

DEADWOOD HISTORIC PRESERVATION COMMISSION

Wednesday, January 28, 2015 ~ 5:00 p.m.

City Hall, 108 Sherman Street, Deadwood, South Dakota

1. Call meeting to Order
2. Approval of Minutes from January 14, 2015
3. Voucher Approval
4. Old or General Business
 - a. Recommendation for Amending DCO Chapter 17.68 Entitled – Historic Preservation
 - b. Society of Black Hills Pioneers Annual Publication – Donation Request
 - c. Digitization and Georectifying of 1930 Deadwood Sanborn Maps – Historic Preservation
 - d. FYI 2015 City of Deadwood Oral History Project – Historic Preservation
 - e. 2015 City Archives Contract – Midwest Art Conservation Center (MACC) – Historic Preservation
 - f. 2015 City Archives Contract – Maryland Archaeological Conservation Lab – Historic Preservation
5. New Matters before the Deadwood Historic District Commission
 - a. CoA – Case #15003 – 616-618 Main Street – Windows, Security Door & Awning – Green Door
6. New Matters before the Deadwood Historic Preservation Commission
 - a. PA – Case #15004 – 31 Charles Street – Windows – Ron Russo
7. Revolving Loan Fund/Retaining Wall Program Update
 - a. Retaining Wall Applications
 - b. Revolving loan Program/Disbursements
 - 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 1st or 3rd Wednesday of every month in order to be considered at the next Historic Preservation Commission Meeting.*

DEADWOOD HISTORIC PRESERVATION COMMISSION

Wednesday, January 14, 2015 ~ 4:30 p.m.

City Hall, 108 Sherman Street, Deadwood, South Dakota

Executive Session at 4:30 p.m. for Legal Matters pursuant to SDCL1-25-2 (3)

DEADWOOD HISTORIC PRESERVATION COMMISSION

Wednesday, January 14, 2015 ~ 5:00 p.m.

City Hall, 108 Sherman Street, Deadwood, South Dakota

1. Call meeting to Order
2. Approval of Minutes from December 30, 2014
3. Voucher Approval
4. Old or General Business
 - a. CoA – Case#14069 370 Main Street – Optima, LLC – Fountain House Relocation
 - b. Proposal for Engineering Services for the HP Retaining Wall Program – HP Office
 - c. Rodeo Grounds Grandstand Concessions and Restroom Upgrades – HP Office
 - d. 2015 ESRI GIS Software Maintenance – HP Office
 - e. Keene Field (Baseball complex) sound system – HP Office
 - f. SD State Historical Society Press – 2013 Publication fund report - Informational
5. New Matters before the Deadwood Historic District Commission
 - a. CoA – Case #15001 – 435 Williams Street – Windows – Deadwood Carnegie Public Library
 - b. CoA – Case #15002 – 152 Sherman Street – Addition – First Interstate Bank
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
 - 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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11. Other Business
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CITY OF DEADWOOD
HISTORIC PRESERVATION COMMISSION
Wednesday, January 14, 2015

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

Absent: None

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

Present City Commission members: Georgeann Silvernail, Gary Todd, Dave Ruth Jr. and Mayor Chuck Turbiville were all present.

All motions passed unanimously unless otherwise stated.

A quorum present, Chair Floyd called the Deadwood Historic Preservation Commission meeting to order Wednesday, January 14, 2015 at 5:03 PM in Deadwood City Hall located at 102 Sherman Street in Deadwood, SD.

Approval of December 30, 2014 HPC Minutes:

It was moved by Mr. Johnson and seconded by Mr. Blair to approve the minutes of Tuesday, December 30, 2014 as presented. Aye – All. Motion carried.

Voucher Approval:

Operating Account

It was moved by Mr. Johnson and seconded by Mr. Williams to approve the HP Operating Account in the amount of \$175,621.85. Aye – All. Motion carried.

Old or General Business:

Case#14069 – 370 Main Street – Optima, LLC – Fountain House Relocation

Mr. Kuchenbecker informed the Commission the applicant requests permission to allow the Fountain House, a contributing resource in the Deadwood National Historic Landmark District, to be moved to an available lot located on Charles Street in the South Deadwood Planning Unit as submitted.

Mr. Kuchenbecker noted the Fountain House was the resource in which on March 12, 2014 the Historic Preservation Commission, though they found it adverse to Deadwood, approved its moving/relocation as all reasonable and prudent alternatives had been explored by the applicant.

Mr. Kuchenbecker stated, based on the understanding the project is for the new location only, the relocating of the Fountain House to the proposed new location is not an adverse effect to this portion of the historic districts in which it is proposed, provided the applicant follows the proposed project plan as submitted with proper landscaping and maintenance of the resource. He continued to note staff's opinion is the project is congruous with the historical, architectural, archaeological and cultural aspects of the district.

Mr. Kuchenbecker added the project approval of the new location should be contingent upon receipt of a detailed archaeological report filed with the historic preservation office by a qualified archaeologist for the new location and no building permit should be issued for the move or readiness of the move of the resource until such time the report is completed and accepted by the Deadwood Historic District Commission; execution of a written agreement for proper interpretation which clearly identifies the history of the Fountain House along with an appropriate timeframe for implementation; agreement and/or commitment for landscaping and green space in the front of the resource; and with a completion deadline of October 1, 2015.

Mr. Toews asked what happens if the archeologist finds something that is interesting and wants to keep digging.

Mr. Kuchenbecker stated his office would sit down with the applicant to look at the scope of what is found and address it at that time. He stated phase I of the archeology test research determines what would be monitored during the footing and foundation work. He noted following the archeology work, any findings would be addressed at that time. Mr. Kuchenbecker informed the Commission, depending on the scope of what is found, the archeology work costs may be covered by either the applicant, the Historic Preservation, or as a joint effort.

Ms Floyd questioned if the initial responsibility for the archeology work is with the applicant.

Mr. Kuchenbecker stated yes.

Roger Tellinghuisen, representing the applicant Optima LLC, stated he is not going to labor this as he was at the last meeting. He stated Mr. Kuchenbecker gave his staff report and appreciates his recommendation Optima be given a little extra time to get this house moved. He noted Optima has no reservations or objections to conditions Mr. Kuchenbecker outlined. Mr. Tellinghuisen informed the commission they have been in touch with an archeologist who is on standby allowing them to move forward with that part of the project as quickly as possible in the event this move is approved. He pointed out this request has come a long way and noted to the Commission not all of them have been here for the whole journey. Mr. Tellinghuisen noted the hearings on January 29; in February; the final hearing on March 12, 2014; and the Circuit Court ruling in their favor. He stressed the decision the Commission makes tonight is for a suitable location. Mr. Tellinghuisen noted Optima intends to use this area where the Fountain House is currently located, if moved, for parking, because it is a huge issue and the reason we paid so much for these properties. Mr. Tellinghuisen candidly stated with respect for other moves in that area, Optima would be asking the Commission for permission to move or demolish the real estate building. He noted, in terms of buying other properties, Optima owns the real estate center, but has no plans or agreements with respect of the Farris House or the Morris Houses. Mr. Tellinghuisen reassured the Commission, should Optima decide to build a structure onto the end of Cadillac Jacks where the Shay House and Fountain House were, they would come before the Commission for review and approval.

Chair Floyd invited comments from the public and asked that they please keep comments to two minutes.

Mr. Blair asked if we needed a motion to open the discussion.

Chair Floyd stated no.

Attorney Williams informed the chairperson to instruct the public about what they are allowed to address.

Chair Floyd stated the discussion would be refined to relocating the Fountain House to the proposed location on Charles Street as submitted by the applicant.

Mathew Pike, representing the Deadwood Historic Trust and former Historic Preservation Commission Chair, committed that based on Chair Floyds comments, he would limit his comments. He stated he had prepared a letter on behalf of the Deadwood Trust in earnest to assist the Commission by offering alternative opinions where there may be issues of concern by citizens. He thanked the Commission for reviewing the letter in executive session and asked it be put on record with the original packet. (The letter is attached hereto on Exhibit A and incorporated herein by this reference.)

