

DEADWOOD PLANNING AND ZONING COMMISSION

Wednesday, September 6, 2017 – 5:00 p.m.

City Hall, 102 Sherman Street, Deadwood, SD

AGENDA

1. Call Meeting to Order

2. Approval of August 16, 2017 Minutes

3. Sign Review Commission

692 Main Street – Elks Lodge #508 – Install three new valance signs

a. Install new valance signs

Action Required:

b. Approval/ Denial by Sign Review Commission

4. Planning and Zoning Commission and Board of Adjustments

Railroad Avenue/McKinley Street -- City of Deadwood

Lot 4 of Block B and Lot 6 of Block C of the Weisflog Addition to the City of Deadwood; formerly a portion of Railroad Avenue, located in the N ½ of Section 23, T5N, R3E, B.H.M., City of Deadwood, Lawrence County, South Dakota.

Action Required:

a. Approval/Denial by Planning and Zoning

b. Approval/Denial by Deadwood Board of Adjustments

Rodeo Street/Dunlap Avenue – City of Deadwood

Lot 10, Block 1 of the Subdivision of M.S. 308; Formerly A portion of the Deadwood Amusement Park Tract in M.S. 308, all located in the N ½ of Section 23, T5N, R3E, B.H.M., City of Deadwood, Lawrence County, South Dakota.

Action Required:

a. Approval/Denial by Planning and Zoning

b. Approval/Denial by Deadwood Board of Adjustments

5. Items from Staff

a. Whitewood Creek

b. Cadillac Jacks

6. Adjourn

CITY OF DEADWOOD
PLANNING AND ZONING COMMISSION
Wednesday, August 16, 2017

The meeting of the Deadwood Planning and Zoning was called to order by Chairperson Tony Biesiot on Wednesday, August 16, 2017, 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: Tony Biesiot, Jim Shedd, John Martinisko and Bill Rich

Absent: Brett Runge

Board of Adjustments Present: Dave Ruth

Staff Present:

Trent Mohr and Bonny Anfinson

Approval of July 19, 2017 Minutes:

It was moved by Mr. Shedd and seconded by Mr. Rich to approve the July 19, 2017 meeting minutes. Aye - All. Motion carried.

Sign Review Commission:

304 Cliff Street -Deadwood Gulch Resort - Install New Window Sign

Mr. Mohr stated the applicant is requesting permission to install a new window sign above the main entrance to the hotel and gaming hall to direct customers to the entrance. They have had problems with customers not being able to easily find the entrance. Currently there is a neon sign hung inside the window in this location. The proposed sign and its location are compliant with the sign ordinance and require no variances. *It was moved by Mr. Shedd and seconded by Mr. Martinisko to approve the installation of the new window sign at 304 Cliff Street. Aye-All. Motion carried.*

Planning and Zoning Commission and Board of Adjustments

Light Pole Banners

Light Pole Banner information was included in the agenda packet. The pole banners are being placed along the D.O.T. highway lights at Pluma. No action was needed.

Tax Increment Financing in South Dakota Presentation

A copy of Tax Increment Financing in South Dakota Presentation was included in the agenda packet. This is for information purposes only. No Action was needed.

Items From Staff (no action taken)

- Mr. Mohr stated Cadillac Jacks is making great progress. The Tru Hotel foundation is about 90% complete. Concrete is being poured for the parking garage and construction will go up quickly. The bridge across Whitewood Creek is complete.

Adjournment:

It was moved by Mr. Martinisko and seconded by Mr. Shedd 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 5:05 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
September 6, 2017

Applicant: Elks Lodge #508
Address: 692 Main Street, Deadwood, SD 57732
Site Address of Proposed Signage: 692 Main Street

Computation of Sign Area

Building Frontage: 45 Feet
Total Available Signage: 90 Square Feet
Existing Signage: One Projecting Sign (Elks sign – landmark sign)
Nine window signs (total of 10.15 Square Feet)
One projecting sign – approved 07-19-17 (12.5 Square Feet)
Remaining Available Signage Area: 67 Square Feet
Proposed Sign Project: Install three new valance signs (not counted against total allowed signage per ordinance).
Proposed Building Materials: Canvas (see attached rendering).
Proposed Lighting of the Signs: None.
Location of Proposed Sign: Three awnings along entire frontage of building.

Discussion

The sign permit application in review is proposed at a location outside the locally-designated historic district and outside the national historic landmark district which is regulated by chapter 15.32.315 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 to have valance signs on the new awnings installed at this location to advertise the tenants on the first floor of the building.

