

CITY OF DEADWOOD

PLANNING AND ZONING COMMISSION

April 5, 2006

JOINT MEETING

The Joint Meeting of the Deadwood Board of Adjustment and Deadwood Planning and Zoning Commission was called to order by Chairman Larry Ryan on Wednesday, April 5, 2006 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, Marie Farrier, Sheree Green and Robert Thorp and Mel Allen.

ABSENT: None

PRESENT BOARD OF ADJUSTMENT: Francis Toscana, Mark Speirs, Ronda Feterl entering at 5:03, Georgeann Silvernail entering at 5:05 and Nyla Griffith entering at 5:07.

ABSENT: None

APPROVAL OF MINUTES

Mr. Thorp moved approve the minutes of the March 15, 2006 Joint meeting. Ms. Green seconded and the motion carried.

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

REQUEST FOR A CONDITIONAL USE PERMIT FOR A RESIDENTIAL PARKING AREA - ADRIAN & ANNETTE HOINES CONTINUED

Location: 2 Terrace Street
Zone: R-1 Residential District

Ms. Williams referred to the following staff report addressing the questions that were brought up at the last Planning & Zoning meeting:

DEADWOOD PLANNING AND ZONING
STAFF REPORT

CONTINUED REQUEST FOR CONDITIONAL USE PERMIT FOR A RESIDENTIAL PARKING LOT:

NAME: Lou and Linda Stojack
OWNER: Adrian Hoines
LOCATION: Corner of Terrace and Stewart Street/vacant lot below 2 Terrace Street

BACKGROUND:

At the last Planning and Zoning Meeting a Public Hearing was held for an application for a residential parking lot on the corner of Stewart and Terrace Streets.

At that time, Delores Hertel, adjacent landowner posed the following questions:

1. Request to define the 300' foot requirement.
The measurement would be taken as the crow flies within 300 feet of all lot lines.
2. Who would manage the lot?
There could be a condition placed on the Conditional Use Permit that the lot would be monitored and that there be a local agent that could be contacted if problems arose.
3. Would the lot be filled with non-running vehicles?

ABANDONED VEHICLES

Sections:

Article I.

Abandoned Vehicles Generally

- 10.16.010 Determination of abandonment.
- 10.16.020 Vehicles blocking traffic--Wrecked vehicles.
- 10.16.030 Removal.
- 10.16.040 Notice to owner.
- 10.16.050 Recovery by owner.
- 10.16.060 Sale of unclaimed vehicle.
- 10.16.070 Notice of sale.
- 10.16.080 Disposition of funds from sale.
- 10.16.090 Lien for costs.

- 10.16.100 Title may vest in city--When.
- 10.16.110 Acquisition of title by city--Notice to commissioner of vehicles.

Article II.

Dead Storage Vehicles

- 10.16.120 Storing, parking or leaving dismantled or other such motor vehicle
declared nuisance.
- 10.16.130 Removal.
- 10.16.140 Notice to owner.

Article I.

Abandoned Vehicles Generally

- 10.16.10 Determination of abandonment.
- 10.16.11
Whenever any vehicle is left unattended on any public street, alley way, or parking lot within the city for a longer period than twenty-four (24) hours without notification to the chief of police where such vehicle is parked, it shall be deemed an abandoned vehicle subject to provisions of this chapter. (Prior code § 18-200)
- 10.16.020 Vehicles blocking traffic--Wrecked vehicles.

A wrecked vehicle or a vehicle found unattended upon a bridge or causeway or where a vehicle constitutes an obstruction and hazard to traffic may be removed at any time without regard to the twenty-four (24) hour period provided for in this chapter. (Prior code § 18-201)
- 10.16.30 Removal.

Whenever any police officer finds an abandoned vehicle within the city, the officer is authorized to provide for the removal of such vehicle to the nearest garage or place of safety. (Prior code § 18-202)
- 10.16.40.1 Notice to owner.

It is the duty of the police department to notify the registered owner, and if encumbered the lien holder, of any vehicle under the provisions of this chapter of the removal, storage and location of storage of such vehicle. (Prior code § 18-203)
- 10.16.50 Recovery by owner.

The registered owner of any vehicle removed and stored under the provisions of this chapter may recover the same upon the payment of all costs incident to the removal and storage of such vehicle. (Prior code § 18-204)
- 10.16.60 Sale of unclaimed vehicle.

