DEADWOOD PLANNING AND ZONING COMMISSION

Deadwood Board of Adjustment

Wednesday, June 3, 2015 – 5:00 p.m.

City Hall, 102 Sherman Street, Deadwood SD

AGENDA

1. Call meeting to Order

2. Approval of May 20, 2015 Minutes

3. Sign Review Commission:

Fur-Ever Wild – 305 Cliff Street

1. Freestanding Sign
   a. **Approval/denial of new sign**

4. APPROVAL OF TEMPORARY VENDOR(S)
   1. Gator Skinz – Wendy Morales–616 Main Street
   2. Vormehr and Youngquist Gallery – Vicki Vormehr - 627 Main Street

5. Planning and Zoning Commission and Board of Adjustment:

DGR Hospitality Resort LLC – Deadwood Gulch Addition II Final Plat

Final Plat: Lots 1, 2 and 3 and Tracts A1 and A2 of Deadwood Gulch Addition II, A 24' Public Road Access and Utility Easeme3nt and a 20' Private Road Access and Utility Easement; Being a subdivision of Tract A of Deadwood Gulch Addition II, All located in the NE ¼, SE ¼, and SW ¼ of Section 27, T5N, R3E, B.H.M., City of Deadwood, Lawrence County, South Dakota

Address: 230 Cliff Street

ACTION REQUIRED:

a. Approval / denial by Planning and Zoning.
b. Approval / denial by Deadwood Board of Adjustment.

City of Deadwood – 424 Williams Final Plat

Final Plat: Lots 1A, 1B and 1C of Block J, Original Town of Deadwood; Formerly Lot 1 of Block J, All Located in the SE ¼ of section 22, T5N, R3E, B.H.M., City of Deadwood, Lawrence County, South Dakota

Address: 424 Williams Street

ACTION REQUIRED:

a. Approval / denial by Planning and Zoning.
b. Approval / denial by Deadwood Board of Adjustment.

Kristopher Creger – 51 Taylor Avenue Final Plat

Final Plat: Lots 3A and 4A of Block 45, Original Town of Deadwood; Formerly Lot 3 and the South Half of Lot 4 of Block 45, All located in the SW ¼ of Section 23, T5N, R3E, B.H.M., City of Deadwood, Lawrence County, South Dakota

Address: 51 Taylor Avenue

ACTION REQUIRED:

c. Approval / denial by Planning and Zoning.
d. Approval / denial by Deadwood Board of Adjustment.

Open

- Rodeo Grounds Grandstands Project
- Highway 85 Reconstruction Update

Adjourn

CITY OF DEADWOOD
PLANNING AND ZONING COMMISSION
Wednesday, May 20, 2015

Present Planning and Zoning Commission: Jim Shedd, Marie Farrier, Tony Biesiot, Mel Allen and Sheree Green.

Present Board of Adjustments: Dave Ruth, Gary Todd and Chuck Turbiville

Present Staff: Bob Nelson Jr., Trent Mohr and Bonny Fitch

A quorum present Chair Shedd called the Planning and Zoning Commission and Board of Adjustments meeting to order Wednesday, May 20, 2015 at 5:00 p.m. in Deadwood City Hall at 102 Sherman Street, Deadwood, SD.

Approval of May 6, 2015 Minutes:
It was moved by Mr. Biesiot and seconded by Ms. Farrier to approve the May 6, 2015 meeting minutes. Aye – All. Motion carried.

Sign Review Commission:

Ensignal Wireless – 470 Main Street
Mr. Mohr informed the Commission that Blake Haverberg is wanting to replace the awning with new color and sign on valance. The color change has been before Historic Preservation and has been approved. The sign application as proposed requires no variances from the sign ordinance. *It was moved by Ms. Farrier and seconded by Mr. Allen to approve the new sign at 470 Main Street. Aye – All. Motion carried.*

Jerry Greer – 136 Sherman Street
Mr. Mohr informed the Commission that Jerry Greer is requesting to install two new wall signs and three projecting signs on the building. The signs will be metal wrapped in vinyl. The sign application as proposed requires no variance from the sign ordinance. *It was moved by Mr. Allen and seconded by Mr. Biesiot to approve the sign application for new signs at 136 Sherman Street as proposed. Aye –All. Motion carried.*

