

DEADWOOD PLANNING AND ZONING COMMISSION

BOARD OF ADJUSTMENTS

Wednesday, April 20, 2016 – 5:00 p.m.

City Hall, 102 Sherman Street, Deadwood, SD

AGENDA

1. Call Meeting to Order
2. Approval of April 6, 2016 Minutes

3. Sign Review Commission

137 Charles Street – Best Western Hickok House

- a. Replace Existing Freestanding Sign

Action Required:

- b. Approval/Denial by Planning and Zoning

225 Cliff Street – Comfort Inn/Gulches of Fun

- a. Install New Freestanding Sign

Action Required:

- b. Approval/Denial by Planning and Zoning

4. Planning and Zoning Commission and Board of Adjustments

Define Property Lines, Create a Single Parcel, Library, 435 Williams Street

THE LIBRARY LOT, Block 23, Formerly Lots 4, 6, and the Remaining Portions of Lots 8, 10 & 12, Block 23, O.T., City of Deadwood, Lawrence County, South Dakota

Action Required:

- a. Approval/Denial by Planning and Zoning
- b. Approval/Denial by Deadwood Board of Adjustments

Define Property Lines, Shine Street

Lots 2A, 2B, 2C and 2D of Block 23, Formerly the North Half and South Half of the Southwesterly 20 Feet of Lot 2 and the Northeasterly Five Feet of Lot 21, Block 23, O.T., 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. Welcome Center Update
- b. Powerhouse Park
- c. Whitewood Creek
- d. DOT

6. Adjourn

CITY OF DEADWOOD
PLANNING AND ZONING COMMISSION
Wednesday, April 6, 2016

JOINT MEETING

The Joint Meeting of the Deadwood Planning and Zoning Commission and Board of Adjustment was called to order by Chairperson Jim Shedd on Wednesday, April 6, 2016, 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, Marie Farrier, Mel Allen and Brett Runge

Absent: Tony Biesiot

Board of Adjustments Present: Dave Ruth Jr., Gary Todd, and Mark Speirs

Staff Present:

Bob Nelson, Jr., Trent Mohr, and Bonny Fitch

Approval of January 20, 2016 Minutes:

It was moved by Mrs. Runge and seconded by Mr. Allen to approve the March 2, 2016 meeting minutes. Aye - All. Motion carried.

Sign Review Commission:

531 Main - Tin Lizzie Gaming Resort -- Continuation

Mr. Mohr informed the Commission the applicant is requesting a wall sign on the east face of the building. This item was continued from the November 19, 2014 meeting until the entrance could be converted to a public entrance. Mr. Mohr stated the door nearest the proposed sign has been reconfigured and can be considered a public entrance. *It was moved by Ms. Farrier and seconded by Mrs. Runge to approve sign number 2 with the 4' variance for the height of the wall sign and a variance allowing a wall sign near a public entrance at 531 Main. Aye - All. Motion carried.*

Planning and Zoning Commission and Board of Adjustment:

Create a Single Tract - Majestic Estates

Mr. Nelson, Jr. stated the applicant has submitted a plat to create a single tract of land for development. This portion of the tract within the City of Deadwood is on the East side of Sampson Street and will not leave any nonconforming lots. The applicant is proposing to annex a portion of Tract A into the City of Deadwood in the near future. This plat has already been before the County Planning and Zoning Commission. *It was moved by Ms. Farrier and seconded by Mr. Allen to approve the Tract A of Majestic Estates, Consisting of Tracts 1,2,3 and 4 of Carlisle-Miller Subdivision, Being Portions of the Splittail and Mathilda Placers of M.S. 920, Portions of the Deadwood and Delaware Placers of M.S. 685 and a Portion of the Dotson Placer of M.S. 1208; The Remainder of the Thor and Sawdust Placer of M.S. 1208; The Pilot Knob Fraction, Cotton and Unruh Lodes of M.S. 1447; Lot 2 of the Remainder of the Columbia Placer of M.S. 1208 and Mineral Survey No. 788 Consisting of the Dale Placer; All located in the SW1/4 of Section 13, The SE1/4 and NE1/4 of Section 23; The NE1/4, NW1/4, SW1/4 and SE1/4 of Section 24 and the NE1/4 and NW1/4 of Section 25, T5N, R3E, B.H.M., City of Deadwood, Lawrence County, South Dakota. Aye - All. Motion carried.*

