

DEADWOOD PLANNING AND ZONING COMMISSION

Wednesday, November 4, 2020 – 5:00 p.m.

City Hall, 102 Sherman Street, Deadwood, SD

ALL ATTENDEES ARE REQUIRED TO WEAR A MASK

AGENDA

1. Call Meeting to Order
2. Approval of October 21, 2020 Minutes
3. Sign Review Committee
250 US Hwy 14A (same building as Amish Furniture store) – Cathy Volk – Repaint and Reinstall Sign
Action Required:
 - a. Approval/Denial by Sign Review Commission
4. Planning and Zoning Commission and Board of Adjustments
Development, Construction and Creating Property Lines – Stage Run – Deadwood Stage Run, LLC (William Pearson)
Plat of Lots 1 Through 5, Block 4A of Palisades Tract of Deadwood Stage Run Addition to the City of Deadwood All Located in The SW1/4 of Section 14, the SE¼ of Section 15, the NE1/4NE1/4 of Section 22 and the N1/2NW1/4 of Section 23, T5N, R3E, B.H.M., City of Deadwood, Lawrence County, South Dakota

Action Required:
 - a. Recommend Approval/Denial by Planning and Zoning Commission
 - b. Recommend Approval/Denial by Board of Adjustments
Sale of Property and Adjusting Property Lines – 732 Main Street – St. Ambrose Catholic Church
Plat of Lot 3A, Block 1 of Kennedy and Cameron's Addition to the City of Deadwood, Lawrence County, South Dakota Formerly Lots 1Through 4 and a Portion of Lot 5, Block 1 of Kennedy and Cameron's Addition

Action Required:
 - a. Recommend Approval/Denial by Planning and Zoning Commission
 - b. Recommend Approval/Denial by Board of Adjustments

Development Purposes – Located Near the Preacher Smith Monument – Randy Horner & Larry Cottier

Plat of the Preacher Smith Tract Previously Described as; All That Portion of Mineral Lot No. 921, Known as the Red Placer, Which is Embraced Within the Original Boundaries of the Wade Porter Placer Claim; All of Cattaraugus Placer Mineral Lot No. 952; Tract 1 and Tract 2, a Subdivision of H.E.S. 37, Located in the SE1/4 of Section 11, the SW1/4 of Section 12 and the NE1/4 of Section 14, Township 5 North, Range 3 East BHM; Government Lots 1, 5, 10, 12, 13, 19, and 20 in Section 11, Township 5 North, Range 3 East, BHM; Government Lots 3, 4, 5, 6, 10, 11, 12, 13, 14, 15, and 18 in Section 12, Township 5 North, Range 3 East, BHM; Government Lots 3 and 4 in Section 13, Township 5 North, Range 3 East, BHM; Government Lots 10, and 11 in Section 14, Township 5 North, Range 3 East, BHM, All located in the City of Deadwood Lawrence County, South Dakota

Action Required:

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

5. Items from Staff

6. Adjourn

Planning and Zoning Commission meetings are not available by ZOOM unless requested.

Please practice CDC's social distancing recommendations.

Please be considerate of others and if you no longer have business activities during the meeting do not feel obligated to remain.



PLANNING AND ZONING COMMISSION

Wednesday, October 21, 2020

The meeting of the Deadwood Planning and Zoning Commission was called to order by Chairperson John Martinisko on Wednesday, October 21, 2020 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: John Martinisko, Bill Rich and Brett Runge

Absent: Josh Keehn

Board of Adjustments Present: Charlie Mook

Staff Present:

Jeramy Russell, Trent Mohr and Bonny Anfinson

Approval of September 16, 2020 Minutes:

It was moved by Mrs. Runge and seconded by Mr. Rich to approve the September 16, 2020 meeting minutes. Aye – All. Motion carried.

Sign Review Committee

360 Main Street (Double Tree) – B.Y. Development – Install New Wall Sign

Mr. Mohr stated the applicant is requesting permission to install a new wall sign in place of the Cadillac Jacks sign directly above the entrance doors. The proposed sign requires two variances from the sign ordinance. The first variance is for backlit letters and the second variance is for two wall signs associated with one public entrance. *It was moved by Mr. Rich and seconded by Mrs. Runge to grant the two variances and approve the new wall sign at 360 Main Street (Double Tree). Aye – All. Motion Carried.*

596 Main Street (Beef Jerky Experience) – Mark Ostern – Install Three New Window Signs

Mr. Mohr stated the applicant is requesting permission to install three new window signs. The two lower signs are compliant with the ordinance. The upper sign requires a variance for size as it covers more than 50 percent of the window it will be located in. *It was moved by Mrs. Runge and seconded by Mr. Rich to grant the variance for the upper window and approve the three window signs at 596 Main Street (Beef Jerky Experience). Aye – All. Motion Carried.*

Planning and Zoning Commission

Items from Staff (no action taken)

The City Commission appointed Dave Bruce to the Planning and Zoning Commission. He will start November 1, 2020.

Toby Morris and Kevin Wagner will be doing a TIF 101 presentation during the December 2nd, 2020 Planning and Zoning Commission Meeting.

Mr. Russell gave an update on the TIF 12 amendment that was denied during the City Commissions meeting on October 19th, 2020.