Planning and Zoning Commission and Board of Adjustment:

FINAL PLAT: Lots 3A and 3B, Block C of Weisflog Addition, Formerly Lot 3, Block C of Weisflog Addition, A portion of Lot 9 of Meverden Addition and A portion of Tract ML of M.S. 81; and Lots A and B of Meverden Street Subdivision; Being a portion of M.S. 81; and Tract A of Meverden Addition, Formerly tract ML of M.S. 81, Lot 8 and a Portion of Lot 9 of Meverden addition; All located in M.S. 81, City of Deadwood, Lawrence County, South Dakota

Mr. Nelson Jr. stated this final plat is the first step in clearing up property lines and issues on Meverden Street. *It was moved by Ms. Green and seconded by Mr. Allen to approve the plat of Lots 3A and 3B of Block C Weisflog Addition, Lot A and Lot B of Meverden Street Subdivision , and Tract A of Meverden Addition to the City of Deadwood. Aye –All. Motion carried.*

Mr. Shedd closed the Planning and Zoning Meeting

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

FINAL PLAT: Lots 3A and 3B, Block C of Weisflog Addition, Formerly Lot 3, Block C of Weisflog Addition, A portion of Lot 9 of Meverden Addition and A portion of Tract ML of M.S. 81; and Lots A and B

of Meverden Street Subdivision; Being a portion of M.S. 81; and Tract A of Meverden Addition, Formerly tract ML of M.S. 81, Lot 8 and a Portion of Lot 9 of Meverden addition; All located in M.S. 81, City of Deadwood, Lawrence County, South Dakota

It was moved by Mr. Ruth and seconded by Mr. Todd to approve the plat of Lots 3A and 3B of Block C Weisflog Addition, Lot A and Lot B of Meverden Street Subdivision , and Tract A of Meverden Addition to the City of Deadwood. Aye -All. Motion carried.

Mr. Turbiville closed the Board of Adjustment meeting and turned the meeting over to the Planning and Zoning Commission.

Mr. Shedd called the meeting of the Planning and Zoning Commission back to order.

Items From Staff (no action taken)

- Rodeo Grounds Grandstands Project - Mr. Nelson Jr. stated the project is still on track. The floors have been poured and most of the underground is done. There might be framing started by the end of this week.
- Highway 85 Reconstruction Update - Mr. Nelson Jr. stated the project is about where they want to be. They are getting ready to pour curb and sidewalk along Gordon Park. A vault was discovered in front of the Trucano building. It was an agreement between the owners, State and Historic Preservation to fill the vault and cover with concrete.
- Mickelson Trail Boardwalk - Mr. Nelson Jr. informed the commission that construction would begin any day.
- Wayfinding Project - Mr. Nelson Jr. presented to the Commission the proposed Deadwood signage project.

Adjournment:
It was moved by Ms. Farrier and seconded by Mr. Allen 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 5:12 p.m.

ATTEST:

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

Sheree Green
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
June 03, 2015

Applicant: Terri Petter

Address: 10132 235th St. W. Lakeville, MN 55044

Site Address of Proposed Signage: 304 Cliff Street, Deadwood (Fur-Ever Wild)

Computation of Sign Area

Building Frontage: 60 Feet
Total Available Signage: 120 Square Feet
Existing Signage: None
Remaining Available Signage Area: 120 Square Feet

Proposed Sign Project: Install freestanding sign in current location of existing framework. (see attached photos)
Proposed Building Materials: Sign is to be made of wood and painted with vinyl graphics.
Proposed Lighting of the Signs: No illumination indicated in application.
Location of Proposed Sign: Attached are renderings of the proposed location of the sign.

Discussion

The sign project 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 signage project 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 application in review is for installing a freestanding sign onto an existing frame used for previous owner's approved sign with no alteration in location. The proposed 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 sign application to install one freestanding sign at 305 Cliff Street as proposed

OR

Motion to deny proposed sign permit application as submitted.

