

## **DEADWOOD HISTORIC PRESERVATION COMMISSION**

**Wednesday, March 25, 2015 ~ 5:00 p.m.**

City Hall, 108 Sherman Street, Deadwood, South Dakota

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1. Call meeting to Order
2. Approval of Minutes from March 11, 2015
3. Voucher Approval
4. Old or General Business
  - a. "What you need to know when dealing with Historic Properties" Real Estate Workshop – Approved by the South Dakota Real Estate Commissioner to be offered as Continue Education Units (CEU)
  - b. Final Approved Ordinance 17.68 Historic Preservation
5. New Matters before the Deadwood Historic District Commission
  - a. Case #H15007 – 68 Sherman Street – Mechanical Upgrade/Screen wall – TSP/Deadwood Post Office
6. New Matters before the Deadwood Historic Preservation Commission
7. Revolving Loan Fund/Retaining Wall Program Update
  - a. Retaining Wall Applications
  - b. Revolving loan Program/Disbursements
    - Deadwood Chamber – 767 Main – Loan Modification Request
    - Mary Larson – 51 Sherman – Annual Review
  - c. Retaining Wall Program / Disbursements
8. Items from Citizens not on agenda (*Items considered but no action will be taken at this time.*)
9. Staff Report (*Items considered but no action will be taken at this time.*)
10. Committee Reports (*Items will be considered but no action will be taken at this time.*)
11. Other Business
12. Adjournment

*\*All Applications **MUST** arrive at the City of Deadwood Historic Preservation Office by 5:00 p.m. MST on the 1<sup>st</sup> or 3<sup>rd</sup> Wednesday of every month in order to be considered at the next Historic Preservation Commission Meeting.*

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1. Call meeting to Order
2. Approval of Minutes from February 25, 2015
3. Voucher Approval
4. Old or General Business
  - a. "What you need to know when dealing with Historic Properties" Real Estate Workshop- No Action Needed
  - b. Bronze Plaques for Outside of Deadwood Recipients - Historic Preservation Office
  - c. Black Hills National Forest – Hardy Guard Station grant – Historic Preservation Office
5. New Matters before the Deadwood Historic District Commission
6. New Matters before the Deadwood Historic Preservation Commission
7. Revolving Loan Fund/Retaining Wall Program Update
  - a. Retaining Wall Applications
  - b. Revolving loan Program/Disbursements
    - Dustin & Laura Floyd – 21 Lincoln – Extension Request
    - Kris & Melanie Fenton – 27 Lincoln – Extension Request
    - Travis Floyd – 81 Stewart – Extension Request
    - Alan & Phyllis Wright – 822 Main – Extension Request
    - Gregory Vecchi – 19 Centennial – Extension Request
    - Shirlene Joseph – 771 Main St – Extension Request
    - Ferd Balkenhol – 834 Main St – Extension Request
  - c. Retaining Wall Program / Disbursements
8. Items from Citizens not on agenda (*Items considered but no action will be taken at this time.*)
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**CITY OF DEADWOOD**  
**HISTORIC PRESERVATION COMMISSION**  
**Wednesday, March 11, 2015**

**Present Historic Preservation Commission:** Chair Laura Floyd, Michael Johnson, Lynn Namminga, Lyman Toews, Dale Berg and Chuck Williams were present.

**Absent:** Thomas Blair and Ms. Terri Williams, City Attorney, were absent.

Mr. Kevin Kuchenbecker, Historic Preservation Officer; Ms. Joy McCracken, Executive Director of NeighborWorks-Dakota Home Services; and Mike Walker of NeighborWorks-Dakota Home Services were all present.

**Present City Commission members:** Georgeann Silvernail, Jim Van Den Eykel, Dave Ruth Jr. and Mayor Chuck Turbiville were all present.

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**All motions passed unanimously unless otherwise stated.**

A quorum present, Chair Floyd called the Deadwood Historic Preservation Commission meeting to order Wednesday, March 11, 2015 at 5:03 PM in Deadwood City Hall located at 102 Sherman Street in Deadwood, SD.

**Approval of February 25, 2015 HPC Minutes:**

*It was moved by Mr. Johnson and seconded by Mr. Williams to approve the minutes of Wednesday, February 25, 2015 as presented. Aye – All. Motion carried.*

**Voucher Approval:**

Operating Account

*It was moved by Mr. Johnson and seconded by Mr. Berg to approve the HP Operating Account in the amount of \$78,543.42. Aye – All. Motion carried.*

**Old or General Business:**

What you need to know when dealing with Historic Properties” Real Estate Workshop – No Action needed

Mr. Kuchenbecker informed the Commission there will be a “What You Need to know When Dealing with Historic Properties” workshop held on April 23, 2015 from 8:00am to 3:30pm at the Days of '76 Museum. He explained this workshop is geared toward educating the public and has been sent to the South Dakota Real Estate Commission for approval as a Continuing Education Units (CEU) Course; once approved, he informed the Commission forms will be sent to the Black Hills Association of Realtors and Mount Rushmore Association of Realtors in Spearfish and Rapid City.

Mr. Toews asked if the Commission was allowed to attend.

Mr. Kuchenbecker stated all Commissioners interested in attending would be welcome and registration comped. He instructed those interested in attending to contact Ms. Fitch or Ms. Storhaug.

No action required. (*Workshop flyer attached as Exhibit A*)

Bronze Plaques for Outside of Deadwood Recipients

Mr. Kuchenbecker informed the Commission several Outside of Deadwood grants are awarded throughout the year with the grant agreements requiring the grantee to list the Deadwood Historic Preservation Commission as a funding supporter in any printed material and publicity releases. He noted due to a recent suggestion by the Mayor and a commissioner, in addition to the Deadwood Historic Preservation Commission presenting the grantee with a large mock check in the amount awarded, the Historic Preservation Office should explore providing a bronze plaque to be presented and displayed on a completed project.

Mr. Kuchenbecker presented to the Commission a proposal to purchase 60 bronze plaques that read “*Funding for this project provided by the Deadwood Historic Preservation Commission and the City of Deadwood*”.

Mr. Toews asked if these plaques could be expanded to include other Deadwood properties that may use Deadwood Historic Preservation funding to restore, rehab or reconstruct a resource.

Mr. Kuchenbecker stated expanding distribution of the plaques is a possibility and a good idea. ***Mr. Toews moved and Mr. Johnson seconded to approve spending \$6,241.80 for 60 bronze plaques as a recommendation to the City Commission. Aye – All. Motion carried.*** (*Staff report attached as Exhibit B*)

Black Hills National Forest – Hardy Guard Station Grant Extension Request

Mr. Kuchenbecker informed the Commission the Black Hills National Forest rescinded their grant extension request and wanted to thank the Commission for assisting in their Hardy Guard Station restoration project. No action required. (*Staff report attached as Exhibit C*)

New Matters before the Deadwood Historic District Commission

No applications were addressed at this meeting.

New Matters before the Deadwood Historic District Commission

No applications were addressed at this meeting.

Revolving Loan Fund/Retaining Wall Program Update:

Retaining Wall Applications

No applications were addressed at this meeting.

Revolving Loan Program/Disbursements

***It was moved by Mr. Toews and seconded by Mr. Berg to approve the HP Revolving Loan Fund disbursement in the amount of \$30.00, based on information as presented by Ms. Joy McCracken, Executive Director of NeighborWorks-Dakota Home Services. Aye - All. Motion carried.*** Delinquency Report was reviewed and updates on projects were given. Overview of the Revolving Loan Fund was presented.

Chair Floyd recused herself from the meeting.

21 Lincoln – Dustin & Laura Floyd

***It was moved by Mr. Toews and seconded by Mr. Berg to approve the extension request for Special Needs Windows Loan for Dustin & Laura Floyd, 21 Lincoln, in amount of \$1,200.00 to mature September 5, 2015, based on information as presented. Aye- All. Motion carried. (NeighborWorks packet attached as Exhibit D and incorporated herein by this reference)***

Chair Floyd rejoined the meeting.

27 Lincoln – Kris & Melanie Fenton

***It was moved by Mr. Toews and seconded by Mr. Johnson to approve the extension request for Special Needs Siding Loan for Kris & Melanie Fenton, 27 Lincoln, in amount of \$10,000.00 to mature September 19, 2015, based on information as presented. Aye- All. Motion carried.***

***It was moved by Mr. Toews and seconded by Mr. Williams to approve the extension request for Special Needs Windows Loan for Kris & Melanie Fenton, 27 Lincoln, in amount of \$3,000.00 to mature September 19, 2015, based on information as presented. Aye- All. Motion carried. (NeighborWorks packet attached as Exhibit D and incorporated herein by this reference)***

81 Stewart – Travis Floyd

Chair Floyd disclosed the applicant was her brother-in-law and asked the Commission if anyone felt it necessary for her to abstain from voting. No objections were heard by Commission.

