

CITY OF DEADWOOD

PLANNING AND ZONING COMMISSION

October 21, 2009

REGULAR MEETING

The Regular Meeting of the Deadwood Planning and Zoning Commission was called to order by Chairperson Marie Farrier on Wednesday October 21, 2009 at 5:00 p.m. in the Deadwood City Hall Meeting Room located at 102 Sherman Street, Deadwood, SD 57732.

PRESENT PLANNING & ZONING: Marie Farrier, Mel Allen, Sheree Green, Larry Ryan and Jim Shedd.

APPROVAL OF MINUTES:

Mr. Ryan moved to approve the minutes of the October 7, 2009 Regular Meeting, as mailed. Mr. Allen seconded and the motion carried.

All in favor - 5
Opposed - 0

MR. KEITH UMENTHUM - SIGNS

The Lodge at Deadwood - 100 Pine Crest Lane - Request for an 8'x18' or 144 square foot wall sign. Variance from Section 15.32.310.B for 84' is required from the maximum allowance of 60 feet and a variance for 6' from Section 15.32.300 only allowing 2' height for a wall sign.

Mr. Keith Umenthum stated that the applicant was requesting permission for an 8'x18' or 144 square foot wall sign with painted metal lettering at The Lodge located at 100 Pine Crest Lane. Mr. Umenthum stated variances were required; a variance of 84' square feet from Section 15.32.310.B was required from the maximum allowance of 60 feet and a variance for 6' from Section 15.32.300 only allowing 2' height for a wall sign. He explained that the variances for these signs were appropriate because the building is setback from the highway and that staff recommended approval.

Mr. Shedd moved to approve the sign as requested and the variance of 84' square feet from the maximum allowance of 60 feet for a wall sign outside of the historic district at 100 Pine Crest Lane. Ms. Green seconded and the motion carried.

All in favor - 5
Opposed - 0

Mr. Shedd moved to approve the variance for height of 6' from Section 15.32.300 only allowing 2' height for a wall sign at 100 Pine Crest Lane. Mr. Allen seconded and the motion carried.

All in favor - 5
Opposed - 0

Ms. Farrier asked Mr. Umenthum to explain what had transpired after the October 7, 2009 Meeting regarding the proposed signage with the reversed channel lettering. Mr. Umenthum stated that he and Ms. Williams had consulted with City Attorney, Mr. Jason Campbell regarding the issue. He stated that Mr. Campbell had reviewed the ordinance and felt the proposed lighting was not allowable by the current ordinance. Mr. Umenthum stated that Mr. Willey was informed that the application would not be approved as applied. Mr. Willey submitted the application as presented above and it was approved by the Commission in the preceding motions.

Grace Lutheran Church - 827 Main Street - Request for a 4'x4' or 16' square foot free standing sign in front of the church. No variance required.

Mr. Umenthum stated the applicant was requesting permission for a free standing sign 4'x4' or 16' square foot painted sign board sign to be placed in front of the church. Staff recommended approval.

Mr. Shedd moved to approve a free standing, painted 4'x4' sign board in front of the Grace Lutheran Church. Mr. Ryan seconded and the motion carried.

All in favor - 5
Opposed - 0

Mr. Olsen questioned if a fee waiver should be considered Mr. Umenthum stated that the organizations did not request a fee waiver and the fee had been paid.

Grace Lutheran Church - 827 Main Street - Request for a 6'x4' or 24 square foot wall sign at the back of the church and a 2' variance from Section 15.32.500 allowing for a 4' height of the wall sign.

Mr. Umenthum stated the applicant was requesting permission for a 6'x4' or 24 square foot wall sign at the back of the church and a 2' variance from Section 15.32.500 allowing for a 4' height of the wall sign was required. Staff recommended approval.

Mr. Shedd moved to approve a request for a 6'x4' or 24 square foot wall sign at the back of the church and a 2' variance from Section 15.32.500 allowing for a 4' height of the wall sign. Mr. Allen seconded and the motion carried.