SPEED
LIMIT
25
NO
PARKING
SOLD

Wapiti Woods
and Wildlife
Fur-Ever Wild
SOLD

64"
OPEN DAILY at 10am
12"
32"
Fur-Ever Wild
36"
Your Wolf Adventure Awaits!
48"
305 CLIFF ST. DEADWOOD
32"
36"
64"

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VENDOR APPLICATION

Date: May 27, 2015
To: Planning and Zoning Commission
From: Robert E. Nelson, Jr., Zoning Administrator
Re: Rally Vending

The vendor permit before you has met the conditions of temporary vending within the city limits of Deadwood. The application was received before the review deadline, payment for the permit was received, and the vending is to be indoors. Gator Skinz has been a vendor in Deadwood and has done business in South Dakota and has reported sales tax to the state in the past. They do have a current sales tax number with the State Revenue Office in process. The location is to be at 616 Main Street. Staff recommends approval of the vendor permits for Wendy Morales dba Gator Skinz.

Merchandise: Motorcycle Audio Systems

Action:

Approval/approve with conditions/denial of the vendor license for Gator Skinz

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VENDOR APPLICATION

Date: May 27, 2015
To: Planning and Zoning Commission
From: Robert E. Nelson, Jr., Zoning Administrator
Re: Rally Vending

The vendor permit before you has met the conditions of temporary vending within the city limits of Deadwood. The application was received before the review deadline, payment for the permit was received, and the vending is to be indoors. The location is within the Locally Designated Historic District which would prohibit the use of temporary structures. Vicki Vormehr with Vormehr and Youngquist Gallery has not been a vendor in Deadwood before but has reported sales tax to the state in the past. They do have a current sales tax number with the State Revenue Office. The location is at 627 Main Street. Staff recommends approval of the vendor permit for Vicki Vormehr dba Vormehr and Youngquist Gallery.

Merchandise: Watercolor and Oil Prints (Artwork)

Action:

Approval/approve with conditions/denial of the vendor license for Vormehr and Youngquist Gallery

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STAFF REPORT
PLANNING AND ZONING
JUNE 3, 2015 JOINT MEETING

APPLICANT: DGR Hospitality Resort LLC
304 Cliff Street
Deadwood, SD 57732

PURPOSE: To Create New Boundary Lines and Subdivide Property

GENERAL LOCATION: 230 Cliff Street / Pluma

LEGAL DESCRIPTION: Lots 1, 2 and 3 and Tracts A1 and A2 of Deadwood Gulch Addition II, A 24' Public Road Access and Utility Easeme3nt and a 20' Private Road Access and Utility Easement; Being a subdivision of Tract A of Deadwood Gulch Addition II, All located in the NE ¼, SE ¼, and SW ¼ 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 District

STAFF FINDINGS:

Surrounding Zoning:	Surrounding Land Uses:
North: CH – Commercial Highway	Trailer Park
South: CH – Commercial Highway	Commercial Businesses
East: R1 – Residential District	Residential Housing
West: CH – Commercial Highway	Mix of Uses

SUMMARY OF REQUEST

The Final Plat for Lots 1, 2, and 3 and Tracts A1 and A2 of the Deadwood Gulch Addition II has been submitted to subdivide property and create easements. The property is located on Cliff Street in the area of Pluma.

FACTUAL INFORMATION

1. The property is currently zoned CH – Commercial Highway District

2. Lot 1, is comprised of 1.17 Acres±.

Lot 2 is comprised of 0.38 Acres±.
Lot 3 is comprised of 0.70 Acres±.
Lot A1 is comprised of 5.99 Acres±.
Lot A2 is comprised of 9.78 Acres±.

3. The subject property is located within the tourist service designation.

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 open space and various commercial businesses.

STAFF DISCUSSION

The subject property is currently occupied by the Deadwood Gulch Convention Center, a storage garage, and vacant lands. The lots meets the area and bulk requirements for square footage.