Adjournment:

It was moved by Mrs. Runge 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 5:09p.m.

ATTEST:

Chairman, Planning & Zoning Commission

Secretary, Planning & Zoning Commission

Bonny Anfinson, Planning & Zoning Office/Recording Secretary

OFFICE OF
Planning & Zoning
108 Sherman Street
Telephone (605) 578-2082
Fax (605) 578-2084



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

TRENT MOHR
Building Inspector
Dept. of Planning & Zoning
Telephone: (605) 578-2082
Fax: (605) 578-2084

SIGN PERMIT STAFF REPORT

Sign Review Commission
November 4, 2020

Applicant: Cathy Volk

Address: PO Box 74, Deadwood, SD 57732

Site Address of Proposed Signage: 250 US Hwy 14A (same building as Amish furniture store)

Computation of Sign Area

Building Frontage: 45 Feet (leased portion of the building)

Total Available Signage: 90 Square Feet

Existing Signage: none

Remaining Available Signage Area: 90 Square Feet

Proposed Sign Project: Repaint the sign previously approved for "Canyon 14A Soda Shop" and reinstall in same location. (45 Square Feet).

Proposed Building Materials: Painted wood with vinyl graphics (see attached rendering).

Proposed Lighting of the Signs: None.

Location of Proposed Sign: Attached are photographs showing where the previous sign was located.

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 is leasing a portion of the building and plans on opening a salon. This area of the building previously was the Canyon View Soda Shop and prior to that was the Shade Winery tasting room. The same sign structure and location has been used for both of these previous businesses. This permit will allow the sign to be repainted to advertise the Salon 14A.

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

OFFICE OF
Planning & Zoning
108 Sherman Street
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Deadwood, South Dakota 57732

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Telephone: (605) 578-2082
Fax: (605) 578-2084

Variances

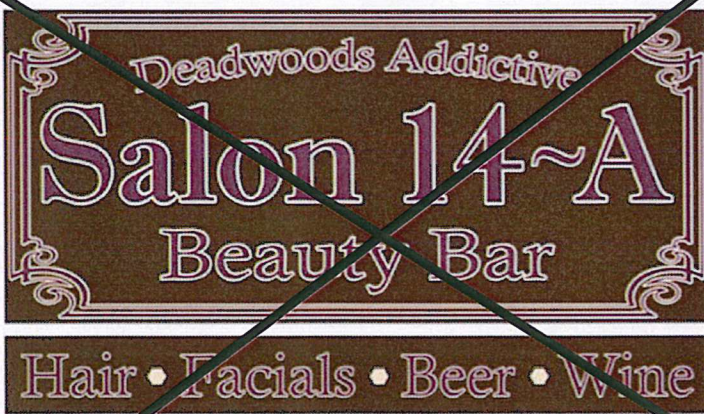
The sign permit application in review as proposed requires no variances from the sign ordinance. Signage variances may be obtained if the sign review commission is able to find *"special circumstances or conditions such as the existence of buildings, topography, vegetation, sign structures, distance 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

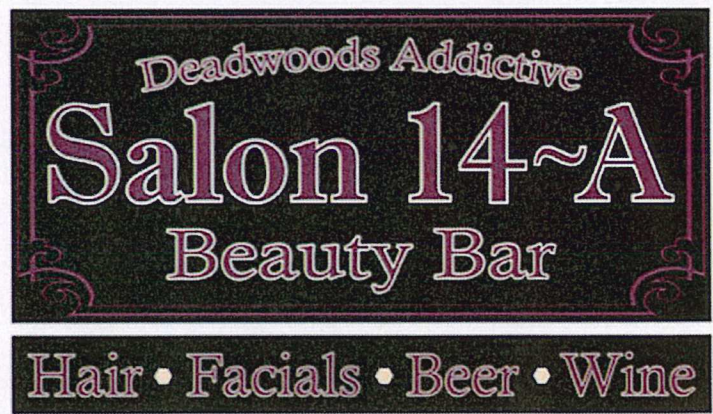
Motion to approve permit for one freestanding sign at 250 US HWY 14A

OR

Motion to deny proposed sign permit application as submitted.



5



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



*Signing Rapid City
With Pride
Since 1928*
UL Listed

Customer:
Salon 14~A

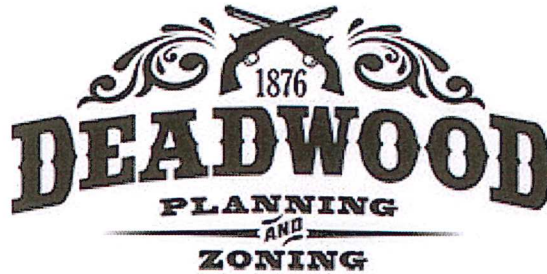
Drawn By:
Jonni
Date: 10/7/2020

Customer Signature: _____

Date: _____



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



Jeramy Russell
Planning and Zoning Administrator
Telephone (605) 578-2082
jeramyr@cityofdeadwood.com

STAFF REPORT
PLANNING AND ZONING AND BOARD OF ADJUSTMENT
NOVEMBER 4, 2020 MEETING

APPLICANT: Deadwood Stage Run, LLC (William Pearson)

PURPOSE: Development, Construction and Creating Property Lines.