Mr. Pike continued by informing the Commission the Trust wanted to thank them for taking this issue very seriously. He noted the Trust believes the only appropriate location for the Fountain House is within the Fountain City Planning Unit; he stressed the best location for any contributing structure listed on the National Register of Historic Places or the State Register of Historic Places is exactly where it is. Mr. Pike noted the Trust asks in earnest for the commission to seek alternatives to keep it exactly where it is. Mr. Pike pointed out one of the issues of concern is that it remains inside the Fountain City Planning Unit. He noted the reason for the concern is due to this particular applicant has asked and sought approval eleven different times since preservation was implemented in Deadwood to remove or demolish various structures; this would make it an even dozen. Mr. Pike added the problem with that is this is the Fountain House in which the City Planning Unit is named. The Trust strongly appeals to you to seek alternatives and deny this application as being inappropriate. Mr. Pike stated that if the Commission decides to approve this location the Trust recommends the contingencies be firmly imbedded in the motion and are conditioned to the issuance of any building permit including a written conservation easement and that the Commission obtain all of these items in writing with agreed upon penalties for failure to comply. Everyone you see here tonight in the Deadwood Trust T-shirts thanks you for your time and consideration.

Tim Conrad, property owner next to proposed location, believes the plan looks great and would like to see a house up in this neighborhood because we need housing in Deadwood. "Looks like a great plan to me."

Ron Russo, neighbor to proposed location, approves of the new location of the Fountain House and feels this would stimulate new growth in that area.

Chair Floyd asked if the applicant knew what the intended use of the property will be in its new location.

Mr. Tellinghuisen stated the intention is, if the move is approved, to donate the house to NeighborWorks. The owner of the land in which the house would be located is Mr. Percevich. Mr. Tellinghuisen informed the Commission that the house will be moved at no cost to the owner and Mr. Percevich is not buying this house. Mr. Tellinghuisen stated that Optima can't say exactly how this house is going to be used because Optima will not own it; it will be owned by Mr. Percevich. One of the uses Mr. Percevich is contemplating is a vacation rental property.

Chair Floyd asked what NeighborWorks' roll is in this.

Mr. Tellinghuisen stated Optima donates it to NeighborWorks; in turn they will donate it to Mr. Percevich.

Mr. Blair asked if the Fountain House will be placed on the site and move completed before the donation will take place.

Mr. Tellinghuisen stated yes. That will be an expense that Optima will bear.

Chair Floyd asked if Optima has explored potential locations for this house within the Fountain City Planning Unit.

Mr. Tellinghuisen said they have and there aren't any.

Chair Floyd asked Mr. Tellinghuisen to refresh her memory as to details as to why there are no locations available.

Mr. Tellinghuisen stated that there are none available that Optima could buy or afford and there are none that Optima is aware of where the house could be moved.

Chair Floyd asked Mr. Kuchenbecker if he agreed with Mr. Tellinghuisen's statement.

Mr. Kuchenbecker stated that he met with Optima back in March of 2012 and several lots were looked at and they were either very expensive or the house had to be dismantled to get it around corners and up the street. There was the exploration of the lot at the bottom of Burnham and it was declared not economically feasible by Optima.

Mr. Tellinghuisen commented that the prices we are talking about are in the \$400,000 and up for the range of the lots. That is not an option to Optima.

Sharon Martinisko, resident of Deadwood, pointed out the request to have a conservation easement on the resource. Whoever becomes the owner would contract to preserve this house for the future. Ms. Martinisko stated this is an important piece to look at. Ms. Martinisko understands the need for a parking lot, however, it should not come at the detriment of our historic fabric. Ms. Martinisko urges the Commission to add the conservation easement to protect the Fountain House for the future. Ms. Martinisko likes the proposed location but not the parking and has discussed this with the applicant and feels that landscaping in the proposed area needs to be addressed.

Marlene Todd, resident of Deadwood, asked that the Fountain House be moved next to the existing Morris House. It wouldn't be in the middle of Optima's parking lot and it would keep the Fountain House in the district.

Mr. Tellinghuisen commented that Optima wants to move the Fountain House to make room for parking.

Mr. Tellinghuisen, being a past State's Attorney, stated he is familiar with conservation easements and how stringent they are. To put a conservation easement on a piece of property locks it for eternity. As things change and you don't know how they are going to change you are locked in. I believe that the concerns that have been expressed about maintaining the Fountain House and its historical nature adequately addressed with strong preservation enforcement by the preservation officer and ordinances adopted by this city. At least this would allow for some change over the course of eons and not be locked into something that you didn't intend to. ***Based upon the guidance found in DCO 17.68.050, It was moved by Mr. Blair and seconded by Mr. Williams that the proposed project is congruous with the historical, architectural, archaeological or cultural aspects of the district and MOVE to grant Certification of Appropriateness contingent upon additional recommendations made by the History Preservation office including the requirement for the detailed archioloal report, the written agreement for proper interpretation, the agreement and commitment for landscaping and an extended project date of the 1st of October 2015. Aye – All. Motion carried. (Staff report attached as Exhibit B)***

Proposal for Engineering Services for the HP Retaining Wall Program

Mr. Kuchenbecker stated that over the past several years this office has contracted with Albertson Engineering of Rapid City for structural engineering of the public-private program of repairing and reconstructing historic retaining walls. It has worked well for us and staff is recommending City Commission approval to continue the retaining wall program for 2015.

Mr. Toews moved and Mr. Johnson seconded to approve up to \$45,000 for Albertson Engineering as a recommendation to the City Commission. Aye – All. Motion carried. (Staff report attached as Exhibit C)

Rodeo Grounds Grandstand Concessions and Restroom Upgrades

Mr. Kuchenbecker informed the Commission that Dave Stafford Architecture is providing architectural and engineer design services for upgrading/rehabilitation of the concessions and public restroom facilities incorporated under the grandstands at the Rodeo Grounds. The Architect has presented a time line and scope of the project with a substantial completion date prior to the rodeo. Mr. Kuchenbecker stated the probable cost of this project will exceed the budgeted amount and at some point supplemental funds will be requested if the project goes forward. **Mr. Johnson moved and Mr. Toews seconded to recommend to the City Commission to approve advertising for the Restroom and Concession Project at the Days of 76 Rodeo Grounds and set the bid opening for 2:00 p.m. on February 17, 2015. Aye – All. Motion carried.** (Staff report attached as Exhibit D)

2015 ESRI GIS Software Maintenance

Mr. Kuchenbecker stated we use GIS on a regular basis, it is used not only by Historic Preservation but also Public Works and Planning and Zoning. This is the annual maintenance fee for the software. It is a budgeted line item and its \$12,000 of which \$9,500 comes out of the Historic Preservation GIS budget. **Mr. Toews moved and Mr. Berg seconded to approve the GIS Maintenance package for 2015 at a cost of \$9,500 for Historic Preservation portion of lines items. Aye – All. Motion carried.** (Staff report attached as Exhibit E)

Keene Field (Baseball complex) sound system

Mr. Kuchenbecker stated that in the 2015 budget meetings under public buildings we did budget for a new sound system. What is proposed is a public announcing system to be used at both fields at a cost of \$3,116. It will provide speakers for both fields, 2 amps, cordless microphone, mixers, etc. and this system is one of the number one systems in the United States for baseball and softball fields. **Mr. Blair moved and Mr. Toews second to approve \$3,116.00 for the Sound System. Aye – All. Motion carried.** (Staff report attached as Exhibit F)

SD State Historical Society Press – 2013 Publication fund report

Mr. Kuchenbecker presented the 2013 Deadwood Publications Fund report. In 2000 Historic Preservation gave the South Dakota State Historical Society Press \$250,000 for developing a revolving program for the publication of books associated with Deadwood and Western South Dakota and the Black Hills. No action required. (Staff report attached as Exhibit G)

New Matters before the Deadwood Historic District Commission

Case #15001 – 435 Williams Street – Windows – Deadwood Carnegie Public Library

Mr. Kuchenbecker stated this is an application for the Deadwood City Planning Unit. The applicant is the City of Deadwood and the applicant proposes to remove paint on exterior windows and doors, repair and/or replace decayed wood window components, prime and paint windows and doors and varnish top coat interior windows, doors and trim. The proposed project does not encroach upon, damage or destroy any historic resource nor have an adverse effect on the character of the building or the historic character of the districts. **Based upon the guidance found in DCO 17.68.050 Mr. Toews moved and Mr. Johnson seconded to find that the exteriors alteration proposed is congruous with the historical, architectural, archaeological or cultural aspects of the district and move to grant certification of appropriateness. Aye – All. Motion carried.** (Staff report attached as Exhibit H)

