

DEADWOOD PLANNING AND ZONING COMMISSION

Wednesday, August 7, 2019 – 5:00 p.m.
City Hall, 102 Sherman Street, Deadwood, SD

AGENDA

1. Call Meeting to Order
2. Election of Officers
 - a. Chairman
 - b. Vice-Chairman
 - c. Secretary
3. Approval of July 17, 2019 Minutes
4. Sign Review Commission

Kelsie Darling, QuikSigns (for HUB Insurance) – 460 Main Street – Install New Projecting Sign / New Window Sign / New Valance Lettering

Action Required:

 - a. Approval/Denial by Sign Review Commission

Christina Kibler – 628 Main Street – Install New Wall Sign on Wall Street Side of Building

Action Required:

 - a. Approval/Denial by Sign Review Commission

Anthony Galbraith (for FIB Properties) – 137 Charles Street – Re-Face Existing Freestanding Sign

Action Required:

 - a. Approval/Denial by Sign Review Commission

Maurice Miller Jr., Conrad Signs (for Burnouts Pizza) – 65 Sherman Street – Install New Projecting Sign

Action Required:

 - a. Approval/Denial by Sign Review Commission
5. Planning and Zoning Commission

Conditional Use Permit – Jessica Knee and Christopher Fedor, “Lone Wolf Tattoo” – 470 Main Street

Action Required:

 - a. Recommend Approval/Approval with Conditions/Denial by Planning and Zoning Commission
 - b. Approval/Denial by Board of Adjustments

Define Property Boundary, Correct Prior Plat – Gary and Marlene Todd – Spring Street
Lots E1 and E2 of M.S. 335, Formerly Lot E of M.S. 335; City of Deadwood, Lawrence County, South Dakota

Action Required:

 - a. Approval/Denial by Planning and Zoning Commission
 - b. Approval/Denial by Board of Adjustments
6. Items from Staff
 - a. Outlaw Square
 - b. Hwy 14A/85
 - c. Whitewood Creek
7. Adjourn

CITY OF DEADWOOD
PLANNING AND ZONING COMMISSION
Wednesday, July 17, 2019

The meeting of the Deadwood Planning and Zoning was called to order by Vice Chairperson Brett Runge on Wednesday, July 17, 2019 at 5:00 p.m. in the Deadwood City Hall Meeting Room, located at 102 Sherman Street, Deadwood, SD 57732.

Planning and Zoning Commission Present: Brett Runge, Bill Rich, John Martinisko, Josh Keehn and Jeff Lawler

Absent:

Board of Adjustments Present: Charlie Struble

Staff Present:

Bob Nelson Jr., Trent Mohr, Bonny Anfinson and Cindy Schneringer

Approval of June 19, 2019 Minutes:

It was moved by Mr. Martinisko and seconded by Mr. Rich to approve the June 19, 2019 meeting minutes. Aye - All. Motion carried.

Sign Review Commission:

Annie Tice Poseley – Dakota Sky Stone – 671 Main Street – New Projecting Sign

Mr. Mohr stated the applicant is wanting to install a new projecting sign in place of the existing sign. The applicant has changed the logo for their business and wishes to replace the existing square sign with a round sign incorporating this new logo. The proposed sign and its location are compliant with the sign ordinance. The sign permit application requires no variances. *It was moved by Mr. Rich and seconded by Mr. Keehn to approve the sign permit for a new projecting sign at 671 Main Street. Aye - all. Motion carried.*

Jeff and Will Storhaug – Twin City Construction – 518 Cliff Street – New Wall Sign

Mr. Mohr stated the applicant is wanting to install a new wall sign at 518 Cliff Street. The applicant has leased this location and will maintain an office and storage yard for their construction business. The proposed sign and its location are compliant with the sign ordinance. The sign permit application requires no variances. *It was moved by Mr. Martinisko and seconded by Mr. Ruth to approve the sign permit for a new wall sign at 518 Cliff Street. Aye - all. Motion carried.*

Items From Staff (no action taken)

- Outlaw Square: The stage floor has been poured. Framing has started on the structure. Pavers will be installed on Deadwood Street on November 8. The Jam has been moved to Main Street.
- Highway 14A/85: Deadwood Street will be open to traffic. Light poles will be going up in by Thanksgiving. Sidewalk goes in on square side. DOT behind schedule on concrete and a head on asphalt
- Whitewood Creek: Contractor has been provided with punch list. County declared a disaster emergency. The City and County has approved. There are walls along Charles Street we could lose any day. The Comfort Inn corner is in bad shape. We lost about eight feet of soil.
- Mr. Nelson Jr. announced that he has been appointed as the Public Works Director.
- Election of Officers will be on the agenda for next meeting.

Adjournment:

It was moved by Mr. Martinisko and seconded by Mr. Rich to adjourn the Regular Meeting of the Planning and Zoning Commission. Aye - All. Motion carried.

There being no further business, the Planning and Zoning Commission adjourned at 5:09 p.m.

