

CITY OF DEADWOOD

PLANNING AND ZONING COMMISSION

January 4, 2012

JOINT MEETING

The Joint Meeting of the Deadwood Planning and Zoning Commission was called to order by Chairperson Jim Shedd on Wednesday January 4, 2012 at 5:00 p.m. in the Deadwood City Hall Meeting Room located at 102 Sherman Street, Deadwood, SD 57732.

PRESENT PLANNING & ZONING: Jim Shedd, Mel Allen, Marie Farrier, Sheree Green and Mark Speirs.

PRESENT BOARD OF ADJUSTMENT: Mayor Francis Toscana, Joe Peterson, Georgeann Silvernail and Jim Van Den Eykel.

ABSENT BOARD OF ADJUSTMENT: Gary Todd.

*All motions passed unanimously unless otherwise stated.*

APPROVAL OF MINUTES:

It was moved by Ms. Farrier and seconded by Mr. Speirs to approve the minutes of the December 21, 2011 Meeting. Aye - All. Motion carried.

CONTINUED FROM NOVEMBER 16, 2011 - DEADWOOD EXPRESS (KLK VENTURES)

Mr. Keith Umenthum stated that the applicant requested the sign permit be continued until the January 18, 2012 meeting.

It was moved by Ms. Farrier and seconded by Mr. Speirs to continue the sign permit application for Deadwood Express (KLK Ventures) until the January 18, 2012 Meeting. Aye - All. Motion carried.

CONTINUED FROM NOVEMBER 16, 2011 - CANYON VIEW AMISH FURNITURE AND GIFT STORE (GARY SCHMALTZ)

Mr. Keith Umenthum stated that the applicant requested the sign permit be continued until the January 18, 2012 meeting.

It was moved by Ms. Farrier and seconded by Ms. Green to continue the sign permit application for Canyon View Amish Furniture and Gift Store (Gary Schmaltz) until the January 18, 2012 Meeting. Aye - All. Motion carried.

Mr. Speirs questioned Mr. Umenthum if he was aware that the sign had been erected. Mr. Umenthum stated that he was aware that it was erected.

Mr. Jason Campbell, City Attorney, noted that Mr. Schmaltz would be cited in court shortly.

CADILLAC JACK'S (BY DEVELOPMENT)

Mr. Umenthum stated that the applicants were requesting permission to replace an existing wall sign at 360 Main Street. Mr. Umenthum stated that the signage would be 4'6" x 22'9" or 102 square feet and made of painted aluminum. The sign would replace the "AmericInn" sign and would require two variances from the Sign Ordinance: 2'6" foot variance for height and a size variance of 52 square feet. Staff recommended approval of the sign permit with the variances.

Mr. Speirs noted that the picture in the Staff Report mentioned the use of back lit LED lights. Mr. Umenthum stated the applicant had withdrawn the request for the use of LED lights due to the fact that they are not allowed by the Sign Ordinance and the proposed sign would be externally lit.

It was moved by Ms. Farrier and seconded by Mr. Allen to approve the externally lit wall sign at 360 Main Street with two variances for Cadillac Jack's (BY Development). Aye - All. Motion carried.

**CONTINUED FINAL PLAT - Lot 2A, Block 1, Spruce Gulch Addition Formerly Lots 2 and 3, Block 1, Spruce Gulch Addition Located in M.S. 681 and in the NE1/4 of Section 23, T5N, R3E, B.H.M., City of Deadwood, Lawrence County, South Dakota**

Mr. Nelson stated that all the errors had been corrected.

**It was moved by Ms. Green and seconded by Mr. Allen to approve the final plat for Lot 2A, Block 1, Spruce Gulch Addition. Aye - All. Motion carried.**

Mr. Shedd closed the Planning & Zoning Meeting.

Mr. Toscana opened the Board of Adjustment.

**It was moved by Ms. Silvernail and seconded by Mr. Van Den Eykel to approve the final plat for Lot 2A, Block 1, Spruce Gulch Addition, City of Deadwood. Aye - All. Motion carried.**

Mr. Toscana closed the Board of Adjustment and turned the meeting over to the Planning and Zoning Commission.

**FINAL PLAT - Plat of Frerichs Mine Lot and Tract 2 and 20' limited public access easement, Being a portion of the Deadwood Gulch Campground Tract of Deadwood Gulch Addition II, All Located in the SW 1/4 of Section 26, the SE 1/4 of Section 27, the NE 1/4 of Section 34 and the NW 1/4 of Section 35, T5N, R3E, B.H.M., City of Deadwood, Lawrence County, South Dakota**

Mr. Nelson stated that the purpose of the plat was to facilitate the transfer of the Frerich Mine lot to the City of Deadwood. The plat would separate the donated land from the Deadwood Gulch Campground and provide public access to the property. Mr. Nelson noted that the plat was presented in January 2009 and was continued until the public access easement was added to the plat. Mr. Nelson noted that the easement read "Use of limited public access easement by the public is limited to April 1<sup>st</sup> to October 31<sup>st</sup> at the City's discretion. Those on official City business or Emergency vehicles have unlimited access."

Mr. Nelson noted that a variance of 22,215 from section 17.20.040.A Area and Bulk Requirement was required to approve the plat. Mr. Nelson explained that a minimum of one (1) acre is the lot requirement in the Park Forest (PF) zoning district; the lot is 21,235 square feet. He stated that once the land is transfer to the City, the City should change the zoning to Public Use (PU) District.

Ms. Green stated that a measurement was missing on the plat and suggested continuing the plat. Mr. Allen noted that the City and the County limits should be placed on the plat.

Mr. Jim Raysor and Mr. Toscana stated the City was comfortable with the terms of the limited easement.

**It was moved by Ms. Green and seconded by Mr. Allen to continue the final plat of Frerichs Mine Lot and Tract 2 and 20' limited public access easement, City of Deadwood. Aye - All. Motion carried.**

**Miller Street Platting Project**

Mr. Nelson stated that he was seeking approval for the platting of the City of Deadwood property in the Miller Street, Recreation Center and Gordon Park areas. Mr. Nelson stated he received two quotes: Ponderosa Land Surveys, LLC for \$3,500 and Arleth and Associates for \$2,730.

Mr. Nelson stated that the Planning & Zoning Commission and City Commission would be involved in the process to ensure the City gets the appropriate finished product.

**It was moved by Mr. Speirs and seconded by Mr. Allen to recommend to the City Commission to enter into a contract to plat City properties in the Miller Street area with Arleth and Associates at the cost of \$2,730. Aye - All. Motion carried.**

**OPEN**

None.

Joint Meeting  
January 4, 2012

**ADJOURNMENT:**

**It was moved by Mr. Speirs and seconded by Mr. Allen to adjourn the Joint Meeting of the Planning and Zoning Commission. Aye - All. Motion carried.**

There being no further business, the Planning & Zoning Commission adjourned at 5:25 p.m.

ATTEST:

\_\_\_\_\_  
Mr. Jim Shedd  
Chairman  
Planning and Zoning

\_\_\_\_\_  
Ms. Sheree Green  
Secretary  
Planning and Zoning