Mr. Shedd closed the Planning and Zoning Meeting

Mr. Todd called the meeting to order of the Board of Adjustments

Create a Single Tract - Majestic Estates

It was moved by Mr. Speirs and seconded by Mr. Ruth Jr. to approve the Tract A of Majestic Estates, Consisting of Tracts 1,2,3 and 4 of Carlisle-Miller Subdivision, Being Portions of the Splittail and Mathilda Placers of M.S. 920, Portions of the Deadwood and Delaware Placers of M.S. 685 and a Portion of the Dotson Placer of M.S. 1208; The Remainder of the Thor and Sawdust Placer of M.S. 1208; The Pilot Knob Fraction, Cotton and Unruh Lodes of M.S. 1447; Lot 2 of the Remainder of the Columbia Placer of M.S. 1208 and Mineral Survey No. 788 Consisting of the Dale Placer; All located in the SW1/4 of Section 13, The SE1/4 and NE1/4 of Section 23; The NE1/4, NW1/4, SW1/4 and SE1/4 of Section 24 and the NE1/4 and NW1/4 of Section 25, T5N, R3E, B.H.M., City of Deadwood, Lawrence County, South Dakota. Aye - All. Motion carried.

It was moved by Mr. Speirs and seconded by Mr. Ruth Jr. to adjourn the Board of Adjustments meeting. Aye - All. Motion carried.

Mr. Shedd called the Planning and Zoning Meeting back to order.

Items From Staff (no action taken)

- Mr. Mohr stated the Welcome Center is moving along with work being done on the retaining wall on the welcome side of Whitewood Creek. Work is being done on the interior below floor plumbing and when the floor slab is done things will start moving along quickly. They are beginning work on the railroad side of Whitewood Creek on the retaining wall for the walking path.
- Mr. Nelson Jr. stated the Powerhouse Park Project was awarded to RCS Construction. They should break ground on the project in about three weeks.
- Mr. Nelson Jr. stated the bids for the Gateway Enhancements were rejected. The bids were higher than anticipated.
- Mr. Nelson Jr. reported from 76 Drive to McKinnley Street along Whitewood Creek we are looking at improving the fishery. The Black Hills Fly Fishers Association will be donating money to this project. The Association will play a role in creating the habitat for fishing.
- Mr. Nelson, Jr. stated the DOT project is ahead of schedule. Underground power should be switched over this week. Storm sewer is about 90% complete. They will be starting to put curb down.
- Mr. Mohr stated the concrete has been poured for the Gateway Park restroom.
- Mr. Nelson, Jr. stated the ballfield renovations have had a pretty good impact.
- Mr. Nelson, Jr. reported the new archway is going up.

Adjournment:

It was moved by Ms. Farrier 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 5:18 p.m.

ATTEST:

Chairman, Planning & Zoning Commission
Bonny Fitch, Planning & Zoning Office/Recording Secretary

Secretary, Planning & Zoning Commission

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

SIGN PERMIT STAFF REPORT

Sign Review Commission
April 20, 2016

Applicant: BRI Inc.

Address: 137 Charles Street, Deadwood, SD 57732

Site Address of Proposed Signage: 137 Charles Street (Best Western Hickok House)

Computation of Sign Area

Building Frontage: 255 Feet

Total Available Signage: 510 Square Feet

Existing Signage: Freestanding (90 Square Feet)

Remaining Available Signage Area: 420 Square Feet

Proposed Sign Project: Replace existing freestanding sign with new cabinet and face with the new franchise logo.