ATTEST:

Chairman, Planning & Zoning Commission

Secretary, Planning & Zoning Commission

Bonny Anfinson, Planning & Zoning Office/Recording Secretary

SIGN PERMIT STAFF REPORT

Sign Review Commission
August 7, 2019

Applicant: Keslie Darling – QuickSigns (for HUB Insurance)
Address: 2925 E. Colorado Blvd, Spearfish, SD 57783
Site Address of Proposed Signage: 460 Main Street (formerly First Western Insurance)

Computation of Sign Area

Building Frontage: 121 Feet
Total Available Signage: 242 Square Feet
Existing Signage: All to be replaced
Remaining Available Signage Area: 242 Square Feet
Proposed Sign Project: Install new projecting sign (16 Square Feet), new window sign (logo on door, 1.5 Square Feet counted at 25% = .4 Square Feet) and lettering on valance of new awning (size not counted against total allowed).
Proposed Building Materials: Vinyl and metal. (see attached rendering).
Proposed Lighting of the Signs: None.
Location of Proposed Sign: Attached are renderings showing the proposed locations of the projecting and window signs. The new awning will be in the same location as the current one, above the door.

Discussion

The sign permit application in review is proposed at a location inside the locally-designated historic district which is regulated by chapter 15.32.300 of the sign ordinance. The current signage at the subject property is compliant with the sign ordinance. The sign proposed in the current application is regulated by 15.32.090 of the Sign Ordinance, reference below.

- A. *Before any sign can be erected or altered in any way, a valid permit must be issued. Any further alteration of the sign shall require an amendment of the existing permit or the issuance of a new permit. Such changes, as well as original permits, shall be issued pursuant to review by the sign review commission. It is unlawful to display, construct, erect, locate or alter any sign without first obtaining a sign permit for such sign.*

HUB Insurance has purchased First Western Insurance and is requesting to change the existing signs to reflect that it is a different company now.

The proposed signs and their locations are compliant with the sign ordinance.

Variances

The sign permit application in review as proposed requires no variances from the sign ordinance. Signage variances may be obtained if the sign review commission is able to find *"special circumstances or conditions such as the existence of buildings, topography, vegetation, sign structures, distance or other matters on adjacent lots or within the adjacent public right-of-way that would substantially restrict the effectiveness of the sign in question and such special circumstances or conditions are peculiar to the business or enterprise to which the applicant desires to draw attention and do not apply generally to all businesses or enterprises in the area."* However, it is the responsibility of the applicant to provide adequate evidence of such special circumstances or conditions.

Sign Review Commission Action

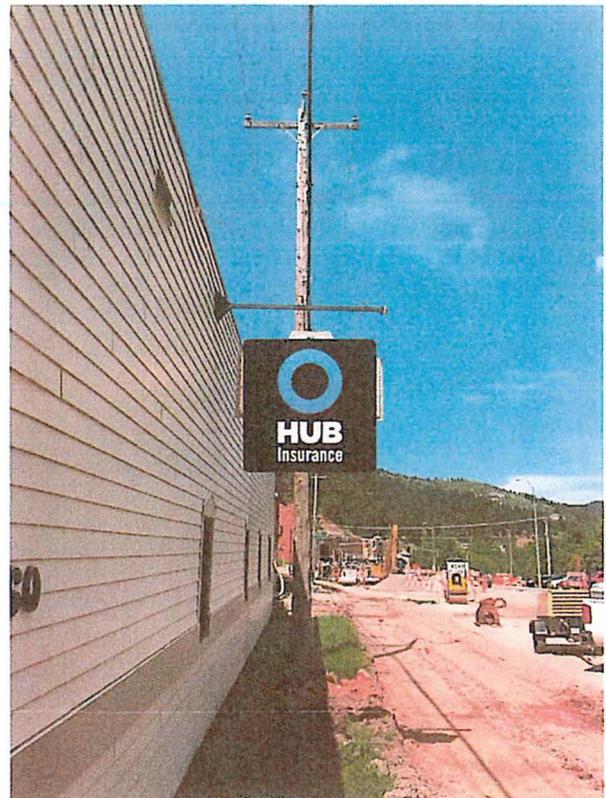
Motion to approve sign permit for three signs at 460 Main Street

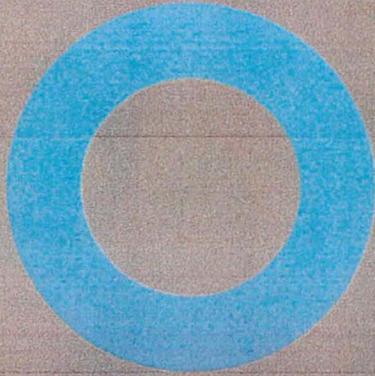
OR

Motion to deny proposed sign permit application as submitted.

HUB Insurance

Awning Valance





Insurance Services

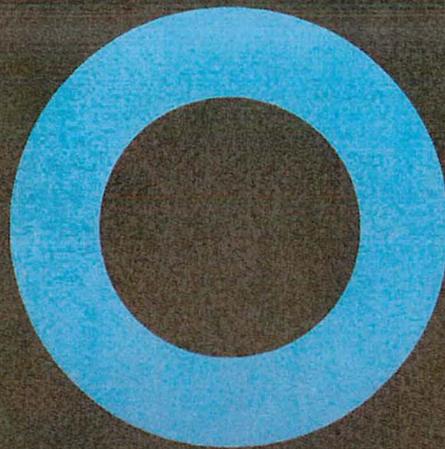
Hours

Mon-Thurs	8:30 - 4:30
Friday	8:30 - 3:00
Sat - Sun	Closed

APPOINTMENTS CAN BE MADE OUTSIDE
THESE HOURS WITH YOUR AGENT

HUB

605-578-3456



HUB

Insurance

SIGN PERMIT STAFF REPORT

Sign Review Commission
August 7, 2019

Applicant: Cristina Kibler

Address: 666 Main Street, Deadwood, SD 57732

Site Address of Proposed Signage: 628 Main Street (Fairmont Hotel)