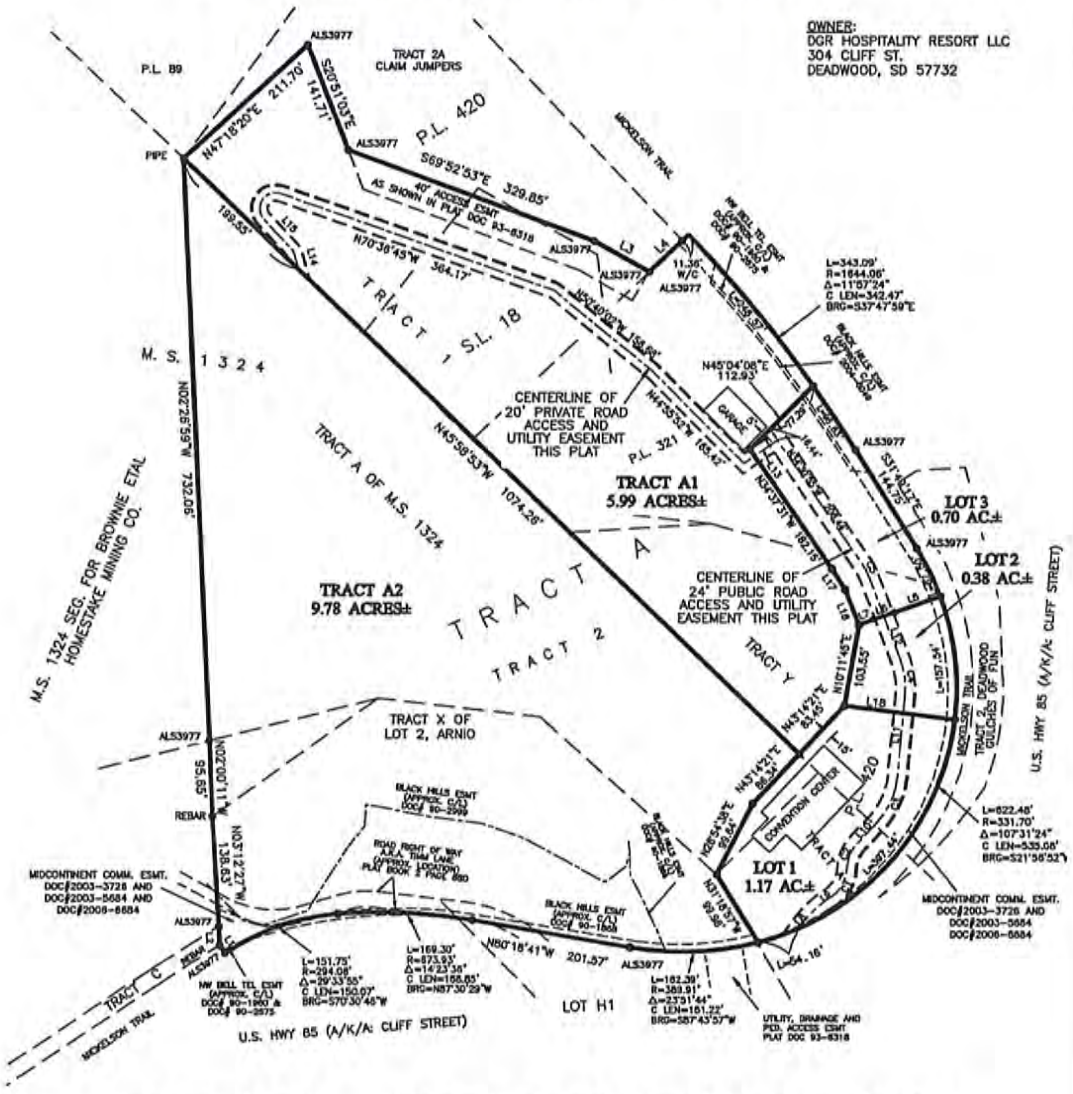
1. The North Arrow is shown on the plat with a direct reference to the coordinate mapping system.
2. Land is identified with a new legal description for the transfer of the land.
3. Surveyor's Certificate is shown with the name of the surveyor and his registered land surveyor number.
4. A date is shown 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.

