

DEADWOOD PLANNING AND ZONING COMMISSION

Wednesday, April 5, 2017 – 5:00 p.m.

City Hall, 102 Sherman Street, Deadwood, SD

AGENDA

1. Call Meeting to Order
2. Approval of March 15, 2017 Minutes
3. Sign Review Commission
No items for review.
4. Planning and Zoning Commission and Board of Adjustments
Joseph and Julie Opheim – 26 Fremont
Lot 16A of Highland Addition to the City of Deadwood, Lawrence County, South Dakota. Formerly Lot 16 and 5A of Highland Addition and Portions of Probate Lots 298 and 432 and a Vacated Portion of Fremont Street Located in the NW1/4 of Section 26, T5N, R3E, B.H.M.
Action Required:
 - a. Approval/Denial by Planning and Zoning
 - b. Approval/Denial by Deadwood Board of Adjustments
5. Exception to Sign Ordinance
Fraternal Organization Signage and City Signs
Action Required:
 - a. Approval/Denial by Planning and Zoning
5. Items from Staff
 - a. Welcome Center Update
 - b. Whitewood Creek
 - c. Cadillac Jacks
 - d. Public Forum
6. Adjourn

CITY OF DEADWOOD
PLANNING AND ZONING COMMISSION
Wednesday, March 15, 2017

The meeting of the Deadwood Planning and Zoning was called to order by Chairperson Tony Biesiot on Wednesday, March 15, 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: Jim Shedd, Tony Biesiot, John Martinisko and Brett Runge

Absent: Marie Farrier

Board of Adjustments Present: Chuck Turbiville, Dave Ruth and Mark Speirs

Staff Present:

Bob Nelson Jr. and Jerity Krambeck

Approval of February 15, 2017 Minutes:

It was moved by Mr. Shedd and seconded by Mrs. Runge to approve the February 15, 2017 meeting minutes as amended. Aye – All. Motion carried.

Sign Review Commission:

No items for review.

Planning and Zoning Commission and Board of Adjustments:

Plat - PALISADES, LLC - 772 Stage Run

Lot 11, Block 1 of Palisades Tract of Deadwood Stage Run Addition, All located in the SW ¼ Section 14, the SE ¼ of Section 15, the NE ¼ NE ¼ of Section 22 and the N ½ NW ¼ of Section 23, T5N, R3E, B.H.M., City of Deadwood, Lawrence County, South Dakota. *It was moved by Mr. Shedd and seconded by Mr.*

Martinisko to recommend to the Board of Adjustments to approve the plat - Lot 11, Block 1 of Palisades Tract of Deadwood Stage Run Addition, All located in the SW ¼ Section 14, the SE ¼ of Section 15, the NE ¼ NE ¼ of Section 22 and the N ½ NW ¼ of Section 23, T5N, R3E, B.H.M., City of Deadwood, Lawrence County, South Dakota. Aye – All. Motion carried.

Chair Biesiot closed the Planning and Zoning meeting.

Mayor Turbiville opened the Board of Adjustments meeting.

Plat - PALISADES, LLC - 772 Stage Run

Lot 11, Block 1 of Palisades Tract of Deadwood Stage Run Addition, All located in the SW ¼ Section 14, the SE ¼ of Section 15, the NE ¼ NE ¼ of Section 22 and the N ½ NW ¼ of Section 23, T5N, R3E, B.H.M., City of Deadwood, Lawrence County, South Dakota. *It was moved by Mr. Ruth and seconded by Mr. Speirs to approve the plat - Lot 11, Block 1 of Palisades Tract of Deadwood Stage Run Addition, All located in the SW ¼ Section 14, the SE ¼ of Section 15, the NE ¼ NE ¼ of Section 22 and the N ½ NW ¼ of Section 23, T5N, R3E, B.H.M., City of Deadwood, Lawrence County, South Dakota. Aye – All. Motion carried.*

Items From Staff (no action taken)

- Mr. Nelson stated the Welcome Center is on track with meeting the completion deadline of May 1, with the exhibits being installed before May 24, and the opening weekend of Memorial Day Weekend.
- Mr. Nelson stated the Whitewood Creek bid took place with the bid of \$101,000 from R.C.S. Construction. Mr. Nelson stated we are still waiting to hear if we received the grant, but if so, the project will be fully funded, minus \$7,000 for ground work to fix an erosion problem.
- Mr. Nelson stated the TIF for Cadillac Jacks is well underway as the new Williams Street is being

built and they are running conduits underground and we should see overhead lines start disappearing. Mr. Nelson stated they want to start on the bridge at the end of the month.