Computation of Sign Area

Building Frontage: 122 Feet

Total Available Signage: 244 Square Feet

Existing Signage: Fairmont: one valance (N/A)
Dwd Tobacco: one wall sign (6 Square Feet)
two projecting signs (12 Square Feet each)

Remaining Available Signage Area: 214 Square Feet

Proposed Sign Project: Install new wall sign (33 Square Feet) on Wall Street side of building.

Proposed Building Materials: Vinyl wrapped metal. (see attached rendering).

Proposed Lighting of the Signs: None.

Location of Proposed Sign: See attached photograph.

Discussion

The sign permit application in review is proposed at a location inside the locally-designated historic district which is regulated by chapter 15.32.300 of the sign ordinance. The current signage at the subject property is compliant with the sign ordinance. The sign proposed in the current application is regulated by 15.32.090 of the Sign Ordinance, reference below.

- A. *Before any sign can be erected or altered in any way, a valid permit must be issued. Any further alteration of the sign shall require an amendment of the existing permit or the issuance of a new permit. Such changes, as well as original permits, shall be issued pursuant to review by the sign review commission. It is unlawful to display, construct, erect, locate or alter any sign without first obtaining a sign permit for such sign.*

The applicant has leased the lobby area of the Franklin Hotel for her business and wishes to install a wall sign to advertise the same.

The proposed sign and its location are compliant with the sign ordinance.

Variances

The sign permit application in review as proposed requires no variances from the sign ordinance. Signage variances may be obtained if the sign review commission is able to find *"special circumstances or conditions such as the existence of buildings, topography, vegetation, sign structures, distance or other matters on adjacent lots or within the adjacent public right-of-way that would substantially restrict the effectiveness of the sign in question and such special circumstances or conditions are peculiar to the business or enterprise to which the applicant desires to draw attention and do not apply generally to all businesses or enterprises in the area."* However, it is the responsibility of the applicant to provide adequate evidence of such special circumstances or conditions.

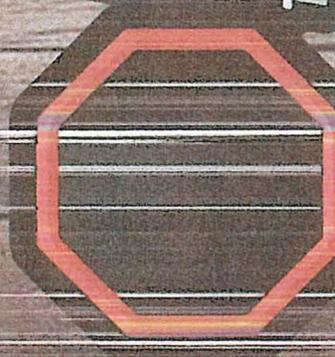
Sign Review Commission Action

Motion to approve sign permit for new wall sign at 628 Main Street

OR

Motion to deny proposed sign permit application as submitted.

ACTUAL DIMENSIONS: 43' HEIGHT
110" LENGTH

 **PATCH STOP**
THE WORLD'S LARGEST PATCH STORE

PATCHES & SEWING

DEADWOOD ORIGINAL MOUNTAIN GIFTS



PATCH
THE WORLD'S LARGEST PATCH STORE
PATCHES & SEWING

(BRISTINA BRACKETS INSTALLED)

MAIN STREET

SIGN PERMIT STAFF REPORT

Sign Review Commission
August 7, 2019

Applicant: Anthony Galbraith (for FIB Properties)
Address: 152 Sherman Street, Deadwood, SD 57732
Site Address of Proposed Signage: 137 Charles Street (Hickok House Hotel)

Computation of Sign Area

Building Frontage: 255 Feet
Total Available Signage: 510 Square Feet
Existing Signage: One Freestanding (90 Square Feet)
Remaining Available Signage Area: 420 Square Feet
Proposed Sign Project: Re-face existing freestanding sign.
Proposed Building Materials: Vinyl and Metal, same as existing. (see attached rendering).
Proposed Lighting of the Signs: Internal Illumination.
Location of Proposed Sign: No change in location of sign.

Discussion

The sign permit application in review is proposed at a location outside the locally-designated historic district and inside the national historic landmark district which is regulated by chapter 15.32.310 of the sign ordinance. The current signage at the subject property is compliant with the sign ordinance. The sign proposed in the current application is regulated by 15.32.090 of the Sign Ordinance, reference below.

- A. *Before any sign can be erected or altered in any way, a valid permit must be issued. Any further alteration of the sign shall require an amendment of the existing permit or the issuance of a new permit. Such changes, as well as original permits, shall be issued pursuant to review by the sign review commission. It is unlawful to display, construct, erect, locate or alter any sign without first obtaining a sign permit for such sign.*

This property is bank owned and the management company is requesting to change the existing freestanding sign to comply with a name change required by the owner. A banner permit has been obtained to cover the sign until August 13th when banners during the Sturgis rally have to be removed. It is intended that the permanent sign will be installed at that time.

The proposed sign and its location are compliant with the sign ordinance.