Proposed Building Materials: Metal and Plastic.

Proposed Lighting of the Signs: Internally Illuminated.

Location of Proposed Sign: New sign would be located on existing pole at the south end of the property. (see attached renderings)

Discussion

The sign project 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 signage project proposed in the current applications 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 replace existing sign with a new sign depicting the new Best Western logo.

The application in review would require a variance to section 15.32.200 of the sign ordinance referenced below.

- A. *Within the local historic district as established by Ordinance No. 777 and any amendment thereto, no internally illuminated signs shall be allowed. Outside the*

local historic district, opaque letters or designs set out from a building or sign face and lit by soft white illumination from behind the letters maybe allowed on new construction within the federally designated Deadwood National Historic Landmark District, as indicated on the zoning map (see 17.68.010(B)). However, no other type of internally illuminated signs shall be allowed within the federally designated Deadwood National Historic Landmark District, as indicated on the zoning map (see 17.68.010(B)), outside of the local historic district as established by Ordinance No. 777 and any amendment thereto. All types of internally illuminated signs may be allowed outside of the federally designated Deadwood National Historic Landmark District, as indicated on the zoning map (see 17.68.010(B)).

In January 1995 the Sign Commission granted the applicant an eighteen month variance for an existing internally illuminated sign. This variance expired in July 1996 and the applicant was granted an extension. It is recorded in the November 1997 minutes of the Sign Commission that the sign was now in compliance.

The Applicant is requesting a variance to allow the new sign to be internally illuminated. Please see letter from Applicant.

Variances

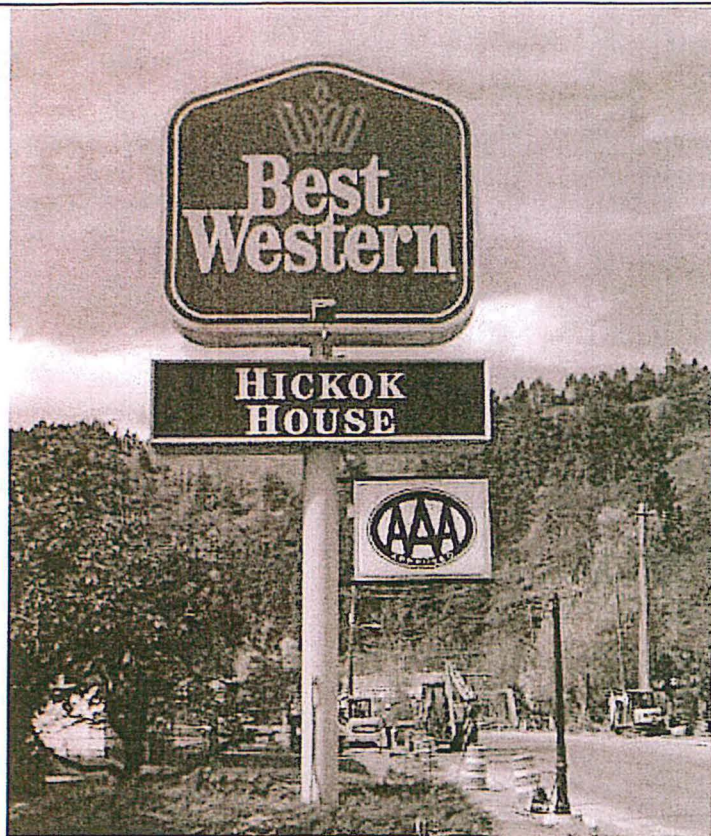
The sign application in review as proposed requires a variance from the sign ordinance. Signage variances may be obtained if the sign review commission is able to find “special circumstances or conditions such as the existence of buildings, topography, vegetation, sign structures, distance or other matters 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 new freestanding sign, granting a variance for internal illumination, at 225 Cliff Street as proposed