GENERAL LOCATION: Stage Run

LEGAL DESCRIPTION: PLAT OF LOTS 1 THROUGH 5, BLOCK 4A OF PALISADES TRACT OF DEADWOOD STAGE RUN ADDITION TO THE CITY OF DEADWOOD ALL LOCATED IN THE SW1/4 OF SECTION 14, THE SE1/4 OF SECTION 15, THE NE1/4NE1/4 OF SECTION 22 AND THE N1/2NW1/4 OF SECTION 23, T5N, R3E, B.H.M., CITY OF DEADWOOD, LAWRENCE COUNTY, SOUTH DAKOTA

FILE STATUS: All legal obligations have been completed.

ZONE: P.U.D. – Planned Unit Development

STAFF FINDINGS:

Surrounding Zoning:

North: PF – Park Forest

South: P.U.D – Planned Unit Development

East: P.U.D – Planned Unit Development

West: Lawrence County Land

Surrounding Land Uses:

Lawrence County/Vacant

Residential Homes

Residential Homes

Vacant

SUMMARY OF REQUEST

The purpose of this plat is to facilitate the housing development of Phase 2 at Stage Run. The new development will be completed in phases and only contains Lots 1 through 5. Once approved, the construction phase will begin immediately. Lots 1-5 have been assigned the following address on Mystery Wagon Road: Lot 1 = 101, Lot 2 = 103, Lot 3 = 105, Lot 4 = 107, Lot 5 = 10. The proposed lots meet the area and bulk requirements for square footage.

FACTUAL INFORMATION

1. The property is currently zoned P.U.D. – Planned Unit Development
2. The proposed lots are comprised of the following acreage: *Lot 1* 0.535 Acres \pm , *Lot 2* 0.332 Acres \pm , *Lot 3* 0.560 Acres \pm , *Lot 4* 0.528 Acres \pm , *Lot 5* 0.603 Acres \pm
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.

STAFF DISCUSSION

Phase 2 of Stage Run was laid out in the original master plan that Deadwood Stage Run LLC presented to the City of Deadwood in 2007. At that time, it was approved by the Deadwood Planning and Zoning Commission as well as the City Commission.

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.

PLAT OF LOTS 1 THROUGH 5, BLOCK 4A OF PALISADES TRACT OF DEADWOOD
STAGE RUN ADDITION TO THE CITY OF DEADWOOD
ALL LOCATED IN THE SW¼ OF SECTION 14, THE SE¼ OF SECTION 15, THE
NE¼NE¼ OF SECTION 22 AND THE N¼NW¼ OF SECTION 23, T5N, R3E, B.H.M.,
CITY OF DEADWOOD, LAWRENCE COUNTY, SOUTH DAKOTA

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 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____.

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

OWNER'S CERTIFICATE

STATE OF SOUTH DAKOTA COUNTY OF LAWRENCE

_____, DO HEREBY CERTIFY THAT I/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: _____

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 ST.
LEAD, SOUTH DAKOTA 57754
(605) 722-3840

Date:	10/21/2020
Drawn By:	L. D. Vrem
Project No.:	20-543
Dwg. No.:	20-543.dwg

PLAT OF LOTS 1 THROUGH 5, BLOCK 4A OF PALISADES TRACT OF DEADWOOD
STAGE RUN ADDITION TO THE CITY OF DEADWOOD
ALL LOCATED IN THE SW¹/₄ OF SECTION 14, THE SE¹/₄ OF SECTION 15, THE
NE¹/₄NE¹/₄ OF SECTION 22 AND THE N¹/₂NW¹/₄ OF SECTION 23, T5N, R3E, B.H.M.,
CITY OF DEADWOOD, LAWRENCE COUNTY, SOUTH DAKOTA