Variances

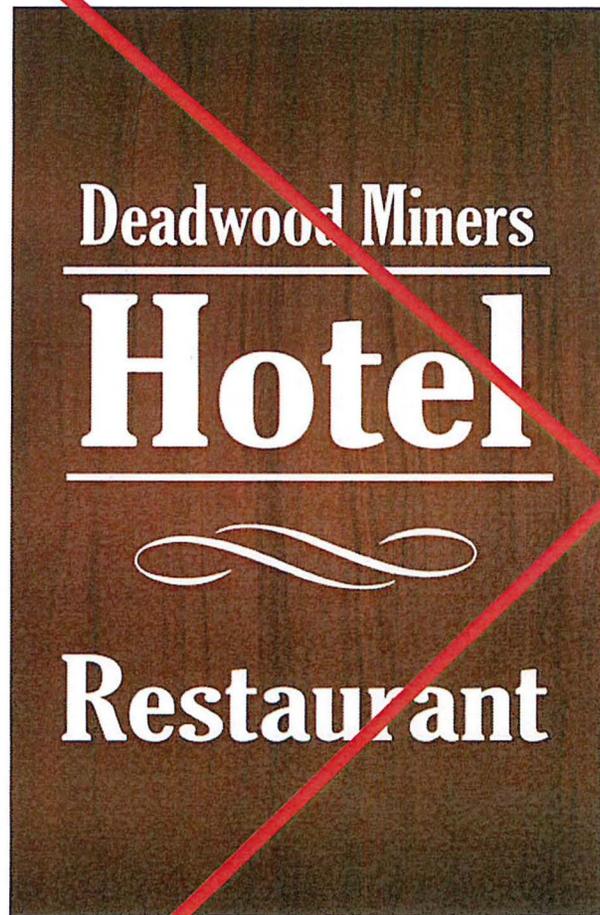
The sign permit application in review as proposed requires no variances from the sign ordinance. Signage variances may be obtained if the sign review commission is able to find *"special circumstances or conditions such as the existence of buildings, topography, vegetation, sign structures, distance or other matters on adjacent lots or within the adjacent public right-of-way that would substantially restrict the effectiveness of the sign in question and such special circumstances or conditions are peculiar to the business or enterprise to which the applicant desires to draw attention and do not apply generally to all businesses or enterprises in the area."* However, it is the responsibility of the applicant to provide adequate evidence of such special circumstances or conditions.

Sign Review Commission Action

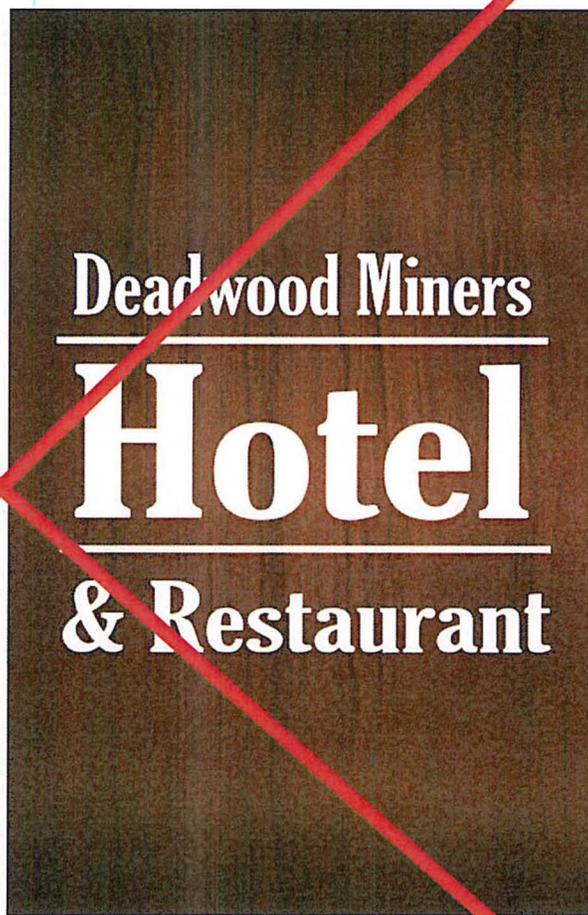
Motion to approve sign permit to re-face the freestanding sign at 137 Charles Street

OR

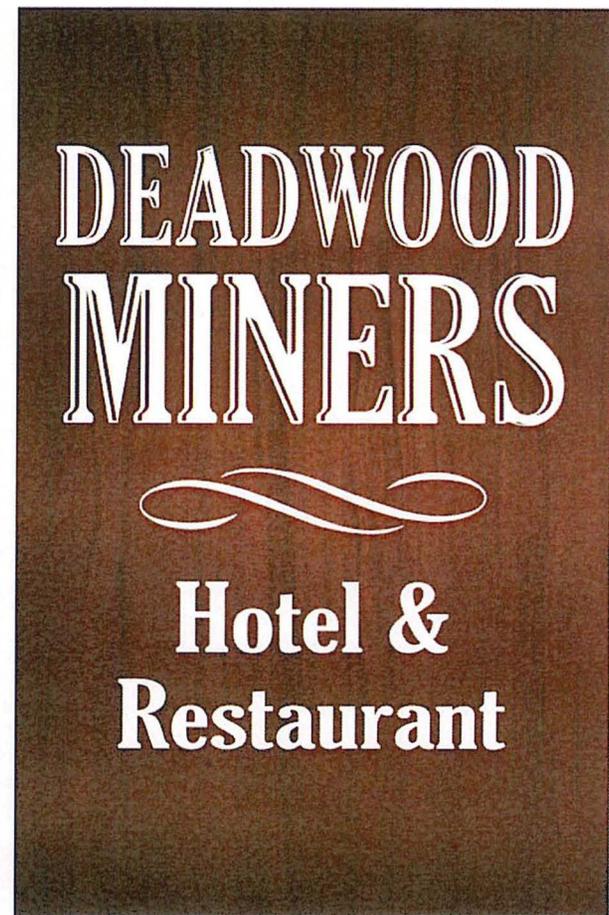
Motion to deny proposed sign permit application as submitted.



