



**DEADWOOD PLANNING AND ZONING COMMISSION**

**Wednesday, November 18, 2020 – 5:00 p.m.**

City Hall, 102 Sherman Street, Deadwood, SD

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**\*ALL ATTENDEES ARE REQUIRED TO WEAR A MASK\***

**AGENDA**

1. Call Meeting to Order
2. Approval of November 4, 2020 Minutes
3. Sign Review Committee  
**50 Cliff Street (Century 21) – Greg and Matt Klein – Reface Freestanding Sign**  
Action Required:
  - a. Approval/Denial by Sign Review Commission
4. Planning and Zoning Commission and Board of Adjustments  
**Conditional Use Permit for a Multiple Family Dwelling Unit – 311 Cliff Street – Court and Kay French**  
Lot 1 of Katon Subdivision, located in the SE1/4 of Section 27, T5N, R3E, B.H.M., City of Deadwood Lawrence County, SD  
  
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

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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, November 4, 2020

The meeting of the Deadwood Planning and Zoning Commission was called to order by Chairperson Brett Runge on Wednesday, November 4, 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:** Bill Rich, David Bruce, Josh Keehn and Brett Runge

**Absent:** John Martinisko

**Board of Adjustments Present:** David Ruth, Jr., Gary Todd and Mike Johnson

**Staff Present:**

Jeramy Russell, Trent Mohr and Cindy Schneringer

**Approval of September 16, 2020 Minutes:**

*It was moved by Mr. Rich and seconded by Mr. Keehn to approve the October 21, 2020 meeting minutes. Aye - All. Motion carried.*

**Sign Review Committee**

**250 US Hwy 14A (same building as Amish Furniture Store - Cathy Volk - Repaint and Reinstall Sign**

Mr. Mohr stated the applicant is leasing the end of the building and is planning to use it as a salon for cutting hair, spray on tans, etc. The applicant is requesting permission to reface the existing sign. The sign and its location are compliant with the ordinances and require no variances. *It was moved by Mr. Keehn and seconded by Mr. Rich to approve the repainting and reinstalling of the sign located at 250 US Hwy 14a. Aye - All. Motion carried.*

**Planning and Zoning Commission**

**Development, Construction and Creating Property Lines - Stage Run - Deadwood Stage Run, LLC (William Pearson)**

Mr. Russell stated Bill Pearson from Deadwood Stage Run, LLC is here to answer any questions. The application is for development, construction and creating property lines in Stage Run. Legally described as 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. The purpose of the plat is to facilitate Phase 2. This week we issued addresses for the lots and are as follows on Mystery Wagon Road: Lot 1 = 101, Lot 2 = 103, Lot 3 = 105, Lot 4 = 107 and Lot 5 = 109. The proposed lots meet the area and bulk requirements for square footage. *It was moved by Mr. Keehn and seconded by Mr. Bruce to approve the 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. Aye - All. Motion carried.*



**Sale of Property and Adjusting Property Lines - 732 Main Street - St. Ambrose Catholic Church**

Mr. Russell stated this application is for the sale of property and adjusting the property lines. Legally described as Plat of Lot 3A, Block 1 of Kennedy and Cameron's Addition to the City of Deadwood, Lawrence County, South Dakota Formerly Portions of Lots 1 through 5, Block 1 of Kennedy and Cameron's Addition. Clarification there was an error in the legal description discovered this morning by Mrs. Runge. The error has been fixed by the surveyor and legal counsel approved proceeding with this plat. The applicant would like to re-plat this property for the purpose of selling the property to Kristine & Joel Villafuerte. *It was moved by Mr. Rich and seconded by Mr. Keehn to approve the Plat of Lot 3A, Block 1 of Kennedy and Cameron's Addition to the City of Deadwood, Lawrence County, South Dakota Formerly Portions of Lots 1 through 5, Block 1 of Kennedy and Cameron's Addition. Aye - All. Motion carried.*

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

Mr. Russell state this is for the Dunbar property. Legally described as 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. The new legal description will be the Preacher Smith Tract and will help tremendously as the applicants plat the new subdivision currently planned. *It was moved by Mr. Keehn and seconded by Mr. Bruce to approve the 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. Aye - All. Motion carried.*

**Board of Adjustments:**

Mayor Ruth, Jr. called the meeting of the Board of Adjustments to order.