All in favor - 4
Opposed - 1 (Ryan)

Mr. Ryan stated he did not see the need for the sign to be placed at the height of 6'; therefore, he opposed.

Deadwood Volunteer Fire Department - Request to Display a banner for the annual Chili Feed and waiver of the application fee at 737 Main Street

Mr. Umenthum stated the applicant was requesting permission to display a temporary banner for the annual Chili Feed at the Fire Department and a waiver of the application fee. Staff recommended approval.

Mr. Allen moved to approve temporary banner for the Fire Department and waiver of the sign permit fee. Mr. Shedd seconded and the motion carried.

All in favor - 5
Opposed - 0

PLATS:

FINAL PLAT - Plat of Lot 3, Block 1 of Palisades Tract of Deadwood Stage Run Addition, All located in the SW 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.

Ms. Williams stated the commission was familiar with these plats since they were coming in one at a time. The purpose of the plat was for transfer purposes. Ms. Williams stated the zoning on this plat was R-1 and differs throughout the subdivision.

Ms. Green asked if the City boundary was incorrect on the plat. Ms. Williams stated that the plat would need to be changed.

Ms. Green moved to approve the Final Plat for Stage Run Addition Plat of Lot 3, Block 1 of Palisades Tract of Deadwood Stage Run Addition to the City of Deadwood with the condition that the mylar be corrected with the existing city and county limits. Mr. Allen seconded and the motion carried.

All in favor - 5
Opposed - 0

FINAL PLAT - Plat of Lot 31, Block 2 of Palisades Tract of Deadwood Stage Run Addition to the City of Deadwood, All located in the SW 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

Ms. Williams stated that the zoning on this plat was R-2 and differs throughout the subdivision.

Ms. Green moved to approve the Final Plat for Stage Run Addition Plat of Lot 31, Block 2 of Palisades Tract of Deadwood Stage Run Addition to the City of Deadwood with the condition that the mylar be corrected with the existing city and county limits. Mr. Shedd seconded and the motion carried.

All in favor - 5
Opposed - 0

FINAL PLAT - White Rocks Properties, LLP/Gary Biggs LEGAL DESCRIPTION: Plat of Lots A, B, C and D of Block 23, Formerly parts of Lots 45-50 of Block 23, per PL Rogers Map, O.T., SE ¼ SE ¼ Section 22, T5N, R3E, B.H.M., City of Deadwood, Lawrence County, South Dakota

Ms. Williams explained that the purpose of the plat was to clear up the boundaries and encroachments. She stated that the lots were non-conforming lots of record and noted the legal descriptions were not adequate. Ms. Williams explained that the proposed plat cleared up the boundaries and legal descriptions; however, variances from the 5,000 square foot new lot requirement would be needed for each of the four (4) lots. The variances required follow: Lot A requires a 1,079.6 square foot variance, Lot B requires a 644 square foot variance, Lot C requires a 644 square foot variance and Lot D requires a 1,403.7 square foot variance.

Ms. Farrier questioned if the motion needed to include the variance. Ms. Williams stated that the motion would need the variances.

Ms. Green moved to approve the Final Plat for Lots A, B, C and D of Block 23 to the City of Deadwood with the following variances: a variance for Lot A of 1,079.6 square feet, a variance for Lot B of 644 square feet, a variance for Lot C of 644 square foot and a variance for Lot D of 1,403.7 square foot. Mr. Allen seconded and the motion carried.

All in favor - 5
Opposed - 0

Ms. Green noted that the vicinity maps that Arleth and Associated had placed on the plats were very good.

OPEN:

Ms. Williams explained the lighting situation at Stage Run subdivision.

ADJOURNMENT:

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

All in favor - 5
Opposed - 0

There being no further business, the Planning & Zoning Commission adjourned at 5:25 p.m.

ATTEST:

Ms. Marie Farrier
Chairman (Acting)
Planning and Zoning

Ms. Sheree Green
Secretary (Acting)
Planning and Zoning