1



2



3

605-342-0481
Fax: 605-342-9474
1650 Samco Road
Rapid City, SD 57702



*Signing Rapid City
With Pride
Since 1928*

Customer:
Deadwood Miners

Drawn By:
Jonni
Date: 7/5/19

Customer Signature: _____ Date: _____

SIGN PERMIT STAFF REPORT

Sign Review Commission
August 7, 2019

Applicant: Maurice Miller Jr. – Conrad's Signs (for Burnouts Pizza)
Address: 65 Sherman Street 1750 E North St Rapid City, SD 57701
Site Address of Proposed Signage: 65 Sherman Street (Burnouts Pizza)

Computation of Sign Area

Building Frontage: 53 Feet

Total Available Signage: 106 Square Feet

Existing Signage: One projecting sign (4.5 Square Feet), window sign – Burnouts Pizza (26.4 Square Feet counted as 6.6 Square Feet), and window sign – Roadhouse (13 Square Feet counted as 3.25 Square Feet).

Remaining Available Signage Area: 92 Square Feet

Proposed Sign Project: Install new projecting sign (10 Square Feet).

Proposed Building Materials: Vinyl wrapped metal. (see attached rendering).

Proposed Lighting of the Signs: None.

Location of Proposed Sign: Attached is a photograph showing the location.

Discussion

The sign permit application in review is proposed at a location inside the locally-designated historic district which is regulated by chapter 15.32.300 of the sign ordinance. The current signage at the subject property is compliant with the sign ordinance. The sign proposed in the current application is regulated by 15.32.090 of the Sign Ordinance, reference below.

- A. *Before any sign can be erected or altered in any way, a valid permit must be issued. Any further alteration of the sign shall require an amendment of the existing permit or the issuance of a new permit. Such changes, as well as original permits, shall be issued pursuant to review by the sign review commission. It is unlawful to display, construct, erect, locate or alter any sign without first obtaining a sign permit for such sign.*

The applicant wishes install a projecting sign to advertise the business at this location. The sign will be on an existing mount. This sign has been planned since the business opened last year.

The proposed sign and its location are compliant with the sign ordinance.

Variances

The sign permit application in review as proposed requires no variances from the sign ordinance. Signage variances may be obtained if the sign review commission is able to find *"special circumstances or conditions such as the existence of buildings, topography, vegetation, sign structures, distance or other matters on adjacent lots or within the adjacent public right-of-way that would substantially restrict the effectiveness of the sign in question and such special circumstances or conditions are peculiar to the business or enterprise to which the applicant desires to draw attention and do not apply generally to all businesses or enterprises in the area."* However, it is the responsibility of the applicant to provide adequate evidence of such special circumstances or conditions.

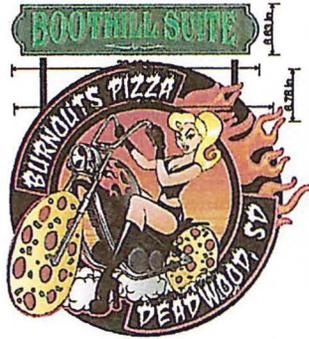
Sign Review Commission Action

Motion to approve permit for new projecting sign at 65 Sherman Street

OR

Motion to deny proposed sign permit application as submitted.

Install new Boothills Suite Sign above Burnout's Pizza sign on original Deadwood Roadhouse flag mount pole.
 New sign is double faced.
 Overall size is approx 40"W x 35"T
 Graphics are digitally printed and applied to either dibond or aluminum that is routed out to shape and mounted by existing brackets.



40 in



1740 East North St.
 Rapid City, SD 57701
605-348-8744
 Fax: 388-6199
 Email: signs@hills.net

Date: 7/26-/2019

SCALE: 1/2"=1'

Boothill Suite

Approved by: _____

M. Miller
 Sales Consultant

M. Miller
 Graphics

File Name: Boothills Suite

Contact: Danny _____

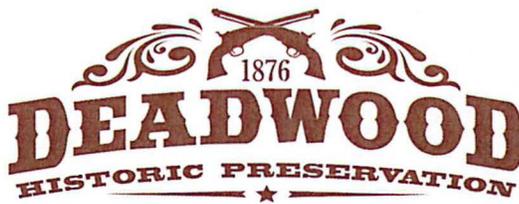
Location: _____

Phone: 559-285-7333

E-mail/Fax: dannylee@gmail.com

© Copyright 2016

This drawing was created to assist you in visualizing our proposal. Actual sign may vary (color design & size). The original ideas herein are the property of Conrad's Big "C" Signs. Permission to copy or revise this drawing can only be obtained through a written agreement with Conrad's Big "C" Signs.