**Development, Construction and Creating Property Lines - Stage Run - Deadwood Stage Run, LLC (William Pearson)**

*It was moved by Mr. Todd and seconded by Mr. Johnston to approve the development, construction and creating property lines of the 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. Aye - All. Motion carried.*

**Sale of Property and Adjusting Property Lines - 732 Main Street - St. Ambrose Catholic Church**

*It was moved by Mr. Johnson and seconded by Mr. Todd to approved the sale of property and adjusting property lines of the 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. Aye - All. Motion carried.*

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

*It was moved by Mr. Johnson and seconded by Mr. Bruce to approve the development purposes of the 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. Aye – All. Motion carried.*

*It was motioned by Mr. Todd and seconded by Mr. Johnson to adjourn the Board of Adjustment meeting. Aye – All. Motion carried.*

**Items from Staff** (no action taken)

Mr. Russell welcomed Dave Bruce to the Planning and Zoning Commission and stated Mr. Bruce will be a great addition to the Commission.

Mr. Russell reported at the December 2, 2020 Planning and Zoning Commission meeting, Toby Morris and Kevin Wagner will present a TIF 101 to provide members and staff a better understanding of the ins and outs of TIFs.

**Adjournment:**

*It was moved by Mr. Keehn and seconded by Mr. Bruce 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 5:15p.m.

ATTEST:

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Chairman, Planning & Zoning Commission

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Secretary, Planning & Zoning Commission

*Cindy Schneringer, Planning & Zoning Office/Recording Secretary*





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

## SIGN PERMIT STAFF REPORT

Sign Review Commission  
November 18, 2020

**Applicant:** Greg and Matt Klein

**Address:** 50 Cliff Street, Deadwood, SD 57732

**Site Address of Proposed Signage:** 50 Cliff Street (Century 21)

### Computation of Sign Area

**Building Frontage:** 77 Feet

**Total Available Signage:** 154 Square Feet

**Existing Signage:** One Freestanding (to be refaced)

**Remaining Available Signage Area:** 154 Square Feet

**Proposed Sign Project:** Reface freestanding sign (21 Square Feet)

**Proposed Building Materials:** Wood and Metal (see attached rendering)

**Proposed Lighting of the Signs:** None

**Location of Proposed Sign:** Location of sign not changing

### 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 retrofit the existing freestanding sign to incorporate the new Century 21 logo for their business.

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

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

## 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 to reface freestanding sign at 50 Cliff Street

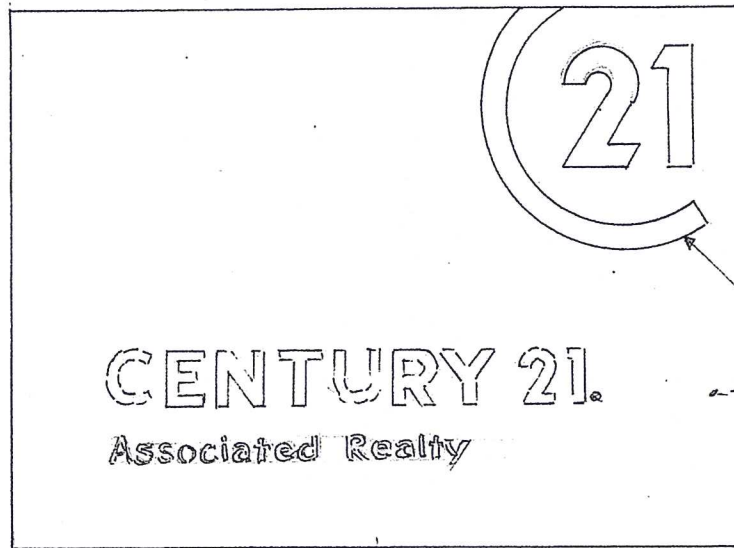
OR

Motion to deny proposed sign permit application as submitted.