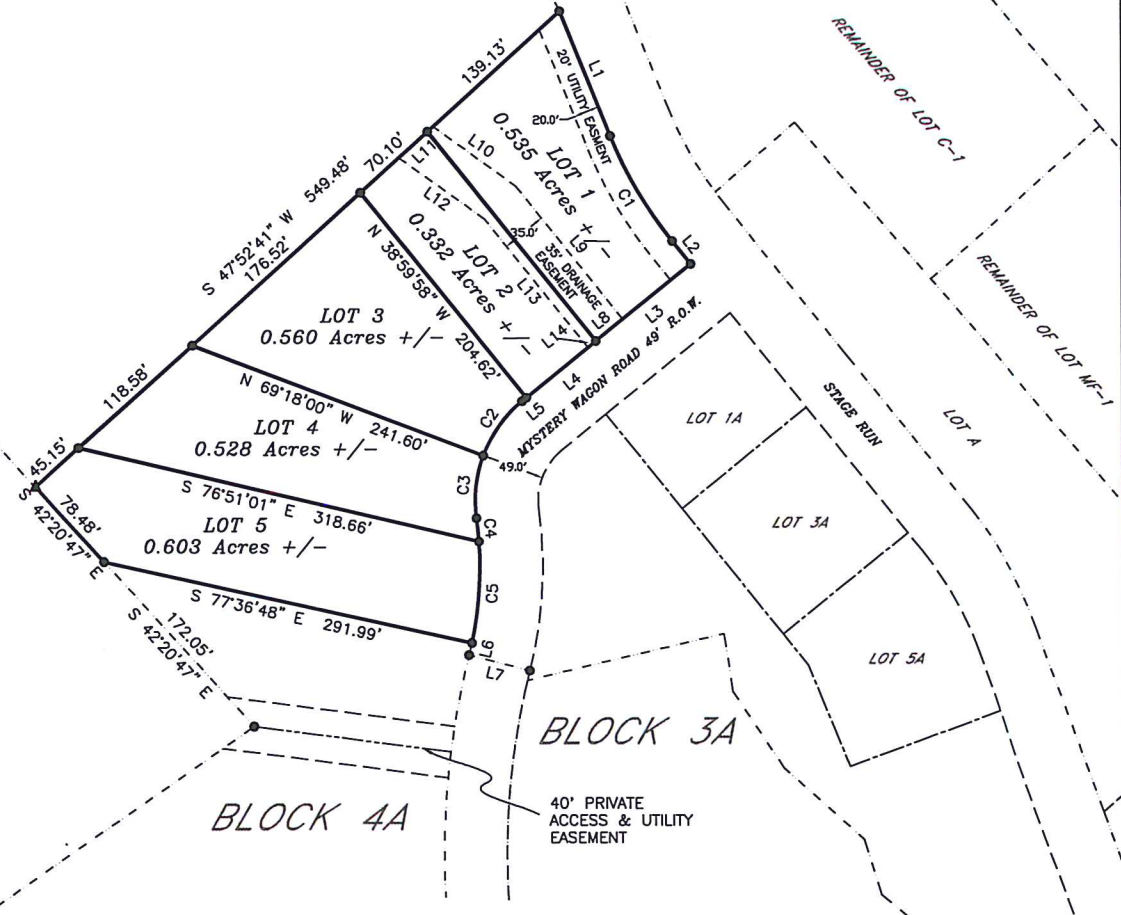


TRACT D-1

TRACT D-2

REMAINDER OF LOT C-1

REMAINDER OF LOT MF-1



LINE	BEARING	DISTANCE
L1	N 22°13'15" W	104.26'
L2	S 38°56'27" E	22.71'
L3	N 51°00'03" E	94.97'
L4	N 51°00'03" E	70.00'
L5	S 51°00'03" W	4.16'
L6	S 13°23'27" W	9.66'
L7	S 75°36'17" E	49.00'
L8	N 50°59'54" E	27.00'
L9	N 38°59'58" W	132.68'
L10	N 54°35'11" W	78.98'
L11	S 47°52'40" W	35.84'
L12	S 54°35'11" E	81.92'
L13	S 38°59'58" E	127.89'
L14	N 51°00'31" E	8.00'

CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
C1	325.00'	94.84'	94.51'	N 30°34'51" W	16°43'12.00"
C2	99.50'	52.62'	52.01'	N 35°51'02" E	30°18'00.70"
C3	99.50'	49.47'	48.96'	N 06°27'30" E	28°29'03.77"
C4	275.50'	18.08'	18.08'	S 05°54'12" E	3°45'39.31"
C5	275.50'	78.90'	78.63'	S 04°10'55" W	16°24'33.98"

- REBAR & CAP (VREM LS8577)
- ▲ REBAR & CAP (ARLETH LS3977)

NOTES:

1) PALISADES TRACT OF DEADWOOD STAGE RUN ADDITION
RECORDED IN DOC. #2008-2791
BLOCKS 3A & 4A RECORDED IN DOC. #2020-3090

2) OWNER/DEVELOPER
DEADWOOD STAGE RUN LLC-C/O PALISADES LLC (CD)
11 CHARLES ST.
DEADWOOD, SD 57732

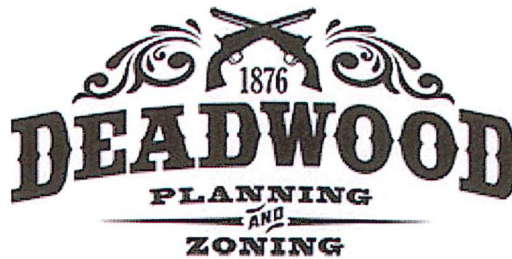
3) A 5' DRAINAGE & UTILITY EASEMENT IS HEREBY GRANTED
ALONG SIDE AND REAR LOT LINES AND 10' ALONG THE FRONT
UNLESS OTHERWISE NOTED



Prepared By:
PONDEROSA LAND SURVEYS, L.L.C.
332A WEST MAIN ST.
LEAD, SOUTH DAKOTA 57754
(605) 722-3840

Date: 10/21/2020
Drawn By: L. D. Vrem
Project No.: 20-543
Dwg. No.: 20-543.dwg

OFFICE OF
PLANNING, ZONING AND
HISTORIC PRESERVATION
108 Sherman Street
Deadwood, SD 57732



Jeremy Russell
Planning and Zoning Administrator
Telephone (605) 578-2082
jeramyr@cityofdeadwood.com
Fax (605) 578-2084