STAFF REPORT
PLANNING AND ZONING
REQUEST FOR TATTOO BUSINESS
AUGUST 7, 2019

APPLICANT: Jessica Knee and Christopher Fedor – “Lone Wolf Tattoo”

PURPOSE: Request for Conditional Use Permit for a Tattoo Business

LEGAL DESCRIPTION: LOTS 1,2,3,4,5 & 6 BLK 1, Fargo and Geis Addition, Original Town Deadwood, Lawrence County, South Dakota

ADDRESS: 470 Main Street

ZONE: CH – Commercial Highway District

FILE STATUS: All legal obligations have been completed.

STAFF FINDINGS:

Surrounding Zoning:

North: CH - Commercial District
South: PU – Public Use District
East: PU – Public Use District
West: CH – Commercial District

Surrounding Land Uses

Mixture of Businesses
Welcome Center
Parking Lot
Residential Properties

SUMMARY OF REQUEST

The petitioner has submitted a request for a Conditional Use Permit for a Tattoo Business. The property at 470 Main Street is currently vacant in the former location of the Verizon Wireless Store.

FACTUAL INFORMATION

1. The property is currently zoned CH – Commercial Highway District.
2. The property is comprised of 1,500, plus or minus, square feet. (Lease Space)
3. The property does have dedicated off-street parking.

4. The property has access from Main Street.
5. The property is located within an area close to parking lots, commercial businesses, and hotels. There is a variety of commercial uses in the vicinity. The land is located in a mixed use commercial district and is classified as high density residential on the adopted Land Use Map in the Deadwood Comprehensive Plan.
6. The land is not located in Flood Zone X – Area's of 500 year flood or areas of 100-year flood.
7. Adequate public facilities are available to serve the property.
8. The area is characterized by mixed commercial uses.

STAFF DISCUSSION

The petitioner has submitted a request for a Conditional Use Permit for a Tattoo business.

The subject property for many years was a casino and most recently a Verizon Store. The front of the building would be utilized by the tattoo business. The applicant has been in business in Rapid City and currently resides in Deadwood. A property is allowed only one conditional use and currently there are no conditional uses at the subject property. The South Dakota Department of Health would be the governing authority in regards to sanitary conditions and safety and health standards.

COMPLIANCE:

1. **The Zoning Officer provided notice identifying the applicant, describing the project and its location and giving the scheduled date of the public hearing in accordance with Chapter 17.76.**
2. **A sign was posted on the property for which the request was filed in accordance with Chapter 17.76.**
3. **Notice of the time and place was published in the designated newspaper of the City of Deadwood in accordance with Chapter 17.76.**

GENERAL USE STANDARDS FOR CONDITIONAL USE PERMITS:

In reviewing any application under the authority of this chapter and as a further guide to its decision upon the facts of the case, the Commission(s) shall consider, among other things, the following facts:

- A. The proposed use shall be in harmony with the general purposes, goals, objectives, and standards to the City Policy Plan, the ordinance, the district in which it is located, or any other plan, program, map, or ordinance adopted, or under consideration pursuant to official notice by the City of Deadwood.

The use, as proposed, provides a commercial business for the Deadwood area. The use is listed under Conditional Uses in the CH – Commercial Highway District. This use is in harmony with the general purpose of the Comprehensive Plan and Zoning Ordinance. Conditional uses are those uses which have some special impact or uniqueness since their effect on the surrounding environment cannot be determined in advance of the use being proposed for a particular location.

- B. Whether or not a community need exists for the proposed use at the proposed location in light of existing and proposed uses of a similar nature in the area and of the need to provide or maintain a proper mix of uses both within the city and also within the immediate area of the proposed use: (a) the proposed use in the proposed location shall not result in either a detrimental over concentration of a particular use from previously permitted uses within the city or within the immediate area of the proposed use.

A review of the location, configuration and impact has been conducted and compared to uses by right. A variety of commercial businesses and a parking lot are all located in the vicinity, as well as hotels.

The review determines whether the proposed use should be permitted by weighing public need for and benefits to be derived from the use, against the local impact which it may cause. A single approved conditional use permit for a tattoo studio is currently active at 652 Main Street and previous conditional use permits have been at 376 Main Street (Expired) and 79 Sherman Street (Never Utilized).

- C. The proposed use at the subject site shall not result in a substantial or undue adverse effect on adjacent property, the character of the neighborhood, traffic conditions, parking, public improvements, public sites or rights-of-way.

The proposed use would not result in a substantial or undue adverse effect on adjacent property nor will it alter the character of the neighborhood. The structure will remain the same size and the appearance will not change. The establishment, maintenance, and operation of the conditional use will not be detrimental to or endanger the public health, safety, morals, comfort, or general welfare.

To support a denial of a conditional use permit on the grounds that it will cause increased traffic problems, there must be a high degree of probability that the increase would pose a substantial threat to the health and safety of the community.

- D. Whether or not the proposed use increases the proliferation of non-conforming uses as well as previously approved Conditional Use Permits which are still in use, when influenced by matters pertaining to the public health, safety, and general welfare, either as they now exist or as they may in the future be developed as a result of the implementation of provisions and policies of the Policy Plan, this ordinance, or any other plan, program, map or ordinance adopted, or under consideration pursuant to official notice, by the city or other governmental agency having jurisdiction to guide growth and development.