# EXTERIOR SIGN RETROFIT

43"



COLORS

LOGO: GOLD (ALL)

BACKGROUND:  
"OBSESSED GRAY"

(AS PER CORP. STANDARDS)

66"



**Tim Peterson**  
ARTIST

3123 E. FAIRGROUNDS LOOP STE. C  
SPEARFISH, SD 57783  
(605) 642-5794

Designed exclusively for:

ASSOCIATED REALTY - GREG KLEIN

Date:

7/21/19

Address:

50 CLIFF ST. DEADWOOD, SD

Phone:

605-518-1417

The prices, specifications, and conditions as described are satisfactory and are hereby accepted. You are authorized to do the work as specified.

50% DEPOSIT REQUIRED ON ALL WORK. BALANCE DUE ON COMPLETION.

Signature

Date

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**STAFF REPORT**  
**REQUEST FOR A CONDITIONAL USE PERMIT**  
November 18, 2020

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**APPLICANT:** Court & Kay French

**PURPOSE:** Conditional Use Permit for a Multiple Family Dwelling Unit

**GENERAL LOCATION:** 311 Cliff Street

**LEGAL DESCRIPTION:** Lot 1 of Katon Subdivision, located in the SE1/4 of Section 27, T5N, R3E, B.H.M., City of Deadwood Lawrence County, South Dakota

**FILE STATUS:** All legal obligations have been completed

**ZONE:** CH – Commercial Highway

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**STAFF FINDINGS:**

Surrounding Zoning:

North: CH – Commercial Highway  
South: PF – Park Forest  
East: CH – Commercial Highway  
West: CH – Commercial Highway

Surrounding Land Uses:

Commercial Businesses  
Vacant Land  
Commercial Businesses  
Commercial Businesses

**SUMMARY OF REQUEST**

The applicant has submitted a request for a Conditional Use Permit to operate a Multiple Family Dwelling Unit (Apartments) on this property. The subject property is located at 311 Cliff Street and has been operated as The Thunder Cove Hotel since 1993.

**FACTUAL INFORMATION**

1. The property is currently zoned CH – Commercial Highway.
2. The property comprises approximately 5,610 square feet  $\pm$ .



3. The site was originally developed in 1993 and used as a hotel and at one time had a restaurant.
4. The subject property is located within a very low density land use classification on the adopted Land Use Map.
5. The property is located outside of Flood Zone AE – Areas of 100 year flood and Flood Zone X – Areas of 500 year flood.
6. Adequate public facilities are available to serve the property.
7. The area is characterized by a mixture of commercial businesses.

### **STAFF DISCUSSION**

The applicant has submitted a request for a Conditional Use Permit to operate a Multiple Family Dwelling Unit for the purpose of converting the current hotel rooms into one and two-bedroom efficiency apartments. The city regulations permit Multiple Family Dwelling Unit in Commercial Highway zone with an approved Conditional Use Permit. According to the letter submitted by the French's with their application, they realize the need for long term housing in Deadwood and believe an approved Conditional Use Permit would not only help the community with the housing shortage but also improve their business. If approved the Thunder Cove Hotel would be renamed to "The Hillside Apartments". The French's request meets all zoning code requirements: Intent, Use permitted by right, Conditional Uses and Area and bulk requirements.

The Deadwood Zoning Code 17.08.010 defines a Multiple Family Dwelling Unit as the following:

*"Dwelling Unit, Multiple-Family" means:*

Dwelling Unit, Multiple-Family. "Multiple-family dwelling unit" means a dwelling containing three or more attached dwelling units, not including motels, boarding houses, tourist homes or mobile homes.