OR

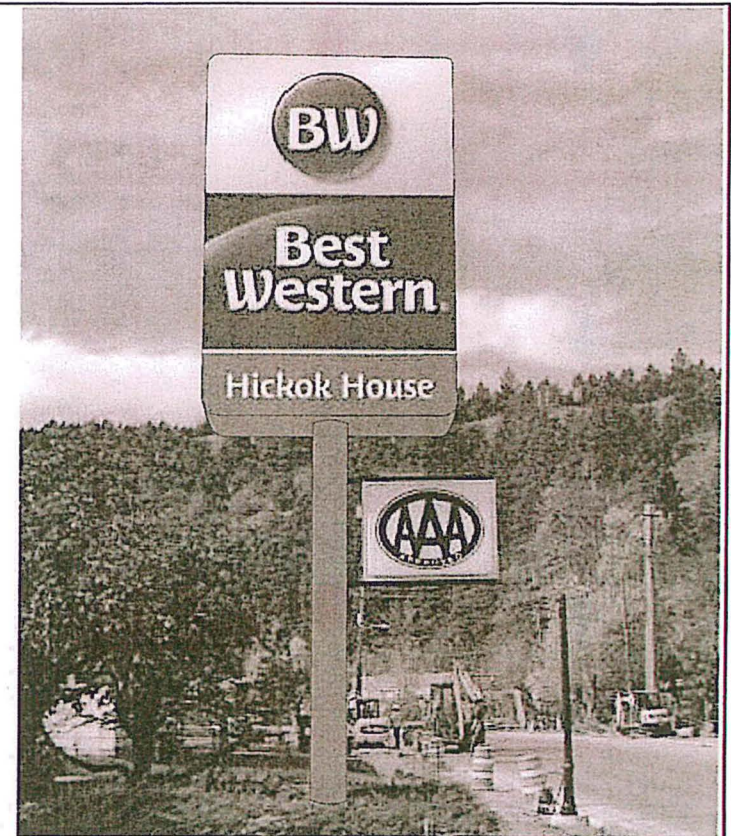
Motion to deny proposed sign as submitted.



EXISTING
9'0 3/4"X9'9 7/8" CABINET




GRAPHIC DETAIL
SCALE: 1/4" = 1'-0"



PROPOSED

NOTE: Elevation drawings are for customer approval only, drawings are not to be used as any installation guide, all dimensions must be verified before installation.

Customer: BEST WESTERN	Date: 12/28/15	Prepared By: RM	Note: Color output may not be exact when viewing or printing this drawing. All colors used are PMS or the closest CMYK equivalent. If these colors are incorrect, please provide the correct PMS match and a revision to this drawing will be made.	 SIGNS LIGHTING IMAGE	DISTRIBUTED BY SIGN UP COMPANY 700 21st Street Southwest PO Box 210 Watertown, SD 57201-0210 1.800.843.9888 • www.personasigns.com
Location: DEADWOOD, SD	File Name: 141558 - DEADWOOD, SD - SIGN PACKAGE	Eng: -			



**Best Western
Hickok House**

Restaurant & Casino

137 Charles Street
Deadwood, South Dakota 57732
(605) 578-1611
Fax (605) 578-1855

April 7, 2016

City of Deadwood,

Best Western International has changed their logo. The new signage only comes with interior lighting.

I am requesting a variance to be able to have the interior lit sign. It will be in the same location, and will be approximately the same dimensions as our present sign.

Thank you,

As individual as Deadwood itself...
Best Western Hotels are independently owned and operated.