Case #15002 – 152 Sherman Street – Addition – First Interstate Bank

Mr. Kuchenbecker stated this is a contributing structure located in the South Deadwood Planning Unit, circa 1891. This was a freight depot moved from its original location but it is still considered a contributing resource because of its association with Deadwood and the railroad. The applicant is requesting permission to add 25' onto the north end of the building. The siding, windows, and doors will match the existing structure. The recommended opinion of staff; research of the historic structure unveiled a photograph of the freight depot which appears to have a longer one story portion of the building. The proposed addition appears to bring back proportions of the building closer to the photograph. We have worked with bank officials to ensure the materials will complement and match the existing structure. A vertical trim board will remain between the existing building and the proposed new addition to differentiate the addition from the

existing building. The proposed work and changes do not encroach upon, damage or destroy a historic resource or have an adverse effect on the character of the building or the historic character of the State and National Register Historic Districts or the Deadwood National Historic Landmark District. The proposed work continues to remedy some of the issues which have made the building non-contributing. ***Based upon the guidance found in DCO 17.68.050 Mr. Blair moved and Mr. Toews seconded to find that the exteriors alteration proposed is congruous with the historical, architectural, archaeological or cultural aspects of the district and move to grant certification of appropriateness. Aye – All. Motion carried.*** (Staff report attached as Exhibit I)

Revolving Loan Fund/Retaining Wall Program Update

Mr. Toews moved and Mr. Blair seconded to approve the HP Revolving Loan Fund disbursement in the amount of \$899.50, based on information as presented by Ms. McCracken, Executive Director of NeighborWorks-Dakota Home Services. Aye – All. Motion carried. The Delinquency Report was reviewed by HP Commission.

Staff Report (Items considered but no action will be taken at this time.)

Mr. Kuchenbecker reported on the following:

- The South Dakota Governor's Tourism Conference is next week. We will be there Wednesday, Thursday and returning on Friday. Dale, Tom and Mike are all attending. We have our legislative luncheon and speakers in the presidents lobby. In the past few years we have also partnered with Deadwood Alive, our reenactors, and that has been a real hit with the legislators. Historic Preservation pays for their motel rooms and meals and Deadwood Alive pays the labor costs. This amounts to about \$1,800.
- The Library contract is out for signature and we will be giving notice to proceed as soon as we get the contract back.
- A meeting was held yesterday on the recreation center windows. We believe that we have come up with a good alternative to the screens on the inside of the auditorium and we had to actually cut into the interior walls to figure out how the building was made. What they had done in the past is mount the screens right on to the window and every time they would get hit it would push the windows outward. The new screens will be mounted onto the walls.
- Revitalization is still moving forward. We have gotten through the action plan and Roger Brooks is making the final adjustments to the comprehensive branding/marketing plan and we will get that out to the public and this body as well. We are still negotiating with Century Link. Their engineering staff has been meeting every two weeks so they can come up with costs and what other alternatives they have. Revitalization did receive \$100,000 support from Bid 7 which goes through the Chamber and the City Commission which will allow them to implement some of the branding for 2015. I have been working with Lee and the Chamber on advocacy for banners.
- I have been working with the South Dakota State Historical Preservation office on developing a real estate workshop this spring. We are contacting the South Dakota Real Estate Commission to see what it takes to get the workshop certified for continuing education.
- We talked at the last Loan Committee regarding sending out surveys to loan recipients from the last few years. We are working with NeighborWorks in developing that and if you have any questions that you would like to pose in that survey we would appreciate your input.
- Concrete on the retaining wall at 2 Dudley is done and they are starting on the carpentry.
- Our new building inspector Trent Mohr started this week.
- Mike Runge submitted his report. It includes images of the Chinese coins that have come back from Maryland. We will have them for viewing at our next meeting.
- The 1894 Winchester 30-30 that was sawed off by Homestake Mining Company is at the Days Museum getting ready for display.
- We have taken over 3,800 photos of Deadwood and all the projects going on in 2014. Each of those has a catalog number and address so you can pull up the address and view construction details, what it used to look like and those types of things.

Committee Reports

- Mr. Toews stated that the Demolition by Neglect Committee has meet with City Commissioners except one regarding minimum maintenance and will be meeting with that person tomorrow.

Wednesday, January 14, 2015

- Mr. Blair met with Deadwood Alive today and talked about some of the branding direction. RFPs are going out for a tin star that will be given out to kids on the street and at some of their performances. They feel they are not getting themselves in front of enough large groups of people.
- Chair Floyd stated that there has been nice conversations with NeighborWorks regarding their programs and how they run and what goes into them. That is going to be extremely useful as we move forward in looking at grants and possibilities for new programs.

Adjournment:

There being no other business, the Historic Preservation Commission Meeting adjourned at 6:08 p.m.

ATTEST:

Laura Floyd

Chairman, Historic Preservation Commission

Bonny Fitch, Historic Preservation Office/Recording Secretary

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.

Comment [KK1]: Reference to map under zoning code

Comment [KK2]: Proposed changes are to clarify the boundaries

40 C. Planning Units.

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

Comment [KK3]: Reference to map under zoning code

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

- 49 2. Except in Planning Unit 4 where a certificate of appropriateness is required, no person
50 shall commence any undertaking or project, as defined in Section 17.08.010 of this title,
51 ~~affecting any building, structure or historic resource~~, without approval of such
52 undertaking or project by the historic preservation commission, except when the
53 commission or its staff has determined that the undertaking or project will not encroach
54 upon, damage or destroy any historic property. Such determination shall be based upon
55 the guidelines adopted by the Deadwood historic preservation and district
56 commission(s);

Comment [KK4]: Clarification

- 57 3. Within Planning Unit 4, no exterior portion of any building or other structure (including
58 walls, fences, light fixtures, steps and pavement or other appurtenant features) nor
59 above-ground utility structure nor any type of outdoor advertising sign shall be erected,
60 altered, restored, moved or demolished until after an application for a certificate of
61 appropriateness as to exterior features has been submitted to and approved by the
62 historic district commission created by Ordinance No. 777. A certificate of
63 appropriateness shall be required whether or not a building permit is required.

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

65 **17.68.020 Historic preservation commission.**

66 A. Purpose. By virtue of SDCL 1-19B-2, the city is authorized to establish a historic preservation
67 commission to preserve, promote and develop the historical resources of the city, and to
68 perform such other functions as may be provided by law. Pursuant to Resolution No.
69 1987-10, such a commission was established. That commission is recognized, and shall
70 consist of its current members until their successors are appointed as provided by this
71 section.

72 B. Membership. The Deadwood historic preservation commission shall consist of not less than
73 five (5) nor more than ten (10) members, who shall be appointed by the city commission
74 with due regard to proper representation of such fields as history, architecture, urban
75 planning, archeology, paleontology and law. All members of the historic preservation
76 commission shall reside within the city and shall serve for terms not to exceed three (3)
77 years, being eligible for reappointment.

78 C. Powers of the Historic Preservation Commission. In order to preserve, promote and develop
79 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 herein or 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

Comment [KK5]: Allowed under the IBC for emergency purposes

(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.~~ E. 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.

Comment [KK6]: This section moved to line 305 as it makes more sense in that portion of the ordinance

(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

191 preserved.

192 4. The landscape plan shall be compatible with the resource, and it shall be visually
193 compatible with the environment with which it is visually related. Landscaping shall also
194 not prove detrimental to the fabric of a resource, or adjacent public or private
195 improvements like sidewalks and walls.

196 5. No specific architectural style shall be required.

197 6. With respect to these new construction criteria, the commission shall also consider the
198 zoning classification and historic integrity of visually related buildings.

199 C. Exterior Alteration.

200 1. All exterior alterations to a building, structure, object, site or landscape feature shall be
201 compatible with the resource itself and other resources with which it is related. The
202 original design of a building, structure, object or landscape feature shall be considered
203 in applying these standards.