STAFF REPORT
PLANNING AND ZONING AND BOARD OF ADJUSTMENT
NOVEMBER 4, 2020 MEETING

APPLICANT: Saint Ambrose Catholic Church

PURPOSE: Sale of Property and Adjusting Property Lines

GENERAL LOCATION: 732 Main Street

LEGAL DESCRIPTION: PLAT OF LOT 3A, BLOCK 1 OF KENNEDY AND CAMERON'S ADDITION TO THE CITY OF DEADWOOD, LAWRENCE COUNTY, SOUTH DAKOTA FORMERLY LOTS 1 THROUGH 4 AND A PORTION OF LOT 5, BLOCK 1 OF KENNEDY AND CAMERON'S ADDITION

FILE STATUS: All legal obligations have been completed.

ZONE: R1 – Residential District

STAFF FINDINGS:

Surrounding Zoning:

North: R1 - Residential/Public Use

South: C1 - Commercial

East: R1 - Residential

West: C1 - Commercial

Surrounding Land Uses:

School & Residential Dwellings

Commercial Businesses

Residential Dwellings

Commercial Businesses

SUMMARY OF REQUEST

The Final Plat Lot 3A, Block 1 of Kennedy and Cameron's Addition has been submitted for the purpose of adjusting property lines for the sale of the property located at 732 Main Street.

FACTUAL INFORMATION

1. The property is currently zoned R1 – Residential District but has legal non-conforming commercial use.
2. Lot 3A, Block 1, is comprised of 0.207 Acres \pm .
3. The structure was the Benedictine Convent and the property has adequate off-street parking.
4. The property has access to Main Street.
5. The properties are located within an area close to the school and fire station. There is limited commercial use in the vicinity. The land is located in a mixed use neighborhood and is classified as low density residential on the adopted Land Use Map in the Deadwood Comprehensive Plan.
6. The land is located in Flood Zone X – Areas of 500 year flood; areas of 100 year flood with average depths of less than 1 foot or with drainage areas less than 1 square mile; and areas protected by levees from 100 year flood.
7. Adequate public facilities are available to serve the use.
8. The area is characterized by mixed commercial, public, and residential uses.

STAFF DISCUSSION

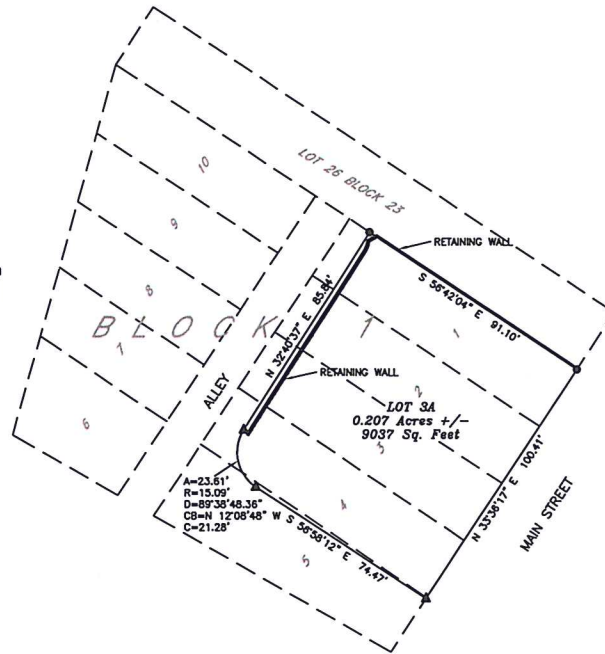
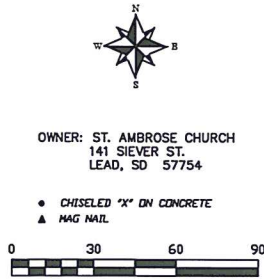
Kristine & Joel Villafuerte are purchasing the former Benedictine Convent from the St. Ambrose Church and plan to continue to run their business at this location. This final plat is needed for the transfer of the property. The lot meets the area and bulk requirements for square footage.

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 plat.
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. Areas 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 3A, BLOCK 1 OF KENNEDY AND CAMERON'S ADDITION
TO THE CITY OF DEADWOOD, LAWRENCE COUNTY, SOUTH DAKOTA
FORMERLY LOTS 1 THROUGH 4 AND A PORTION OF LOT 5, BLOCK 1 OF
KENNEDY AND CAMERON'S ADDITION



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 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____.