LOTS 1, 2 AND 3 AND TRACTS A1 AND A2 OF DEADWOOD GULCH ADDITION II, A 24' PUBLIC ROAD ACCESS AND UTILITY EASEMENT AND A 20' PRIVATE ROAD ACCESS AND UTILITY EASEMENT;

BEING A SUBDIVISION OF TRACT A OF DEADWOOD GULCH ADDITION II, ALL LOCATED IN THE NE1/4, SE1/4 AND SW1/4 OF SECTION 27, T5N, R3E, B.H.M, CITY OF DEADWOOD, LAWRENCE COUNTY, SOUTH DAKOTA



LINE	BEARING	DISTANCE
L1	N33°55'22"W	12.33'
L2	N02°35'40"W	33.32'
L3	S60°39'09"E	78.74'
L4	N46°28'40"E	68.44'
L5	S70°27'08"W	81.05'
L6	S72°19'16"W	25.02'
L7	S68°24'04"W	16.82'
L8	N37°31'11"E	14.82'
L9	N05°21'42"E	12.01'

LINE	BEARING	DISTANCE
L10	N43°05'25"E	34.46'
L11	N05°31'34"E	103.22'
L12	N20°31'51"W	113.79'
L13	S55°29'08"W	51.24'
L14	S15°14'14"E	33.33'
L15	S42°59'29"E	54.49'
L16	N21°21'43"W	47.82'
L17	N32°34'09"W	30.50'
L18	N85°51'24"W	138.94'

CURVE	RADIUS	ARC LENGTH	DELTA ANGLE
C1	44.45'	41.35'	53°17'51"
C2	50.00'	36.01'	41°15'51"
C3	100.00'	65.58'	37°33'51"
C4	100.00'	44.79'	25°39'37"
C5	62.00'	14.87'	13°44'28"

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

REVIEW COPY

NOTES:
1. TOTAL AREA PLATTED THIS PLAT: 18.02 ACRES±.
2. 5' DRAINAGE AND UTILITY EASEMENTS HEREBY GRANTED ALONG INSIDE OF ALL LOTLINES.
3. BASIS OF BEARING IS DEADWOOD COORDINATE SYSTEM.
4. TRACT A PLATTED IN DOC #2008-3469.
5. ZONING IS CH-COMMERCIAL HIGHWAY PER CITY OF DEADWOOD ZONING MAP.
6. 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.
7. WE HEREBY GRANT EASEMENTS TO RUN WITH THE LAND FOR WATER, DRAINAGE, SEWER, GAS, ELECTRIC, TELEPHONE, OR OTHER PUBLIC UTILITY LINES OR SERVICES UNDER, ON OR OVER THOSE PORTIONS OF LAND DESIGNATED HEREON AS EASEMENTS.

PREPARED BY:	24 CLIFF STREET	DATE: MAY 27, 2015	APPROVED: JMA
ARLETH LAND SURVEYING	DEADWOOD, SD 57732	REV:	DRAWN: FD
	605-578-1637	SCALE: 1"=100'	DWG: 8885 PLAT.dwg

LOTS 1, 2 AND 3 AND TRACTS A1 AND A2 OF DEADWOOD GULCH ADDITION II, A 24' PUBLIC ROAD ACCESS AND UTILITY EASEMENT AND A 20' PRIVATE ROAD ACCESS AND UTILITY EASEMENT;

BEING A SUBDIVISION OF TRACT A OF DEADWOOD GULCH ADDITION II, ALL LOCATED IN THE NE1/4, SE1/4 AND SW1/4 OF SECTION 27, T5N, R3E, B.H.M, CITY OF DEADWOOD, LAWRENCE COUNTY, SOUTH DAKOTA

REVIEW COPY

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

I/WE_____DO HEREBY CERTIFY THAT I/WE AM/ARE THE OWNER(S) OF THE PROPERTY SHOWN AND DESCRIBED HEREON, THAT I/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	24 CLIFF STREET DEADWOOD, SD 57732 605-578-1837	DATE: MAY 27, 2015 REV: SCALE: 1"=100'	APPROVED: JMA DRAWN: FD DWG: 8885 PLAT.dwg