- Mr. Nelson stated the Grandstand Roof is approximately 60% complete.

Adjournment:

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

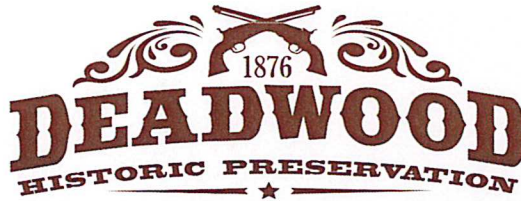
There being no further business, the Planning and Zoning Commission adjourned at 5:09 p.m.

ATTEST:

Chairman, Planning & Zoning Commission

Jerity Krambeck, Planning & Zoning Office/Recording Secretary

Secretary, Planning & Zoning Commission



**STAFF REPORT
PLANNING AND ZONING
APRIL 5, 2017 JOINT MEETING**

APPLICANT: Joseph and Julie Opheim
Lawrence County

PURPOSE: To transfer the property, clear encroachments, and combine parcels

GENERAL LOCATION: Fremont Street (Behind the Hospital)

LEGAL DESCRIPTION: Lot 16A of Highland Addition to the City of Deadwood, Lawrence County, South Dakota. Formerly Lot 16 and 5A of Highland Addition and Portions of Probate Lots 298 and 432 and a Vacated Portion of Fremont Street Located in the NW1/4 of Section 26, T5N, R3E, B.H.M.

FILE STATUS: All legal obligations have been completed.

ZONE: R1 – Residential District

STAFF FINDINGS:

Surrounding Zoning:

North: R1 - Residential
South: R1 – Residential
East: R1 - Residential
West: R1 – Residential

Surrounding Land Uses:

Residential Dwellings
Vacant Lands
Vacant Lands
Vacant Lands

SUMMARY OF REQUEST

The Final Plat for Lot 16A of the Highland Addition has been submitted to facilitate the transfer of land, clear encroachments, and combine parcels. The property is located on Fremont Street Southeast of Stewart Street.

FACTUAL INFORMATION

1. The properties are currently zoned R1 – Residential District
2. Lot 16A is comprised of 0.788 Acres \pm .

3. The subject property is located within a low density residential designation.
4. Lot 16A 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 a few homes.

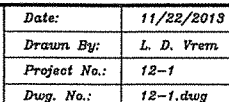
STAFF DISCUSSION

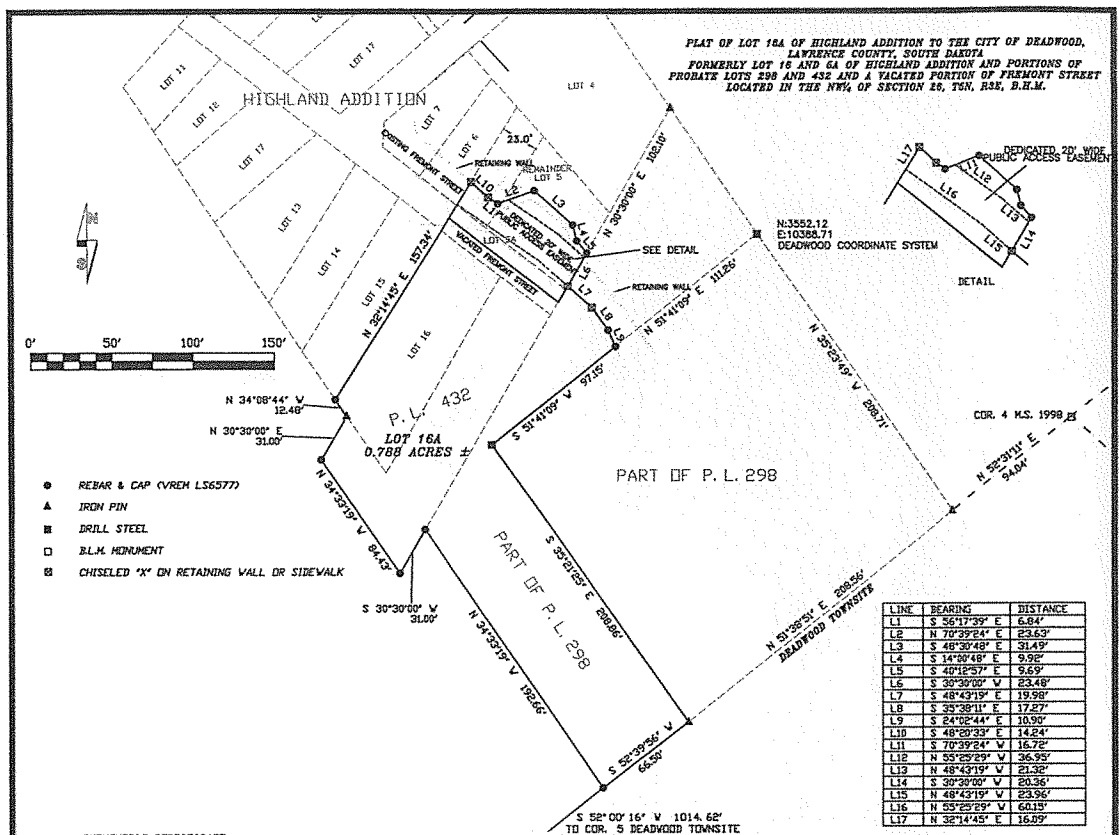
Approximately four years ago Mr. and Mrs. Opheim approached the Zoning office to clear an encroachment issue with their new home at 26 Fremont. In order for the encroachment to be cleared a partial street vacation had to be executed off Fremont Street. This process has been executed; the final step for the Opheims is to plat their property to encompass their home and the vacated Fremont Street. The presented plat will achieve the final step.