*"17.40.030 Conditional uses."*

The following uses, or any use which the planning commission considers comparable to another use which is directly listed under this section, may be permitted in the CH commercial highway district under the provisions of Chapter 17.76,

12. Dwelling unit, multiple-family;

**COMPLIANCE:**

1. The Zoning Officer provided notice identifying the applicant, describing the project and its location, and giving the scheduled date of the public hearing in accordance with Section 10.10.B.
2. A sign was posted on the property for which the requests were filed.
3. Notice of the time and place was published in the designated newspaper of the City of Deadwood.

**GENERAL USE STANDARDS FOR CONDITIONAL USE PERMITS:**

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

- A. The proposed use shall be in harmony with the general purposes, goals, objectives, and standards to the City Policy Plan, the ordinance, the district in which it is located, or any other plan, program, map, or ordinance adopted, or under consideration pursuant to official notice by the City of Deadwood.
- B. Whether or not a community need exists for the proposed use at the proposed location in light of existing and proposed uses of a similar nature in the area and of the need to provide or maintain a proper mix of uses both within the city and also within the immediate area of the proposed use: (a) the proposed use in the proposed location shall not result in either a detrimental over concentration of a particular use from previously permitted uses within the city or within the immediate area of the proposed use.
- C. The proposed use at the proposed location shall not result in a substantial or undue adverse effect on adjacent property, the character of the neighborhood, traffic conditions, parking, public improvement, public sites, or rights-of-way.
- D. Whether or not the proposed use increases the proliferation of non-conforming uses as well as previously approved Conditional Use Permits which are still in use, when influenced by matters pertaining to the public health, safety, and general welfare, either as they now exist or as they may in the future be developed as a result of the implementation of provisions and policies of the Policy Plan, this ordinance, or any other plan, program, map or ordinance adopted, or under consideration pursuant to official notice, by the city or other governmental agency having jurisdiction to guide growth and development.

For any conditional use, lot and performance standards shall be the same as similar type uses located in specific districts. The character and use of buildings and structures adjoining or near the property mentioned in the application shall be considered in their entirety.



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

**CONDITIONS GOVERNING APPLICATIONS AND PROVISIONS:**

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

**If approved, staff recommendations for stipulation(s):**

- 1. The Conditional Use Permit runs with the applicant and not the land; therefore, should the property be sold, the Conditional Use Permit is null and void.
- 2. Proof of a state excise number shall be provided to the Planning and Zoning Office for their files.
- 3. Proof that the Building Inspector has inspected the building and it meets all of the building codes.

4. If required, proper paperwork is filed with the City of Deadwood Finance Office for BID taxes.
5. Proof of City of Deadwood Business License.

**ACTION REQUIRED FOR CONDITIONAL USE PERMIT:**

1. Approval / Approval with Conditions / Denial by Planning and Zoning Commission.
2. Approval / Approval with Conditions / Denial by Board of Adjustment.



## Chapter 17.40

### CH COMMERCIAL HIGHWAY DISTRICT

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#### Sections:

- 17.40.010 Intent.
- 17.40.020 Uses permitted by right.
- 17.40.030 Conditional uses.
- 17.40.040 Area and bulk requirements.

#### **17.40.010 Intent.**

The CH commercial highway district is intended to provide locations for commercial uses, which require access to roads and highways, and substantial amounts of parking.

(Ord. 831 § 3.7, 1992)

#### **17.40.020 Uses permitted by right.**

Property in the CH commercial highway district shall be used for the following purposes or any use which the planning commission considers comparable to another use which is directly listed under this section.