***It was moved by Mr. Toews and seconded by Mr. Johnson to approve the extension request for Retaining Wall loan for Travis Floyd, 81 Stewart, in amount of \$8,962.02 to mature September 30, 2015, based on information as presented. Aye- All. Motion carried. (NeighborWorks packet attached as Exhibit D and incorporated herein by this reference)***

822 Main – Alan & Phyllis Wright

***It was moved by Mr. Namminga and seconded by Mr. Toews to approve the extension request for Special Needs Siding Loan for Alan & Phyllis Wright, 822 Main, in amount of \$10,000.00 to mature September 17, 2015, based on information as presented. Aye- All. Motion carried. (NeighborWorks packet attached as Exhibit D and incorporated herein by this reference)***

19 Centennial – Gregory Vecchi

***It was moved by Mr. Toews and seconded by Mr. Johnson to approve the extension request for Special Needs Windows Loan for Gregg Vecchi, 19 Centennial, in amount of \$1,200.00 to mature September 27, 2015, based on information as presented. Aye- All. Motion carried. (NeighborWorks packet attached as Exhibit D and incorporated herein by this reference)***

771 Main – Shirlene Joseph

***It was moved by Mr. Toews and seconded by Mr. Berg to approve the extension request for Special Needs Windows Loan for Shirlene Joseph, 771 Main, in amount of \$3,000.00 to mature August 28, 2015, based on information as presented. Aye- All. Motion carried. (NeighborWorks packet attached as Exhibit D and incorporated herein by this reference)***

834 Main – Ferd Balkenhol

***It was moved by Mr. Toews and seconded by Mr. Johnson to approve the extension request for Special Needs Siding Loan for Ferd Balkenhol, 834 Main, in amount of \$2,700.00 to mature August 2, 2015, based on information as presented. Aye- All. Motion carried. (NeighborWorks packet attached as Exhibit D and incorporated herein by this reference)***

Retaining Wall Program/Disbursements:

No applications were addressed at this meeting.

**Items from Citizens not on Agenda**

Ms. Joy McCracken, Executive Director of NeighborWorks-Dakota Home Services, handed out invitations to the *Open House At Shea House* being held from 3-6pm on Friday, March 20, 2015; she invited the Commission and staff to stop in to see the newly renovated home located at 15 Peck Street, Deadwood. Ms. McCracken informed the Commission the house had been purchased by a local family. *(NeighborWorks Invitation attached as Exhibit E)*

Revolving Loan Fund/Retaining Wall Program Update

No applications were addressed at this meeting.

**Staff Report:** *(items will be considered but no action will be taken at this time.)*

Mr. Kuchenbecker reported on the following items:

- Six new panels depicting the history of baseball in Deadwood starting around 1874 were completed and set out for the Commission to view. The six panels represent: the first expedition game that took place near Custer City, SD and near Nemo, SD; games played by Babe Ruth and Menzel; past baseball fields of Deadwood; and Deadwood players who ended up in Cooperstown's Baseball Hall of Fame. Mr. Kuchenbecker thanked City Archivist, Michael Runge, and Dave Kemp for all the work done in researching and creating the Traveling Exhibit;
- Rodeo Grounds Pre-construction meeting is scheduled for Tuesday, March 17, 2015 at 2pm at City Hall;
- Following test trenches, Foundation House excavation started. Contractor unearthed several items ranging from an elk skull to intact bottles which needed further Archeological investigation. With the go ahead to continue, the contracted continued excavation; further discussion regarding foundation options are underway;
- Goal is to have Wayfinding implemented by July 13, 2015;
- The Rocky Mountain 2014 Regional Forester's Honor Awards Ceremony was postponed until further notice;
- As of today there is a 35% return rate on the 92 surveys sent out. Neighborworks has received 20 from the Block Clubs; online survey was posted in the newsletter with deadline of March 20<sup>th</sup>, 2015;
- Ancestry.com and Newspaper.com contacted Black Hills Pioneer and the Deadwood Archives to partner, in efforts of library indexing, for access to historic newspapers dating back to the first issued on June 8, 1876;
- The City of Deadwood will be having an election on April 14, 2015 for two (2) City Commissioners. In addition, voters will be voting on Initiated Measure #1 to require a majority vote of the public prior to moving, demolishing or destroying any historic property listed on the State or National Register of Historic Places, and Initiated Measure #2 to permit diagonal parking on Main Street Deadwood.

**Committee Reports**

None presented at this meeting.

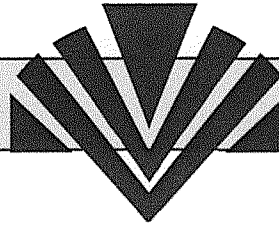
**Adjournment:**

There being no other business, the Historic Preservation Commission Meeting adjourned at 5:32 p.m.

ATTEST:

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Laura Floyd  
Chairman, Historic Preservation Commission  
Kate Storhaug, Historic Preservation Office/Recording Secretary



South Dakota Real Estate Commission  
***Certificate of Approval***

What You Need to Know When Dealing with  
Historic Properties  
*sponsored by*

City of Deadwood Historic Preservation  
*has been approved for*

**2 Required Hours / 3 Elective Hours of Continuing Education**

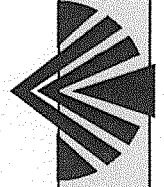
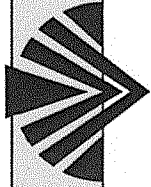
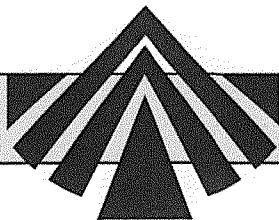
*effective March 18, 2015 through March 18, 2018*

Course Number 4390B518

Karen  
Callahan

Digitally signed by Karen Callahan  
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o=SDREC  
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*Karen Callahan, Education Director*



**ORDINANCE NO. 1211**

**ORDINANCE AMENDING CHAPTER 17.68 ENTITLED**  
**HISTORIC PRESERVATION**

**WHEREAS**, the Deadwood City Commission has determined it is proper and necessary to modify and amend Chapter 17.68 to preserve and protect Deadwood's Historic Resources, therefore

**BE IT ORDAINED** Chapter 17.68 of the Deadwood Municipal Code entitled HISTORIC PRESERVATION be amended as follows:

Deadwood, SD Code of Ordinances

**Chapter 17.68**  
**HISTORIC PRESERVATION**

Sections:

- 17.68.010 Historic overlay zone.
- 17.68.020 Historic preservation commission.
- 17.68.030 Historic district commission.
- 17.68.040 Rules of procedure.
- 17.68.050 Criteria for issuance of certificates of appropriateness or project approvals.
- 17.68.060 Procedures for issuance of certificates of appropriateness and project approvals.
- 17.68.070 Unreasonable economic hardship.
- 17.68.080 Appeals.
- 17.68.090 Minimum maintenance requirements.
- 17.68.100 Demolition by neglect.
- 17.68.110 Public safety exclusion.
- 17.68.120 Enforcement and penalties.
- 17.68.130 Appropriations.
- 17.68.140 Title to property acquired.
- 17.68.150 Project review by state.

**17.68.010 Historic overlay zone.**

- A. Purpose. An historic overlay zone is established for the purpose of the protection of the historical resources of the city. Any development within such zone shall comply with the provisions of this chapter.
- B. Boundaries. The boundaries of the historic overlay zone are indicated on the zoning map under DCO 17.12.010 and follow the boundaries of the federally designated Deadwood National Historic Landmark District which are defined as the 1981 Deadwood City limits and its environs.



C. Planning Units.

1. The historic overlay zone is comprised of a series of planning units, indicated on the zoning map under DCO 17.12.010.

The planning units are based on historical development patterns. The historic preservation commission provided for herein, shall initiate a thorough investigation of each planning unit, and may develop design review guidelines specific to each unit. Such guidelines may be consistent with local, state and federal guidelines and regulations, including, but not limited to, building safety and fire codes and the Secretary of the Interior's Standards and Guidelines for Archeology and Historic Preservation;

2. Except in Planning Unit 4 where a certificate of appropriateness is required, no person shall commence any undertaking or project, as defined in Section 17.08.010 of this title, ~~affecting any building, structure or historic resource~~ without approval of such undertaking or project by the historic preservation commission, except when the commission or its staff has determined that the undertaking or project will not encroach upon, damage or destroy any historic property. Such determination shall be based upon the guidelines adopted by the Deadwood historic preservation and district commission(s);
3. Within Planning Unit 4, no exterior portion of any building or other structure (including walls, fences, light fixtures, steps and pavement or other appurtenant features) nor above-ground utility structure nor any type of outdoor advertising sign shall be erected, altered, restored, moved or demolished until after an application for a certificate of appropriateness as to exterior features has been submitted to and approved by the historic district commission created by Ordinance No. 777. A certificate of appropriateness shall be required whether or not a building permit is required.

