

CITY OF DEADWOOD

PLANNING AND ZONING COMMISSION

August 17, 2005

REGULAR MEETING

The Regular Meeting of the Deadwood Planning and Zoning Commission was called to order by Chairman Larry Ryan on Wednesday, August 17, 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, Mel Allen, Sheree Green and Marie Farrier arriving at 5:05.

ABSENT PLANNING & ZONING: Robert Thorp

APPROVAL OF August 3, 2005 MINUTES

Ms. Green moved to approve the minutes of August 3, 2005 as mailed. Mr. Allen seconded and the motion carried.

<u>All in Favor</u>	<u>-</u>	<u>3</u>
<u>Opposed</u>	<u>-</u>	<u>0</u>

FINAL PLAT - LOT 1R OF DEADWOOD GULCH ADDITION II, FORMERLY A PORTION OF DEADWOOD GULCH ADDITION II, LOCATED IN THE E 1/2 OF SECTION 27, T5N, R3E, B.H.M, CITY OF DEADWOOD, LAWRENCE COUNTY, SOUTH DAKOTA  
ZONE: CH-COMMERCIAL HIGHWAY/PARK FOREST DISTRICT

Ms. Williams stated the plat met the requirements of the subdivision ordinance. She noted that Mr. Gary Engle, South Dakota Department of Transportation, had requested a stipulation be placed on the plat that Mr. Fuller would need to obtain an Approach Permit (AP) from the South Dakota Department of Transportation (SDDOT). She pointed out that a part of the existing approach was located on land(s) purchased from the Katon's and now owned by the State of South Dakota. Ms. Williams noted the new permit would insure adequate access for the future. Ms. Green questioned if Mr. Fuller would be able to obtain the AP from the SDDOT. Ms. Williams pointed out it was at Mr. Engle's request and Mr. Fuller would need to meet the criteria of the state before a permit was issued. Mr. Allen felt the existing driveway was hazardous due to the location of the curve. The Commission members agreed the ingress/egress could be improved. Ms. Williams noted the State had upcoming plans for the curve in a future Highway project Mr. Ryan questioned the ownership of the property. Ms. William replied that the State owned a portion of the land. Ms. Williams reiterated that Mr. Engle of the SDDOT had signed the plat and stipulated that Mr. Fuller obtains the AP from the State. Ms. Green questioned if the permit would be recorded on the plat. Ms. Williams replied that it would not be stated on the plat but, be in the States' record. Ms. Green questioned if the stipulation was to require an easement from the state. Ms. Williams stated it would be an AP. Ms. Green questioned why the State wouldn't issue one currently. Ms. Williams explained the State required the owner to work with them to make a better approach and Mr. Fuller could not be the owner until the plat was approved. Ms. Green questioned when Mr. Fuller would obtain the AP. Ms. Williams replied that Mr. Fuller is currently working with the State to obtain the AP and the Commission could place a time limit in the motion. Ms. Green expressed concern that Mr. Fuller would not obtain the permit. Ms. Williams stated the stipulation on the plat insures that the permit would be obtained.

Mr. Allen noted Mr. Fuller still needed to address the flood plain issue. Ms. Green questioned if the flood plan had anything to do with the plat. Ms. Williams stated no, unless a building permit was requested. Mr. Allen felt there were a lot of issues that needed to be addressed in the future. Ms. Williams noted that plat approval was necessary in order for Mr. Fuller to obtain ownership of the land from Mr. Ron Island, the current owner. Ms. Farrier questioned who would sign off on the plat as owner. Ms. Green and Ms. Williams stated Mr. Island. Ms. Farrier requested that the motion include that the City Attorney assured that access was appropriate. Mr. Ryan stated that the AP needed to be included in the motion.

**Ms. Green moved to make a motion for approval, because the City Attorney has assured the Commission that access is secured for Lot 4, for the Plat of Lot 1R of Deadwood Gulch Addition II, formerly a portion of Deadwood Gulch addition II, located in the E 1/2 of section 27, T5N, R3E, B.H.M, City of Deadwood, Lawrence County, South Dakota with the stipulation that the owner apply for an approach permit from the State of South Dakota. Ms. Farrier seconded and the motion carried.**

**All in Favor - 4**  
**Opposed - 0**

**OPEN**

Ms. Williams updated the Commission on the status of the 4 Aces Change of Zoning. She stated that that the topic would be discussed at the Historic Preservation Commission on Wednesday August 24, 2005 concerning if the change the zoning would advance the demolition process for a contributing home. Ms. Farrier questioned if the change of zoning would need to be looked at again by the Planning & Zoning Commission. Ms. Williams stated that it would not; it would be the City Commissions decision on August 29, 2005.

**ADJOURNMENT:**

**Mr. Ryan moved to adjourn the Regular Meeting of the Planning and Zoning Commission. Ms. Green seconded and the motion carried.**

**All in favor - 4**  
**Opposed - 0**

There being no further business, Planning & Zoning Commission adjourned at 5:45 p.m.

ATTEST:

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Larry Ryan  
Chairman (Acting)  
Planning and Zoning

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Marie Farrier  
Secretary (Acting)  
Planning and Zoning