If after three months from the date of mailing the notice of removal and storage provided for by this chapter the vehicle remains unclaimed, such vehicle may be sold by the police department at public auction upon notice published in a newspaper of general circulation in the county not less than once a week for two consecutive weeks. (Prior code § 18-205)
- 10.16.70 Notice of sale.

The notice of sale provided for by this chapter shall contain a description of the removed and stored vehicle, including the year, make, model, serial number, color, license number, if any, a statement that the vehicle was found abandoned, the date thereof, and the place, date, and time at which such vehicle shall be sold, which date shall not be sooner than one week following the date of the last publication of notice. (Prior code § 18-206)

10.16.80 Disposition of funds from sale.

After deduction of the costs of removing, storing, advertising, and selling a vehicle under the provisions of this chapter, the balance of the funds derived from the sale of any vehicle under this chapter shall be held for the owner of such vehicle for a period of ninety (90) days. If such proceeds are not claimed by the expiration of such period, such proceeds shall be paid into the general fund of the city. (Prior code § 18-207)

10.16.90 Lien for costs.

The police department shall have a possessory lien upon any vehicle removed under the provisions of this chapter for the costs in taking custody of and storing such vehicle. (Prior code § 18-208)

10.16.100 Title may vest in city--When.

If, after thirty (30) days from the date of mailing the notice or removal and storage provided for by this chapter, the vehicle remains unclaimed, the title to such vehicle shall be vested in the city, and such vehicle may be disposed of in any manner as may be provided by the city commission. The proceeds of such disposal shall first be applied to the costs incurred in the enforcement of this chapter, with the balance deposited in the general fund of the city. (Amended during 2004 codification; prior code § 18-209)

10.16.110 Acquisition of title by city--Notice to commissioner of vehicles.

Within thirty (30) days after acquiring title to any vehicle under the provisions of this chapter, the city commission shall notify the Commissioner of Motor Vehicles and shall provide the Commissioner, on such form as he or she may prescribe, all facts and information relevant thereto as he or she may require. Upon receipt thereof, the Commissioner shall appropriately mark the title and registration records and notify the owner of record at his or her last known address of the actions taken. (Prior code § 18-210)

Article II.

Dead Storage Vehicles

10.16.120 Storing, parking or leaving dismantled or other such motor vehicle declared nuisance.

The presence of an abandoned, wrecked, dismantled, inoperative, junk or partially dismantled motor vehicle or parts thereof, on private or public property, is declared a public nuisance. This section shall not apply to any motor vehicle enclosed within a building or private property or to any inoperable vehicle stored in conjunction with a properly zoned vehicle repair business, provided that all such vehicles are covered by a dated work estimate and invoice signed by the vehicle owner authorizing their repair, or to any motor vehicle in operable condition specifically adapted or designed for operation on drag strips or raceways and covered with an appropriate cover to screen it from view, which vehicle remains on private property, or to any motor vehicle retained on private property by the owner for antique collection purposes and covered with an appropriate cover to screen it from view. (Prior code § 18-400)

10.16.130 Removal.

Whenever any police officer finds an abandoned motor vehicle or junk motor vehicle on public property, he or she shall place written notice on the vehicle that it will be removed unless the owner removes the vehicle from public property within twenty-four (24) hours of the giving of the notice. After expiration of the twenty-four (24) hour period, the vehicle may be removed by the removal agency to a garage or place of safety. Nothing in this section precludes the police department from immediately removing a motor vehicle which causes an obstruction or hazard to traffic. (Prior code § 18-401)

10.16.140 Notice to owner.

It shall be the duty of the police department to notify, by certified mail, the registered owner, and if encumbered, the lien holder, of the removal, storage and present location of any motor vehicle removed under the provisions of this chapter and that the vehicle can be recovered by payment of costs incident of its removal and storage. (Prior code § 18-402)

AS YOU CAN SEE THIS TYPE OF PROBLEM IS COVERED BY CODE. YOU CAN ALSO STIPULATE THEY MEET SECTION 10.16 OF THE CITY CODE REGARDING ABANDONED CARS WHEN MAKING THE MOTION.

4. How many cars can park in the parking lot?

You may also limit the number of cars and where they can park. The Zoning Code has a section that addresses the sight distance and we can require that all cars be parked thirty (30) feet from the intersection in either direction. I have included the section for your convenience. It does address the vision triangle and even addresses plants and shrubs and fences.