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STAFF REPORT
PLANNING AND ZONING
June 3, 2015 JOINT MEETING

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

Linda R Harris and Mary A Hollis
424 Williams Street
Deadwood, SD 57732

PURPOSE: Define Property Lines, Clear Up Roadway Boundary, Transfer Property

GENERAL LOCATION: 424 Williams Street

LEGAL DESCRIPTION: Lots 1A, 1B and 1C of Block J, Original Town of Deadwood; Formerly Lot 1 of Block J, All Located in the SE ¼ of section 22, T5N, R3E, B.H.M., City of Deadwood, Lawrence County, South Dakota

FILE STATUS: All legal obligations have been completed.

ZONE: R1 – Residential District

STAFF FINDINGS:

Surrounding Zoning:	Surrounding Land Uses:
North: R1 – Residential	Residential Structures
South: C1 – Commercial	Downtown
East: R1 - Residential	Residential Structures
West: R1 – Residential	Apartment Building

SUMMARY OF REQUEST

The Final Plat for Lots 1A and 1B of Block J located on the North side of Williams Street has been submitted to define property lines and remove a portion of private property from the roadway. This will also clear up property lines for a public street as well as allow for the future transfer of Lot 1B.

FACTUAL INFORMATION

1. The property is currently zoned R1– Residential District

2. Lot 1A is comprised of 0.059 Acres±.

Lot 1B is comprised of 0.042 Acres±
Lot 1C is comprised of 0.011 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 open space and residential structures.

STAFF DISCUSSION

Lot 1B and 1C are currently under ownership of the City of Deadwood and the City Commission will be asked in the near future if the property should be transferred to the owners of Lot 1A as they have been using it for many years as a yard. Both of the lots in this plat are not conforming to the zoning code in regards to area and bulk requirements, however there is no space to increase the size of the lots to make them conforming.

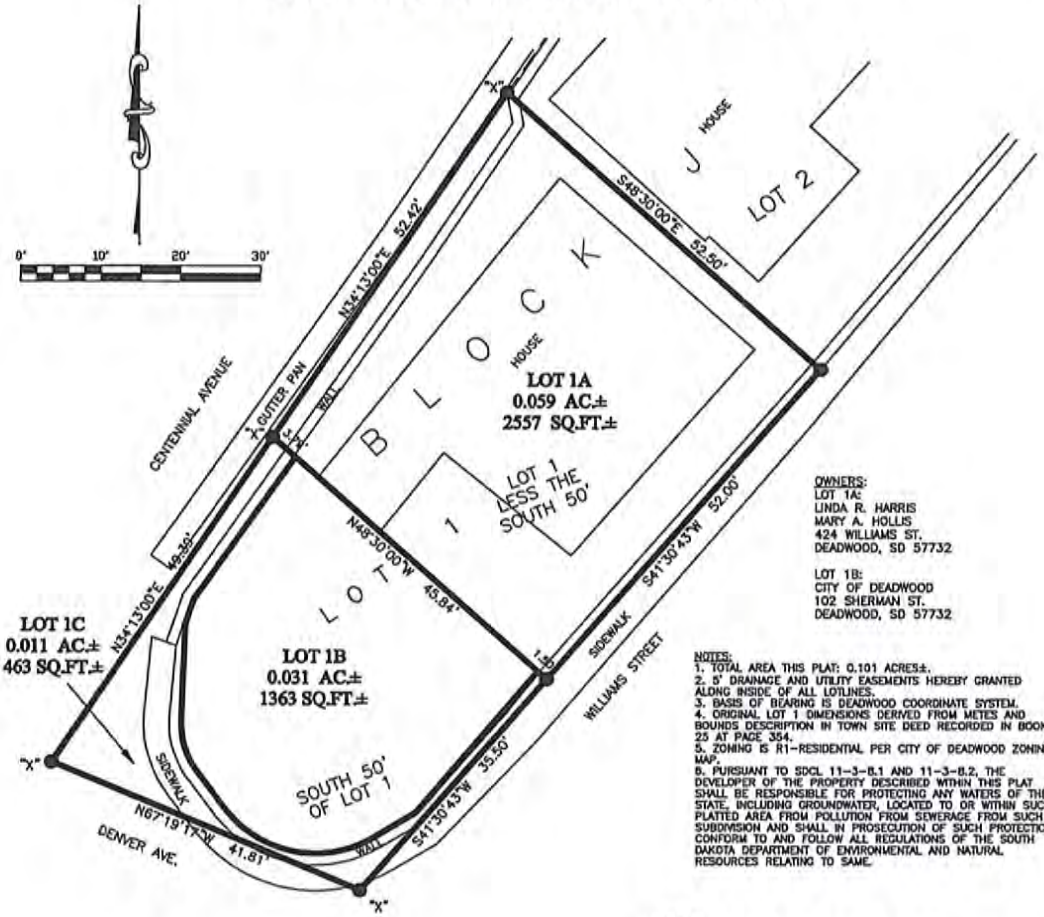
1. The North Arrow is shown on the plat with a direct reference to the coordinate mapping system.
2. Land is identified with a new legal description for the transfer of the land.
3. Surveyor's Certificate is shown with the name of the surveyor and his registered land surveyor number.
4. A date is shown 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.