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 new valance signs at 692 Main Street

OR

Motion to deny proposed sign permit application as submitted.



¹/₇"
WAKED WINERY®

15 feet



SICK-N-TWISTED™
BREWING COMPANY



151

151

The Pink Door Boutique

The Pink Door Boutique

151

DEADWOOD

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

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

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

STAFF REPORT PLANNING AND ZONING SEPTEMBER 6, 2017 JOINT MEETING

APPLICANT: City of Deadwood
102 Sherman Street
Deadwood, SD 57732

PURPOSE: Transfer Purposes

GENERAL LOCATION: Railroad Avenue / McKinley Street

LEGAL DESCRIPTION: Lot 4 of Block B and Lot 6 of Block C of The Weisflog Addition to the City of Deadwood; Formerly a Portion of Railroad Avenue, Located in the N1/2 of Section 23, T5N, R3E, B.H.M., 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: PU – Public Use
South: R2 – Residential
East: R2 – Residential
West: R2 – Residential

Surrounding Land Uses:

Event Complex
Residential Structures
Residential Structures
Residential Structures

SUMMARY OF REQUEST

The Final Plat for Lot 4 Block B and Lot 6 of Block C has been submitted to define property lines and for transfer purposes.

FACTUAL INFORMATION

1. The property is currently zoned R2 – Residential District

2. Lot 4, Block B, is comprised of $0.048 \pm$ Acres
Lot 6, Block C, is comprised of $0.107 \pm$ Acres
3. The subject property is located within a Moderate-Density Residential district.
4. The property is not located within the 500 year floodplain.
5. Public facilities are available to serve the property.
6. The area is currently characterized by a mix of residential structures.

STAFF DISCUSSION

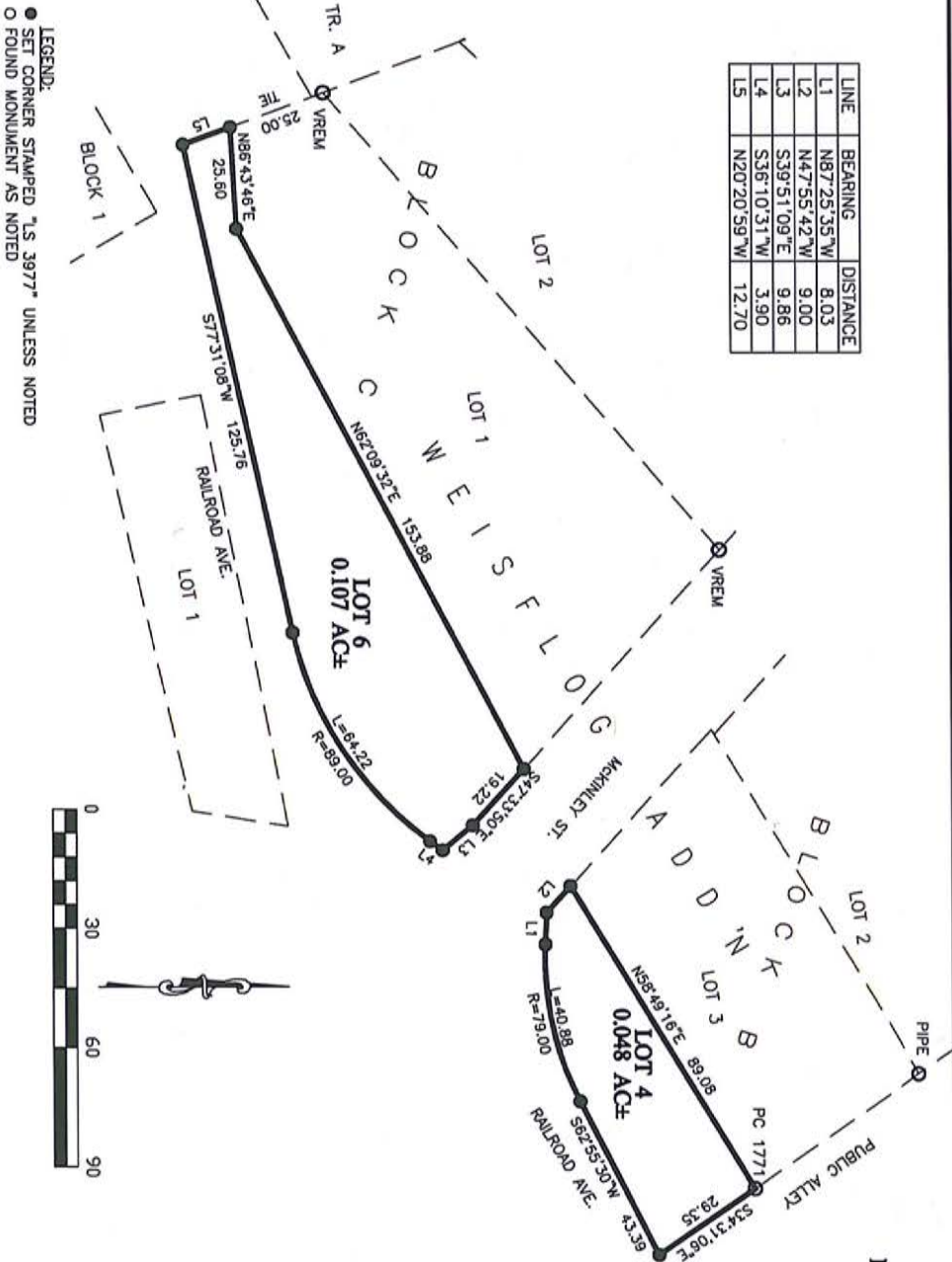
The subject property currently is vacant land. The lots do not meet the area and bulk requirements for square footage however shall be platted into the adjacent lot in the immediate future.