1. Adult education facility;
2. Animal clinic;
3. Auditorium, indoor theaters;
4. Auto parking lots (commercial);
5. Auto sales and service;
6. Auto service station and garage;
7. Auto accessory part and repair;
8. Auto wash and polish service;
9. Bakery;
10. Banks;
11. Barber shops and beauty shops;
12. Book, hobby, toy and music stores;
13. Bowling alley;
14. Chiropractic office;
15. Civic youth social/fraternal organization;
16. Convenience stores;
17. Delicatessen;
18. Department, dry goods and variety stores;
19. Drive-in restaurants;
20. Dwelling unit, for hired personnel only;
21. Electrical and household appliance stores, sales and service;
22. Florist;
23. Frozen food lockers, not including slaughtering on the premises;
24. Fuel storage tanks, above and below ground;
25. Furniture stores;
26. Gaming (within city boundaries as of November 1, 1989);
27. Gasoline service station;

28. Hardware stores;
29. Hotels and motels;
30. Indoor amusement establishment;
31. Insurance, real estate, investment offices;
32. Laundromat;
33. Libraries and museums;
34. Liquor stores;
35. Mail order;
36. Medical and dental clinics;
37. Miniature golf;
38. Music, radio and television stores;
39. Novelty, curio, antique and souvenir shops;
40. Paint stores;
41. Parks, recreation land;
42. Pet shops;
43. Photographic equipment sales and service;
44. Printing, photocopying, blueprint service;
45. Professional/accounting service offices;
46. Radio and television studios;
47. Restaurant, bar and lounge;
48. Schools, vocational and technical;
49. Second-hand stores;
50. Shoe stores;
51. Shoe repair;
52. Sporting goods stores;
53. Travel bureaus; and
54. Wildlife preserves.

(Ord. 900 (part), 1995; Ord. 831 § 3.7.1, 1992)

#### **17.40.030 Conditional uses.**

The following uses, or any use which the planning commission considers comparable to another use which is directly listed under this section, may be permitted in the CH commercial highway district under the provisions of Chapter 17.76, Conditional Uses.

1. Animal hospital for large animals;
2. Animal hospital for small animals;
3. Bed and breakfast;
4. Building materials supply;
5. Bus, train and airline terminals;
6. Camping areas;
7. Churches and related uses;
8. Condominium(s);
9. Day care centers;
10. Duplexes;
11. Dry cleaning;



12. Dwelling unit, multiple-family;
13. Dwelling unit, single-family;
14. Efficiency living unit;
15. Electrical distribution lines - underground (k.v. or less)
16. Electrical, heating, painting, plumbing, roofing and ventilating shops and service;
17. Equipment rental;
18. Fire and police stations;
19. Gas distribution lines;
20. Gas regulator stations;
21. Gas transmission lines;
22. Governmental offices;
23. Group care facility;
24. Group home for developmentally disabled;
25. Home occupations;
26. Homes for the aged;
27. Hospitals;
28. Hostel;
29. Laundry;
30. Machine shops;
31. Massage therapy office, city license required;
32. Mortuaries;
33. Nursing homes;
34. Residential care facility;
35. Sanitariums, mental institutions;
36. Sewer collection lines;
37. Sewer lift stations;
38. Tattoo business, state license required;
39. Telephone lines;
40. Television cables - only below ground;
41. Utility offices;
42. Valet parking;
43. Warehouse (storing of goods connected with an industrial operation - "No Hazardous Materials");
44. Water pumping stations;
45. Water storage tanks - above ground either wholly or partially; and
46. Water storage tanks - in ground.

(Ord. 1026 (part), 2004; Ord. 952 (part), 1999; Ord. 915 (part), 1996; Ord. 900 (part), 1995; Ord. 851 (part), 1993; Ord. 831 § 3.7.2, 1992)

#### **17.40.040 Area and bulk requirements.**

All buildings shall set back from street right-of-way lines and lot lines to comply with the following requirements.

Where contiguous lots are in single ownership, the setbacks for the structure may be measured from the perimeter of the combined lots.