**BEST WESTERN
HICKOK HOUSE
RESTAURANT & CASINO**



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Deadwood, South Dakota 57732

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DEADWOOD CITY HALL
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Telephone (605) 578-2600

SIGN PERMIT STAFF REPORT

Sign Review Commission
April 20, 2016

Applicant: Ron Island

Address: 225 Cliff Street, Deadwood, SD 57732

Site Address of Proposed Signage: 225 Cliff Street, Deadwood (Comfort Inn / Gulches of Fun)

Computation of Sign Area

Building Frontage: 350 Feet

Total Available Signage: 700 Square Feet

Existing Signage: Freestanding Sign (99 Square Feet)

Wall Sign (83 Square Feet)

Wall Sign (49 Square Feet)

Awning Sign (does not count against total allowable square footage)

Remaining Available Signage Area: 469 Square Feet

Proposed Sign Project: Install new freestanding sign (105 Square Feet) in miniature golf area.

Proposed Building Materials: Metal and Plastic. (see attached rendering)

Proposed Lighting of the Signs: Internally Illuminated.

Location of Proposed Sign: Attached is a rendering of the proposed location.

Discussion

The sign project applications in review are 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 signage project proposed in the current applications 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 add one freestanding sign to advertise the mini golf aspect of the business. The sign and its location are compliant with the sign ordinance.

Variances

The sign 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 one new freestanding sign at 225 Cliff Street as proposed

OR

Motion to deny proposed sign as submitted.



Aluminum
with flex face

Requires
20amp Circuit

12ft Pole * will change to 11ft pole
to stay under 20ft
allowance in code.

Internally illuminated



**STAFF REPORT
PLANNING AND ZONING
APRIL 20, 2016 JOINT MEETING**

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

PURPOSE: Define Property Lines, Create a Single Parcel of Land for the Library

GENERAL LOCATION: 435 Williams Street

LEGAL DESCRIPTION: THE LIBRARY LOT, Block 23, Formerly Lots 4, 6, and the Remaining Portions of Lots 8, 10 & 12, Block 23, O.T., City of Deadwood, Lawrence County, South Dakota

FILE STATUS: All legal obligations have been completed.

ZONE: PU – Public Use District

STAFF FINDINGS:

Surrounding Zoning:

North: R1 – Residential
South: C1 – Commercial
East: C1 – Commercial
West: R1 – Residential

Surrounding Land Uses:

Residential Structures
Commercial Structures
Commercial Structures
Apartment Building

SUMMARY OF REQUEST

The Final Plat of The Library Lot has been submitted to define property lines and create a single parcel for the Library.

FACTUAL INFORMATION

1. The property is currently zoned PU – Public Use District
2. The Library Lot, Block 23, is comprised of 0.250 ± Acres
3. The subject property is located within a moderate-density residential district.

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 residential structures.

STAFF DISCUSSION

The subject property currently houses the Deadwood Public Library. The lots meet the area and bulk requirements.

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:

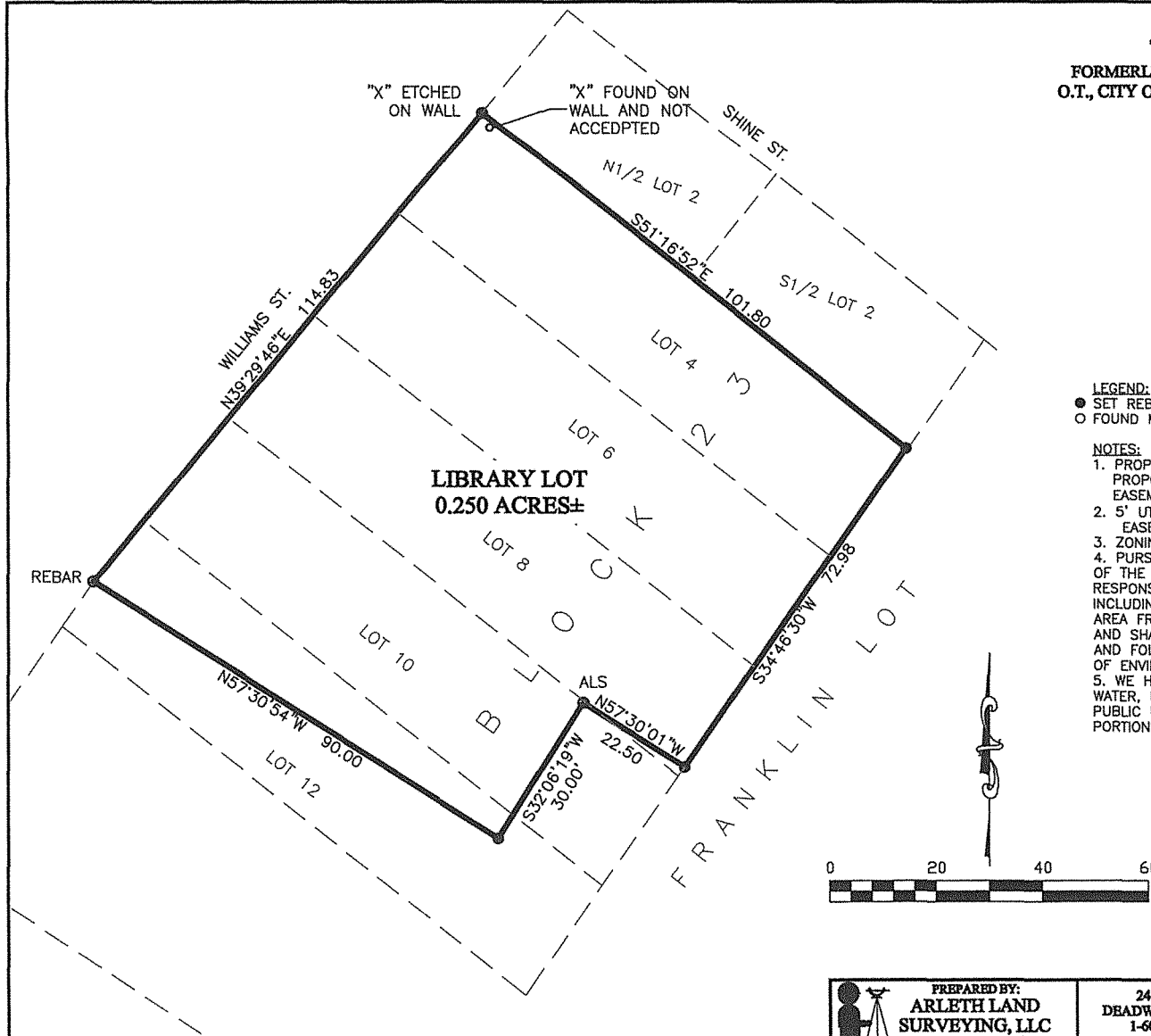
1. Approval / denial by Deadwood Planning and Zoning Commission.
2. Approval / denial by Deadwood Board of Adjustment.

PLAT OF
THE LIBRARY LOT, BLOCK 23,
 FORMERLY LOTS 4, 6 AND PARTS OF LOTS 8, 10 & 12, BLOCK 23
 O.T., CITY OF DEADWOOD, LAWRENCE COUNTY, SOUTH DAKOTA

OWNER/DEVELOPER:
 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 = 0.250 ACRES±;
 PROPOSED R-O-W AREA = 0.00 ACRES±;
 EASEMENTS INCLUDED IN ALL AREAS.
 2. 5' UTILITY EASEMENT ON INTERIOR OF ALL LOT LINES.
 EASEMENTS INCLUDED IN LOT AREAS.
 3. ZONING IS PUBLIC USE CITY OF DEADWOOD ZONING MAP.
 4. PURSUANT TO SDCL 11-3-8.1 AND 11-3-8.2, THE DEVELOPER
 OF THE PROPERTY DESCRIBED WITHIN THIS PLAT SHALL BE
 RESPONSIBLE FOR PROTECTING ANY WATERS OF THE STATE,
 INCLUDING GROUNDWATER, LOCATED TO OR WITHIN SUCH PLATTED
 AREA FROM POLLUTION FROM SEWERAGE FROM SUCH SUBDIVISION
 AND SHALL IN PROSECUTION OF SUCH PROTECTIONS CONFORM TO
 AND FOLLOW ALL REGULATIONS OF THE SOUTH DAKOTA DEPARTMENT
 OF ENVIRONMENTAL AND NATURAL RESOURCES RELATING TO SAME.
 5. 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: MARCH 2, 2016
 REV:
 SCALE: 1" = 20'