(Ord. 952 (part), 1999; Ord. 900 (part), 1995; Ord. 831 § 7.1, 1992)

**17.68.020 Historic preservation commission.**

- A. Purpose. By virtue of SDCL 1-19B-2, the city is authorized to establish a historic preservation commission to preserve, promote and develop the historical resources of the city, and to perform such other functions as may be provided by law. Pursuant to Resolution No. 1987-10, such a commission was established. That commission is recognized, and shall consist of its current members until their successors are appointed as provided by this section.
- B. Membership. The Deadwood historic preservation commission shall consist of not less than five (5) nor more than ten (10) members, who shall be appointed by the city commission with due regard to proper representation of such fields as history, architecture, urban planning, archeology, paleontology and law. All members of the historic preservation commission shall reside within the city and shall serve for terms not to exceed three (3) years, being eligible for reappointment.
- C. Powers of the Historic Preservation Commission. In order to preserve, promote and develop the historical resources of the city, the historic preservation commission shall have the



following powers:

1. To employ such qualified staff personnel, as it deems necessary;
2. To conduct a survey of local historic properties;
3. To enter, solely in performance of its official duties and only at reasonable times, upon private lands for examination or survey thereof. However, no member, employee or agent of the commission may enter any private building or structure without the express consent of the owner or occupant thereof except as otherwise provided by applicable law;
4. To participate in the conduct of land-use, urban renewal and other planning processes undertaken by the city;
5. To cooperate with the federal, state and local governments in the pursuance of the objectives of historic preservation;
6. To contract, with the approval of the city, with the state or the federal government, or any agency of either, or with any other organization;
7. To acquire fee and lesser interests in historic properties, including adjacent or associated lands, by purchase, bequest or donation;
8. To preserve, restore, maintain and operate historic properties under the ownership or control of the commission;
9. To sell, lease and otherwise transfer or dispose of historic properties subject to rights of public access and other covenants and in a manner that will preserve the property;
10. To promote and conduct an educational and interpretive program on historic properties within the city;
11. In addition to any review by the city's planning and zoning commission and/or building official, the historic preservation commission shall review any undertaking, whether publicly or privately funded, which will encroach upon, damage, or destroy any historic property included in the national register of historic places or the state register of historic places; the issuance of a permit is required before any undertaking which will encroach upon, damage, or destroy historic property may proceed; the decision to approve or deny a permit shall be based on the standards for historic preservation, restoration, and rehabilitation projects adopted by rules promulgated pursuant to SDCL 1-19A-29; properties owned by the State of South Dakota are exempt from local review; and, as appropriate, the historic preservation commission shall also consider criteria contained in Section 17.68.050;
12. To recommend ordinances and otherwise provide information for the purposes of historic preservation to the city commission;
13. To investigate and report on the historical, architectural, archeological or cultural significance of any properties proposed to be included in a locally-designated historic district pursuant to SDCL 1-19B-20. (Ord. 1160, 2011: Ord. 952 (part), 1999: Ord. 900

(part), 1995: Ord. 831 § 7.2, 1992)

**17.68.030 Historic district commission.**

- A. Purpose. By virtue of SDCL 1-19B-38, the city is authorized to establish a locally designated historic district, and a historic district commission. Pursuant to Ordinance No. 777, such a district and commission were established. That district and commission are recognized by this section.
- B. Membership. The historic district commission shall consist of not less than three nor more than seven members appointed by the city commission with due regard to proper representation of fields such as history, architecture, architectural history, urban planning, archaeology, paleontology and law. Where possible, the members shall be selected from residents of the district.

The appointments to membership on the commission shall be so arranged that the term of at least one member will expire each year, and their successors shall be appointed in like manner for terms of three years.

- C. Powers of the Historic District Commission. In order to preserve, promote and develop the historical resources of the historic district established by Ordinance No. 777, the historic district commission shall have the following powers:
  - 1. To study any proposed amendments to Ordinance No. 777 and report thereon;
  - 2. To adopt rules and regulations;
  - 3. To employ clerical and technical assistants or consultants;
  - 4. To accept gifts of money and expend the same for the performance of their purpose;
  - 5. To issue or deny the issuance of certificates of appropriateness in accordance with Section 17.68.010(C)(3) of this chapter.

(Ord. 831 § 7.3, 1992)

**17.68.040 Rules of procedure.**

To fulfill the purposes of this chapter:

- A. A majority of the members of the historic preservation or historic district commission must vote in agreement to constitute any valid action of that commission.
- B. Each commission annually shall elect from its membership a chairperson and vice-chairperson. It shall select a secretary from its membership or its staff. If neither the chairperson nor the vice-chairperson attend a particular meeting, the remaining members shall select an acting chairperson from the members in attendance at such meeting.
- C. Each commission shall keep minutes and records of all meetings and proceedings, which shall be a matter of public record.
- D. Each commission shall establish its own regular meeting time, which shall be scheduled at least once every month. The chairperson or any two members may call a special



meeting to consider an urgent matter.

~~E. Certificates of appropriateness issued by the historic district commission and project approvals issued by the historic preservation commission shall expire twelve (12) months after issuance. When a certificate or an approval have expired, an applicant may seek a new certificate or approval.~~

F. Should any voting member of either commission miss three consecutive meetings without adequate excuse, or twenty-five (25) percent of the meetings in any one calendar year, the voting members of that commission shall have the authority to recommend to the city commission that such member be removed from the commission.

(Ord. 900 (part), 1995; Ord. 831 § 7.4, 1992)

#### **17.68.050 Criteria for issuance of certificates of appropriateness or project approvals.**

The historic district and historic preservation commissions shall use the following criteria and established design review guidelines in granting or denying certificates of appropriateness and project approvals:

##### **A. General Factors.**

1. Architectural design of the resource and proposed alteration;
2. Historical significance of the resource;
3. General appearance of the resource;
4. Condition of the resource;
5. Materials composing the resource;
6. Size of the resource;
7. The relationship of the above factors to, and their effect upon the immediate surroundings and upon the district as a whole and its architectural and historical character and integrity; and
8. The location and visibility of the alteration and resource.

##### **B. New Construction.**

1. In advance of new construction, steps shall be taken by the owner to insure evaluation of possible archaeological resources, as set forth in SDCL 1-20.
2. The following aspects of new construction shall be visually compatible with the buildings and environment with which the new construction is visually related, including but not limited to: the height, the gross volume, the proportion between width and height of the facade(s), the proportions and relationship between doors and windows, the rhythm of solids to voids created by openings in the facade, the materials, the textures, the colors, the patterns, the trims and the design of the roof.
3. Existing rhythm created by existing building masses and spaces between them shall be

preserved.

4. The landscape plan shall be compatible with the resource, and it shall be visually compatible with the environment with which it is visually related. Landscaping shall also not prove detrimental to the fabric of a resource, or adjacent public or private improvements like sidewalks and walls.
5. No specific architectural style shall be required.
6. With respect to these new construction criteria, the commission shall also consider the zoning classification and historic integrity of visually related buildings.

C. Exterior Alteration.

1. All exterior alterations to a building, structure, object, site or landscape feature shall be compatible with the resource itself and other resources with which it is related. The original design of a building, structure, object or landscape feature shall be considered in applying these standards.
2. Exterior alterations shall not affect the architectural character or historic quality of a resource and shall not destroy the significance of resource sites.

D. Demolition.

1. The individual architectural, cultural and/or historical significance of the resource.
2. The importance or contribution of the resource to the architectural character of the district and, where appropriate, the damaging impact of the resource on the architectural character of the district.
3. The importance or contribution of the resource to neighboring property values and, where appropriate, the damaging impact of the resource on neighboring property values.
4. Whether or not the resource is structurally sound, including the owner's efforts to properly maintain the resource.
5. Whether or not the resource can be rehabilitated or reused on site to provide for a reasonable beneficial use of the property, taking into consideration the various, federal, state and local incentives for such projects.
6. Whether or not it is possible and/or appropriate to move the resource to another site to be rehabilitated or reused in the historic district(s) for a reasonable beneficial use of the property, taking into consideration the various, federal, state and local incentives for such projects.
- 4.7. Whether or not appropriate measures are proposed to be taken with respect to the potential for the discovery of archaeological resources on the subject property.
- 5.8. ~~4. The commission shall consider the~~ difficulty or impossibility of reproducing such a resource because of its texture, design, material or detail.
9. ~~5.~~ An applicant for demolition must receive a certificate of appropriateness or



project approval ~~for demolition~~ before receiving a demolition permit issued by Deadwood Historic Preservation Officer and Building Inspector, which must be received prior to demolition. In order to receive such certificate of appropriateness or project approval, the applicant must submit plans for the property. In planning unit number 4, such plans must include or contemplate new construction, and the applicant shall provide the historic district commission with plans for this purpose which shall include, but shall not be restricted to, project concept, primary elevations, site plans, completed working drawings for at least the foundation plan which will enable the applicant to receive a permit for foundation construction and a construction or project schedule including satisfactory assurances of compliance with such construction or project schedule. Other than in planning unit number 4, such plans do not have to include new construction.

10. In cases of partial demolition affecting an historic resource, the application shall include proof that the partial demolition is required for the renovation, restoration or rehabilitation of the resource and the applicant has provided the necessary plan and action to mitigate to the greatest extent possible any impacts on the historical and architectural significance of the resource, and any other resources located on the property.

~~6.11.~~ Prior to the issuance of a permit for demolition or partial demolition, the commission may require the applicant to provide information about the resource including the date of original construction, significant events and occupants, architectural features and a description of the building through photographs, plans and maps. As a part of this process, the commission may require the applicant to allow the Historic Preservation Officer or that person's appointee on the subject property to provide additional photo documentation of the resource. The city may further require the preservation or salvage of specific architectural elements of the resource.