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:

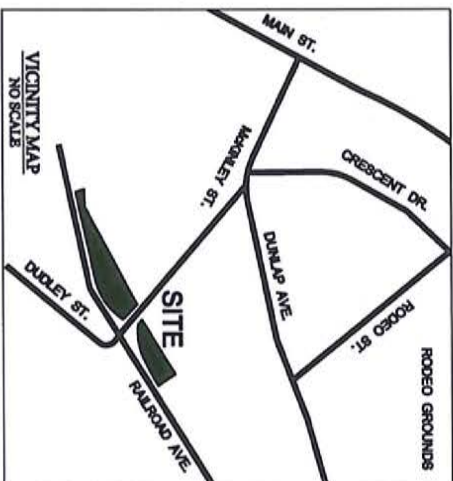
1. Approval / denial by Deadwood Planning and Zoning Commission.
2. Approval / denial by Deadwood Board of Adjustment.

LINE	BEARING	DISTANCE
L1	N87°25'35"W	8.03
L2	N47°55'42"W	9.00
L3	S39°51'09"E	9.86
L4	S36°10'31"W	3.90
L5	N20°20'59"W	12.70



PLAT OF LOT 4 OF BLOCK B AND
LOT 6 OF BLOCK C OF THE WEISFLOG ADDITION
TO THE CITY OF DEADWOOD;
FORMERLY A PORTION OF RAILROAD AVENUE,
LOCATED IN THE N1/2 OF SECTION 23, T5N, R3E, B.H.M.,
CITY OF DEADWOOD, LAWRENCE COUNTY, SOUTH DAKOTA

OWNER:
CITY OF DEADWOOD
102 SHERMAN ST.
DEADWOOD, SD 57732



- LEGEND:**
● SET CORNER STAMPED "LS 3977" UNLESS NOTED
○ FOUND MONUMENT AS NOTED
- NOTES:**
1. PROPOSED LOT AREA = 0.155 ACRES±.
2. PROPOSED R-O-W AREA = 0.00 ACRES±.
3. AVERAGE DENSITY PER LOT = 0.078 ACRES±.
4. TOTAL PROPOSED PLATTED AREA: 0.155 ACRES±.
5. EASEMENTS INCLUDED IN ALL AREAS.
6. 5' UTILITY EASEMENT ON INTERIOR OF ALL LOT LINES. EASEMENTS INCLUDED IN LOT AREAS.
7. WE HEREBY GRANT EASEMENTS TO RUN WITH THE LAND FOR WATER, DRAINAGE, SEWER, GAS, ELECTRIC, TELEPHONE, OR OTHER PUBLIC UTILITY LINES OR SERVICES UNDER, ON OR OVER THOSE PORTIONS OF LAND DESIGNATED HEREON AS EASEMENTS.

PREPARED BY:
ARLETH LAND SURVEYING, LLC

24 CLIFF ST.
DEADWOOD, SD 57732
1-605-578-1637

DATE: JULY 27, 2017
REV: SCALE: 1" = 30'

APPROVED: JMA
DRAWN: PD
FILE: 9652.dwg

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 ADJUTING THE COUNTY OR STATE HIGHWAY
 AS SHOWN HEREON, IS HEREBY APPROVED. ANY CHANGE IN THE PROPOSED ACCESS SHALL
 REQUIRE ADDITIONAL APPROVAL.