LOTS 1A, 1B AND 1C OF BLOCK J, ORIGINAL TOWN OF DEADWOOD;

FORMERLY LOT 1 OF BLOCK J,
ALL LOCATED IN THE SE1/4 OF SECTION 22, T5N, R3E, B.H.M,
CITY OF DEADWOOD, LAWRENCE COUNTY, SOUTH DAKOTA



OWNERS:
LOT 1A:
LINDA R. HARRIS
MARY A. HOLLIS
424 WILLIAMS ST.
DEADWOOD, SD 57732

LOT 1B:
CITY OF DEADWOOD
102 SHERMAN ST.
DEADWOOD, SD 57732

NOTES:
1. TOTAL AREA THIS PLAT: 0.101 ACRES±.
2. 5' DRAINAGE AND UTILITY EASEMENTS HEREBY GRANTED ALONG INSIDE OF ALL LOTLINES.
3. BASIS OF BEARING IS DEADWOOD COORDINATE SYSTEM.
4. ORIGINAL LOT 1 DIMENSIONS DERIVED FROM METES AND BOUNDS DESCRIPTION IN TOWN SITE DEED RECORDED IN BOOK 25 AT PAGE 354.
5. ZONING IS R1-RESIDENTIAL PER CITY OF DEADWOOD ZONING MAP.
6. 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.

LEGEND:
● SET REBAR & CAP "ARLETH & ASSOC. LS 3977" UNLESS NOTED
○ FOUND MONUMENT AS NOTED

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
I/WE,_____DO HEREBY CERTIFY THAT I/WE AM/ARE THE OWNER(S) OF THE PROPERTY SHOWN AND DESCRIBED HEREON, THAT I/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:_____

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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	24 CLIFF STREET DEADWOOD, SD 57732 605-578-1637	DATE: MAY 27, 2015 REV: SCALE: 1"=10'	APPROVED: JMA DRAWN: FD DWG: 8885 PLAT.dwg

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

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

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

STAFF REPORT
PLANNING AND ZONING
June 3, 2015 JOINT MEETING

APPLICANT: Kristopher Creger
51 Taylor Avenue
Deadwood, SD 57732

PURPOSE: Transfer Property

GENERAL LOCATION: 51 Taylor Avenue

LEGAL DESCRIPTION: Lots 3A and 4A of Block 45, Original Town of Deadwood; Formerly Lot 3 and the South Half of Lot 4 of Block 45, All located in the SW ¼ of Section 23, T5N, R3E, B.H.M., City of Deadwood, Lawrence County, South Dakota

FILE STATUS: All legal obligations have been completed.