~~7.12.~~ —6. Applicants that have received a certificate of appropriateness or project approval for demolition shall be permitted to receive such demolition permit without additional commission action, provided that such certificate of appropriateness includes approval of construction plans if the demolition is located within planning unit number 4. Permits for demolition and construction shall be issued simultaneously if the requirements of this section are met, and the applicant has provided financial proof of his or her ability to complete the project.

~~8.13.~~ —7. When the commission recommends approval of demolition of a resource, a permit shall not be issued until all plans for the site have received approval from all appropriate city boards, commissions, departments and agencies. Compliance with SDCL 1-19A 11.1 shall be considered prior to the issuance of a demolition permit by Building Inspector and Deadwood Historic Preservation Officer.

(Ord. 952 (part), 1999; Ord. 926 (part), 1997; Ord. 831 § 7.5, 1992)

#### **17.68.060 Procedures for issuance of certificates of appropriateness and project approvals.**

A. Whenever any application for a certificate of appropriateness or project approval is filed



with the historic district or historic preservation commission, the commission(s) and/or their staff shall immediately notify the city building official that the application has been filed.

Similarly, whenever the city building official becomes aware that an application has been filed for a permit affecting a property under the jurisdiction of the historic district or historic preservation commission, the city building official shall immediately notify the commission chairperson or vice-chairperson, if the chairperson is unavailable, and/or their staff that such an application has been filed.

- B. The commissions and/or their staff shall have the authority to determine when a filed application is complete and contains all required information. An application deemed incomplete by the commissions shall not be considered to have been filed for the purposes of this chapter. The commissions shall develop and adopt standard application forms and its written guidelines shall specify what information an applicant shall attach to each form.
- C. The chairperson or vice-chairperson of each commission shall establish a regular schedule for the hearings of that commission. At least one hearing shall be scheduled for each month.
- D. The applicant shall, upon request, have the right to a preliminary conference with a member of the commission or of the commission staff for the purpose of learning whether changes or adjustments to the application could make it more consistent with the commission's standards.
- E. At the scheduled hearing, the applicant for a certificate of appropriateness or project approval has the right to present any relevant information pertaining to the application. Likewise, the city, the commission and its staff and members of the public shall have the right to present any additional relevant information pertaining to the application.
- F. The commissions shall have the right to recommend changes and modifications to enable the applicant to meet the requirements of the commission.
- G. The issuance of a certificate of appropriateness or project approval shall not relieve an applicant of the need for a companion building permit, conditional use permit, variance or other authorization from compliance with any other requirement or provision of the laws of the city or the state concerning zoning, construction, repair or demolition. In all such cases, applicants are encouraged to apply first for a certificate of appropriateness or project approval as other city agencies will be advised by the historic preservation or historic district commissions in making their subsequent decisions. No building permit which affects a resource shall be issued by the city building official prior to the issuance of a certificate of appropriateness or project approval by the historic district or historic preservation commission.
- H. The project under the certificates of appropriateness issued by the historic district commission or a project approval issued by the historic preservation commission shall be completed within one hundred and eighty (180) days after issuance. The applicant may seek an extension for a certificate of appropriateness or project approval prior to the expiration.



The issuance of the extension shall be at the discretion of the applicable commission and the expiration date shall be set at the time of the issuance of the extension. Failure to comply with terms of the approved project shall be deemed in violation of this chapter and subject to applicable measures of law under DCO 17.68.120.

(Ord. 831 § 7.6, 1992)

**17.68.070 Unreasonable economic hardship.**

A. When a claim of unreasonable economic hardship is made due to the effect of this chapter, the owner of record must present evidence sufficient to prove that as a result of the historic district or historic preservation commission's action he or she is unable to obtain a reasonable return or a reasonable beneficial use. The owner of record shall submit by affidavit to the commission for its review information which shall include, but not be limited to, the following:

1. Date the property was acquired by its current owner;
2. Price paid for the property (if acquired by purchase) and the relationship (if any) between the buyer and the seller of the property;
3. Mortgage history of the property, including current mortgage;
4. Current market value of the property;
5. Equity in the property;
6. Past and current income and expense statements for a two-year period;
7. Past capital expenditures during ownership of current owner;

8. Appraisals of the property obtained within the previous two years; and

8.9. The cost to rehabilitate or restore the property;

10. Income and property tax factors affecting the property; and-

9.11. The availability and use of financial incentive programs at a local, state and federal level.

B. The commission may require that an applicant furnish additional information relevant to its determination of unreasonable economic hardship.

B.C. The consideration for economic hardship shall not include willful or negligent acts by the owner or by their agent, purchase of the property for more than the market value, failure to perform normal maintenance and repairs, failure to diligently solicit and retain tenants, or failure to provide normal tenant improvements.

C.D. The commission may receive and consider studies and economic analyses from other city agencies and from private organizations relating to the property in question.

D.E. Should the commission determine that the rehabilitation or preservation of the subject property is not economically reasonable for the owner-owner's present return is not reasonable, it-the commission must-may consider whether there are other uses currently



allowed that would provide a reasonable return or beneficial use and whether such a return could be obtained through the commissions acquisition or investment with approval of the City Commission in the property for rehabilitation purposes.

- E.F. Should the applicant satisfy the commission that he or she would suffer an unreasonable economic hardship if a certificate of appropriateness or project approval were not issued, such certificate must be approved.

(Ord. 831 § 7.7, 1992)

#### **17.68.080 Appeals.**

The applicant who desires to appeal a decision by the historic district or historic preservation commission shall file an appeal with the circuit court of Lawrence County within thirty (30) days after the determination of the issue by the commission in the manner provided by law.

(Ord. 831 § 7.8, 1992)

#### **17.68.090 Minimum maintenance requirements.**

In order to insure the protective maintenance of resources, the exterior features of such properties shall be maintained to meet the requirements of the city's minimum housing code and the city's building code under DCO 15.01. The building official shall consult with the Zoning Administrator, Director of Public Work and the Historic Preservation Officer about any suspected violations of said codes.

(Ord. 831 § 7.9, 1992)

#### **17.68.100 Demolition by neglect.**

The Historic Preservation Commission shall prepare and follow written pProcedures to identify and protect resources from potential demolition resulting from the deliberate, intentional or inadvertent neglect of the owner or owners.

- A. Purpose. The owner or other person having such legal possession, custody, and control of any resources as defined in Chapter 17.08 of this title within an historic district or historic overlay zone shall not allow the potential demolition resulting from the deliberate, intentional or inadvertent neglect. All resources as defined in Chapter 17.08 of this title within an historic district or historic overlay zone, including the exterior features of any building or structure (inclusive of, but not limited to, walls, fences, light fixtures, steps, pavement, paths, or any other appurtenant feature), or any type of outdoor advertising sign either designated as an historic resource or found to have significance, or any archeological resource shall be preserved by the owner or such other person who may have legal possession, custody, and control thereof against decay and deterioration and kept free from structural defects. The owner, or other person having such legal possession, custody, and control, shall repair such exterior features if they are found to be deteriorating, or if their condition is contributing to deterioration, including but not limited to any of the following defects:—

1. Deterioration of exterior walls, foundations, or other vertical support that causes leaning, sagging, splitting, listing, or buckling;—



- ~~2. Deterioration of flooring or floor supports, roofs, or other horizontal members that causes leaning, sagging, splitting, listing or buckling;~~
- ~~3. Deterioration of external chimneys that causes leaning, sagging, splitting, listing, or buckling;~~
- ~~4. Deterioration or crumbling of exterior plasters or mortars or the deterioration or crumbling or spalling of exterior bricks;~~
- ~~5. Ineffective waterproofing of exterior walls, roofs, and foundations, including broken windows or doors;~~
- ~~6. Defective protection or lack of weather protection for exterior wall and roof coverings, including lack of paint, or weathering due to lack of paint or other protective covering;~~
- ~~7. Rotting, holes, and other forms of decay;~~
- ~~8. Deterioration of exterior stairs, porches, handrails, window and door frames, cornices, entablatures, wall facings, and architectural details that causes delamination, instability, loss of shape and form, or crumbling;~~
- ~~9. Heaving, subsidence, or cracking of sidewalks, steps or pathways;~~
- ~~10. Deterioration of fences, gates, and accessory structures;~~
- ~~11. Deterioration that has a detrimental effect upon the historic character of the district or overlay zone as a whole or the unique attributes and character of the resource;~~
- ~~12. Deterioration of any exterior feature so as to create or permit the creation of any hazardous or unsafe conditions to life, health, or other property; or~~
- ~~13. Any other deficiencies or defects that may constitute or contribute to the decay or deterioration of any resource or property.~~

B. Investigation and Inspection. During the investigation and inspection of any resource under DCO 17.68.090 is found that the condition of the resource is suspected of being destroyed, damaged, or lost through or by neglect or intentional neglect of the owner of the resource, the building official shall consult with the Zoning Administrator, Director of Public Work and the Historic Preservation Officer about any suspected deficiencies or defects. ~~If the condition of any resource as contemplated in paragraph A. above is suspected of being destroyed, damaged, or lost through or by neglect of the owner of the resource, the building official shall conduct an investigation and inspection of the resource. Prior to conducting any investigation or inspection, the building official shall:~~

- ~~1. Request, within fifteen (15) days of the identification of any suspected defects, permission from the owner of the resource to have full access to the resource; and~~
- ~~2. Consult with the city planner and the historic preservation officer about any suspected deficiencies or defects outlined in paragraph A. above. \_ \_~~

C. Findings. Upon determination by mutual agreement of the official's reference in B above that demolition or intentional neglect is occurring, tThe building official shall prepare, within



fifteen (15) days of the completion of his investigation and inspection, a written report of his findings on the condition and required remedies of the resource ~~which report may identify, but is not limited to, the following:~~

- ~~1. That there is no action required by the owner or owners;~~
- ~~2. That minimum maintenance of the resource is required to protect, preserve, and/or stabilize the resource;~~
- ~~3. That the resource is being demolished by neglect; or~~
- ~~4. That the resource may be demolished, vacated, or stabilized.~~

D. Notice of Report. A copy of any report shall be sent by certified mail, return receipt requested, to the owner of the resource and a copy provided to the Public Works Director, Zoning Administrator, Historic Preservation Officer and the Historic Preservation Commission ~~historic preservation commission~~ and may include any recommendations including a time frame to conduct the remedial work ~~remedy minimum maintenance~~ or other work necessary to stop the demolition by neglect, stabilize the resource, vacate the property, or demolish the resource.