204 2. Exterior alterations shall not affect the architectural character or historic quality of a
205 resource and shall not destroy the significance of resource sites.

206 D. Demolition.

207 1. The individual architectural, cultural and/or historical significance of the resource.

208 2. The importance or contribution of the resource to the architectural character of the
209 district and, where appropriate, the damaging impact of the resource on the
210 architectural character of the district.

211 3. The importance or contribution of the resource to neighboring property values and,
212 where appropriate, the damaging impact of the resource on neighboring property
213 values.

214 4. Whether or not the resource is structurally sound, including the owner's efforts to
215 properly maintain the resource.

216 5. Whether or not the resource can be rehabilitated or reused on site to provide for a
217 reasonable beneficial use of the property, taking into consideration the various, federal,
218 state and local incentives for such projects.

219 6. Whether or not it is possible and/or appropriate to move the resource to another site to
220 be rehabilitated or reused in the historic district(s) for a reasonable beneficial use of the
221 property, taking into consideration the various, federal, state and local incentives for
222 such projects.

223 4.7. Whether or not appropriate measures are proposed to be taken with respect to
224 the potential for the discovery of archaeological resources on the subject property.

225 5.8. ~~4. The commission shall consider the~~ difficulty or impossibility of
226 reproducing such a resource because of its texture, design, material or detail.

227 9. ~~5.~~ An applicant for demolition must receive a certificate of appropriateness or

Comment [KK7]: Provides the commission a clear list of factors for consideration

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.

Comment [KK8]: Clarity on who issues permit

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.

Comment [KK9]: Requires plan to avoid partial
demolition issues such as the Wing Tsue Building

~~6.11.~~ 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.

Comment [KK10]: Provides for proper
recording of the resource prior to demolition

~~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.

Comment [KK11]: Parallels state law under
SDCL 1-19A 11.1

(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

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

Comment [KK12]: Clarity

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

Comment [KK13]: Clarity

277 | B. The commissions and/or their staff shall have the authority to determine when a filed
278 | application is complete and contains all required information. An application deemed
279 | incomplete by the commissions shall not be considered to have been filed for the purposes
280 | of this chapter. The commissions shall develop and adopt standard application forms and its
281 | written guidelines shall specify what information an applicant shall attach to each form.

Comment [KK14]: Clarity

282 | C. The chairperson or vice-chairperson of each commission shall establish a regular schedule
283 | for the hearings of that commission. At least one hearing shall be scheduled for each
284 | month.

285 | D. The applicant shall, upon request, have the right to a preliminary conference with a
286 | member of the commission or of the commission staff for the purpose of learning whether
287 | changes or adjustments to the application could make it more consistent with the
288 | commission's standards.

289 | E. At the scheduled hearing, the applicant for a certificate of appropriateness or project
290 | approval has the right to present any relevant information pertaining to the application.
291 | Likewise, the city, the commission and its staff and members of the public shall have the
292 | right to present any additional relevant information pertaining to the application.

293 | F. The commissions shall have the right to recommend changes and modifications to enable
294 | the applicant to meet the requirements of the commission.

295 | G. The issuance of a certificate of appropriateness or project approval shall not relieve an
296 | applicant of the need for a companion building permit, conditional use permit, variance or
297 | other authorization from compliance with any other requirement or provision of the laws of
298 | the city or the state concerning zoning, construction, repair or demolition. In all such cases,
299 | applicants are encouraged to apply first for a certificate of appropriateness or project
300 | approval as other city agencies will be advised by the historic preservation or historic
301 | district commissions in making their subsequent decisions. No building permit which affects
302 | a resource shall be issued by the city building official prior to the issuance of a certificate of
303 | appropriateness or project approval by the historic district or historic preservation
304 | commission.

Comment [KK15]: Clarity

305 | H. The project under the certificates of appropriateness issued by the historic district
306 | commission or a project approval issued by the historic preservation commission shall be
307 | completed within one hundred and eighty (180) days after issuance. The applicant may seek
308 | 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.

Comment [KK16]: Moved from 156 and sets time limit to complete a project with option for extensions issued by the appropriate commission

(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

~~9. The cost to rehabilitate or restore the property;~~

Comment [KK17]: Provides for additional considerations

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

~~11. The availability and use of financial incentive programs at a local, state and federal level.~~

Comment [KK18]: Provides for additional considerations

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.

Comment [KK19]: Adds a willful neglect clause to the ordinance

~~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 consider whether there are other uses currently

345 | allowed that would provide a reasonable return or beneficial use and whether such a return
346 | could be obtained through the commissions acquisition or investment in the property for
347 | rehabilitation purposes.

Comment [KK20]: Provides for a clause for the option of the commission to save the property by acquisition or investment

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

351 | (Ord. 831 § 7.7, 1992)

352 | **17.68.080 Appeals.**

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

356 | (Ord. 831 § 7.8, 1992)

357 | **17.68.090 Minimum maintenance requirements.**

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

Comment [KK21]: Clarification for building code chapter

363 | (Ord. 831 § 7.9, 1992)

364 | **17.68.100 Demolition by neglect.**

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

Comment [KK22]: Under 17.68.100 removed references to Minimum Maintenance covered in 17.68.090 and removed references to condemnation as it is building officials responsibility, thus simplifying the ordinance.

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

- 382 | 1. Deterioration of exterior walls, foundations, or other vertical support that causes
383 | 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.~~

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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.~~
4. ~~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

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

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

548 **17.68.120 Enforcement and penalties.**

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

551 A. Civil Penalty.

- 552 1. Any person who constructs, alters, relocates, or demolishes any building or resource in
553 violation of this chapter or causes any building or resource to be constructed, altered,
554 relocated, or demolished in violation of this chapter may be required to restore the
555 building or resource to its appearance or setting prior to the violation. Any action to
556 enforce this provision shall be brought by the city. Any civil remedy shall be in addition
557 to, and not in lieu of, any criminal prosecution and penalty.

- 558 2. If demolition of a building or resource occurs without issuance of proper permits based
559 on the procedures of city, state or federal regulations, or without the issuance of a
560 certificate of appropriateness, or project approval, then any City permits, by any city
561 office, on the subject property, with the exception of a permit to restore the building or
562 resource as set forth above, may be denied for a period of ten (10) years. ~~In addition,~~
563 the applicant may not be entitled to have issued to the applicant, by any city office, a
564 permit allowing any curb cuts on the subject property for a period of ten (10) years from
565 and after the date of such demolition.

Comment [KK23]: Provides the City Commission with a wider range of options other than curb cuts

- 566 3. If any other undertaking or project other than the demolition of a building or resource
567 occurs without issuance of proper permits based on the procedures of city, state or
568 federal regulations, or without the issuance of a required certificate of appropriateness
569 or project approval, then any City permits, by any city office, on the subject property,
570 with the exception of a permit to restore the building or resources as set forth above,
571 may be denied for a period of five (5) years. ~~In addition, the applicant may not be~~
572 entitled to have issued to the applicant, by any city office, a permit allowing any curb
573 cuts on the subject property for a period of five (5) years from and after the date of such
574 undertaking or project.

Comment [KK24]: Provides the City Commission with a wider range of options other than curb cuts

- 575 4. If any resource found to be in a state of demolition by neglect as outlined in 17.68.100
576 should be allowed by the owner or owners to remain in a state of demolition by neglect,
577 then any City permits, by any city office, for any property issued to the owner or
578 owners, with the exception of those permits expressly for the necessary repairs to
579 restore the resource to a safe and sound condition, may be denied for a period of ten
580 (10) years or until such time as the resource has been returned to a safe and sound
581 condition, whichever is shorter. ~~In addition, the owner or owners may not be entitled to~~
582 have issued to them, by any city office, a permit allowing any curb cuts on any property
583 for a period of ten (10) years, or until such time as the resource has been returned to a
584 safe and sound condition, whichever is shorter.

Comment [KK25]: Provides the City Commission with a wider range of options other than curb cuts

5. The City Commission may institute appropriate action or proceeding in the name of the City of Deadwood to enjoin, correct or abate any violation of this chapter including but not limited to withholding any City permits, by any city office, and/or any actions allowable under SDCL 42-7B, et seq, if applicable.