APPROVED: JMA
 DRAWN: FD
 FILE: 9370.dwg

**PLAT OF
THE LIBRARY LOT, BLOCK 23,
FORMERLY LOTS 4, 6 AND PARTS OF LOTS 8, 10 & 12, BLOCK 23
O.T., CITY OF DEADWOOD, LAWRENCE COUNTY, SOUTH DAKOTA**

SURVEYOR'S CERTIFICATE

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: _____

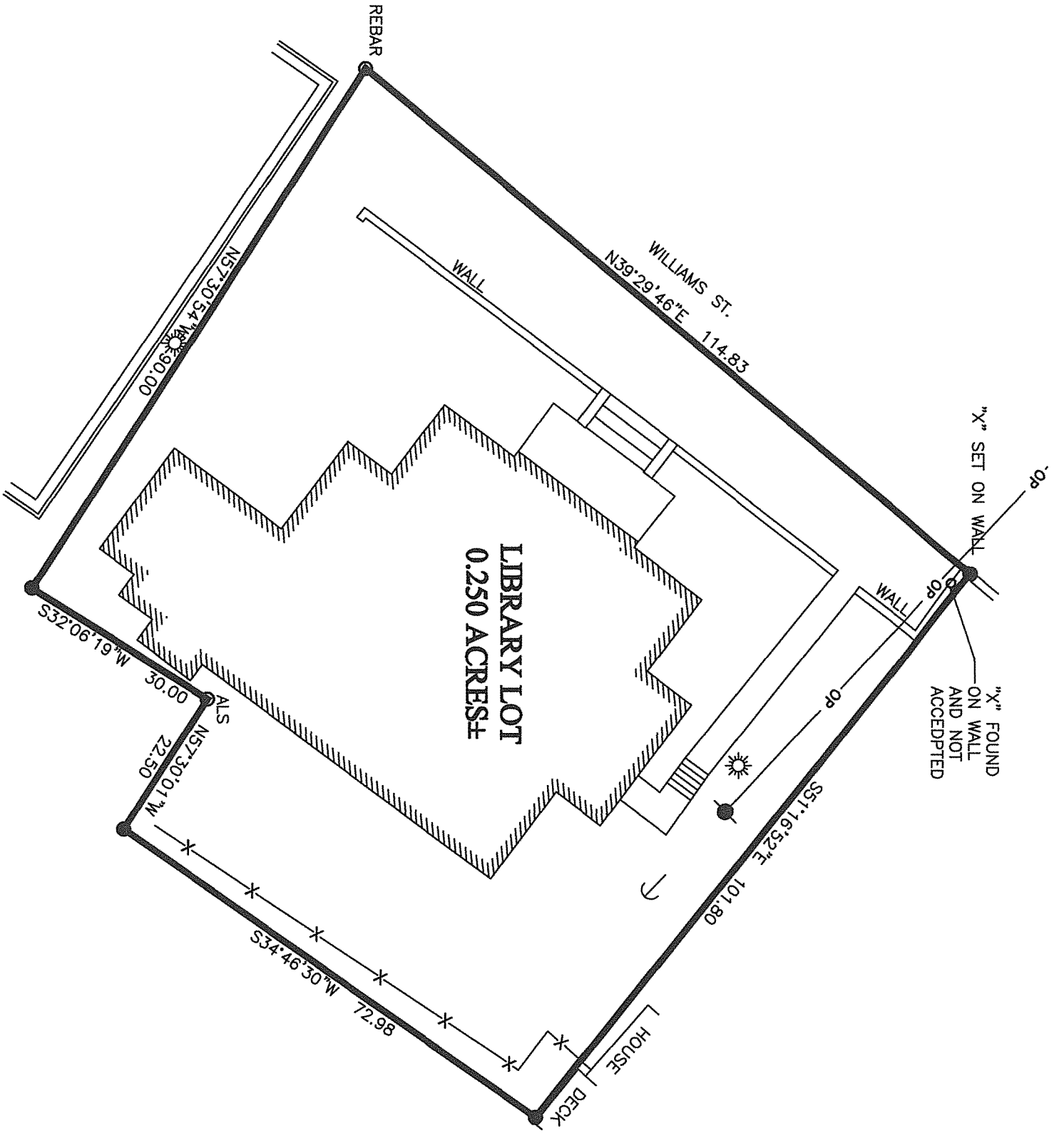


**PREPARED BY:
ARLETH LAND
SURVEYING, LLC**

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

**DATE: MARCH 2, 2016
REV:
SCALE: 1" = 20'**

**APPROVED: JMA
DRAWN: FD
FILE: 9370.dwg**



**STAFF REPORT
PLANNING AND ZONING
APRIL 20, 2016 JOINT MEETING**

APPLICANT: City of Deadwood	Carolyn White	William E. Walsh
102 Sherman Street	3 Shine Street	9 Shine Street
Deadwood, SD 57732	Deadwood, SD 57732	Deadwood, SD 57732

PURPOSE: Define Property Lines, Transfer Property

GENERAL LOCATION: Shine Street

LEGAL DESCRIPTION: Lots 2A, 2B, 2C and 2D of Block 23, Formerly the North Half and South Half of the Southwesterly 20 Feet of Lot 2 and the Northeasterly Five Feet of Lot 21, Block 23, O.T., City of Deadwood, Lawrence County, South Dakota

FILE STATUS: All legal obligations have been completed.

ZONE: C1 – Commercial District

STAFF FINDINGS:

Surrounding Zoning:

North: R1 – Residential
South: C1 – Commercial
East: C1 - Commercial
West: R1 – Residential

Surrounding Land Uses:

Residential Structures
Commercial Structures
Residential Structures
Residential Structures

SUMMARY OF REQUEST

The Final Plat for Lots 2A, 2B, 2C and 2D of Block 23 located on the west side of Shine Street has been submitted to define property lines and transfer property.

