

CITY OF DEADWOOD

PLANNING AND ZONING COMMISSION

February 2, 2005

REGULAR MEETING

The Regular Meeting of the Deadwood Planning and Zoning Commission was called to order by Chairman Larry Ryan on Wednesday, January 19, 2005, at 5:00 p.m. in the Deadwood City Hall Meeting Room located at 102 Sherman Street, Deadwood, SD 57732.

PRESENT PLANNING & ZONING: Larry Ryan, Sheree Green, Mel Allen, Marie Farrier, Robert Thorp

ABSENT PLANNING & ZONING: None

APPROVAL OF January 19, 2005 MINUTES

Ms. Farrier moved to approve the minutes of January 19, 2005 as presented. Ms. Green seconded and the motion carried

<u>All in Favor</u>	<u>-</u>	<u>5</u>
<u>Opposed</u>	<u>-</u>	<u>0</u>

FINAL PLAT - PLAT OF CLAIMJUMPERS, TRACT 4, BEING A PORTION OF CLAIMJUMPERS TRACT 3; BEING A PORTION OF M.S. 207; BEING A PORTION OF VACATED LOTS 1, 2, AND 3 OF BLOCK 78 ACCORDING TO THE P.L. ROGERS MAP; BEING IN A PORTION OF LOTS 1, 2 AND 3 OF BLOCK 79 ACCORDING TO THE P.L. ROGERS MAP; AND A PORTION OF VACATED CHARLES STREET ACCORDING TO THE P.L. ROGERS MAP, ALL LOCATED IN THE NE/4 OF SECTION 27, T5N, R3E, B.H.M., CITY OF DEADWOOD, LAWRENCE COUNTY, SOUTH DAKOTA

The property is located at 200 Charles Street and the land is zoned CH - Commercial Highway District. Claimjumper Mobile Home Park had been sold and previously platted tracts had included some of Block 79, O.T., owned by the City of Deadwood. The city acquired the land from the Railroad in 1988. Assessor's records indicate the City of Deadwood owns Block 79; however, a plat approved in 1977 took in several lots of Block 79. The plat of 1977 did not show the lots in Block 79 and did not include the lots or block in the legal description. The city commission approved a land swap with Claimjumper for excess lands located in lots of Block 79 excluding the 50' railroad right-of-way, in exchange for Tract 4. The Walnut Street Bridge and Walnut Street are located within Tract 4; therefore, the swap accomplished the city owning the land where Walnut Street and Bridge are located; clearing up encroachments of a storage unit and mobile homes into Block 79 and clarifying the legal description for Claimjumper. Two more plats will be forthcoming to clear up encroachments into platted Charles Street and to clearly set out where lots in Block 79 were located in Tracts 2 and 3 of Claimjumper.

Ms. Williams stated the plat had met the following requirements:

1. The purpose of the plat is to clear up the boundaries of Claimjumper Tracts.
2. The North Arrow was shown on the plat with a direct reference to the city coordinate mapping system.
3. Date was shown on the plat and served to "fix in time" the data represented on the plat.
4. Surveyor's Certificate was shown with the name of the surveyor and his registered land surveyor number.
5. All other certifications were indicated and correct on the plat.
6. Dimensions, angles and bearings were shown along the lot lines.
7. Scale of the plat was shown and accompanied with a bar scale.
8. Location of Monuments were shown and described on the final plat.

Ms. Green moved to approve the plat as described above. Ms. Farrier seconded and the motion carried.

<u>All in Favor</u>	<u>-</u>	<u>5</u>
<u>Opposed</u>	<u>-</u>	<u>0</u>

Discussion

Daycare ordinance

Ms. Williams presented the proposed daycare ordinance to the Planning and Zoning Commission. She requested if there were any changes, corrections, or deletions to please state them at this time so she could forward the amendment to the City Commission on Monday for First Reading. The Planning and Zoning Commission felt a small daycare be considered with five or less children and a large daycare be considered by having more than five children. The Planning and Zoning Commission felt the remainder of the ordinance was appropriate.

Townhouses and Condominiums Conditional Use Permit

Ms. Williams noted Conditional Use Permits in the residential zones ran with the applicant. She noted that regulation did not work with multi-family, townhouses, or condominiums. She noted these types of uses were built and it involved more than one structure or ownership. Ms. Williams recommended the ordinance be amended to "EXCEPT" multi-family dwelling, townhouses and condominiums and that such uses would run with the land.

Mr. Allen moved to accept the proposed amendments as modified by Planning and Zoning. Mr. Thorp seconded and the motion carried.

All in Favor - 5
Opposed - 0

ADJOURNMENT:

Mr. Thorp moved to adjourn the regular meeting of the Planning and Zoning Commission. Mr. Allen seconded and the motion carried.

All in favor - 5
Opposed - 0

There being no further business, Planning & Zoning Commission adjourned at 5:30 p.m.

ATTEST:

Larry Ryan
Chairman (Acting)
Planning and Zoning

Marie Farrier
Secretary (Acting)
Planning and Zoning