

**CITY OF DEADWOOD**

**PLANNING AND ZONING COMMISSION**

March 21, 2012

JOINT MEETING

The Joint Meeting of the Deadwood Planning and Zoning Commission was called to order by Chairperson Jim Shedd on Wednesday March 21, 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, Marie Farrier, Sheree Green and Mark Speirs.

ABSENT PLANNING & ZONING: Mel Allen.

PRESENT BOARD OF ADJUSTMENT: Mayor Francis Toscana, Georgeann Silvernail, Joe Peterson, and Jim Van Den Eykel. Also Present: Jason Campbell, City Attorney.

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 Ms. Green to approve the minutes of the March 7, 2012 Meeting. Aye - All. Motion carried.*

**SIGNS:**

**Continued From March 7, 2012 - Canyon View Amish Furniture and Gift Store (Gary Schmaltz)**

Mr. Robert Nelson, Zoning Administrator stated on the behalf of Mr. Keith Umenthum, Building Inspector, that the applicant requested the sign permit be continued until the April 4, 2012 meeting.

*It was moved by Mr. Speirs and seconded by Ms. Farrier to continue the sign permit application for Canyon View Amish Furniture and Gift Store (Gary Schmaltz) until the April 4, 2012 Meeting. Aye - All. Motion carried.*

*The Planning & Zoning Commission reviewed and approved the following applications, after which the meeting was turned over to the Board of Adjustment.*

**FINAL PLATS:**

**Final Plat: Wild Bill Lot Formerly the Northerly 20.5' of Lot 27 and Part of Lot 28, Block 30, Original Town of Deadwood, All Located in the SW1/4 of Section 23, T5N, R3E, B.H.M., City of Deadwood, Lawrence County, South Dakota**

Mr. Nelson explained that the purpose of the final plat was to clean up the city owned properties on Sherman Street and establish a parcel for the Wild Bill Bust Memorial.

*It was moved by Ms. Green and seconded by Mr. Speirs to the approve the Final Plat for Wild Bill Lot Formerly the Northerly 20.5' of Lot 27 and Part of Lot 28, Block 30, Original Town of Deadwood. Aye - All. Motion carried.*

**Final Plat: Plat of Lot 1 of Block 2 and Lot 6 of Block 1 of Palisades Tract of Deadwood Stage Run Addition, 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, T5N, R3E, B.H.M., City of Deadwood, Lawrence County, South Dakota**

Mr. Nelson stated that the purpose of the final plat was to facilitate the transfer of property in the Stage Run Addition. He stated that the property is located off of Roosevelt Road and the address for Lot 1 of Block 2 is 735 Stage Run and the address for Lot 6 is 762 Stage Run. Mr. Nelson stated that both vacant lots meet the area and bulk requirements for square footage and noted that Lot 6 may require a front yard setback variance prior to construction on the lot.

*It was moved by Ms. Green and seconded by Mr. Speirs to the approve the Final Plat of Lot 1 of Block 2 and Lot 6 of Block 1 of Palisades Tract of Deadwood Stage Run Addition. Aye - All. Motion carried.*

**FINDINGS OF FACT:**

**Findings of Fact and Conclusions for Variances for Front Yard Setbacks and Height Requirement – 360 Main Street**

Mr. Nelson stated that the Findings of Fact and Conclusions was the final step to close the file. Mr. Nelson noted that the application had been reviewed by the Historic Preservation Commission and the project was approved.

*It was moved by Mr. Speirs and seconded by Ms. Farrier to approve the Findings of Fact and Conclusions for variances for Front Yard Setbacks and Height Requirement Setbacks at 360 Main Street. Aye – All. Motion carried.*

**Findings of Fact and Conclusions for an Amendment for a Conditional Use Permit for a Tattoo and Piercing Studio – 134 Sherman Street**

Mr. Nelson stated that he would like the Findings of Fact continued due to a possible leasing issue with the location of 134 Sherman Street.

*It was moved by Ms. Green and seconded by Ms. Farrier to continue the Findings of Fact and Conclusions for the Amendment for a Conditional Use Permit for a Tattoo and Piercing Studio at 134 Sherman Street. Aye – All. Motion carried.*

Mr. Shedd closed the Planning & Zoning Meeting.

Mr. Toscana opened the Board of Adjustment.

**Final Plat: Wild Bill Lot Formerly the Northerly 20.5' of Lot 27 and Part of Lot 28, Block 30, Original Town of Deadwood, All Located in the SW1/4 of Section 23, T5N, R3E, B.H.M., City of Deadwood, Lawrence County, South Dakota**

*It was moved by Ms. Silvernail and seconded by Mr. Van Den Eykel to follow the recommendation of the Planning & Zoning Commission to approve the Final Plat for Wild Bill Lot Formerly the Northerly 20.5' of Lot 27 and Part of Lot 28, Block 30, Original Town of Deadwood. Aye – All. Motion carried.*

**Final Plat: Plat of Lot 1 of Block 2 and Lot 6 of Block 1 of Palisades Tract of Deadwood Stage Run Addition, 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, T5N, R3E, B.H.M., City of Deadwood, Lawrence County, South Dakota**

Mr. Toscana stated that Mr. Peterson had recused himself from discussion and voting on the final plat.

*It was moved by Ms. Silvernail and seconded by Mr. Van Den Eykel to follow the recommendation of the Planning & Zoning Commission to approve the Final Plat of Lot 1 of Block 2 and Lot 6 of Block 1 of Palisades Tract of Deadwood Stage Run Addition. Aye – Silvernail, Van Den Eykel, Toscana. Ney – None. Recused – Peterson. Motion carried.*

**Findings of Fact and Conclusions for Variances for Front Yard Setbacks and Height Requirement – 360 Main Street**

*It was moved by Ms. Silvernail and seconded by Mr. Van Den Eykel to follow the recommendation of the Planning & Zoning Commission to approve the Findings of Fact and Conclusions for variances for Front Yard Setbacks and Height Requirement Setbacks at 360 Main Street. Aye – All. Motion carried.*

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

**Miller Street and Rec Center Plat Discussion**

Mr. Nelson stated that he had received preliminary plats from Mr. Frank Di Cesare at Arleth and Associates for the Miller Street and Recreation Center Lots. Mr. Nelson stated that progress is being made and noted that there were some issues with finding missing easements. Mr. Nelson stated that there could be issues with the vacating of Miller Street.

After discussion, the Planning & Zoning Commission directed Mr. Di Cesare and Mr. Nelson to continue to work on bringing forth the final plats of the Miller Street and Recreation Center Lots.

Joint Meeting  
March 21, 2012

**OPEN**

None.

**ADJOURNMENT:**

*It was moved by Ms. Farrier and seconded by Mr. Speirs 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 5:40 p.m.**

ATTEST:

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

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