##### **A. Lot Size.**

1. Minimum lot area: two thousand five hundred (2,500) square feet.

2. Minimum lot area per dwelling unit: two thousand five hundred (2,500) square feet.
- B. Front Yard Requirements. Minimum front yard setback requirements for all buildings and uses (feet):
1. Minimum front yard, principal buildings and uses: fifteen (15) feet.
  2. Minimum front yard, accessory buildings and uses: fifteen (15) feet.
- C. Side Yard Requirements. Minimum side yard setback requirements for all buildings and uses:
1. Minimum side yard, principal buildings and uses: ten (10) feet.
  2. Minimum side yard, from interior lot line for principal buildings and uses: five feet.
  3. Minimum side yard, from interior lot line for accessory buildings and uses: five feet.
- D. Rear Yard Requirements. Minimum rear yard setback requirements for all buildings and uses:
1. Minimum rear yard, for principal buildings and uses: five feet.
  2. Minimum rear yard, for accessory buildings and uses: five feet.
- E. Height Requirements. Maximum height:
1. Height for principal buildings and uses: forty-five (45) feet.
  2. Height for accessory buildings and uses: thirty-five (35) feet.
  3. Principal building maximum floor area ratio: 1.7:1.

(Ord. 952 (part), 1999; Ord. 831 § 3.7.3, 1992)

Return Completed Form To:  
**Planning and Zoning**  
108 Sherman Street  
Deadwood, SD 57732



Questions Contact:  
**Jeremy Russell**  
(605) 578-2082 or  
jeramyr@cityofdeadwood.com

Application No. \_\_\_\_\_

## APPLICATION FOR CONDITIONAL USE PERMIT

**Application Fee: \$200.00**

**Applicants:** Please read thoroughly prior to completing this form. Only complete applications will be considered for review.

Name of Proposed Development: Former Thunder Cove Hotel  
The Hillside Apartments

Street Location of Property: 311 + 315 Cliff Street

Legal Description of Property: KATON S/D Lot 1 + Lot AB9

Zoning Classification of Property: \_\_\_\_\_

Name of Property Owner: KAY or COURT FLECH Telephone: (605) 390-4845

Address: 11475 CAROL CT BLACK HAWK S.D. 57718  
Street City State Zip

Name of Applicant: SAME Telephone: ( ) \_\_\_\_\_

Address: \_\_\_\_\_  
Street City State Zip

### 1. The following documents shall be submitted:

- An improvement survey, including all easements,
- Development plan, including site plan with location of buildings, usable open space, off-street parking, loading areas, refuse area, ingress/egress, screening, proposed or existing signage, existing streets, and
- A written statement addressing the criteria for approval.

Uses of Building or Land: APARTMENTS

Signature of Applicant: [Signature] Date: 10/14/20

Signature of Property Owner: [Signature] Date: 10/14/20

Fee: \$ \_\_\_\_\_ Paid On \_\_\_\_\_ Receipt Number \_\_\_\_\_

Legal Notice Published \_\_\_\_\_ Date: \_\_\_\_\_ Hearing Date: \_\_\_\_\_

PLANNING AND ZONING ADMINISTRATOR:			
Approved/P&Z Administrator:	Yes	No	Signature: _____ Date: _____
PLANNING AND ZONING COMMISSION:			
Approved/P&Z Commission:	Yes	No	Date: _____
DEADWOOD BOARD OF ADJUSTMENT:			
Approved/City Commission:	Yes	No	Date: _____

Reason for Denial (if necessary): \_\_\_\_\_



Thunder Cove Hotel  
311 & 315 Cliff Street  
Deadwood SD 57732

10/18/2020

Deadwood Planning & Zoning

Attn: Jeremy Russel

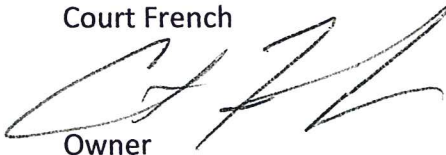
We are asking at this time for you to issue us a conditional use permit to allow us to operate the Thunder Cove Hotel Property as Apartments. We will be changing the name to "The Hillside Apartments" for less confusion for past/repeat customers. We would be taking out the bathroom in every other room, and replace with a small kitchenette, making a one bedroom apartment out of two hotel rooms. At this time, we would keep 10 single rooms available to be rented as efficiency/studio. These 10 could be converted into 5 apartments later or at a different phase of the remodel.