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

OWNER'S CERTIFICATE
STATE OF SOUTH DAKOTA COUNTY OF LAWRENCE

DO HEREBY CERTIFY THAT I/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: _____

OWNER: _____

ADDRESS: _____

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
(605) 722-3840

Date:	10/14/2020
Drawn By:	L. D. Vrem
Project No.:	20-527
Dwg. No.:	20-527.dwg

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



Jeremy Russell
Planning and Zoning Administrator
Telephone (605) 578-2082
jeramyr@cityofdeadwood.com

STAFF REPORT
PLANNING AND ZONING AND BOARD OF ADJUSTMENT
NOVEMBER 4, 2020 MEETING

APPLICANT: Randy Horner & Larry Cottier

PURPOSE: Development Purposes

GENERAL LOCATION: Located near the Preacher Smith Monument

LEGAL DESCRIPTION: PLAT OF THE PREACHER SMITH TRACT PREVIOUSLY DESCRIBED AS; ALL THAT PORTION OF MINERAL LOT NO. 921, KNOWN AS THE RED PLACER, WHICH IS EMBRACED WITHIN THE ORIGINAL BOUNDARIES OF THE WADE PORTER PLACER CLAIM; ALL OF CATTARAUGUS PLACER MINERAL LOT NO. 952; TRACT 1 AND TRACT 2, A SUBDIVISION OF H.E.S. 37, LOCATED IN THE SE1/4 OF SECTION 11, THE SW1/4 OF SECTION 12 AND THE NE1/4 OF SECTION 14, TOWNSHIP 5 NORTH, RANGE 3 EAST, BHM; GOVERNMENT LOTS 1, 5, 10, 12, 13, 19, AND 20 IN SECTION 11, TOWNSHIP 5 NORTH, RANGE 3 EAST, BHM; GOVERNMENT LOTS 3, 4, 5, 6, 10, 11, 12, 13, 14, 15, AND 18 IN SECTION 12, TOWNSHIP 5 NORTH, RANGE 3 EAST, BHM; GOVERNMENT LOTS 3 AND 4 IN SECTION 13, TOWNSHIP 5 NORTH, RANGE 3 EAST, BHM; GOVERNMENT LOTS 10, AND 11 IN SECTION 14, TOWNSHIP 5 NORTH, RANGE 3 EAST, BHM, ALL LOCATED IN THE CITY OF DEADWOOD LAWRENCE COUNTY, SOUTH DAKOTA

FILE STATUS: All legal obligations have been completed.

ZONE: Park Forest

STAFF FINDINGS:

Surrounding Zoning:

North: Lawrence
South: Park Forest
East: Lawrence County
West: Lawrence County

Surrounding Land Uses:

Vacant Land
Tatanka/Vacant land
Vacant Land
Vacant Land

SUMMARY OF REQUEST

The purpose of the Preacher Smith Tract is simply to reduce the long and expansive legal description for more manageable tract. At this time, the developers are not dedicating any easements or right of ways

FACTUAL INFORMATION

1. The property is currently zoned Park Forest
2. The Preacher Smith Tract is comprised of 679.79 Acres±
3. The subject property is located within a low density park forest designation.
4. The property is not located within a flood zone or flood hazard zone.
5. Public facilities are not currently available to serve the property.

STAFF DISCUSSION

The developers are currently planning for a subdivision for this tract of land. Individual lots will be platted before construction begins. The new legal description becomes much more manageable for the platting process if approved.

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.

Plat of the Preacher Smith Tract previously described as;
All that portion of Mineral Lot No. 921, known as the Red Placer, which is embraced within the original boundaries of
the Wade Porter Placer Claim; All of Cattaraugus Placer Mineral Lot No. 952;
Tract 1 and Tract 2, a subdivision of H.E.S. 37, located in the SE $\frac{1}{4}$ of Section 11, the SW $\frac{1}{4}$ of Section 12 and the NE $\frac{1}{4}$ of
Section 14, Township 5 North, Range 3 East BHM; Government Lots 1, 5, 10, 12, 13, 19 and 20 in Section 11, Township 5
North, Range 3 East, BHM; Government Lots 3, 4, 5, 6, 10, 11, 12, 13, 14, 15, and 18 in Section 12, Township 5 North,
Range 3 East, BHM; Government Lots 3 and 4 in Section 13, Township 5 North, Range 3 East, BHM; Government Lots 10,
and 11 in Section 14, Township 5 North, Range 3 East, BHM, All located in the
City of Deadwood Lawrence County, South Dakota

LEGEND:

- SET REBAR AND CAP STAMPED "LS11918"
- FOUND MONUMENT AS NOTED
- FOUND BEARING TREE
- FOUND STONE IF NOT NOTED

NOTES:

1. PROPOSED LOT AREA = 679.49 ACRES±;
PROPOSED R-O-W AREA = 0.00 ACRES±;
TOTAL PROPOSED PLATTED AREA: 679.49 ACRES±
EASEMENTS INCLUDED IN ALL AREAS.
2. 8' UTILITY EASEMENT ON INTERIOR OF ALL LOT LINES.
EASEMENTS INCLUDED IN LOT AREAS.
3. ZONING IS PF PER CITY OF DEADWOOD ZONING MAP.
4. 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.
5. ALL EASEMENTS THAT ARE KNOWN TO BE RECORDED AT THE TIME OF THIS SURVEY TO THE BEST OF OUR KNOWLEDGE ARE SHOWN ON THE
PLAT AS RECORDED BY THE SPECIFIC RECORDED DOCUMENT. THEY SHOULD BE FIELD VERIFIED TO FIND THE TRUE AND ACCURATE LOCATION ON
THE GROUND. SOME EASEMENT ON THE LAND WHERE NOT LOCATABLE OR TRACEABLE BY USE OF THE RECORD DOCUMENT, THIS WOULD MEAN
THAT ALL OF THE EASEMENTS ARE NOT SHOWN ON THIS PLAT. FIELD VERIFIED FOR THE EXACT LOCATION WILL NEED TO BE CONDUCTED PRIOR TO
ANY SIGNIFICANT DEVELOPMENT. SOME DISCREPANCIES HAVE BEEN IDENTIFIED THROUGH THIS PROCESS BETWEEN RECORD DOCUMENTS FOR THE
SAME EASEMENT AND THERE LOCATION, INDICATING A NEED TO FURTHER IDENTIFY THE TRUE FIELD LOCATION. THIS SURVEY WAS CONDUCTED,
REVIEWED AND COMPLETED AFTER EXHAUSTIVE LEGAL RESEARCH AND FIELD INVESTIGATION. IT IS A TRUE AND ACCURATE REPRESENTATION OF THE
SAID PROPERTY TO THE BEST OF MY KNOWLEDGE WITH THE INFORMATION AVAILABLE AT THE TIME OF THE SURVEY.