17.60.040 Sight distance.

- A. Where a drive way intersects a public right-of-way or where property abuts the intersection of two public rights-of-way, all landscaping, structures or fences within the vision triangle area described in subsection B of this section shall provide unobstructed cross-visibility.
- B. For purposes of this section, the vision triangle area is:
1. The area formed at a corner intersection of public right-of-way and a driveway, whose two sides are fifteen (15) feet, measured along the right-of-way line of the street and the edge of driveway, and whose third side is a line connecting the two sides; or
 2. The area formed at a corner intersection of two public right-of-way lines, whose two sides are thirty (30) feet, measured along the intersection right-of-way lines, and whose third side is a line connecting the two sides.
- C. All shrubs located within these triangular areas shall be maintained at a height not to exceed thirty (30) inches above the sidewalk grade. Trees may be planted and maintained in this area if all branches are trimmed to maintain a clear vision for a vertical height of eight feet above the roadway surface. No landscaping except required grass or ground cover may be located closer than three feet from the edge of an access way pavement.
- D. Any fence, hedge or wall placed within fifteen (15) feet of the intersection of a public sidewalk or proposed location of such walk and an alley or driveway shall not restrict or obscure the visibility through such fence, hedge or wall by more than twenty-five (25) percent of its total vertical plane area. Such fence, hedge or wall shall maintain at least seventy-five (75) percent of the unobstructed view when viewed at an angle of ninety (90) degrees from the direction of the fence, hedge or wall and a distance of thirty (30) feet.
- E. The requirements of this section may be modified by the planning and zoning commission if the safety of pedestrians, motorists and bicyclists is not impaired.
- F. No person shall violate or fail to prevent or remedy any violation of the provisions of this section on such property. (Ord. 831 § 6.16, 1992)
5. Can RV's be stored on this property?

Again, you can stipulate there be no Rv's or Campers stored on this parking lot; however, we do allow such under the following guidelines:

17.64.080 Storage and parking of recreational vehicles.

No person shall park, store or use a travel trailer, tent trailer, pickup camper or coach, motorized dwelling, boat and boat trailer, snow vehicle, cycle trailer, utility trailer and van, horse trailer and van or similar vehicular equipment in a residential district unless the following requirements are met:

- A. Such vehicular equipment is stored or parked on private property no closer than eighteen (18) inches to any proposed or existing public sidewalk and so as not to project into the public right-of-way;
- B. On corner lots, any such vehicular equipment that exceeds thirty-six (36) inches in height is not parked in the triangular area formed by the three points established by the intersection of property lines at the corner and the points thirty (30) feet back from this intersection along each property line;
- C. No travel trailer, tent trailer, pickup camper or coach, motorized dwelling, or van is used for the conduct of business or for living or housekeeping purposes except when located in an approved mobile home park or in a campground providing adequate sanitary facilities;
- D. Any travel trailer, tent trailer, detached pickup camper or coach, boat and boat trailer, cycle trailer, utility trailer and van, horse trailer and van parked or stored out-of-doors is adequately blocked or tied down or otherwise secured so that such vehicle does not roll off the lot and is not moved about by high winds; and
- E. No vehicular equipment regulated by this section is stored out-of-doors on a residential lot unless it is in condition for safe and effective performance of the functions for which it is intended. (Ord. 831 § 6.11, 1992)

After, reviewing the parking regulations, Section 17.64.050 Parking Area Designs states: 5. "All parking areas are paved with asphalt, concrete or other similar permanent, hard surface except for parking areas for detached dwelling units."

My interpretation of this is that residential use is excepted from the design standards; however, they possibly should be required to place some gravel down to make the parking spaces practical and tidy for rentals; otherwise, it could turn into a mud hole and make a mess on Stewart Street.

SUMMARY:

I believe all of Ms. Hertel's questions have been answered and that you can stipulate that they need to be in compliance with - Section 10.16 – Abandoned Vehicles; Section 17.60.040 – Sight Distance; and Section 17.64.080 – Storage and Parking of recreational vehicles regulations.

Staff does not feel that RV's or campers should be allowed since the purpose of this use is to alleviate the on-street parking. However, I believe the other two should be added as conditions on the Conditional Use Permit. Also, possibly two (2) – four (4) inches of base course gravel should be used for the parking area to prevent a mud hole appearance. The Commission may also wish to place a condition that there would be a local contact person that would monitor the lot for violations and such person be identified to the zoning office so there would be someone we could contact if there was a complaint.

The commission also has the right to request a parking plan so that we know how many vehicles can be parked on the lot legally, and where the spaces will be located.