E. Hearing and Notice of Hearing. Upon receipt of any written report in which the building official has found that there is ~~minimum maintenance required~~, demolition by neglect, or the resource can or should be demolished, the historic preservation officer shall cause to be scheduled a hearing before the historic preservation commission to review and take action based on the report from the building official. The owner of the resource shall be served with written notice of the time and date of the hearing not less than ten (10) days prior to the hearing.

F. Legal Notice Requirement. Any notice required herein shall be considered delivered if sent by certified mail, return receipt requested and mailed to the last known address of the record owner or owners as listed on the city and/or county tax rolls or by other methods allowed by law.

G. Hearing on Report. At the hearing the historic preservation commission shall receive evidence on the issue of whether the subject resource should be repaired, vacated, stabilized, or can be demolished. ~~The owner or owners may present competent evidence in rebuttal thereto.~~ At the conclusion of the hearing, the historic preservation commission shall require the owner to present a preliminary plan including a timetable to the historic preservation commission within thirty (30) days generally identifying the work necessary to abate the demolition by neglect. The owner or owners or their agents shall submit an application for a certificate of appropriateness and/or project approval for all proposed work. The historic preservation commission must review and act on all applications before issuance of a building permit. All work shall be completed within ninety (90) days of the approval from the historic preservation commission. The historic preservation commission may grant up to two (2) extensions of ninety (90) days each due to inclement weather or other unforeseen difficulties. Should the historic preservation commission find that the owner or owners have not pursued the necessary



repairs with reasonable diligence, the historic preservation commission may pursue civil and/or criminal penalties under DCO 17.68.120 and/or request that the city cause the required work to be completed with any costs associated thereto attached to the property as a tax lien.

~~may make, but shall not be limited to, one of the following determinations:~~

- ~~1. That there is no action required by the owner or owners.~~
- ~~2. That minimum maintenance is required and requiring the owner to present a plan to the historic preservation commission within thirty (30) days from the receipt of notice of the historic preservation commission's determination as to the steps the owner must undertake to correct minimum maintenance issues. The owner or owners or their agents may be required to submit an application for a certificate of appropriateness and/or project approval for all proposed work. The historic preservation commission must review and act on all such applications before the issuance of a building permit. All work shall be completed within ninety (90) days of the approval from the historic preservation commission. The historic preservation commission may grant up to two (2) extensions of ninety (90) days each due to inclement weather or other unforeseen difficulties. Should the historic preservation commission find that the owner or owners have not pursued the necessary repairs with reasonable diligence, the historic preservation commission may pursue civil and/or criminal penalties (17.68.120) and/or request that the city cause the required work to be completed with any costs associated thereto attached to the property as a tax lien.~~
- ~~3. Demolition by neglect is occurring and requiring the owner to present a preliminary plan including a timetable to the historic preservation commission within thirty (30) days generally identifying the work necessary to abate the demolition by neglect. The owner or owners or their agents shall submit an application for a certificate of appropriateness and/or project approval for all proposed work. The historic preservation commission must review and act on all applications and must also approve all timetables for work required to abate the demolition by neglect before issuance of a building permit. The historic preservation commission may grant extensions to the timetable due to inclement weather or other unforeseen difficulties. Should the historic preservation commission find that the owner or owners have not pursued the necessary repairs with reasonable diligence, the historic preservation commission may pursue civil and/or criminal penalties (17.68.120) and/or request that the city cause the required work to be completed with any costs associated thereto attached to the property as a tax lien.~~
- ~~42. Condemnation of the resource and allow for its demolition in compliance with all local, state, and federal laws, rules, and regulations. Within thirty (30) days the owner shall present a plan to the historic preservation commission identifying the necessary recordation which, along with the demolition shall be completed within ninety (90) days. Recordation must be reviewed and acted upon by the historic preservation commission before a demolition permit is issued. The historic preservation commission may grant up to two (2) ninety (90) day extensions due to inclement weather or other unforeseen difficulties. Should the historic preservation commission find that the~~



~~owner or owners have not undertaken recordation and demolition with reasonable diligence, the historic preservation commission may pursue civil and/or criminal penalties (17.68.120) and/or request that the city cause the required work to be completed with any costs associated thereto attached to the property as a tax lien.~~

- H. Notice of Commission Action. The historic preservation officer shall notify the owner in writing of the determination of the historic preservation commission and the action required of the owner within ten (10) days of the hearing. Such notice shall identify and provide clear instructions to the owner as to the remedial work required by the historic preservation commission.
- I. Remedial Work and Compliance. Upon the completion of any ~~minimum-~~ maintenance remedial work, recordation work, or other work required by the historic preservation commission, the owner shall notify the historic preservation officer of the completed work. The building official along with the historic preservation officer and any other professional deemed necessary by the building official and/or historic preservation officer shall inspect, within fifteen (15) days of notification, the completed work and shall cause, within fifteen (15) days of the inspection, the issuance of a written report to be submitted to the owner and the historic preservation commission to determine if the work completed is in compliance with city codes and ordinances and meets the requirements of the historic preservation commission. The historic preservation commission must review and act upon all such reports. All remedial work required by the historic preservation commission must be completed in compliance with such plans approved by the historic preservation commission.
- J. Intentional Neglect. Intentional neglect shall be defined as willful actions perpetrated by the owner or owners or their agents that result in damage to a resource. Such actions may include, but are not limited to, intentional running of water taps, hoses, or other man-made water devices resulting in flooding, erosion, or other water damage to the resource; intentional exposure of the resource to natural elements of wind, rain, snow, or other precipitation through the opening of windows, doors, skylights, or other moveable features of a resource; intentional drilling, boring, or cutting of holes in the roof, exterior walls or supporting members of a resource.

(Ord. 1081 (part), 2007; Ord. 1007, 2003; Ord. 831 § 7.10, 1992)

#### **17.68.110 Public safety exclusion.**

In the event any resource shall be damaged by flood, fire, or other catastrophe or unforeseen event that results in damage or possible loss of a resource, and the building official, with the concurrence of the city planner and the historic preservation officer, deems the resource to present an immediate threat to public safety, the historic preservation officer shall call an emergency meeting before the historic preservation commission, which shall take place within seventy-two (72) hours of the event. At such meeting, evidence shall be presented regarding the seriousness of the damage and the threat to public safety and any evidence in rebuttal thereto may also be presented. In the event the danger to public safety is imminent, the owner or owners shall stabilize and protect the resource pending consideration by the historic



preservation commission. The historic preservation commission shall, based on the evidence presented, determine the course of action to be taken.

(Ord. 1081 (part), 2007; Ord. 831 § 7.11, 1992)

#### **17.68.120 Enforcement and penalties.**

The following civil and criminal penalties may be imposed upon those persons, firms, or corporations found to have violated requirements or prohibitions contained within this chapter.