OWNER/DEVELOPERS:
RANDY HORNER
3215 VALLEY DRIVE
BISMARCK, ND 58503

LARRY COTIER
18 PECK STREET
DEADWOOD, SD 57732

CERTIFICATE OF SURVEYOR

STATE OF SOUTH DAKOTA COUNTY OF LAWRENCE
I, BRADLEY LIMBO, REGISTERED LAND SURVEYOR NO.
11918 IN

THE STATE OF SOUTH DAKOTA, DO HEREBY CERTIFY THAT
AT THE REQUEST OF THE OWNER(S) LISTED HEREON I
HAVE SURVEYED THAT TRACT OF LAND SHOWN, AND TO
THE BEST OF MY KNOWLEDGE AND BELIEF, THE WITHIN
PLAT IS A REPRESENTATION OF SAID SURVEY. EASEMENTS
OR RESTRICTIONS OF MISCELLANEOUS RECORD OR PRIVATE
AGREEMENTS THAT ARE NOT KNOWN TO ME ARE NOT
SHOWN HEREON. IN WITNESS WHEREOF, I HAVE
HEREUNTO SET MY HAND AND SEAL.

DATE: _____

BRADLEY LIMBO,
REGISTERED LAND SURVEYOR

OWNER'S CERTIFICATE

STATE OF SOUTH DAKOTA COUNTY OF LAWRENCE

I, RANDY HORNER, DO HEREBY CERTIFY THAT I AM THE OWNER OF THE
PROPERTY SHOWN AND DESCRIBED HEREON, THAT I 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:

3215 VALLEY DRIVE
BISMARCK, ND 58503

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

I, LARRY COTIER, DO HEREBY CERTIFY THAT I AM THE OWNER OF THE
PROPERTY SHOWN AND DESCRIBED HEREON, THAT I 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:

18 PECK STREET
DEADWOOD, SD 57732

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____.