We possibly should amend our ordinance to clarify what we require for this type of use and verify the exception from the parking requirements from commercial parking lots which are open to all of the traveling public.

ACTION REQUIRED:

- 1. Approval/approval with conditions/denial by Planning and Zoning Commission**
- 2. Approval/approval with conditions/denial by Board of Adjustment**

Question 2: Ms. Delores Hertel questioned if a local contact person was guaranteed. Ms. Williams stated a condition could be placed on the CUP.

3. Ms. Hertel stated that there had been a vehicle that sat vacant for two year on the property. Ms. Williams stated it is enforced on a compliant basis. Ms. Hertel stated there were complaints but they were informed it was on private land and it was never moved. Ms. Williams stated the police department checks to see if the vehicle is licensed and as long as it is licensed and/or parked on private land it is difficult to enforce. Mr. Speirs pointed out that for the last two years, for life safety, vehicles licensed but not running were required to be covered with a tarp due to the West Nile Virus. Ms. Williams encouraged Ms. Hertel to call the police department if an abandoned vehicle situation arose.

4. Ms. Williams asked Mr. Lou Stojack how many spaces were being requested. Mr. Stojack stated four spaces.

5. Ms. Williams stated in this situation she did not feel parking RVs in this area was a good idea because the purpose of the parking lot was to alleviate the parking situation on the street. Mr. Stojack stated that the current neighbor of this lot, was parking an RV on a portion of the lot but not the area they intended to use.

Ms. Williams addressed the question of this parking lot being a commercial. Ms. Williams stated that she researched this issue and felt it did not fall under a commercial lot due to the fact it was to be used only for the area in question not the entire city. She did not feel that the lot should be required to be paved or lit. Ms. Williams suggested a condition to the CUP, to require 2-4 inch base core gravel to prevent mud build up and also to delineate the parking spots.

Ms. Hertel disagreed with Ms. Williams on the status of commercial lot because of the fact a fee would be collected for the use of the lot. Ms. Williams stated this lot would not be open to the public only to 63 Stewart or anyone within 300' and should not be held to the same standards as a public commercial lot. Ms. Hertel stated that the parking lot was already lit by street lighting. Ms. Williams stated additional lighting was required for a public commercial lot.

Ms. Williams stated she personally felt that this was a good solution to the parking problems that were apparent in Deadwood's neighborhoods. Ms. Williams felt to require the same standard as a commercial lot, would be too much to require for a residential parking lot.

Ms. Hertel stated there was already a lot owned by Mr. George Mitchell in the area for parking and it was not being utilized and questioned why this lot was not being used. Ms. Williams stated he was free to rent the lot under a Conditional Use Permit. Mr. Stojack felt that Mr. Mitchell's lot was located too far down the street. Mr. Stojack stated what they would like to do with this lot is what is already being done in the lot but he was requesting to do it legally.

Ms. Hertel questioned what improvements would be made to the lot. Mr. Stojack did not feel there was a need for additional gravel. It was noted the Mr. Jeff Snedeker currently used the parking area.

Ms. Williams recommended, to the Commission, conditions placed on the CUP include the abandon vehicle and site distance ordinance. Ms. Williams restated that RV or campers should not be allowed and a 2" base core of gravel is required in order to stop the area from being muddy.

Mr. Speirs questioned if there would be a one year review and would the CUP be transferable. Ms. Williams stated a one year review could be placed on the CUP and the permit was not transferable. Mr. Speirs questioned who owned the lot(s). Ms. Williams stated Mr. Adrian Hoines owned the lot but the CUP was being brought forth by the Stojack's. Mr. Stojack stated a year review would be fine with him.

Ms. Hertel stated she compiled a list of neighbors who opposed the parking lot and presented the list to the Planning & Zoning Commission. Ms. Hertel stated that prior to the Hoines' purchasing the property, it was explained to her that a twenty five foot setback was required in order to have a parking lot. Ms. Williams stated the setback was for structures.

Mr. Stojack stated that they were trying to provide affordable housing and the parking situation in the area, prior to reaching Ms. Hertel's home, was worse. Mr. Stojack stated the lot would only be used for the duplex.

Mr. Allen stated that he felt it was a good idea for a person to provide an off street parking area for residents in troubled areas in Deadwood. Mr. Allen stated that area had always been used for a parking lot.

Ms. Griffith stated she owned a rental property on Stewart Street and she opposed the off-street parking lot because she felt it would devalue her property. Ms. Hertel agreed.