##### **A. Civil Penalty.**

1. Any person who constructs, alters, relocates, or demolishes any building or resource in violation of this chapter or causes any building or resource to be constructed, altered, relocated, or demolished in violation of this chapter may be required to restore the building or resource to its appearance or setting prior to the violation. Any action to enforce this provision shall be brought by the city. Any civil remedy shall be in addition to, and not in lieu of, any criminal prosecution and penalty.
2. If demolition of a building or resource occurs without issuance of proper permits based on the procedures of city, state or federal regulations, or without the issuance of a certificate of appropriateness, or project approval, then any City permits, by any city office, on the subject property, with the exception of a permit to restore the building or resource as set forth above, may be denied for a period of up to ten (10) years. ~~In addition, the applicant may not be entitled to have issued to the applicant, by any city office, a permit allowing any curb cuts on the subject property for a period of ten (10) years from and after the date of such demolition. The City's ability to prohibit the issuance of permits is subject to compliance with state and/or federal statutory mandates.~~
3. If any other undertaking or project other than the demolition of a building or resource occurs without issuance of proper permits based on the procedures of city, state or federal regulations, or without the issuance of a required certificate of appropriateness or project approval, then any City permits, by any city office, on the subject property, with the exception of a permit to restore the building or resources as set forth above, may be denied for a period of up to five (5) years. ~~In addition, the applicant may not be entitled to have issued to the applicant, by any city office, a permit allowing any curb cuts on the subject property for a period of five (5) years from and after the date of such undertaking or project. The City's ability to prohibit the issuance of permits is subject to compliance with state and/or federal statutory mandates.~~
4. If any resource found to be in a state of demolition by neglect as outlined in 17.68.100 should be allowed by the owner or owners to remain in a state of demolition by neglect, then any City permits, by any city office, for any property issued to the owner or owners, with the exception of those permits expressly for the necessary repairs to restore the resource to a safe and sound condition, may be denied for a period of up to ten (10) years or until such time as the resource has been returned to a safe and sound condition, whichever is shorter. ~~In addition, the owner or owners may not be entitled to~~



~~have issued to them, by any city office, a permit allowing any curb cuts on any property for a period of ten (10) years, or until such time as the resource has been returned to a safe and sound condition, whichever is shorter.~~

- B. Criminal Penalty. Any person or legal entity who constructs, alters, relocates, demolishes, or intentionally allows demolition by neglect of any building or resource in violation of this chapter; or who causes any building or resource to be constructed, altered, relocated, or demolished in violation of this chapter; or who fails to perform any conditions of any Certificate of Appropriateness or Project Approval issued hereunder, shall constitute a violation and be guilty of a Class 2 Misdemeanor punishable by the maximum sentence as set forth in SDCL 22-6-2. Each day the violation continues to exist shall be punishable as a separate offense. (Ord. 1081 (part), 2007; Ord. 851 (part), 1993; Ord. 831 § 7.12, 1992)

#### **17.68.130 Appropriations.**

The city is authorized to make appropriations to the commission necessary for the expenses of the operation of the commission and may make additional amounts available as necessary for the acquisition, restoration, preservation, operation and management of historic properties.

(Ord. 831 § 7.13, 1992)

#### **17.68.140 Title to property acquired.**

All property acquired by funds appropriated by the city shall be acquired in the name of the city unless otherwise provided by the city.

(Ord. 831 § 7.14, 1992)

#### **17.68.150 Project review by state.**

Projects requiring review pursuant to this chapter, after approval by the historic district commission or historic preservation commission, will be submitted to the South Dakota Historical Preservation ~~Center Office~~ for review as required by SDCL 1-19A-11.1 or any written agreements between the city and the state of South Dakota. The requested certificate of appropriateness or project approval shall be issued or denied by the city after the review process described by SDCL 1-19A-11.1 and its supporting rules or any written agreements between the city and the state of South Dakota has been implemented.

(Ord. 961, 2000; Ord. 831 § 7.15, 1992)

Dated this \_\_\_\_ day of \_\_\_\_, 2015.

CITY OF DEADWOOD

\_\_\_\_\_  
Charles Turbiville, Mayor

ATTEST:

---

Mary Jo Nelson  
Finance Officer

First Reading:

Second Reading:

Published:

Adopted:



OFFICE OF  
PLANNING, ZONING AND  
HISTORIC PRESERVATION  
108 Sherman Street  
Telephone (605) 578-2082  
Fax (605) 578-2084

# DEADWOOD

*"The Historic City of the Black Hills"*  
Deadwood, South Dakota 57732

KEVIN KUCHENBECKER  
Historic Preservation Officer  
Telephone: (605) 578-2082  
Fax: (605) 578-2084  
[kevin@cityofdeadwood.com](mailto:kevin@cityofdeadwood.com)

## MEMORANDUM

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**Date:** March 20, 2015  
**To:** Deadwood Historic Preservation Commission  
**From:** Kevin Kuchenbecker, Historic Preservation Officer  
**Re:** Deadwood Post Office

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This office has received an application for Certificate of Appropriateness for the Deadwood Post Office located at 68 Sherman Street. The applicant requests permission to perform a mechanical upgrade to be surrounded by a 9 foot screen wall with a soft joint provided between the masonry screen wall and building to avoid marring of the stone or markings as submitted.

Due to certain aspects of the project, I am working with the architect to review plans and address concerns this office has in regards to the encroachment on the original building. I have requested consideration of design alternatives which may place the addition on the location of the existing shed shown in attached photographs.

The final staff reports will be forwarded to you for consideration early next week and upon additional information provided to this office from the applicant.

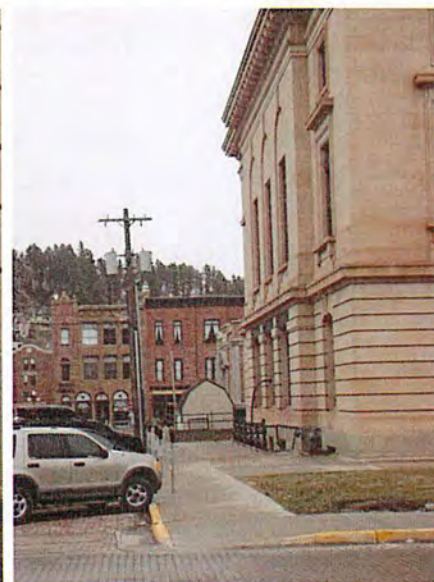
Thank you for your understanding.

OFFICE OF  
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# DEADWOOD

*"The Historic City of the Black Hills"*  
Deadwood, South Dakota 57732

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Telephone: (605) 578-2082  
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[kevin@cityofdeadwood.com](mailto:kevin@cityofdeadwood.com)





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# DEADWOOD

*"The Historic City of the Black Hills"*  
Deadwood, South Dakota 57732

DEADWOOD CITY HALL  
102 Sherman Street  
Telephone (605) 578-2600

## City of Deadwood Application for ☐ Project Approval or ☐ Certificate of Appropriateness

The Deadwood Historic Preservation Commission reviews all applications. Approval is issued for proposed work that is in keeping with City of Deadwood Ordinances & Guidelines, South Dakota State Administrative Rules and the Secretary of the Interior's Standards for Rehabilitation.

This application must be typed or printed in ink and submitted to:

City of Deadwood  
Deadwood Historic Preservation  
108 Sherman Street  
Deadwood, SD 57732

FOR INFORMATION REGARDING THIS FORM, CALL 605-578-2082

### PROPERTY INFORMATION

Property Address: 68 Sherman Street

Historic Name of Property (if known): Deadwood Post Office

### APPLICANT INFORMATION

Applicant is ☐ owner ☐ contractor ☒ architect ☐ consultant ☐ other \_\_\_\_\_

Owner's Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_  
Telephone: \_\_\_\_\_ Fax: \_\_\_\_\_  
E-mail: \_\_\_\_\_

Architect's Name: TSP - attn: Eric Monroe  
Address: 600 Kansas City St.  
City: Rapid City State: SD Zip: 57701  
Telephone: 605-343-6102 Fax: \_\_\_\_\_  
E-mail: monroeec@teamtsp.com

Contractor's Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_  
Telephone: \_\_\_\_\_ Fax: \_\_\_\_\_  
E-mail: \_\_\_\_\_

Agent's Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_  
Telephone: \_\_\_\_\_ Fax: \_\_\_\_\_  
E-mail: \_\_\_\_\_

### TYPE OF IMPROVEMENT

- |  |                                       |                                      |   |
|--|---------------------------------------|--------------------------------------|---|
| <input type="checkbox"/> Alteration (change to exterior)     | <input type="checkbox"/> New Building | <input type="checkbox"/> Addition    | <input checked="" type="checkbox"/> Accessory Structure |
| <input type="checkbox"/> New Construction                    | <input type="checkbox"/> Re-Roofing   | <input type="checkbox"/> Wood Repair | <input type="checkbox"/> Exterior Painting              |
| <input type="checkbox"/> General Maintenance                 | <input type="checkbox"/> Siding       | Other _____                          |   |
| <input checked="" type="checkbox"/> Other Mechanical Upgrade | <input type="checkbox"/> Awning       | <input type="checkbox"/> Sign        | <input type="checkbox"/> Fencing                        |

Estimated Cost of Work: \$ \_\_\_\_\_

OFFICE OF  
PLANNING, ZONING AND  
HISTORIC PRESERVATION  
108 Sherman Street  
Telephone (605) 578-2082  
Fax (605) 578-2084