Comment [KK26]: Allows for enjoining the SD Commission on Gaming if necessary

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)

Comment [KK27]: Ties back to line 305 regarding timeframe and follow through on Certificate of Appropriateness / Project approvals

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.

Comment [KK28]: Correct name

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

Dated this ____ day of ____, 2014.

CITY OF DEADWOOD

Charles Turbiville, Mayor

ATTEST:

622 _____
623 Mary Jo Nelson
624 Finance Officer
625
626 First Reading:
627 Second Reading:
628 Published:
629 Adopted:

Society of Black Hills Pioneers
Clinton R. Jolley, Treasurer
2602 Tomahawk Dr.
Rapid City, South Dakota 57702



January 5, 2015

Kevin Kuchenbecker
Deadwood Historic
Preservation Commission
108 Sherman St.
Deadwood, S. D. 57732

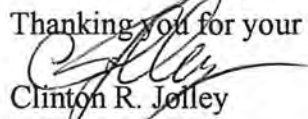
RE: Society of Black Hills Pioneers Annual Publication

Dear Mr. Kuchenbecker,

As you know, each year the Society of Black Hills Pioneers has published a book of stories about the historic families of the members of the society. Each year the Deadwood Historic Preservation Commission has been very generous and granted \$2000.00 to the Society to help with the project. We very much appreciate your assistance. Without it, we could not pay for the publication which, last year was somewhat smaller than previous years and cost \$2250.00. Thank you.

Once again we would like to request your help in the amount of \$2200.00 to help with our expenses for the 2015 publication.

Thanking you for your continued support,


Clinton R. Jolley
Treasurer

DEADWOOD

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

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

Mike Runge
Archivist
Telephone (605) 578-2082

MEMORANDUM

Date: January 21, 2015
To: Deadwood Historic Preservation Commission
From: Deadwood Historic Preservation Office
Re: **Digitization and Georectifying of 1930 Deadwood Sanborn Maps**

The Deadwood Historic Preservation Office is requesting permission to hire Mathisons Graphics of Fargo, North Dakota and Ferber Engineering Company of Rapid City, South Dakota to digitize and georectify the 1930 Sanborn Fire Insurance maps. These twelve (12) maps, donated in November of 2014, are part of 2014.19 the Coburn Family Collection.

The project will include sending the maps to Mathisons Graphics in Fargo, North Dakota for digitization. Once scanned, the maps will be delivered to Ferber Engineering Company where the digital files will be georectified. Upon completion of this project, the maps will be incorporated into the City's Geographic Information System (GIS).

Proposals from Mathisons Graphics and Ferber Engineering along with several digital images of the maps are attached to this memorandum.

RECOMMENDATION

Allow the Deadwood Historic Preservation Office to enter a contract with Mathisons Graphics of Fargo, North Dakota and Ferber Engineering Company of Rapid City, South Dakota to digitize and georectify the 1930 Sanborn Fire Insurance maps. The cost for this project will not exceed \$4,500.00 and will come out of Public Education.



2 DEADWOOD S.D. APRIL 1923

Michael Runge

From: Thomas Tweten <thomas@mathisons.com>
Sent: Monday, January 12, 2015 6:47 PM
To: Michael Runge
Cc: Kevin Kuchenbecker; Bob Nelson Jr.; Mark Walker; Joe Anstett; Rochelle
Subject: RE: Contact info - Mathison's

Hello Mike,

Thank you again for the time on the phone last week and earlier today.

As we discussed over the phone, we can use a flatbed scanner to do this job. The equipment is located in Fargo, so we will need to bring the maps here. We will also stitch them together so that the 24 scans are 12 complete maps when finished.

I estimated how long the work would take using the photos and info that you provided. If we see that a significantly larger amount of time will be needed for clean up on the files once the maps arrive, we will let you know as soon as possible before completing the work.

We also talked a bit about logistics. These are delicate documents, so shipping them may not be an option. If you are able to get the maps to our Sioux Falls or Bismarck offices we can have somebody bring them back to Fargo during their routine travels. We would not charge you extra if we are already planning a trip. We do have a service tech in Rapid City that travels to Bismarck from time to time, so he could bring them that far if the timing works out. You had mentioned a trip to Minneapolis that may allow you to drop them off at one of our locations as well.

We will have to work something out for the return trip once the project is complete.

Scanning Estimate:

- scan and stitch 24 documents (12 maps, 2 pages each) into 12 whole maps. We will also do necessary cleanup and will provide TIF files.
- \$1,050* + additional costs associated with any "special" trips needed to get the documents between Deadwood and Fargo
- *the price above includes some cleanup and the time to scan and digitally stitch the documents. If there is a significant amount of cleanup work required we will contact you to let you know of additional charges that may apply before completing the extra work.

Please let us know of any questions. I will be travelling Wednesday - Sunday of this week, returning on Monday the 19th.

Thank you,

Thomas Tweten, CSI, CDT
Director of Sales
Mathison's
(701) 361-4571 Cell
(800) 437-4744 Toll Free
www.mathisons.com

From: Michael Runge [michael.runge@cityofdeadwood.com]
Sent: Friday, December 19, 2014 10:46 AM
To: Thomas Tweten
Cc: Kevin Kuchenbecker; Bob Nelson Jr.
Subject: RE: Contact info - Mathison's

Good morning Thomas:

I uploaded the digital files on your ftp site. Please review and comment. As mentioned, we would like you to use the flatbed scanner to digitize these maps save them as uncompressed tif files. We would also like someone to digitally stitch the maps back together. Give me a call and I can fill you in on the other requirements.

Thanks,

Mike

Michael Runge
City Archivist
108 Sherman Street
Deadwood, SD 57732
P: (605) 578-2082
F: (605) 578-2084
Website: www.cityofdeadwood.com

From: Thomas Tweten [<mailto:thomas@mathisons.com>]

Sent: Friday, December 19, 2014 9:30 AM

To: Michael Runge

Cc: Rochelle

Subject: Contact info - Mathison's

Hello Mike,

Thank you for the call today. Feel free to email 20MB + at a time and they should come through. Please send a delivery receipt and/or I will reply when I get each one.

<http://www.mathisons.com/Login.aspx>

Thank you,

Thomas Tweten, CSI, CDT
Director of Sales
Mathison's
(701) 361-4571 Cell
(800) 437-4744 Toll Free
www.mathisons.com



January 6, 2015

Mr. Michael Runge
City Archivist
City of Deadwood
108 Sherman Street
Deadwood, SD 57732

RE: Sanborn Map Digitization Project Part 2

Dear Mike:

I enjoyed visiting with you about your project and am pleased to present you with a proposal to georeference Sanborn Map scans for use in the City of Deadwoods's GIS. The remainder of this letter outlines our approach to the work stated above and associated fees.

It is our understanding that the City of Deadwood has a set of Sanborn fire insurance maps that were published in 1923 and updated in 1930. There are 12 maps, including an index map (24 pages). The City's goal is to have these maps scanned and georeferenced so they can be used as layers in the City's Geographic Information System (GIS). It is our understanding that the City of Deadwood will be working directly with an outside vendor to obtain scans of the original maps and that the scans will be high resolution color (>300 dpi) in .tiff format. Each two-page map will be provided as a single continuous scan resulting in 12 files needing to be georeferenced. Map sheet twelve includes three (3) areas outside of Deadwood that will be georeferenced separately for a total of 15 files.

The following tasks are included in our scope of work:

1. Obtain aerial imagery, parcel and street centerline data from the City of Deadwood to use as the basis for georeferencing the scans.
2. Georeference each map scan file using four points common between the scan and the aerial imagery/parcels/street centerline data; more if necessary to achieve the best possible fit.
3. Generate projection files that will accompany each scan file, placing it in the correct space in the GIS. It is understood that the City's GIS data is housed in the South Dakota Stateplane coordinate system, North Zone, NAD 83, so the scans will be georeferenced accordingly.

The following tasks are **NOT** included in our scope of work:

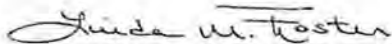
1. Coordinating and scanning the original maps.
2. Performing cosmetic clean-up on the scans; it is assumed that the transparency feature in ArcGIS will be used for viewing the georeferenced scans.
3. No travel is included in this proposal. It is assumed that files needing to be transferred and associated correspondence can happen electronically.