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.

ACTION REQUIRED:

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





SURVEYOR'S CERTIFICATE

I, LOREN D. VREM, 332A WEST MAIN STREET, LEAD, SOUTH DAKOTA, DO HEREBY CERTIFY THAT I AM A REGISTERED 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 HEREIN, 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 22ND DAY OF NOVEMBER, 2013.

LOREN D. VREM, R.L.S. 6577

OWNER'S CERTIFICATE

STATE OF SOUTH DAKOTA COUNTY OF LAWRENCE

LAWRENCE COUNTY DO HEREBY CERTIFY THAT I/WE ARE THE OWNERS OF THE PROPERTY SHOWN AND DESCRIBED HEREIN, THAT WE DO APPROVE THIS PLAT AS HEREIN 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:

OWNER'S CERTIFICATE
STATE OF SOUTH DAKOTA COUNTY OF LAWRENCE

JOSEPH & JULIE OPHEIM DO HEREBY CERTIFY THAT I/WE ARE THE OWNERS OF THE PROPERTY SHOWN AND DESCRIBED HEREIN, THAT WE DO APPROVE THIS PLAT AS HEREIN SHOWN AND THAT DEVELOPMENT OF THIS PROPERTY SHALL CONFORM TO ALL EXISTING APPLICABLE ZONING, SUBDIVISION, EROSION AND SEDIMENT CONTROL REGULATIONS.

OWNER: ADDRESS:

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,

CHAIRMAN ATTEST: CITY PLANNER

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, SOUTH DAKOTA, 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:



Prepared By:
PONDEROSA LAND SURVEYS, L.L.C.
332A WEST MAIN STREET
LEAD, SD 57754
(805) 722-3840

Date:	11/22/2013
Drawn By:	L. D. Vrem
Project No.:	12-1
Dwg. No.:	12-1.dwg

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

BOB NELSON, JR.
Planning and Zoning Administrator
Telephone: (605) 578-2082
Fax: (605) 578-2084
bobjr@cityofdeadwood.com

MEMORANDUM

Date: March 29, 2017
To: Planning and Zoning Commission
From: Bob Nelson, Jr., Planning and Zoning Administrator
Re: Fraternal Organization Signage and City Signs

The City of Deadwood Planning and Zoning Office in conjunction with the City of Lead and Kiwanis International is proposing the construction of a sign structure to display insignias for fraternal organizations located in the Lead-Deadwood area. The sign structure would be located at the south entrance of Deadwood plus the City of Lead will be installing an additional structure near the Manual Brothers Park. The sign will consist of two 6" x 6" posts eight feet apart with two 2" by 6" horizontal boards connecting the two. The insignias will be approximately 30" in diameter along with 6" x 18" rectangular signs located underneath them. In addition the City of Deadwood will display signs such as "DARE Community" and "Tree City USA" signs.

The City of Deadwood's participation would be to provide and install the sign structure. Kiwanis International would coordinate the organizations participation as well as the installation and upkeep of the signs with the exception of the City signs.

The proposed location is shown on the attached exhibit and will require a "Right to Occupy Permit" from the South Dakota Department of Transportation.

This office is looking for a recommendation from the Planning and Zoning Commission to the City Commission to make an exception to the sign ordinance. The proposed signage is not covered in the sign code, however the two cities facilitating the sign structure does allow for the opportunity to display the fraternal organization.

Action: Recommend to the Deadwood City Commission to approve or deny the proposed project and allow for an exception from the sign ordinance.





Proposed Location