# DEADWOOD

*"The Historic City of the Black Hills"*  
Deadwood, South Dakota 57732

DEADWOOD CITY HALL  
102 Sherman Street  
Telephone (605) 578-2600

ACTIVITY: (CHECK AS APPLICABLE)	
Project Start Date: <u>April 10th, 2015</u>	Project Completion Date (anticipated): <u>June 1st, 2015</u>
<input type="checkbox"/> ALTERATION	<input type="checkbox"/> Front <input type="checkbox"/> Side(s) <input type="checkbox"/> Rear
<input type="checkbox"/> ADDITION	<input type="checkbox"/> Front <input type="checkbox"/> Side(s) <input type="checkbox"/> Rear
<input type="checkbox"/> NEW CONSTRUCTION	<input type="checkbox"/> Residential <input type="checkbox"/> Other _____
<input type="checkbox"/> ROOF	<input type="checkbox"/> New <input type="checkbox"/> Re-roofing <input type="checkbox"/> Front <input type="checkbox"/> Side(s) <input type="checkbox"/> Rear
<input type="checkbox"/> GARAGE	<input type="checkbox"/> New <input type="checkbox"/> Rehabilitation <input type="checkbox"/> Front <input type="checkbox"/> Side(s) <input type="checkbox"/> Rear
<input type="checkbox"/> FENCE/GATE	<input type="checkbox"/> New <input type="checkbox"/> Replacement <input type="checkbox"/> Front <input type="checkbox"/> Side(s) <input type="checkbox"/> Rear Material _____ Style/type _____ Dimensions _____
<input type="checkbox"/> WINDOWS <input type="checkbox"/> STORM WINDOWS <input type="checkbox"/> DOORS <input type="checkbox"/> STORM DOORS	<input type="checkbox"/> Restoration <input type="checkbox"/> Replacement <input type="checkbox"/> New <input type="checkbox"/> Front <input type="checkbox"/> Side(s) <input type="checkbox"/> Rear Material _____ Style/type _____
<input type="checkbox"/> SIGN/AWNING	<input type="checkbox"/> New <input type="checkbox"/> Restoration <input type="checkbox"/> Replacement Material _____ Style/type _____ Dimensions _____
<input type="checkbox"/> OTHER – Describe in detail below or use attachments	

## DESCRIPTION OF ACTIVITY

Describe, as specifically as possible, the above activity (use attachments if necessary including type of materials to be used) and submit as applicable. Descriptive materials such as photos and drawings are necessary to illustrate the work and to help the commissioners and staff evaluate the proposed changes. A request for approval of a window replacement, for example, should be accompanied by measurements of the existing window, a picture of the existing window, and a picture or catalogue sheet with manufacturer information for the new window. Similar information should be supplied for each element of the proposed work along with general drawings and/or photographs as appropriate.

Failure to supply adequate documentation could result in delays in processing and denial of the request.

Refer to attached pdf plan & image of extent of work. We are proposing a new chiller, pad, and masonry screen wall to screen the equipment from the adjacent Visitor's Center. We have structurally investigated placing the equipment on the roof but it was found to be structurally infeasible. The screen wall is proposed to be a 9'-0" masonry wall. The design intent is provide CMU in a pattern that stacks (2) 8" units with one (1) 4" recessed unit to provide shadow line and coursing similar to the stone pattern on the existing building.



## SUBMITTAL CRITERIA CHECKLIST

The documentation listed below will assist in the submission of the application. *Not all information listed below is required for each project. In order to save time and effort, please consult with the Historic Preservation Office prior to completing your application.*

### ALL WORK:

- ☐ Photograph of house and existing conditions from all relevant sides.

### RENOVATIONS AND ADDITIONS:

- ☐ Elevation and plan drawings to scale indicating proposed alterations or additions, clearly indicating the existing building and what is proposed and including the relationship to adjacent structures. Make sure to include door and window design if altered. Manufacturer's catalog data may be used, if applicable.
- ☐ Exterior material description.
- ☐ Site plan showing dimensions of lot and location of existing building(s) or structure(s) on lot, location of additions, dimensions of existing structure and additions. (Show use of addition and location of windows and doors if applicable.)
- ☐ Photograph of existing conditions from all elevations.
- ☐ Color samples and placement on the structure.
- ☐ Historic photographs should accompany any request to return a structure to an earlier historic appearance. (Please note our archives may be of great assistance)

### MATERIAL CHANGES:

- ☐ Written description of area involved.
- ☐ Color photographs or slides of areas involved and surrounding structures if applicable.
- ☐ Sample or photo of materials involved.

### PAINTING, SIDING:

- ☐ Color photographs of all areas involved and surrounding structures if applicable.
- ☐ Samples of colors and/or materials to be used.
- ☐ Dimensioned elevation and section to scale, showing design of fence, material, and height in relationship to adjacent structures.

### NEW CONSTRUCTION:

- ☐ Elevation drawings to scale showing all sides and dimensions. Elevation drawings to scale showing relationship to structures immediately adjacent.
- ☐ Photograph of proposed site and adjacent buildings on adjoining properties.
- ☐ Site plan including building footprint and location of off-street parking showing setbacks. Include number of spaces, surface material, screening and all other information required under Parking Areas.
- ☐ Material list including door and window styles, colors and texture samples.
- ☐ Scale model indicating significant detail. (This may be required for major construction. Please consult Historic Preservation Commission staff.)
- ☐ Color photographs of proposed site and structures within vicinity of new building.



OFFICE OF  
PLANNING, ZONING AND  
HISTORIC PRESERVATION  
108 Sherman Street  
Telephone (605) 578-2082  
Fax (605) 578-2084

# DEADWOOD

*"The Historic City of the Black Hills"*  
Deadwood, South Dakota 57732

DEADWOOD CITY HALL  
102 Sherman Street  
Telephone (605) 578-2600

## SIGNATURES

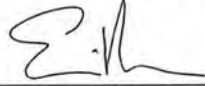
I HEREBY CERTIFY that I understand this application will not be accepted and processed until all the requested information has been supplied. I realize that drawings and measurements must be exact and if errors result in a violation of the Commission's approval, then appropriate changes will have to be made. I also understand this application may require a site visit / additional research by staff and a PUBLIC HEARING by the DEADWOOD HISTORIC PRESERVATION COMMISSION.

I understand that this application is for a Certificate of Appropriateness or Project Approval only and that a building permit is required for any uses associated with this location prior to any constructions, alterations, etc. All statements are true to the best of my knowledge and belief.

I understand that approval is issued for proposed work that is in keeping with City of Deadwood Ordinances, South Dakota State Administrative Rules and the Secretary of the Interior's Standards for Rehabilitation and copies are available for my review.

\_\_\_\_\_  
SIGNATURE OF OWNER(S)

\_\_\_\_\_  
DATE

  
\_\_\_\_\_  
SIGNATURE OF AGENT(S)

03/10/15

\_\_\_\_\_  
DATE

\_\_\_\_\_  
SIGNATURE OF OWNER(S)

\_\_\_\_\_  
DATE

\_\_\_\_\_  
SIGNATURE OF AGENT(S)

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DATE

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SIGNATURE OF OWNER(S)

\_\_\_\_\_  
DATE

\_\_\_\_\_  
SIGNATURE OF AGENT(S)

\_\_\_\_\_  
DATE

## APPLICATION DEADLINE

This form and all supporting documentation **MUST** arrive by 5:00 p.m. on the 1<sup>st</sup> or 3<sup>rd</sup> Wednesday of every month to be considered at the next Historic Preservation Commission Meeting. The meeting schedule and filing deadlines are on file with the Historic Preservation Office and the City Clerk. Any information not provided to staff in advance of the meeting will not be considered by the Commission during their deliberation. Please call if you have any questions and staff will assist you.

**Please use the enclosed criteria checklist as a guide to completing the application.** Incomplete applications cannot be reviewed and will be returned to you for more information. All submitted materials will be retained by the Historic Preservation Office. Do not submit your only copy of any piece of documentation.

The City of Deadwood Historic Preservation Office has numerous resources available for your assistance upon request.

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## FOR OFFICE USE ONLY:

Please check and initial items as they are completed.

Case No.: \_\_\_\_\_ Date of Filing: \_\_\_\_\_

- ☐ Certificate of Appropriateness
- ☐ Project Approval
- ☐ Sign Application

### Property Designation:

- ☐ Contributing
- ☐ Non-contributing

### Historic Overlay District:

- |  |   |  |
|--|---|--|
| <input type="checkbox"/> 1. Pluma          | <input type="checkbox"/> 5. McGovern Hill     | <input type="checkbox"/> 9A. Large's Gulch                     |
| <input type="checkbox"/> 2. Peck's Garden  | <input type="checkbox"/> 6. Ingleside         | <input type="checkbox"/> 9B. Spruce Gulch                      |
| <input type="checkbox"/> 3. Cleveland      | <input type="checkbox"/> 7. Upper Main Street | <input type="checkbox"/> 10. Fountain City                     |
| <input type="checkbox"/> 4. Deadwood       | <input type="checkbox"/> 8A. City Creek       | <input type="checkbox"/> 11. 1 <sup>st</sup> Ward – Industrial |
| <input type="checkbox"/> A. Deadwood City  | <input type="checkbox"/> 8B. Forest Hill      | <input type="checkbox"/> 12. Pinecrest                         |
| <input type="checkbox"/> B. South Deadwood | <input type="checkbox"/> 8C. Highland Park    | <input type="checkbox"/> 13. Hillside Environs                 |
| <input type="checkbox"/> C. Chinatown      | Addition                                      |  |
| <input type="checkbox"/> D. Elizabeth Town |   |  |

### Application complete

Project Documents submitted (check all that apply)

- ☐ Photographs of property and/or adjacent properties
- ☐ Drawings and/or architectural renderings
- ☐ Materials and/or color samples
- ☐ Other