For any Conditional Use, lot and performance standards shall be the same as similar type uses located in specific districts. The character and use of buildings and structures

adjoining or near the property mentioned in the application shall be considered in their entirety.

The proposed use will not increase the proliferation of non-conforming uses. The subject area is comprised of commercial and residential uses. The structure is divided into several spaces available for lease and there are zero conditional uses within 500 feet of the proposed use.

The appearance of the building will not change; therefore, the character and use of the buildings and structures adjoining the subject property will not be adversely affected.

- E. Whether or not the proposed use in the proposed area will be adequately served by and will not impose an undue burden on any of the improvements, facilities, utilities, and services specified in this section.

There will be no significant adverse impacts on water supply, fire protection, waste disposal, schools, traffic and circulation or other services. Existing services are available onsite.

CONDITIONS GOVERNING APPLICATIONS AND PROVISIONS:

- A. Following the issuance of a conditional use permit pursuant to the provisions of this ordinance, such permit may be amended, varied, or altered only pursuant to the standards and procedures established by this section for its original approval.
- B. The Board of Adjustment can revoke conditional use permits, once granted, for cause after a hearing is held before them. Complaints seeking the revocation of such permit shall be filed with the Zoning Administrator and may be initiated by the Planning and Zoning Commission OR any three (3) residents within three hundred (300) feet of the property lines of which the application has been filed. All such revocation hearings shall be conducted in the same manner as for the Conditional Use Permit application hearings.
- C. The Planning and Zoning Commission shall have the authority to review Conditional Use Permits at any time and/or on an annual basis and place additional stipulations to mitigate a problem.
- D. If the use permitted under the terms of a Conditional Use Permit has not been started within six (6) months of the date of issuance thereof, said permit shall expire and be canceled by the City Planning Department. Written notice thereof, shall be given to the person(s) affected, together with notice that further use or work as described in the canceled permit shall not proceed, unless and until a new conditional use permit has been obtained.
- E. If the use permitted under the terms of a Conditional Use Permit, ceases, for whatever reason, for a period of twelve (12) months, said permit shall expire and be canceled by the City Planning Department. Written notice thereof, shall be given to the person(s)

affected, together with notice that further use or work as described in the canceled permit shall not proceed, unless and until a new conditional use permit has been obtained.

ACTION REQUIRED FOR CONDITIONAL USE PERMIT:

1. Recommendation by Planning and Zoning Commission for approval/ approval with conditions/ denial.
2. Approval/ approval with conditions/ denial by Board of Adjustment.

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



Bob Nelson, Jr. Planning &
Zoning Administrator Telephone
(605) 578-2082
bobjr@cityofdeadwood.com

STAFF REPORT
PLANNING AND ZONING
August 7, 2019

APPLICANT: Gary and Marlene Todd
4 Spring Street
Deadwood, SD 57732

PURPOSE: Define Property Boundary, Correct Prior Plat

GENERAL LOCATION: Spring Street

LEGAL DESCRIPTION: Lots E1 and E2 of M.S. 335, Formerly Lot E of M.S. 335;
City of Deadwood, Lawrence County, South Dakota

FILE STATUS: All legal obligations have been completed.

ZONE: R2 – Multi-Family Residential District

STAFF FINDINGS:

Surrounding Zoning:

North: R2 - Residential
South: R2 – Residential
East: R2 - Residential
West: R2 – Residential

Surrounding Land Uses:

Residential Dwellings
Residential Dwellings
Residential Dwellings
Residential Dwellings

SUMMARY OF REQUEST

The Final Plat for Lots E1 and E2 of M.S. 335 has been submitted to define property lines and correct the boundary from a prior plat. The property is located in the area of Spring and Railroad Streets and is related to 4 Spring Street.

FACTUAL INFORMATION

1. The property is currently zoned R2 – Residential District
2. Lot E1 is comprised of 1.016 Acres±.
Lot E2 is comprised of 0.084 Acres±.
3. The subject property is located within a low density residential designation.
4. The property is not located within a flood zone or flood hazard zone.
5. Public facilities are available to serve the property.
6. The area is currently characterized by open space, and residential homes.

STAFF DISCUSSION

The lots meet the area and bulk requirements and this plat will correct a previous plat that has been in error for a very long time.

1. The North Arrow is shown on the plat with a direct reference to the coordinate mapping system.
2. Land is identified with a new legal description for the transfer of the land.
3. Surveyor's Certificate is shown with the name of the surveyor and his registered land surveyor number.
4. A date is shown on the plat and serves to "fix in time" the data represented on the plat.
5. The street bounding the lot is shown and named.
6. All certifications are indicated and correct on the plat.
7. Dimensions, angles and bearings are shown along the lot lines.
8. Scale of the plat is shown and accompanied with a bar scale.
9. Area's taken out of the mineral survey and remaining acreage is indicated on the plat.

