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

A Joint Meeting of the Deadwood Planning and Zoning Commission will be held on Wednesday, January 21, 2015 at 5:00 p.m. at the Deadwood City Commission Chambers, located at 102 Sherman Street, Deadwood, South Dakota.

AGENDA TO DATE:

5:00 p.m. Call meeting to order
Approve December 17, 2014 Minutes

Election of Officers
Chairperson – One Year Term
Vice-Chairperson – One Year Term
Secretary – One Year Term

SIGN REVIEW COMMISSION:

Introduction of New Building Inspector

Permitted Uses – Fur-Ever Wild – 305 Cliff Street – Terri Petter
Action Required:
a. Approve / Deny uses proposed at 305 Cliff Street as comparable

FINAL PLAT: Lot 4, Being a Portion of M.C. 216; Formerly Parcel Located in the SW1/4 of Section 23, T5N, R3E, BHM, City of Deadwood, Lawrence County, South Dakota

Applicant: State of South Dakota
Address: Lower Main Street Parking Lot

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

FINDINGS OF FACT – REQUEST FOR A 5' VARIANCE FROM SECTION 17.24.040.C.1 – FRONT YARD SETBACK REQUIREMENTS
Applicant: First Interstate Bank
Address: 152 Sherman Street

Action Required:
a. Recommend Approval/Denial by Planning and Zoning
b. Approval/Denial by Deadwood Board of Adjustment

Open

Adjourn

CITY OF DEADWOOD
PLANNING AND ZONING COMMISSION

December 17, 2014 JOINT MEETING

The Joint Meeting of the Deadwood Planning and Zoning Commission and Board of Adjustment was called to order by Chairperson Jim Shedd on Wednesday, December 17, 2014 at 5:00 p.m. in the Deadwood City Hall Meeting Room located at 102 Sherman Street, Deadwood, SD 57732.

PRESENT PLANNING & ZONING: Jim Shedd, Marie Farrier, Mark Speirs, Sheree Green, and Mel Allen.

PRESENT BOARD OF ADJUSTMENT: Dave Ruth, Gary Todd, Jim Van Den Eykel and Georgeann Silvernail.

ABSENT BOARD OF ADJUSTMENT: Chuck Turbiville

APPROVAL OF MINUTES:
It was moved by Mr. Speirs and seconded by Ms. Farrier to approve the minutes of the November 19, 2014 Meeting. Aye – All. Motion carried.

SIGNS: No Business

PERMITTED USES: Fur-Ever Wild- 305 Cliff Street
Mr. Nelson said the applicant is applying for permitted uses at 305 Cliff Street. He summarized the uses the applicant is requesting and stated that camping would require a conditional use permit. The proposed business would require approval from the State of South Dakota prior to beginning activity.

Mr. Speirs questioned the location and Ms. Farrier questioned whether it would be appropriate to have it located in a residential area.

It was moved by Mr. Speirs and seconded by Ms. Farrier to continue the application for permitted uses at 305 Cliff Street. until the applicant could be present to answer questions. Aye- All. Motion carried.

REQUEST FOR VARIANCE: First Interstate Bank- 152 Sherman Street
Mr. Nelson said the applicant is requesting a five (5) foot variance from front yard setback requirements. The parcel is currently used as a drive up bank location and is surrounded by C1-Commercial Zoning and PU- Public Use zoning with a variety of uses throughout.

It was moved by Mr. Speirs and seconded by Mr. Allen to approve the variance request for First Interstate Bank located at 152 Sherman Street. Aye – All. Motion carried.

FINDINGS AND FACTS CONCLUSIONS: Black Diamond LLC- 668 Main Street

Mr. Nelson said there have been no reported issues with the valet service and the service has been used well. He also noted that the applicant has followed stipulations and checked in with Mr. Nelson on a regular basis.

It was moved by Ms. Farrier and seconded by Ms. Green to approve the Findings and Facts Conclusions for Black Diamond LLC located at 668 Main Street.

Mr. Shedd closed the Planning and Zoning Meeting.