Fees

Our estimated fee for completing the work described above is \$3237.50. The work will be completed on a time-and-materials basis in accordance with our current schedule of charges and will not exceed the estimate stated above without written authorization from you. The 2015 schedule of charges is included as Exhibit A.

We look forward to working with you on this project. If you have any questions or believe that we have misunderstood the scope of work, please call.

Sincerely,
FERBER ENGINEERING COMPANY, INC.

A handwritten signature in cursive script, reading "Linda M. Foster".

Linda M. Foster, PLS, GISP
Project Manager

Enclosures: as noted



Ferber Engineering Company, Inc.

Civil Engineering • Water Resources • Transportation • Land Surveying • GIS
729 East Watertown St, Rapid City, SD 57701 ~ Phone: (605) 343-3311

EXHIBIT A

2015 SCHEDULE OF CHARGES

<u>EMPLOYEE CLASSIFICATION</u>	<u>HOURLY RATE</u>
Principal Professional Engineer	\$130.00
Principal Professional Engineer/Registered Land Surveyor	\$130.00
GIS Professional/Professional Land Surveyor	\$100.00
Professional Engineer III	\$100.00
Professional Engineer II	\$95.00
Professional Engineer I	\$90.00
Graduate Engineer II	\$80.00
Graduate Engineer I	\$75.00
Senior Technician	\$90.00
Technician III	\$70.00
Technician II	\$65.00
Technician I	\$55.00
Drafter II	\$75.00
Drafter I	\$65.00
Administrative	\$75.00
Clerical	\$55.00
Mileage	\$ 0.56

DEADWOOD

OFFICE OF
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108 Sherman Street
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Fax (605) 578-2084

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

Mike Runge
Archivist
Telephone (605) 578-2082

MEMORANDUM

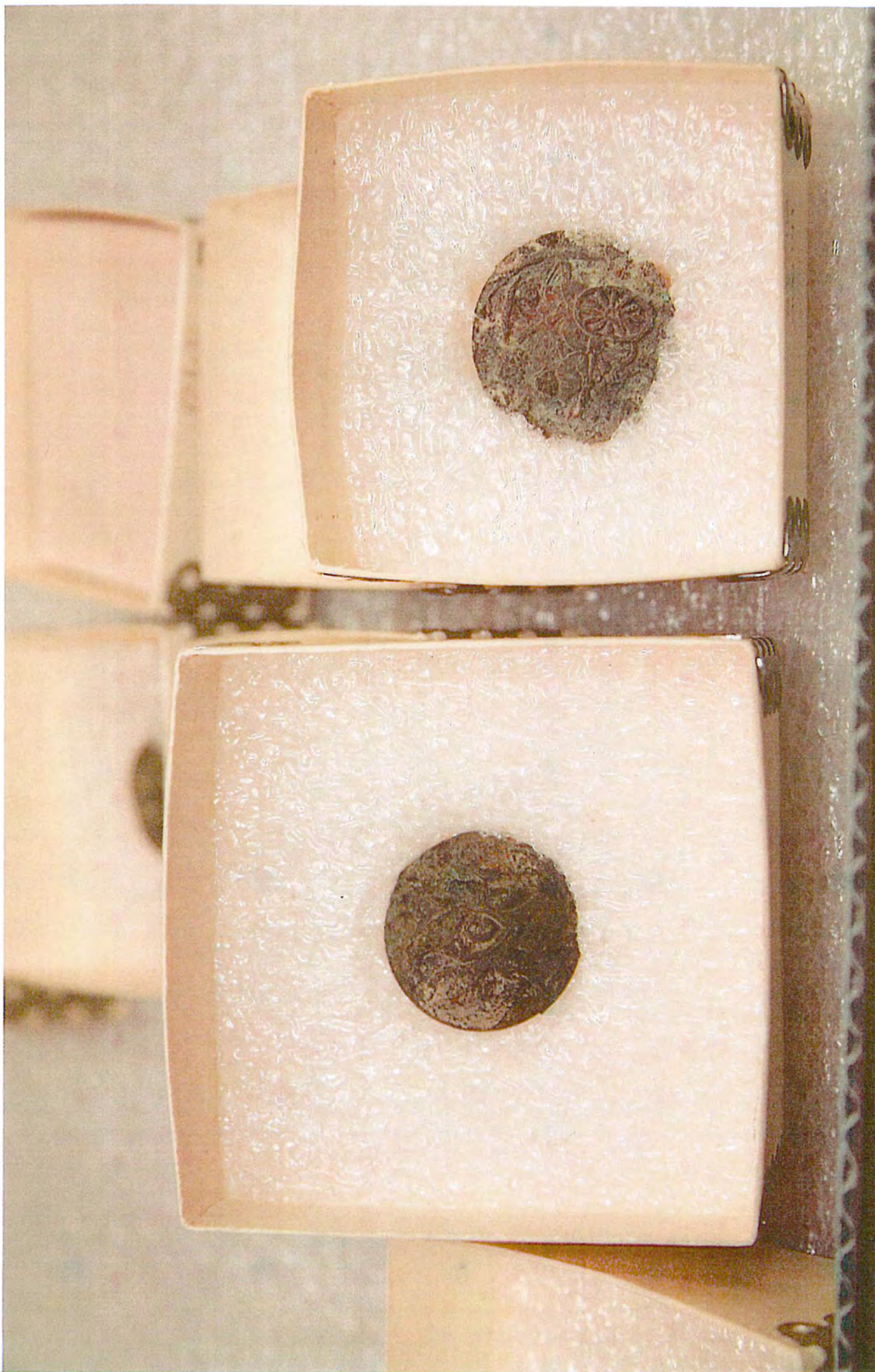
Date: January 23, 2015
To: Deadwood Historic Preservation Commission
From: Mike Runge, City Archivist
Re: **2015 City Archives Contract, Maryland Archaeological Conservation Laboratory**

The City of Deadwood Archives is requesting permission to enter into a contract with the Maryland Archaeological Conservation Laboratory located in St. Leonard, Maryland. The City Archives would like to hire Maryland to clean and stabilize forty-nine (49) metal buttons and one metal water pipe unearthed during the 2001 to 2004 Chinatown archaeological investigations. Photographs of these objects are attached to this memorandum.

RECOMMENDTION

Allow the City Archives to enter into a contract with the Maryland Archaeological Conservation Laboratory for conservation treatments to forty-nine (49) metal buttons and one metal water pipe. The cost for this project will not exceed \$2,200.00 dollars. This is a 2015 budgeted City Archive project.





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

Mike Runge
Archivist
Telephone (605) 578-2082

MEMORANDUM

Date: January 23, 2015
To: Deadwood Historic Preservation Commission
From: Mike Runge, City Archivist
Re: **FYI 2015 City of Deadwood Oral History Project**

The City Archives is requesting permission to hire Dr. Suzanne Julin of Missoula, Montana to collect and transcribe (10) oral histories as part of the 2015 oral history project. The Deadwood Oral History Project is in its eleventh year and has recorded and collected 125 individual recollections. Topics include longtime residents, the advent of legalized gaming, former City and Historic Preservation commissioners, former Homestake Slime Plant employees and the development of the Michelson Trail.

RECOMMENDATION:

Allow the City Archives to enter a contract with Dr. Suzanne Julin, independent contractor, to collect and transcribe (10) oral histories as part of the 2015 oral history project. The cost for this project will not to exceed the amount of \$6,500.00. This is a 2015 City Archives budgeted project.

Case No. 15003
Address: 616-618 Main Street

January 23, 2015

STAFF REPORT

The applicant has submitted an application for a Certificate of Appropriateness at 616-618 Main Street a contributing structure located in the Deadwood City Planning Unit in the City of Deadwood.

