

CITY OF DEADWOOD

PLANNING AND ZONING COMMISSION

April 17, 2013

JOINT MEETING

The Joint Meeting of the Deadwood Planning and Zoning Commission and Board of Adjustment was called to order by Chairperson Jim Shedd on Wednesday, April 17, 2013 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, Sheree Green and Marie Farrier.

ABSENT PLANNING & ZONING: Mark Speirs.

PRESENT BOARD OF ADJUSTMENT: Francis Toscana, Georgeann Silvernail, Gary Todd and Jim Van Den Eykel.

ABSENT BOARD OF ADJUSTMENT: Joe Peterson.

APPROVAL OF MINUTES:

It was moved by Ms. Farrier and seconded by Mr. Allen to approve the minutes of the March 20, 2013 Meeting. Aye - All. Motion carried.

SIGNS:

Ron Island DBA Comfort Inn and Suites - 225 Cliff Street - Request for signage.

1. **Replace top can on the existing freestanding sign with new and internally illuminated sign.**

Mr. Keith Umenthum stated that the applicant requested permission replace the top can on an existing freestanding sign. Mr. Umenthum explained that there was no change to the size of the sign; however, the sign would state, "Comfort Inn and Suites." He noted that the sign would be internally lit which is allowed outside of the Historic Landmark District. Mr. Umenthum stated that the sign did not require a variance and meets the sign ordinance.

It was moved by Ms. Farrier and seconded by Ms. Green to approve the application for replacement of a top can, as presented, for Ron Island DBA Comfort Inn and Suites at 225 Cliff Street. Aye - All. Motion carried.

2. **Replace Channel Letters and Logo existing with new and internally illuminated sign. (83 Square Feet)**

Mr. Umenthum stated that the applicant requested permission to replace existing channel letters and logo with new letters and logo, which would also be internally illuminated. Mr. Umenthum explained that the sign would state, "Comfort Inn and Suites." Mr. Umenthum stated that the sign did not require a variance and meets the sign ordinance.

It was moved by Mr. Allen and seconded by Ms. Farrier to approve the application to replace channel letters and logo, as presented, for Ron Island DBA Comfort Inn and Suites at 225 Cliff Street. Aye - All. Motion carried.

3. **Install new internally illuminated wall sign. (49 Square Feet)**

Mr. Umenthum stated that the applicant requested permission to install an internally illuminated sign. Mr. Umenthum stated that the sign did not require a variance and meets the sign ordinance.

It was moved by Ms. Green and seconded by Ms. Farrier to approve application for a wall sign, as presented for Ron Island DBA Comfort Inn and Suites at 225 Cliff Street. Aye - All. Motion carried.

FINAL PLAT: Lot 4A, Block 20, Original Townsite of Deadwood, Formerly Lot 4 and a Portion of Lot A, Block 20; All Located in the SE1/4 of Section 22 T5N, R3E, B.H.M., City of Deadwood, Lawrence County, South Dakota.

Mr. Nelson explained that The Final Plat of Lot 4A had been submitted to facilitate the transfer of a small portion of Lot A from the City of Deadwood to the Hotel Franklin Inc. located at 700 Main Street. Mr. Nelson explained that the property had been appraised, surplused, and acquired by the Hotel Franklin Inc. He stated that upon approval of the plat and recording, the portion of Lot A will be deeded to the Hotel Franklin Inc.

It was moved by Ms. Green and seconded by Ms. Farrier to approve the Final Plat of Lot 4A, Block 20, Original Townsite of Deadwood. Aye - All. Motion carried.

FINAL PLAT: Deadwood Amusement Park Tract, The Days of 76 Tract A, Lot A Revised and Deadwood City Shop Tract A Located in Portions of M.S. 308, 335, 242, 569, 735, and 840 In the NE1/4 of Section 23, T5N, R3E, B.H.M., City of Deadwood, Lawrence County, South Dakota Deadwood Amusement Park Tract formerly Lots X1 & X2 in M.S. 308, Lots X1 & X2 in M.S. 335, Lot X1 in M.S. 242, Larive Lot in M.S. 335 and Portions of M.S. 308, 335, 242, & 569 Days of 76 Tract A Formerly a portion of M.S. 569 Lot A Revised Formerly Lot A in M.S. 569 & 840 Deadwood City Shop Tract A Formerly Lots 2 & 3 of E.L. Keener Lots in M.S. 335, Lots 1 & 2, Block 3 of Mirick Addition in M.S. 735 and Portion of Lots 3, 4, & 5 of Railroad Avenue Block in M.S. 735

Mr. Nelson stated that the Final Plat of the Deadwood Amusement Park Tract and three additional parcels of land had been submitted to clean up property boundaries and the legal description, and define clear ownership of the property. Mr. Nelson stated that an access easement was created on the plat for a portion of Crescent Drive, identified as Seventy-six Drive, and establish a portion of Dunlop Avenue where it is constructed. He explained that an access easement is provided on the plat for the Days of '76 Campground and noted that an access easement was vacated that was previously used for a bridge and roadway.