Ms. Farrier stated that in reviewing the regulations for a CUP, if the use had an adverse effect on the adjacent properties and since most of the neighbors signed a letter opposing the use, she felt it was not necessary. Ms. Farrier added that there was already a parking lot in the area.

Ms. Farrier moved to deny the CUP on Terrace Street and add the letter of the signatures to the motion. Ms. Green seconded the motion.

Mr. Ryan questioned if there was more discussion. Mr. Speirs stated they should look into different neighborhoods which have a problem with parking.

Ms. Williams stated that a petition was not a standard in which the commissions considered in reviewing a CUP. Ms. Silvernail questioned if a petition was not to be considered then why were the landowners notified. Ms. Williams restated it was not a normal standard to a CUP and that the public meeting was where the concerns were addressed. Ms. Hertel stated that the letter was not a petition; people signed it because they were not able to attend the meeting. Mr. Mike Klamm stated he had since talked to some of the people who signed the list and they had changed their view on the parking lot.

Mr. Thorp questioned if the only people who could rent must live 300 feet from the parking lot. Ms. Williams stated that was correct.

Mr. Allen stated to Ms. Farrier that they could not take into consideration the fact that people were against the use. Mr. Allen stated he personally felt the area in question had been used for parking in the past and should continue to be used as parking. Mr. Allen also stated the area could be built upon because of the storm sewer easement; therefore, parking would be the ideal use.

Mr. Klamm stated he would maintain the area and that was not happening at this moment.

Mr. Ryan called for a vote on the motion on the table and the motion failed.

All in favor - 2 (Green & Farrier)
Opposed - 3 (Thorp, Allen & Ryan)

Mr. Allen stated he would make a motion with stipulations recommended by staff to the P&Z Commissioners.

Mr. Allen moved to approve the CUP with the following conditions: 1) A local contact person be in charge of maintenance and overflow; 2. Applicant must follow ordinance Sections 10.16 for abandoned vehicles and 17.16 for site distance; 3. No space shall be leased to RVs or recreational vehicles (with the exception of the owner parking personal RVs or recreational vehicles); 4. Review of the CUP in one year; and, 5. If needed, two to four inches of base gravel. Mr. Thorp seconded and the motion carried.

All in favor - 3 (Allen, Thorp & Ryan)
Opposed - 2 (Farrier & Green)

Mr. Klamm stated he would be the local contact for this CUP.

Chairman Ryan adjourned the Planning and Zoning meeting and turned the meeting over to the Board of Adjustments.

DEADWOOD BOARD OF ADJUSTMENT

Mayor Toscana called the Board of Adjustment to order.

Ms. Feterl felt there were a lot of issues for this CUP that were still not addressed in particular the feelings of the neighbors and the gravel issue.

Mr. Speirs requested Ms. Williams to repeat the motion made by P&Z. Ms. Silvernail stated that the contact person must be available at the local level. Mr. Toscana stated he agreed with the review by Parking and Transportation, but felt it was a positive step to help alleviate some of the parking issues on this street.

Ms. Feterl moved to recommend the CUP for review by the Parking & Transportation Committee. Mr. Speirs seconded and the motion carried.

All in Favor - 5
Opposed - 0

Ms. Hertel questioned who the members of the Parking & Transportation Committee were.

Mayor Toscana adjourned the Board of Adjustments and turned the meeting over to the Planning and Zoning Commission.

Chairman Ryan called the Planning and Zoning meeting back to order.

FINAL PLAT - TIM UDAGER - FINAL PLAT

Location: 45 Burnham
Zone: R-1 - Residential District

Ms. Williams referred to the following staff report:

STAFF REPORT
PLANNING AND ZONING
MARCH 28, 2006

APPLICANT: Tim Udager

PURPOSE: For transfer purposes and to split the lots in a different direction

GENERAL LOCATION: Currently, 45 Burnham; however, if sold in the future they would have Pleasant Street addresses

LEGAL DESCRIPTION: Plat of Lots 3A and 4A, Block 8, Highland Park Addition, formerly know as Lots 3 and 4, Block 8, Highland Park Addition to the City of Deadwood, Located in the NW ¼ of Section 23, T5N, R3E, B.H.M., Lawrence County, South Dakota

FILE STATUS: All legal obligations have been completed.