Applicant: Green Door Brothel / Sick Boy
Owner: Doug & Misty Asermely
Constructed: 1890

CRITERIA FOR THE ISSUANCE OF CERIFICATE OF APPROPRIATENESS

The Historic District Commission shall use the following criteria in granting or denying Certificate of Appropriateness:

General Factors:

1. **Historic significance of the resource:** This building is a contributing resource in the Deadwood National Historic Landmark District. The Green Door is stylistically much different from adjacent buildings. The oriel windows, ornate bracket cornice, and arched window present a much different style than the Italianate and common brick store front facades common on Main Street. While there is some disrepair on the first floor and changes in first floor windows, the building is essentially unaltered. In the 1870s to the turn of the century lower Main Street was the district of saloon, dance halls and houses of prostitution. This building first housed a saloon and brothel. By the early 1900s the saloon had closed down, but the brothel continued in business on the second floor. During the 1930s the first floor was occupied by the series of car dealerships. During the 1940s the first floor had been converted into an automobile repair garage and somewhat later a body shop. This business continued into the 1980s. The brothel also continued to operate throughout this period. Recently the brothel was closed and the first floor was vacant. In 1987-88 the first floor had become at least a part of it. A second hand shop and a second floor a museum.

2. **Architectural design of the resource and proposed alterations:** The applicant requests permission to install a 6' steel security door on back of building for access; install storm windows on bay windows on front of building second floor or repair/replace existing windows; paint front of building same color; and remove outside awnings.

Attachments: No

Plans: No

Photos: Yes

Recommended Decision:

Staff has met with the applicant and their contractor several times and will continue to coordinate the rehabilitation of the upper floor windows. We are currently looking at possible wood replacement sashes for some of the badly deteriorated window sashes. We will also be removing the aluminum storm windows and depending on the window restoration determining if new wooden storm windows are necessary.

The proposed work and changes do not encroach upon, damage or destroy a historic resource or have an adverse effect on the character of the building or the historic character of the State and National Register Historic Districts or the Deadwood National Historic Landmark District. The proposed work continues to remedy some of the issues which have made the building non-contributing.



Motions available for commission action:

A: Based upon the guidance found in DCO 17.68.050, I find that the exterior alteration proposed is congruous with the historical, architectural, archaeological or cultural aspects of the district and MOVE to grant Certification of Appropriateness.

OR

B: Based upon the guidance found in DCO 17.68.050, I find that the exterior alteration proposed is incongruous with the historical, architectural, archaeological or cultural aspects of the district and MOVE to deny Certification of Appropriateness.

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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: 616-618 Main St

Historic Name of Property (if known): Green Door

APPLICANT INFORMATION

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

Owner's Name: Doug/Misty Asemely
Address: 11 Pine Knolls Dr.
City: Dayville State: ET Zip: 06241
Telephone: 401-965-5954 Fax: 860-779-7116
E-mail: misty@sickboy.com

Architect's Name: _____
Address: _____
City: _____ State: _____ Zip: _____
Telephone: _____ Fax: _____
E-mail: _____

Contractor's Name: Paul Larsen
Address: 22894 South Rockford Rd
City: Hill City State: SD Zip: 57745
Telephone: 605-541-9870 Fax: _____
E-mail: P-L-cowboy@yahoo.com

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

TYPE OF IMPROVEMENT

- ☒ Alteration (change to exterior)
☐ New Construction ☐ New Building ☐ Addition ☐ Accessory Structure
☐ General Maintenance ☐ Re-Roofing ☐ Wood Repair ☐ Exterior Painting
☒ Other Stump Removal ☐ Siding Other _____
☐ Awning ☐ Sign ☐ Fencing

Estimated Cost of Work: \$ _____

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: _____		Project Completion Date (anticipated): _____	
<input checked="" type="checkbox"/> ALTERATION	<input checked="" type="checkbox"/> Front	<input type="checkbox"/> Side(s)	<input checked="" 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 checked="" type="checkbox"/> STORM WINDOWS	<input checked="" type="checkbox"/> DOORS	<input type="checkbox"/> STORM DOORS
	<input type="checkbox"/> Restoration	<input type="checkbox"/> Replacement	<input type="checkbox"/> New
	<input checked="" type="checkbox"/> Front	<input type="checkbox"/> Side(s)	<input checked="" 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.

Install 6' Steel security door on back of building
Install Storm windows on bump outs on front of building second floor. or repair/replace existing windows
Paint front of building same color
Remove outside awnings

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
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108 Sherman Street
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Fax (605) 578-2084

DEADWOOD

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

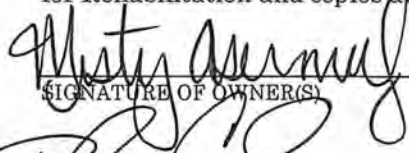
DEADWOOD CITY HALL
102 Sherman Street
Telephone (605) 578-2600

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) 1/20/15

SIGNATURE OF OWNER(S) 1/20/15

SIGNATURE OF OWNER(S)

SIGNATURE OF AGENT(S) DATE

SIGNATURE OF AGENT(S) DATE

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 1st or 3rd 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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Deadwood, South Dakota 57732

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102 Sherman Street
Telephone (605) 578-2600

FOR OFFICE USE ONLY:

Please check and initial items as they are completed.

Case No.: 15003

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 st 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 ____/____/____

Date: January 23, 2015

Case No. 15004

Address: 31 Charles Street

Staff Report

The applicant has submitted an application for Project Approval for work at 31 Charles Street a contributing structure located in the Cleveland Planning Unit in the City of Deadwood.

Applicant: Ron Russo

Owner: Same

Constructed: c. 1888

CRITERIA FOR THE ISSUANCE OF A PROJECT APPROVAL

The Historic Preservation Commission shall use the following criteria in granting or denying the Project Approval:

General Factors:

- 1. Historic significance of the resource:** This building is a contributing resource in the Deadwood National Historic Landmark District. It is significant for its historic association with the founding and initial period of growth of the town of Deadwood. Spurred by tremendous mining boom of 1876, Deadwood grew quickly and became the first major urban center of western South Dakota. This house displaces the architectural characteristics common to working-class housing in pre-World War I Deadwood. These small, vernacular cottages, typically of foursquare or T-gable plan, occasionally featured limited Queen Anne detailing. A number of these houses survive today, scattered through Deadwood's neighborhoods.
- 2. Architectural design of the resource and proposed alterations:** The applicant requests permission to repair existing windows and install new wood storm windows as well as the front door and storm.

Attachments: No

Plans: No

Photos: Yes

Staff Opinion: The proposed work and changes does not encroach upon, damage or destroy a historic resource nor does it have an adverse effect on the character of the building or the historic character of the State and National Register Historic Districts or the Deadwood National Historic Landmark District.

The applicant has also applied for the Special Needs Wood Window program. Staff recommends acceptance into the program.



Motions available for commission action:

If you, as a commissioner, have determined the Project DOES NOT Encroach Upon, Damage or Destroy a historic property then:

- A:** Based upon all the evidence presented, I find that this project **DOES NOT** encroach upon, damage, or destroy any historic property included in the national register of historic places or the state register of historic places, and therefore move to grant a project approval.

If you, as a commissioner, have determined the Project will Encroach Upon, Damage or Destroy a historic property then:

B: First Motion:

Based upon all the evidence presented, I move to make a finding that this project **DOES** encroach upon, damage, or destroy any historic property included in the national register of historic places or the state register of historic places. [If this, move on to 2nd Motion and choose an option.]

C: Second Motion:

Option 1: Based upon the guidance in the U.S. Department of the Interior standards for historic preservation, restoration, and rehabilitation projects adopted by rules promulgated pursuant to SDCL 1-19A & 1-19B, *et seq*, I find that the project is **NOT ADVERSE** to Deadwood and move to **APPROVE** the project as presented.

OR

Option 2: Based upon the guidance in the U.S. Department of the Interior standards for historic preservation, restoration, and rehabilitation projects adopted by rules promulgated pursuant to SDCL 1-19A & 1-19B, *et seq*, I find that the project is **ADVERSE** to Deadwood and move to **DENY** the project as presented.

OR

Option 3: Based upon the guidance in the U.S. Department of the Interior standards for historic preservation, restoration, and rehabilitation projects adopted by rules promulgated pursuant to SDCL 1-19A & 1-19B, *et seq*, I find that the project is **ADVERSE** to Deadwood, but the applicant has explored **ALL REASONABLE AND PRUDENT ALTERNATIVES**, and so I move to **APPROVE** the project as presented.