HIGHWAY AUTHORITY: _____

**PLAT OF LOT 4 OF BLOCK B AND
 LOT 6 OF BLOCK C OF THE WEISFLOG ADDITION
 TO THE CITY OF DEADWOOD;
 FORMERLY A PORTION OF RAILROAD AVENUE,
 LOCATED IN THE N1/2 OF SECTION 23, 15N, R3E, B1M,
 CITY OF DEADWOOD, LAWRENCE COUNTY, SOUTH DAKOTA**

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: \$ _____



PREPARED BY:
**ARLETH LAND
 SURVEYING, LLC**

24 CLIFF ST.
 DEADWOOD, SD 57132
 1-605-578-1637

DATE: JULY 27, 2017
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 DRAWN: FD
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STAFF REPORT PLANNING AND ZONING SEPTEMBER 6, 2017 JOINT MEETING

APPLICANT: City of Deadwood
102 Sherman Street
Deadwood, SD 57732

PURPOSE: Transfer Purposes

GENERAL LOCATION: Rodeo Street / Dunlap Avenue

LEGAL DESCRIPTION: Lot 10, Block 1 of The Subdivision of M.S. 308; Formerly A Portion of the Deadwood Amusement Park Tract in M.S. 308, All Located in the N1/2 of Section 23, T5N, R3E, B.H.M., City of Deadwood, Lawrence County, South Dakota

FILE STATUS: All legal obligations have been completed.

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STAFF FINDINGS:

Surrounding Zoning:

North: PU – Public Use
South: R2 – Residential
East: R2 – Residential
West: R2 – Residential

Surrounding Land Uses:

Event Complex
Residential Structures
Residential Structures
Residential Structures

SUMMARY OF REQUEST

The Final Plat for Lots 10 of Block 1 has been submitted to define property lines, create a utility easement, and for transfer purposes. This will also clear an encroachment in a setback.

FACTUAL INFORMATION

1. The property is currently zoned R2 – Residential District

2. Lot 10, Block 1, is comprised of 0.090 ± Acres
3. The subject property is located within a Moderate-Density Residential district.
4. The property is located within the 500 year floodplain.
5. Public facilities are available to serve the property.
6. The area is currently characterized by a mix of residential structures.

STAFF DISCUSSION

The subject property currently is used for parking and storage shed for the Copper Key Apartments. The lot does not meet the area and bulk requirements for square footage however shall be platted into the adjacent lot in the immediate future and this plat creates a utility easement for City infrastructure.

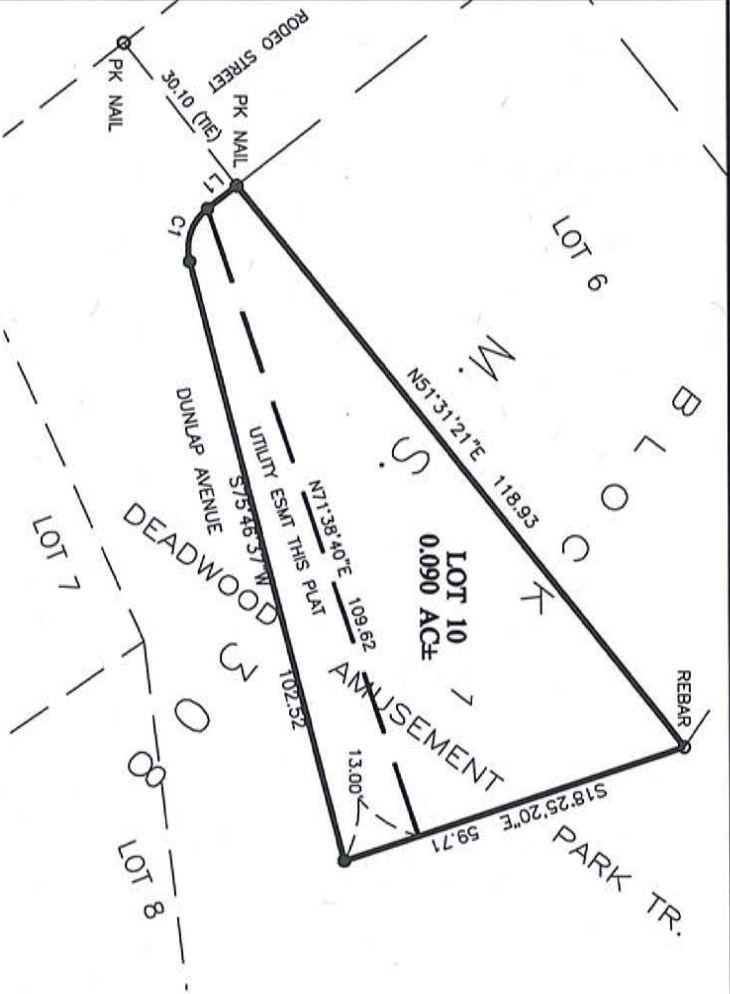
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8. Scale of the plat is shown and accompanied with a bar scale.
9. Area's taken out of the mineral survey and remaining acreage is indicated on the plat.