CITIZENS RESPONSE: FOR: NA AGAINST: NA

STAFF FINDINGS:

Surrounding Zoning:

North: R1 – Residential
South: R1 - Residential District
East: R1 – Residential District
West: R1 – Residential District

Surrounding Land Uses

Single-family Residences
Single – family Residences
Single –family Residences
Single – family Residences

SUMMARY OF REQUEST

The petitioner has submitted a Final Plat in order realign the lot lines to allow for additional building frontage. The existing lots of record were aligned with Burnham Avenue; however, the frontage was only 30' for each lot, making it difficult to build and meet setbacks. The new lots will have a 50' frontage and will extend to the rear 60', making it more practical to build a wider home. Section 17.24.040.A1. of the Deadwood Zoning Code states "Minimum lot area for non-conforming lots of record: two thousand five hundred (2,500) square feet; therefore, the subject plat more than meets the lot requirements.

FACTUAL INFORMATION

1. The property is currently zoned R1 – Residential District
2. The two lots are comprised of 6,252.28 square feet.
3. The subject property gains access from Pleasant Street.
4. The subject property is located within a very low density residential designation in the Comprehensive Plan.
5. The lots are located within Zone X – Other areas – which are areas determined to be outside the 500 year flood plain on the FIRM Flood Insurance Rate Map, Revised May 7, 2001.
6. Public facilities are available to serve the property.
7. The area is characterized by some open space, vacant lands and residential homes.

STAFF DISCUSSION

The subject property is currently vacant and used as yard space for 45 Burnham Street.

All requirements have been met to process the subject plat.

ACTION REQUIRED:

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

Mr. Thorpe questioned the setback distance from Burnham Street. Ms. Williams stated 15 feet for a corner lot and 5 feet for an interior lot line.

Ms. Griffith question if the owner would build across the lots. Mr. Loren Vrem, surveyor for Ponderosa Land Survey stated he believed they could not build across the lot lines and they

were realigning the lot lines. Ms. Williams noted the zoning code did allow building over lot lines if the lots were all under one ownership.

Ms. Green moved to approve the Final Plat for Tim Udager. Ms. Farrier seconded and the motion carried.

All in favor - 5
Opposed - 0

Chairman Ryan adjourned the Planning and Zoning Commission and turned the meeting over to the Board of Adjustment.

DEADWOOD BOARD OF ADJUSTMENT

Mayor Toscana called the Board of Adjustment to order.

Mr. Speirs stated he did not like that the home would be built facing a different direction than the existing homes on Burnham Street.

The Board of Adjustment briefly discussed possible uses of the area in question. Mayor Toscana stated he felt uncomfortable approving the Plat in which a variance would have to be issued to build. Ms. Williams stated that was not the issue at hand.

Ms. Griffith moved to approve the recommendation of Planning and Zoning for the Final Plat for Tim Udager. Ms. Feterl seconded and the motion carried.

All in Favor - 4
Opposed - 1 (Speirs)

Mayor Toscana adjourned the Board of Adjustments and turned the meeting over to the Planning and Zoning Commission.

Chairman Ryan called the Planning and Zoning meeting back to order.

FINDINGS OF FACT - BRUCE AND MARY ANN OBERLANDER

Ms. Williams stated this was the last step in closing out this file.

Mr. Allen moved to approve the Findings of Facts. Mr. Thorp seconded and the motion carried.

All in Favor - 5
Opposed - 0

Chairman Ryan adjourned the Planning and Zoning Commission and turned the meeting over to the Board of Adjustment.

DEADWOOD BOARD OF ADJUSTMENT

Mayor Toscana called the Board of Adjustment to order.

Ms. Feterl moved to approve the Findings of Facts. Ms. Silvernail seconded and the motion carried.

All in Favor - 5
Opposed - 0

Mayor Toscana adjourned the Board of Adjustments and turned the meeting over to the Planning and Zoning Commission.

Chairman Ryan called the Planning and Zoning meeting back to order.

OPEN

Ms. Williams updated the P&Z Commissioners on the status of the parking ordinance issue. Ms. Williams stated the committee agreed to wait for the parking study to take place and discuss and consider the recommendations from the study.

ADJOURNMENT

Mr. Thorp moved to adjourn the Joint Meeting of the Planning and Zoning Commission. Ms. Green seconded and the motion carried.

All in favor - 5
Opposed - 0

There being no further business, Planning & Zoning Commission adjourned at 6:15 p.m.

ATTEST:

Larry Ryan
Chairman (Acting)
Planning and Zoning

Marie Farrier
Secretary (Acting)
Planning and Zoning