#15004

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

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: 31 Charles St. Deadwood, SD 57732

Historic Name of Property (if known):

APPLICANT INFORMATION

Applicant is ☐ owner ☐ contractor ☐ architect ☐ consultant ☐ other _____

Owner's Name: Ron Russo
Address: 31 Charles St.
City: DW State: SD Zip: 57732
Telephone: 605-920-0459 Fax: _____
E-mail: deadwood.uyterbey@gmail.com

Architect's Name: _____
Address: _____
City: _____ State: _____ Zip: _____
Telephone: _____ Fax: _____
E-mail: _____

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 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 <u>Repair or Replace</u> | <input type="checkbox"/> Awning | <input type="checkbox"/> Sign | <input type="checkbox"/> Fencing |

Estimated Cost of Work: \$ _____

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ACTIVITY: (CHECK AS APPLICABLE)			
Project Start Date: <u>ASAP</u>		Project Completion Date (anticipated): <u>Fall 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 checked="" type="checkbox"/> WINDOWS	<input checked="" type="checkbox"/> STORM WINDOWS	<input checked="" type="checkbox"/> DOORS	<input checked="" type="checkbox"/> STORM DOORS
	<input checked="" type="checkbox"/> Restoration	<input type="checkbox"/> Replacement	<input type="checkbox"/> New
	<input checked="" type="checkbox"/> Front	<input checked="" type="checkbox"/> Side(s)	<input checked="" type="checkbox"/> Rear
Material <u>wood</u> Style/type <u>Double hung Primary</u>			
<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.

Repair wood windows & front Door
Install New wood Storm windows

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.

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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)

DATE

SIGNATURE OF OWNER(S)

DATE

SIGNATURE OF AGENT(S)

DATE

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 1st or 3rd 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.: 15004

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 st 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 ____/____/____

Revolving Loan Fund
Special Needs/Wood Windows & Doors
Application

(Revised on December 30, 2013)

Return this form to:

City of Deadwood
Planning, Zoning & Historic Preservation
108 Sherman Street
Deadwood, SD 57732

Statement of Purpose:

The restoration and protection of Deadwood's historic buildings and structures are acknowledged to be a primary part of the City's goal to preserve and maintain Deadwood's historic integrity. The expense of such restoration and protection projects may discourage property owners from having the work completed or may result in lower quality of craftsmanship. The purpose of this grant is to assist and encourage property owners to repair first, where possible, and replace, only if necessary, their properties through the use of quality materials and craftsmanship.

The Deadwood Historic Preservation Commission reviews all applications.
Please read the attached Policy Guidelines and provide the requested information below.

1. Address of Property:

31 Charles Street
Deadwood, SD 57732

2. Applicant's name & mailing address:

Same

Telephone: (605) 920-0459

E-mail deadwood.oysterbay@gmail.com

3. Organization name and mailing address:

(If different from applicant)

N/A

Telephone: () -

E-mail

4. Description of Proposed Work:

Please describe, in detail, the work to be funded by the Revolving Loan Fund Program, including a detailed description of the facility, project, its location, existing conditions, a description of how the work will benefit the City of Deadwood and its historic qualities, and the reasons why funding for the work is required. Use additional sheets if necessary.

Repair wood windows & front door
Install new wood storm windows.

Special Needs – Wood Windows - Application/Policy Guidelines

4. Description of Proposed Work (Continued):

Please fill out below using numbers of windows, doors, and screens.

Elevations	Repair of Existing Windows	Installation of new wood storm window	Replacement of existing window	Total Windows per elevation	New Wood Door	Repair Existing Wood Door
Front Elevation	4	4		4		1
Right Elevation	3	3		3		
Left Elevation	2	2		2		
Rear Elevation						
Total Windows	9	9		9		1
	Window(s) qualified for the restoration of the existing wood window(s) and a forgivable loan of \$150 per window. or for the removal of the inappropriate window alterations and installing an appropriate window	Window(s) qualified for the purchase and installation of approved wooden storms or for the restoration of existing wooden storms and screens and a forgivable loan of \$150 per window opening	Window(s) qualified for the purchase and installation of new primary wood windows and a forgivable loan of \$100 per window opening.		The program provides a forgivable loan of \$200 for a purchase and installation of a new primary wood door	The program a forgivable loan in the amount of \$300 to repair an existing wood door

1350

1350

300

2700

\$3,000.00

Revolving Loan Fund – Special Needs/WOOD WINDOWS & Doors Application

I acknowledge that I have read the guidelines for the grant included with and for this application and agree to all of the terms and conditions contained in the guidelines. I agree that any contractors which I hire for this project will hold contractors licenses for the City of Deadwood and will require that they also agree to and abide by the terms and conditions of the guidelines.

I certify that all information contained in this application and all information furnished in support of this application is given for the purpose of obtaining financial assistance in the form of a grant and is true and complete to the best of my knowledge and belief.

I acknowledge that the Deadwood Historic Preservation Commission is merely granting funds in connection with the work or project, and that neither the Historic Preservation Commission *nor* the City of Deadwood is or will be responsible for satisfactory performance of the work or payment for the same beyond the grant approval by the Historic Preservation Commission. I acknowledge that I am solely responsible for selecting any contractors hired in connection with the project and in requiring satisfactory performance by such contractor. I agree to indemnify and hold harmless the Deadwood Historic Preservation Commission and the City of Deadwood against losses, costs, damages, expenses and liabilities of any nature directly or indirectly resulting from or arising out of or relating to the Deadwood Historic Preservation Commission's acceptance, consideration, approval, or disapproval of this application and the issuance or non-issuance of a grant.

In Witness whereof, I Ronald Russo, being duly authorized, has caused
this document to be executed in its name on this 12 day of JAN, 2015.

Signature: _____

Signature: _____

Signature: _____

Signature: _____

A Charitable deduction may be available on the conservation easement, please consult legal and financial advice.

Revolving Loan Fund – Special Needs/WOOD WINDOWS Policy Guidelines

Objective:

The City of Deadwood is a National Historic Landmark and is listed on the National and South Dakota State Registers of Historic Places. Maintaining these designations is critical to the economic success of the City and quality of life of its residents. The objective of the program is to stimulate the quality restoration and protection of buildings and structures that contribute to the historic integrity of the City of Deadwood.

Eligibility:

To be eligible for Revolving Loan Funds – Special Needs/Wood Windows, a project must meet the following criteria:

- The building must be a residential property, contributing to the National Historic Landmark District.

The City of Deadwood's Historic Preservation Officer and Building Inspector determine a project's eligibility. All eligible applications are subject to the review of the Deadwood Historic Preservation Commission.

Program Requirements:

Wood Windows:

1. The program provides a grant of \$150 per window for the restoration of an existing wood window or for the removal of an inappropriate window alteration and installation of a window that is appropriate in material and style of operation for a particular house.
2. The program provides a grant of \$150 per window opening for the restoration of existing wooden storms and screens or for the purchase and installation of approved wooden storms and screens, if restoration is not an option or is not possible.

Wood Doors:

3. The program provides a grant in the amount of \$300 to repair an existing wood door. Or the program provides a grant of \$200 for the purchase and installation of a new primary wood door, if restoration is not an option or is not possible.

Loan Criteria:

Owner Occupied:

GRANT AMOUNT:
\$3000 maximum

RECAPTURE PERIOD
3 years

*CONSERVATION EASEMENT REQUIRED

Non-owner Occupied:

GRANT AMOUNT:
\$3000 maximum

RECAPTURE PERIOD
10 years

*CONSERVATION EASEMENT REQUIRED

** The Deadwood Historic Preservation Commission reserves the right to recapture grant amount if:*

- *The applicant does not continue to own the property, or in the event of death of the applicant, the estate or heirs of the estate may assume grant terms and conditions.*
- *The owner/applicant has addressed additional preservation issues beyond the original work completed with the grant*
- *The property does not meet Minimum Property Standards*

Grant Application:

Grant agreements and technical assistance are available and should be submitted to the City of Deadwood's Office of Planning, Zoning and Historic Preservation located at 108 Sherman Street in Deadwood. Telephone: (605) 578-2082.