Mr. Nelson stated that most of the property involved was zoned PU - Public Use, which has no size requirements in the City of Deadwood Code of Ordinances, Area and Bulk Requirements for this district; however, Lot A Revised is zoned CH - Commercial Highway and does meet the Area and Bulk Requirements for size.

Mr. Nelson noted that Ms. Green and her staff at the Register of Deeds help tremendously on the research of the plat.

It was moved by Ms. Green and seconded by Mr. Allen to approve the Final Plat of Deadwood Amusement Park Tract, The Days of 76 Tract A, Lot A Revised and Deadwood City Shop Tract A. Aye - All. Motion carried.

FINAL PLAT: Tracts A, B and C of The Fish and Hunter Subdivision and Public Access and Utilities Easements, Formerly Lots 9, 11, 13, 15, 17, 19, 21 and 23 and the Westerly 28 feet of Lots 25 and 27 of Block 38 and Lots 10, 12, 14, 16, 18, 20, 22, and 24 of Block 37, Original Town of Deadwood, Located NW1/4 of Section 26, T5N, R3E, B.H.M., City of Deadwood, Lawrence County, South Dakota

Mr. Nelson stated that the Final Plat of Tracts A, B and C of the Fish and Hunter Subdivision had been submitted to clean up property boundaries and legal description as well as, prepare the property for transfer if sold by the City of Deadwood. Mr. Nelson stated that the plat created access easements for Water Street.

It was moved by Ms. Green and seconded by Mr. Allen to approve the Final Plat of Tracts A, B and C of The Fish and Hunter Subdivision and Public Access and Utilities Easement. Aye - All. Motion carried.

Mr. Shedd closed the Planning & Zoning Meeting.

Mr. Toscana opened the Board of Adjustment.

FINAL PLAT: Lot 4A, Block 20, Original Townsite of Deadwood, Formerly Lot 4 and a Portion of Lot A, Block 20; All Located in the SE1/4 of Section 22 T5N, R3E, B.H.M., City of Deadwood, Lawrence County, South Dakota.

It was moved by Ms. Silvernail and seconded by Mr. Todd to approve the Final Plat of Lot 4A, Block 20, Original Townsite of Deadwood, as recommended by Planning & Zoning. Aye - All. Motion carried.

FINAL PLAT: Deadwood Amusement Park Tract, The Days of 76 Tract A, Lot A Revised and Deadwood City Shop Tract A Located in Portions of M.S. 308, 335, 242, 569, 735, and 840 In the NE1/4 of Section 23, T5N, R3E, B.H.M., City of Deadwood, Lawrence County, South Dakota Deadwood Amusement Park Tract formerly Lots X1 & X2 in M.S. 308, Lots X1 & X2 in M.S. 335, Lot X1 in M.S. 242, Larive Lot in M.S. 335 and Portions of M.S. 308, 335, 242, & 569

Days of 76 Tract A Formerly a portion of M.S. 569

Lot A Revised Formerly Lot A in M.S. 569 & 840

Deadwood City Shop Tract A Formerly Lots 2 & 3 of E.L. Keener Lots in M.S. 335, Lots 1 & 2, Block 3 of Mirick Addition in M.S. 735 and Portion of Lots 3, 4, & 5 of Railroad Avenue Block in M.S. 735

It was moved by Ms. Silvernail and seconded by Mr. Todd to approve the Final Plat of Deadwood Amusement Park Tract, The Days of 76 Tract A, Lot A Revised and Deadwood City Shop Tract A, as recommended by Planning & Zoning. Aye - All. Motion carried.

FINAL PLAT: Tracts A, B and C of The Fish and Hunter Subdivision and Public Access and Utilities Easements, Formerly Lots 9, 11, 13, 15, 17, 19, 21 and 23 and the Westerly 28 feet of Lots 25 and 27 of Block 38 and Lots 10, 12, 14, 16, 18, 20, 22, and 24 of Block 37, Original Town of Deadwood, Located NW1/4 of Section 26, 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 approve the Final Plat of Tracts A, B and C of The Fish and Hunter Subdivision and Public Access and Utilities Easement, as recommended by Planning & Zoning. Aye - All. Motion carried.

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

OPEN

Mr. Nelson stated that he would like to thank Mayor Francis Toscana for all of his work with the Planning & Zoning Commission and noted that the meeting was Mayor Toscana's final meeting with the Planning & Zoning Commission. The Commission also thanked Mayor Toscana.

ADJOURNMENT:

It was moved by Ms. Farrier and seconded by Ms. Green 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 5:17 p.m.

ATTEST:

Mr. Jim Shedd
Chairman
Planning and Zoning

Ms. Sheree Green
Secretary
Planning and Zoning