Ms. Silvernail opened the Board of Adjustment.

REQUEST FOR VARIANCE: First Interstate Bank- 152 Sherman Street

It was moved by Mr. Todd and seconded by Mr. Van den Eykel to approve the variance request for First Interstate Bank located at 152 Sherman Street. Aye - All. Motion carried.

FINDINGS AND FACTS CONCLUSIONS: Black Diamond LLC- 668 Main Street

It was moved by Mr. Ruth and seconded by Mr. Todd to approve the Findings and Facts Conclusions for Black Diamond LLC located at 668 Main Street.

Ms. Silvernail closed the Board of Adjustment and turned the meeting over to the Planning and Zoning Commission.

ADJOURNMENT:

It was moved by Ms. Farrier and seconded by Mr. Speirs to adjourn the Regular Meeting of the
Planning and Zoning Commission. Aye - All. Motion carried.

Planning & Zoning Commission adjourned at 5:20pm

ATTEST:

Mr. Jim Shedd
Chairman
Planning and Zoning

Ms. Sheree Green
Secretary
Planning and Zoning

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DEADWOOD CITY HALL
102 Sherman Street
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MEMORANDUM

Date: January 7, 2015

To: Planning and Zoning Commission

Re: Election of Officers

A. Officers.

1. The officers of the planning and zoning commission shall consist of a chairperson, vice-chairperson and secretary.
2. Each officer shall be appointed with separate motions.
3. Each officer is elected for a term of one year and eligible for re-election.

Action required: Nomination and Election of Chairperson, Vice-Chairperson, and Secretary.

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Comparable Uses

Date: January 21, 2015

To: Planning and Zoning Commission

Re: 305 Cliff Street – Terri Petter – Comparable Uses

Before you is a request to approve a list of proposed uses at 305 Cliff Street in Deadwood which has a zoning of Commercial Highway. Attached you have a letter from the applicant stating the proposed activities, a copy of the Commercial Highway Zoning uses, and some information on the proposed business. The Action of the Planning Commission is to determine if all of the uses are permitted by right or if they are comparable and if any of the uses are not comparable or permitted those uses would require a Conditional Use Permit. Below are the proposed Uses at this time with a determination as to whether they are permitted by use or in need of a comparable use determination.

Retail Business – Permitted Use
Staff Housing – Permitted Use
Animal Viewing and Caretaking – Comparable
Education of Animals – Comparable

The proposed future uses will be reviewed at the time of application to initiate the uses. Camping would require a conditional use permit and the trails would be a permitted use by right.

All of the proposed activities that involve animals would require approval from the State of South Dakota prior to beginning activities.

Action Required:

a. Approve or Deny Animal Viewing and Caretaking as a Comparable Use
b. Approve or Deny Education of Animals as a Comparable Use

City of Deadwood Planning and Zoning Commission.

I am requesting that the "Deadwood Dog Kennel" property be approved as a comparable use. Located at 305 Cliff St.

The scope of what the land will be used for is as follows.

A sign will be put up in the front yard, comparable to the one that is there now.

Retail in the house.
Living in the house.
Educational information would be posted in and around the house about the North American Wildlife that was at the facility.
The house will also be used for animal food prep, bottle making, cleaning and feeding and holding the babies at night when not left outside.
Pet-n-Plays open to the public.
Pet-n-Plays are where the public comes in and pays to play with the baby animals.
All p-n-ps are supervised by trained animal handlers.
The front yard (if approved by the state) will be used for one of these options.
White tail deer fawns for p-n-ps.
Farm animals such as goats, chickens, mini horses etc.
More pet-n-play areas for other North American Wildlife babies.

The wildlife babies would include but not limited to, wolves, cougars, bobcats, raccoons, fox, porcupines, fishers and Lynx.
We are a USDA licensed facility.

Possible future use.
The trail leading to the back acreage sometime in the future will be used for tent camping and a nature trail. Ten sites MAX because of the terrain. The trail will be expanded for easier walking conditions and spots flattened out for tents. No motor vehicles would be allowed.