ZONE: R1 – Residential District

STAFF FINDINGS:

Surrounding Zoning:	Surrounding Land Uses:
North: R1 – Residential	Residential Structures
South: R1 – Residential	Residential Structures
East: R1 - Residential	Residential Structures
West: R1 – Residential	Residential Structures

SUMMARY OF REQUEST

The Final Plat for Lots 3A and 4A of Block 45 located on the East side of Taylor Avenue has been submitted to transfer property.

FACTUAL INFORMATION

1. The property is currently zoned R1– Residential District

2. Lot 3A is comprised of 0.170 Acres±.
Lot 4A is comprised of 0.007 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 open space and residential structures.

STAFF DISCUSSION

Lot 4A is currently under ownership of the Kristopher Creger of 51 Taylor Avenue and is in the process of selling this parcel to the neighboring property owner. Lot 4A in this plat is not conforming to the zoning code in regards to area and bulk requirements, however the City will begin work to plat Lot 4A into the new owners property as one parcel.

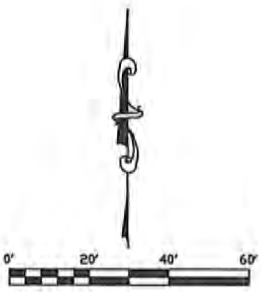
1. The North Arrow is shown on the plat with a direct reference to the coordinate mapping system.
2. Land is identified with a new legal description for the transfer of the land.
3. Surveyor's Certificate is shown with the name of the surveyor and his registered land surveyor number.
4. A date is shown 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.

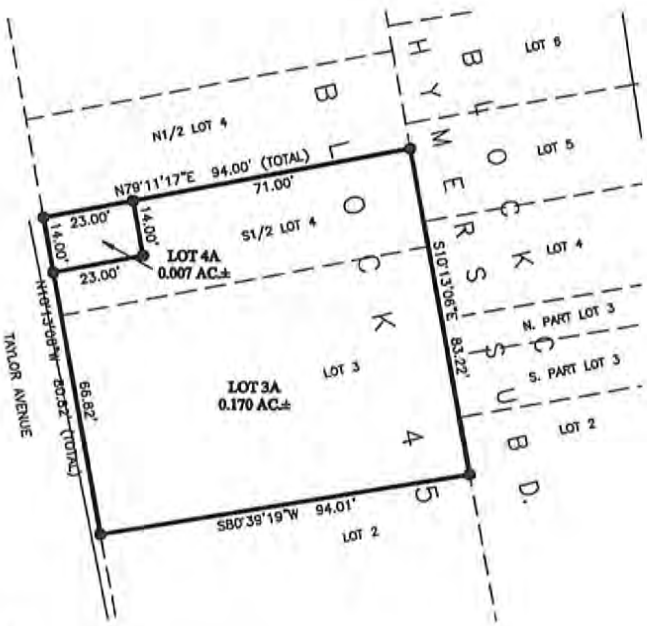
ACTION REQUIRED:

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

LOTS 3A AND 4A OF BLOCK 45, ORIGINAL TOWN OF DEADWOOD;

FORMERLY LOT 3 AND THE SOUTH HALF OF LOT 4 OF BLOCK 45, ALL LOCATED IN THE SW1/4 OF SECTION 23, T5N, R3E, B.H.M, CITY OF DEADWOOD, LAWRENCE COUNTY, SOUTH DAKOTA





OWNERS:
KRISTOPHER CREGER
51 TAYLOR AVE.
DEADWOOD, SD 57732

NOTES:
1. TOTAL AREA THIS PLAT: 0.177 ACRES±.
2. BASIS OF BEARING IS DEADWOOD COORDINATE SYSTEM.
3. ZONING IS R1-RESIDENTIAL PER CITY OF DEADWOOD ZONING MAP.
4. PURSUANT TO SDCL 11-3-B.1 AND 11-3-B.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. LOT 4A HAS NO BUILDING RIGHTS, EXCEPT FOR THE EXISTING STRUCTURE, AND IS FOR TRANSFER PUPOSES ONLY.

LEGEND:
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REVISED COPY

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