FACTUAL INFORMATION

1. The property is currently zoned R2 – Multi-family Residential District

2. Lot 2A, Block 23, is comprised of 0.023 Acres \pm .
Lot 2B, Block 23, is comprised of 0.023 Acres \pm .
Lot 2C, Block 23, is comprised of 0.006 Acres \pm .
Lot 2D, Block 23, is comprised of 0.006 Acres \pm .
3. The subject property is located within a moderate-density residential district.
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 commercial and residential structures.

STAFF DISCUSSION

The subject property is currently vacant and the owner intends on building a new house in the near future on the property. The lots meet the area and bulk requirements for square footage.

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.

SURVEYOR'S CERTIFICATE

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: _____

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: _____

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: _____

PLAT OF
LOTS 2A, 2B, 2C AND 2D OF BLOCK 23,
FORMERLY THE NORTH HALF AND SOUTH HALF OF THE
SOUTHWESTERLY 20 FEET OF LOT 2 AND
THE NORTHEASTERLY FIVE FEET OF LOT 2, BLOCK 23,
O.T., CITY OF DEADWOOD, LAWRENCE COUNTY, SOUTH DAKOTA

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: _____



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

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

DATE: APRIL 11, 2016
REV:
SCALE: 1" = 20'

APPROVED: IMA
DRAWN: FD
FILE: 9395.dwg