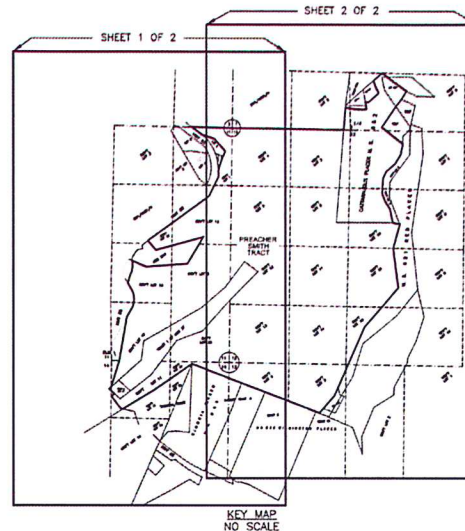
LAWRENCE COUNTY TREASURER: _____

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: \$ _____

PROPOSED BY: _____ SHEET 1 OF 3

ALL ASPECTS INC.
LAND SURVEYORS

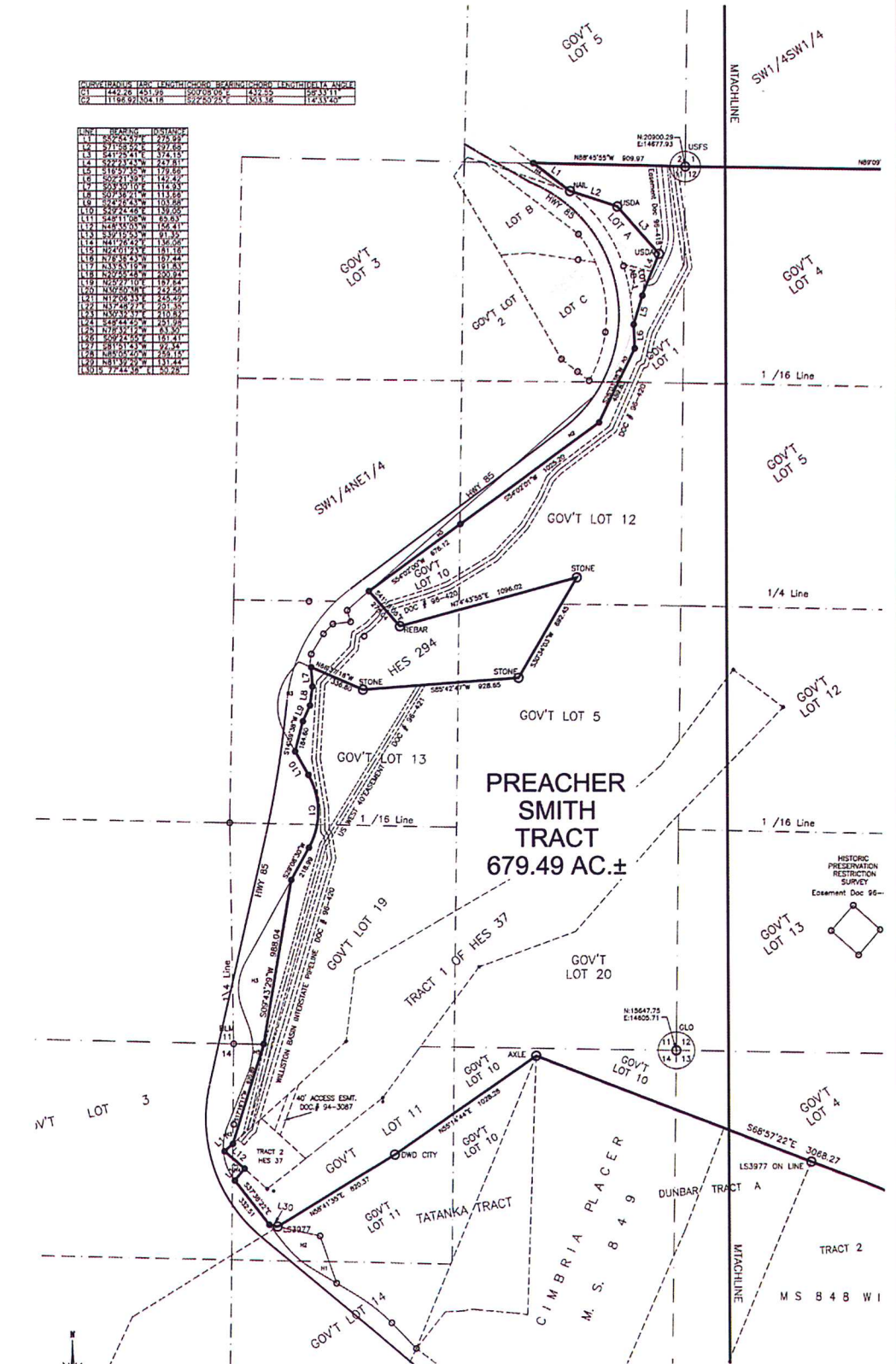
Project: AN-20-054
Date: OCTOBER 14, 2003
Rev: _____
Surveyed by: B.A.
Prepared by: FD

444 50th Ave SE
Superior, SD 57743
605-490-2944
law@allaspects.com

PLAT OF THE PREACHER SMITH TRACT

POINT	TRANS. (AC)	LONG. (AC)	BEARING	CHORD	CHORD BEARING
1	442.28	451.25	S22°35'00"E	624.52	S22°35'11"
2	1164.97	104.18	S22°35'00"E	1204.52	S22°35'49"

LINE	BEARING	DISTANCE
1	S22°35'00"E	624.52
2	S22°35'00"E	1204.52
3	S22°35'00"E	624.52
4	S22°35'00"E	1204.52
5	S22°35'00"E	624.52
6	S22°35'00"E	1204.52
7	S22°35'00"E	624.52
8	S22°35'00"E	1204.52
9	S22°35'00"E	624.52
10	S22°35'00"E	1204.52
11	S22°35'00"E	624.52
12	S22°35'00"E	1204.52
13	S22°35'00"E	624.52
14	S22°35'00"E	1204.52
15	S22°35'00"E	624.52
16	S22°35'00"E	1204.52
17	S22°35'00"E	624.52
18	S22°35'00"E	1204.52
19	S22°35'00"E	624.52
20	S22°35'00"E	1204.52
21	S22°35'00"E	624.52
22	S22°35'00"E	1204.52
23	S22°35'00"E	624.52
24	S22°35'00"E	1204.52
25	S22°35'00"E	624.52
26	S22°35'00"E	1204.52
27	S22°35'00"E	624.52
28	S22°35'00"E	1204.52
29	S22°35'00"E	624.52
30	S22°35'00"E	1204.52



NOTE:
COORDINATES SHOWN HEREON ARE ON THE DEADWOOD COORDINATE SYSTEM.

PREPARED BY:
ALL ASPECTS INC.
LAND SURVEYORS

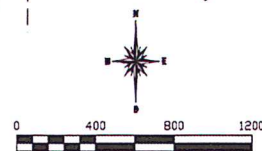
Project: AN-20-054
Date: OCTOBER 14, 2020
Drawn: [Signature]
Surveyed by: B.L.
Prepared by: F.D.

ALL ASPECTS INC.
444 Saint Joe St.
Gresham, OR 97030
503-490-2544
lincoln@allaspects.com

SHEET 2 OF 3

[illegible]

NOTE:
COORDINATES SHOWN HEREON ARE ON THE DEADWOOD COODINATE SYSTEM.



SHEET 3 OF 3