Because of the bathroom layouts, there will be two different floor plans. I have included the two different rough sketches of the room layouts. I have also included a sketch of the 8 apartments that will be done in the first phase of the remodel.

As most of you are aware of, there is a huge need for longer term housing in Deadwood. We currently have the 10 Efficiency/studios(single hotel rooms) rented on longer term contracts like we have always done in the off season, with people waiting for these one bedroom units to be finished.

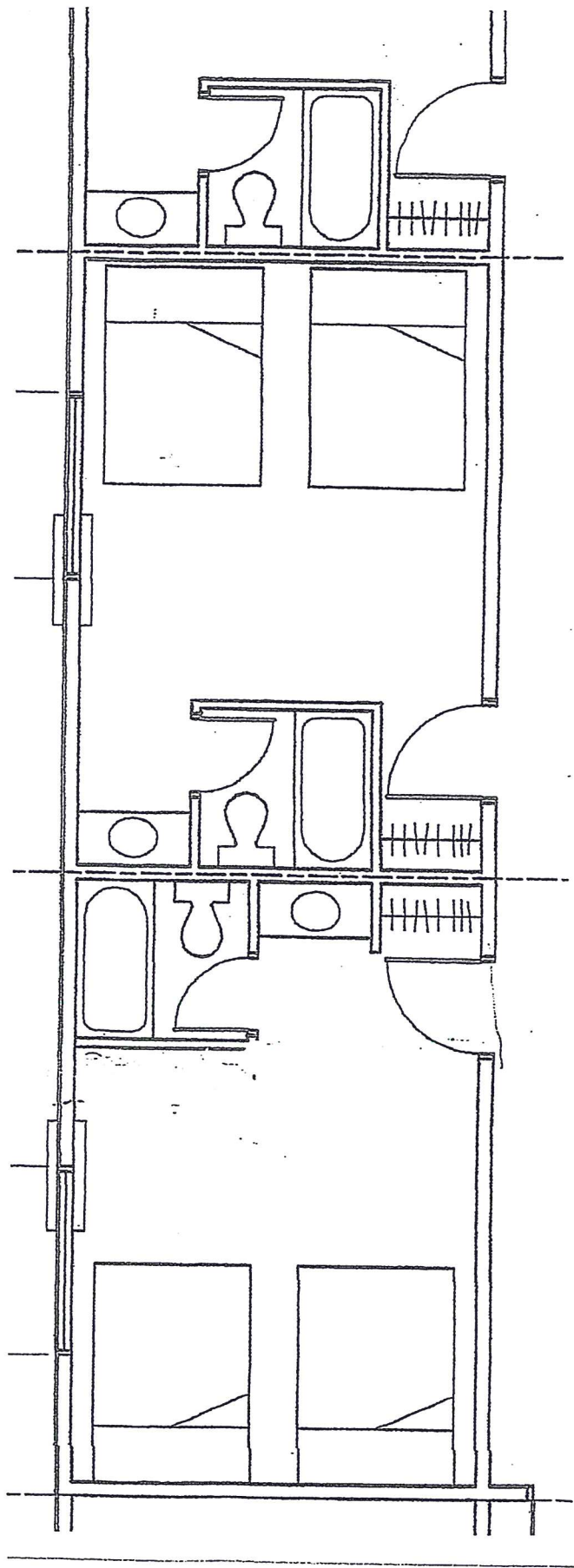
Thank you for your time and consideration on this matter.

Court French

A handwritten signature in black ink, appearing to be 'Court French', written over a horizontal line.