### Staff Preparation

Initials \_\_\_\_\_ Date below \_\_\_\_\_

- |   |       |  |
|---|-------|--|
| <input type="checkbox"/> Site Visit                         | _____ | ____/____/____   |
| <input type="checkbox"/> Project visible from right-of-way? | _____ | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| <input type="checkbox"/> Logged into HPC Agenda             | _____ | ____/____/____   |
| <input type="checkbox"/> Staff Report (research)            | _____ | ____/____/____   |
| <input type="checkbox"/> Packet to HPC Members              | _____ | ____/____/____   |

### Post Meeting Documentation

Initials \_\_\_\_\_

Date below \_\_\_\_\_

- |  |                                 |       |                |
|--|---------------------------------|-------|----------------|
| <input type="checkbox"/> Approval                    | <input type="checkbox"/> Denial | _____ | ____/____/____ |
| <input type="checkbox"/> Property owner notification |                                 | _____ | ____/____/____ |

### Building & Zoning Department (if applicable)

Initials \_\_\_\_\_

Date below \_\_\_\_\_

- |  |       |                |
|--|-------|----------------|
| <input type="checkbox"/> Building Permit Application   | _____ | ____/____/____ |
| <input type="checkbox"/> Setback(s) checked by P & Z   | _____ | ____/____/____ |
| <input type="checkbox"/> Detailed plans reviewed       | _____ | ____/____/____ |
| <input type="checkbox"/> Building Permit Issued        | _____ | ____/____/____ |
| <input type="checkbox"/> Fee collected (if applicable) | _____ | ____/____/____ |
| <input type="checkbox"/> Setback(s) reviewed           | _____ | ____/____/____ |

Filed on \_\_\_\_/\_\_\_\_/\_\_\_\_







**GENERAL NOTES:** HYAC PLAN

- A. PIPE FACTS AND EXISTING. FEG SHALL VERIFY & CALCULATE CV SIZE.

3. ALL PAPER & COMMENT SHEETS IN EXISTING UNLESS INDICATED OTHERWISE.

**KEY NOTES:** BASEMENT PLAN

- [illegible]

- NOTE: M20.0**

- © 2004 THE UNIVERSITY OF CHICAGO. ALL RIGHTS RESERVED.

- 2000 WITH DISTANCE IN OLYMPIA VALLEY, WASH. & ADJACENT CITIES AND TOWNS

- 4 REMOVE CHALK & PUTTING UP TO CEILING**

1. NEWTON, C. L. L. C. MATH. P. 111, COLORED FORMS & PAPER, A PAPER UP TO CLING.

- 
- REMOVE OF WATER TREATMENT PUMP & PIPING.

- 1 REMOVE TC AIR COMP.

- © 2004 Blackwell Publishing Ltd, *Journal of Internal Medicine* 255: 105–112

- © 2000 THE NEW YORK TIMES MAGAZINE

- 
- PURDUE NEW DOG CO.

- 47 REMOVE PORTION OF PIPE AS REQUIRED.

- 11 COPE SPILL THROUGH: A SEAL W/ LINK SEAL.

- 12 MONROE PIPE SOUTS WITH LISTING CONNECTION ARE SUPPLIES FOR CLARITY.

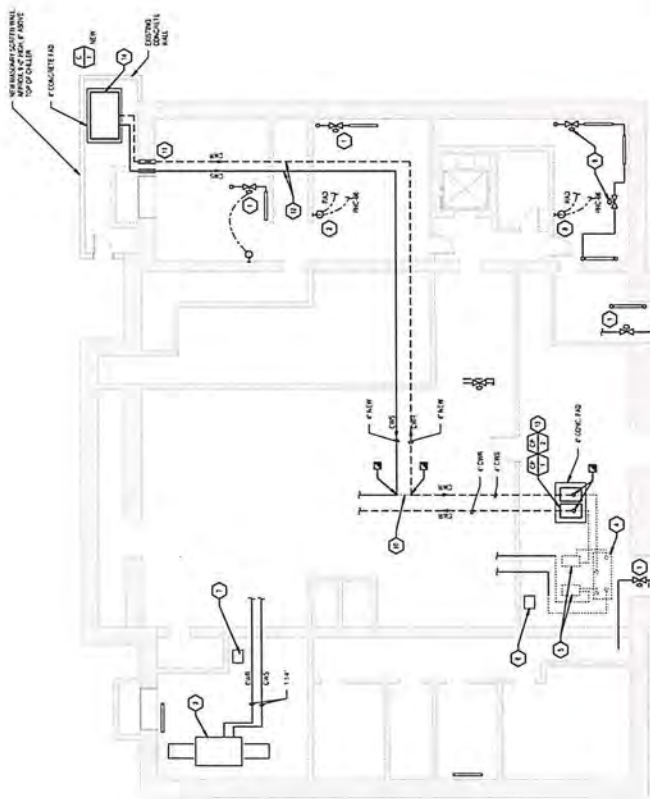
- ① NEW COLLEGE HALLWAY, 5th FLOOR, 101 WALL

- www.ck12.org

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AND HOW TO GET IT. BY ALEXANDER H. LEITCH



**A1** BASEMENT MECHANICAL PLAN  
18" x 36"



## February 2015 City Archives Monthly Report

These are the items I worked on during the month of February 2015.

### RESEARCH REQUESTS

During the month of February, I received and answered nineteen (19) research requests which took the form of emails, walk in researchers, mail inquiries, and department head and city employee requests.

### COLLECTIONS MANAGEMENT

- **Archaeological Collections – Assn: 2014.02 US Highway 85 Project & 2008 to 2011 DHI Field Schools:** During the month I spent a considerable amount of time working on the City's archaeological collections. **Assn: 2014.02 US Highway 85 Project:** In February, Mary Anne and Bruce Oberlander of 102 Charles Street donated 15 objects unearthed during the US Highway 85 Utility Project. These objects unearthed beside their house, included an assortment of alcoholic beverage bottles, a partial shaving mug, and household ceramics. These items were washed, cataloged and incorporated into the collection. Once this was complete, I updated the site map and form. **DHI 2008 to 2011 Field Schools:** Also in February, my volunteer and I began to organize the 2008 to 2011 DHI archaeological field school files and artifacts. This included organizing the field school materials, separating the paperwork and field notes from the artifacts, and boxing the artifacts.
- **Archives 2015 Budgeted Contracts:** In February I worked on and submitted to the City Attorney the following contracts: Button conservation at the Maryland Archaeological Conservation Laboratory in St. Lenard, Maryland; Textile/Fabric conservation at the Midwest Art Conservation Center in Minneapolis, Minnesota; Lawrence County ledger indexing project, and the Chinese character transcribing project with the Asian American Comparative Collection at the University of Idaho. The before mentioned projects will be completed in 2015.
- **2015 Archaeology Conservation Projects:** Upon securing signed contracts from the Maryland Archaeological Conservation Laboratory and the Midwest Art Conservation Center, I began to prepare the artifacts for shipment. This included developing an itemized inventory of objects to be shipped, securing shipping quotes, and finally packaging the artifacts for shipment. An interesting side note, the shipping crate that will hold the fabric weighed 111 pounds. As of March 4, 2015 both packages arrived at their appropriate designations in good shape. A big thank you goes to Tom Kruzal with the Public Works Department for building the wood shipping crate.
- **Collections 2014.19:** I finished inventorying the contents of the Coburn collection. I then created donation forms and sent these forms to the family members along with a notarized copy of the appraisal report. As of March, the City received the signed donation forms. The next step will be assigning catalog

numbers and scanning the images.

- **Donation 2015.01 Terry Methodist Episcopal Church Bible:** Ms. Alice McNall of Lead, South Dakota donated the Terry, South Dakota Methodist Episcopal Church Bible. The Bible and its associated paperwork were accepted into the City's permanent collection on February 25, 2015 at the regular scheduled Historic Preservation Commission meeting. The Bible will be included into the Preacher Smith Heritage Center Collection and will be placed on display at the Trinity United Methodist Church Christian Ministry Center located at 7 South Main Street in Lead, South Dakota, this spring.

## PROJECTS

- **Digital Media and Historic Preservation (HP) Moment Videos:** In February, I helped write and edit two Historic Preservation videos. The first video focused on the creation of the Deadwood Century Award program. The video aired on March 5, 2015 and received 640 views on Facebook. The second video was created for the Historic Preservation and City Commissions and provided an overview and update on the City's digital media program.
- **Baseball Traveling Exhibit:** As time permitted, I continued to work on the traveling baseball panels slated for completion in February 2015. Toward the end of the month, the Siouxland Heritage Center in Sioux Falls sent copies of the panels for editing purposes.
- **Lawrence County Ledger Indexing Project:** After receiving a signed contract, I developed a database for the 2015 Lawrence County ledger indexing project. This year's ledgers will include one (1) lode claim ledger (1879 to 1880), and eleven (11) receiving books (1877 to 1900).

## MISCELLANEOUS ITEMS & MEETINGS

- **Site Visit with Virginia Hansen, South Dakota State Archives :** On February 20, 2015, I met with Virginia Hansen from the South Dakota State Archives and gave her a tour of the archives and archaeology laboratory.

If you have any questions or would like to see what I have been working on, feel free to stop in and see me at your convenience.

Mike Runge - City Archives