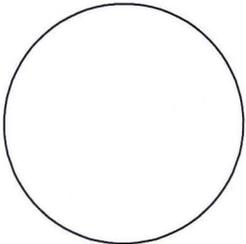
ACTION REQUIRED:

1. Approval / denial by Deadwood Planning and Zoning Commission.
 2. Approval / denial by Deadwood Board of Adjustment.
-

PLAT OF LOTS E1 AND E2 OF M.S. 335,
FORMERLY LOT B OF M.S. 335;
CITY OF DEADWOOD, LAWRENCE COUNTY, SOUTH DAKOTA

SURVEYOR'S CERTIFICATE

STATE OF SOUTH DAKOTA COUNTY OF LAWRENCE
I, JOHN M. ARLETH, 24 CLIFF STREET, DEADWOOD, SD, DO HEREBY CERTIFY
THAT I AM A LICENSED LAND SURVEYOR IN THE STATE OF SOUTH DAKOTA.
THAT AT THE REQUEST OF THE OWNER AND UNDER MY SUPERVISION, I HAVE
CAUSED TO BE SURVEYED AND PLATTED THE PROPERTY SHOWN AND DESCRIBED
HEREON. TO THE BEST OF MY KNOWLEDGE, INFORMATION AND BELIEF, THE
PROPERTY WAS SURVEYED IN GENERAL CONFORMANCE WITH THE LAWS OF THE
STATE OF SOUTH DAKOTA AND ACCEPTED METHODS AND PROCEDURES OF SURVEYING.
DATED THIS ____ DAY OF _____, 20____.



JOHN M. ARLETH, R.L.S. 3977

OWNER'S CERTIFICATE

STATE OF SOUTH DAKOTA COUNTY OF LAWRENCE
____ DO HEREBY CERTIFY THAT WE ARE
THE OWNERS OF THE PROPERTY SHOWN AND DESCRIBED HEREON, THAT WE DO APPROVE THIS
PLAT AS HEREON SHOWN AND THAT DEVELOPMENT OF THIS PROPERTY SHALL CONFORM TO ALL
EXISTING APPLICABLE ZONING, SUBDIVISION, EROSION AND SEDIMENT CONTROL REGULATIONS.

OWNER: _____
ADDRESS: _____

ACKNOWLEDGMENT OF OWNER

STATE OF SOUTH DAKOTA COUNTY OF LAWRENCE
ON THIS ____ DAY OF _____, 20____, BEFORE ME THE UNDERSIGNED NOTARY
PUBLIC, PERSONALLY APPEARED _____ KNOWN TO
ME TO BE THE PERSON DESCRIBED IN AND WHO EXECUTED THE FOREGOING CERTIFICATE.
MY COMMISSION EXPIRES: _____
NOTARY PUBLIC: _____

CERTIFICATE OF COUNTY TREASURER

STATE OF SOUTH DAKOTA COUNTY OF LAWRENCE
I, _____, LAWRENCE COUNTY TREASURER, DO HEREBY CERTIFY
THAT _____ TAXES WHICH ARE LIENS UPON THE HEREIN PLATTED PROPERTY HAVE BEEN PAID.
DATED THIS ____ DAY OF _____, 20____.

LAWRENCE COUNTY TREASURER: _____

APPROVAL OF HIGHWAY AUTHORITY

STATE OF SOUTH DAKOTA COUNTY OF LAWRENCE
THE LOCATION OF THE PROPOSED ACCESS ROADS ABUTTING THE COUNTY OR STATE HIGHWAY
AS SHOWN HEREON, IS HEREBY APPROVED. ANY CHANGE IN THE PROPOSED ACCESS SHALL
REQUIRE ADDITIONAL APPROVAL.

HIGHWAY AUTHORITY: _____

APPROVAL OF THE CITY OF DEADWOOD PLANNING COMMISSION
STATE OF SOUTH DAKOTA COUNTY OF LAWRENCE
THIS PLAT APPROVED BY THE CITY OF DEADWOOD PLANNING COMMISSION THIS ____ DAY
OF _____, 20____.

CITY PLANNER CHAIRMAN

APPROVAL OF THE CITY OF DEADWOOD BOARD OF COMMISSIONERS
STATE OF SOUTH DAKOTA COUNTY OF LAWRENCE
BE IT RESOLVED THAT THE CITY OF DEADWOOD BOARD OF COMMISSIONERS HAVING VIEWED THE
WITHIN PLAT, DO HEREBY APPROVE THE SAME FOR RECORDING IN THE OFFICE OF THE
REGISTER OF DEEDS, LAWRENCE COUNTY, S.D. DATED THIS ____ DAY
OF _____, 20____.

ATTEST: _____
FINANCE OFFICER MAYOR

OFFICE OF THE COUNTY DIRECTOR OF EQUALIZATION
STATE OF SOUTH DAKOTA COUNTY OF LAWRENCE
I, LAWRENCE COUNTY DIRECTOR OF EQUALIZATION, DO HEREBY CERTIFY THAT I HAVE RECEIVED
A COPY OF THIS PLAT. DATED THIS ____ DAY OF _____, 20____.

LAWRENCE COUNTY DIRECTOR OF EQUALIZATION

OFFICE OF THE REGISTER OF DEEDS
STATE OF SOUTH DAKOTA COUNTY OF LAWRENCE
FILED FOR RECORD THIS ____ DAY OF _____, 20____, AT ____ O'CLOCK, ____ M., AND
RECORDED IN DOC. _____.

LAWRENCE COUNTY REGISTER OF DEEDS FEE: \$ _____