Owner

Thunder Cove Hotel



Cont'd  
1#

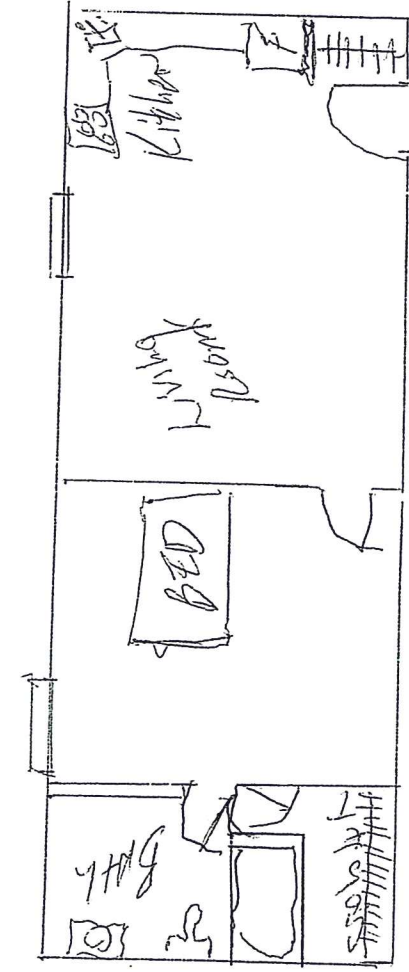
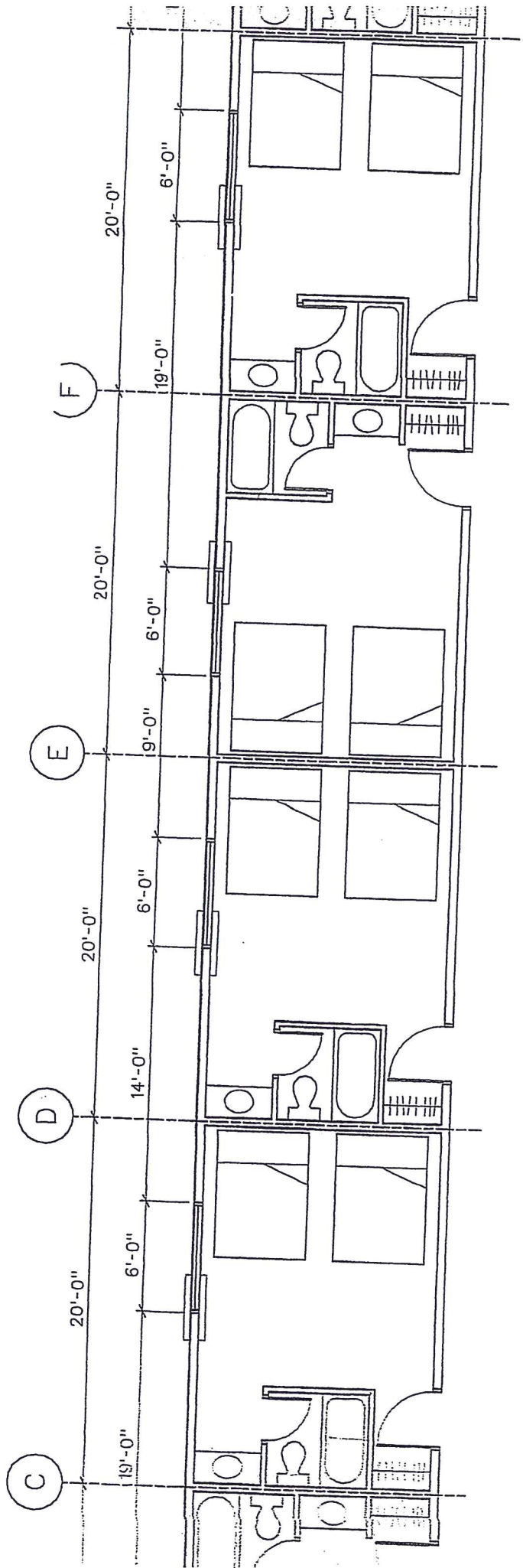
165  
120  
14

Living Room

165  
120  
14

165  
120  
14

165  
120  
14



Long #2  
 1st floor  
 1st floor



TO OFFICE



You Are  
Here

