMENT OF THIS PROPERTY SHALL CONFORM TO ALL EXISTING APPLICABLE ZONING, SUBDIVISION, EROSION AND SEDIMENT CONTROL REGULATIONS.

OWNER: \_\_\_\_\_  
ADDRESS: \_\_\_\_\_

ACKNOWLEDGMENT OF OWNER

STATE OF SOUTH DAKOTA COUNTY OF LAWRENCE  
ON THIS \_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_, BEFORE ME THE UNDERSIGNED NOTARY PUBLIC, PERSONALLY APPEARED \_\_\_\_\_ KNOWN TO ME TO BE THE PERSON DESCRIBED IN AND WHO EXECUTED THE FOREGOING CERTIFICATE.

MY COMMISSION EXPIRES: \_\_\_\_\_  
NOTARY PUBLIC: \_\_\_\_\_

CERTIFICATE OF COUNTY TREASURER

STATE OF SOUTH DAKOTA COUNTY OF LAWRENCE  
I, \_\_\_\_\_, LAWRENCE COUNTY TREASURER, DO HEREBY CERTIFY THAT \_\_\_\_\_ TAXES WHICH ARE LIENS UPON THE HEREIN PLATTED PROPERTY HAVE BEEN PAID. DATED THIS \_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_.

LAWRENCE COUNTY TREASURER: \_\_\_\_\_

APPROVAL OF HIGHWAY AUTHORITY

STATE OF SOUTH DAKOTA COUNTY OF LAWRENCE  
THE LOCATION OF THE PROPOSED ACCESS ROADS ABUTTING THE COUNTY OR STATE HIGHWAY AS SHOWN HEREON, IS HEREBY APPROVED. ANY CHANGE IN THE PROPOSED ACCESS SHALL REQUIRE ADDITIONAL APPROVAL.

HIGHWAY AUTHORITY: \_\_\_\_\_

APPROVAL OF THE CITY OF DEADWOOD PLANNING COMMISSION

STATE OF SOUTH DAKOTA COUNTY OF LAWRENCE  
THIS PLAT APPROVED BY THE CITY OF DEADWOOD PLANNING COMMISSION THIS \_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
CITY PLANNER CHAIRMAN

APPROVAL OF THE CITY OF DEADWOOD BOARD OF COMMISSIONERS

STATE OF SOUTH DAKOTA COUNTY OF LAWRENCE  
BE IT RESOLVED THAT THE CITY OF DEADWOOD BOARD OF COMMISSIONERS HAVING VIEWED THE WITHIN PLAT, DO HEREBY APPROVE THE SAME FOR RECORDING IN THE OFFICE OF THE REGISTER OF DEEDS, LAWRENCE COUNTY, S.D. DATED THIS \_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_.

ATTEST: \_\_\_\_\_  
FINANCE OFFICER MAYOR

OFFICE OF THE COUNTY DIRECTOR OF EQUALIZATION

STATE OF SOUTH DAKOTA COUNTY OF LAWRENCE  
I, LAWRENCE COUNTY DIRECTOR OF EQUALIZATION, DO HEREBY CERTIFY THAT I HAVE RECEIVED A COPY OF THIS PLAT. DATED THIS \_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
LAWRENCE COUNTY DIRECTOR OF EQUALIZATION

OFFICE OF THE REGISTER OF DEEDS

STATE OF SOUTH DAKOTA COUNTY OF LAWRENCE  
FILED FOR RECORD THIS \_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_, AT \_\_\_\_ O'CLOCK, \_\_\_\_ M., AND RECORDED IN DOC. \_\_\_\_\_.

\_\_\_\_\_  
LAWRENCE COUNTY REGISTER OF DEEDS FEE: \$ \_\_\_\_\_

	<b>PREPARED BY:</b> <b>ARLETH LAND SURVEYING, LLC</b>	<b>24 CLIFF ST.</b> <b>DEADWOOD, SD 57732</b> <b>1-605-578-1637</b>	<b>DATE: OCTOBER 9, 2018</b> <b>REV:</b> <b>SCALE: 1" = 40'</b>	<b>APPROVED: JMA</b> <b>DRAWN: FD</b> <b>FILE: 9078.dwg</b>
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