ACTION REQUIRED:

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

PLAT OF LOT 10, BLOCK 1 OF
THE SUBDIVISION OF M.S. 308;
FORMERLY A PORTION OF THE
DEADWOOD AMUSEMENT PARK TRACT IN M.S. 308,
ALL LOCATED IN THE N1/2 OF SECTION 23, T5N, R3E, B1M,
CITY OF DEADWOOD, LAWRENCE COUNTY, SOUTH DAKOTA

OWNER:
CITY OF DEADWOOD
102 SHERMAN ST.
DEADWOOD, SD 57732



- LEGEND:
● SET REBAR AND CAP STAMPED ARLETH & ASSOC. LS 3977
○ FOUND MONUMENT AS NOTED

- NOTES:
1. PROPOSED LOT AREA = 0.090 ACRES±;
AVERAGE DENSITY PER LOT = 0.090 ACRES±;
TOTAL PROPOSED PLANTED AREA: 0.090 ACRES±
EASEMENTS INCLUDED IN ALL AREAS.
2. 5' UTILITY EASEMENT ON INTERIOR OF ALL LOT LINES.
EASEMENTS INCLUDED IN LOT AREAS.
3. WE HEREBY GRANT EASEMENTS TO RUN WITH THE LAND FOR
WATER, DRAINAGE, SEWER, GAS, ELECTRIC, TELEPHONE, OR OTHER
PUBLIC UTILITY LINES OR SERVICES UNDER, ON OR OVER THOSE
PORTIONS OF LAND DESIGNATED HEREON AS EASEMENTS.
4. BLOCK 1 OF M.S. 308 RECORDED IN PLAT DOC# 1994-5019.
DEADWOOD AMUSEMENT PARK TRACT RECORDED IN PLAT DOC#
2013-2127.

LINE	BEARING	DISTANCE
L1	N38°15'04\"W	6.19
CURVE	RADIUS	ARC LENGTH
C1	8.50	9.79



	PREPARED BY:	24 CLIFF ST.	DATE: JULY 21, 2017	APPROVED: JMA
	ARLETH LAND SURVEYING, LLC	DEADWOOD, SD 57732	REV: 1-605-578-1637	DRAWN: FD
			SCALE: 1" = 20'	FILE: 9637.dwg

**PLAT OF LOT 10, BLOCK 1 OF
THE SUBDIVISION OF M.S. 308;**

FORMERLY A PORTION OF THE
DEADWOOD AMUSEMENT PARK TRACT IN M.S. 308,
ALL LOCATED IN THE N1/2 OF SECTION 23, T5N, R3E, B1M,
CITY OF DEADWOOD, LAWRENCE COUNTY, SOUTH DAKOTA

SURVEYOR'S CERTIFICATE
STATE OF SOUTH DAKOTA COUNTY OF LAWRENCE
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DATED THIS ____ DAY OF _____, 20____.

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

OWNER'S CERTIFICATE
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DO HEREBY CERTIFY THAT WE ARE THE OWNERS OF THE PROPERTY SHOWN AND DESCRIBED HEREON, THAT WE DO APPROVE THIS PLAT AS HERON 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

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LAWRENCE COUNTY TREASURER: _____

APPROVAL OF HIGHWAY AUTHORITY
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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
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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 \$ _____



PREPARED BY:
**ARLETH LAND
SURVEYING, LLC**

24 CLIFF ST.
DEADWOOD, SD 57732
1-605-578-1637

DATE: JULY 27, 2017
REV: _____
SCALE: 1" = 20'

APPROVED: JMA
DRAWN: PD
FILE: 9637.dwg