If there is any questions please contact me at 612-467-WOLF (9653)

Thank you very much for your time,

.

Terri Petter

Fur-Ever Wild

Hours

Fridays 4-8,
Saturdays 12-8,
Sundays 12-6,
Self guided
outdoor tours

Home | About | Contact | Photos | Plan Your Visit | Donate/Volunteer
Online Store | Support our Sponsors | Hours events location | Webcam | Webcam2 | Photography workshops

Fur-Ever Wild is a working agricultural farm, that celebrates our traditional connections to the land and mother nature...
...from the pioneering trappers and hunters that traveled through and settled in Minnesota, to our ranchers and farmers who are feeding the world today.
Fur-Ever Wild is NOT ANTI-HUNTING, in fact we encourage ethical outdoorsmanship. We believe that people who are connected to mother nature will help in the efforts to make sure we have habitats for our beloved wildlife, wooded areas, open lands and hunting land for generations to come.
Fur-Ever Wild will educate you with up-close encounters with our North American Fur-Bearing Wildlife we share Minnesota with -- We offer engaging live animal demonstrations as adult and children's programs.
Come face-to-face with a cougar,
Feed the farm animals--
Pet the mini horses--
Go agate hunting in our rock pile--
Use our telescopes to see many solar objects that await!

Winter Wonderland Hours

Fur-Ever Wild home of Wolves-Woods and Wildlife

Fri. 4-8, Sat. 12-8, Sun. 12-6
Walk through a self guided tour of North American Wildlife and
50,000 Christmas lights.
We close for the winter starting Jan 4.

612- 467-
WOLF (9653)

2 packs of hot dogs for $5.00

Get frequent updates on our Facebook page
Fur-Ever Wild

Fur-Ever Wilds address is 10132 235th St W. Lakeville, Mn 55044

From 35 take Hwy 70 East, to Dodd Blvd (Cnty Rd 9), South 3 miles, take a right on 235th st W, its a gravel road, Fur-Ever Wild is the first long driveway on your left.

Fur-Ever Wild is not an animal shelter. We are not able to take on stray or captured animals. Please contact us and we will be happy to help you find a home for these animals.

Wild and exotic animal do NOT make good pets. Please do not think you can domesticate any of these animals.

DEADWOOD
INFORMATION SHEET

-Fur-Ever Wild is an outdoor educational facility where the public is allowed to come visit there 100 acre facility 9 months out of the year. April -Dec.

-Fur-Ever Wild believes in ethical hunting, fishing and other outdoor activities. Their goal is to get kids off the couch, to turn off the video games and get outside and enjoy mother nature.

-Fur-Ever Wild is licensed and regulated by the USDA (License number 41-C-0215) Minnesota DNR, Mn Dept of Ag licensed and MN board of animal health.

-All animals that are imported to SD must have health certificates, an import license and either be tattooed or micro chipped. The SD state vet is the one that over sees the issuing of this permit. Fur-Ever Wild has imported animals to the Sioux Falls Sportsman show in previous years and will again in March of 2015, where the owner of Fur-Ever Wild will be the main headliner, doing demonstrations with her LIVE wolves.

-All animals that are used for pet-n-plays MUST be six months of age or YOUNGER! This is a USDA regulation. Vet permission and health certificates must also be documented for pet-n-plays.

-NOTHING is ever taken from or released into the wild. This is a FEDERAL regulation.

-Fur-Ever Wilds owner has owned, raised, loved and taken care of wolves and other North American Wildlife for 22 years.

Deadwood location.

-All USDA rules and regulation MUST be followed. The rules and regulations book is available at the USDA website. (approx 250 pages long)

-The USDA will inspect the facility in Deadwood BEFORE any animals move in and Fur-Ever Wild will be subject to any surprise inspection at anytime after that.

-The DEADWOOD location will only be open April -Sept. Then all the animals will return to their forever home at our Minnesota location where they are used for educational purposes at that 100 acre facility.

-Any and all SD State rules and regulations will be followed.

-Safety rules for humans and animals will be strictly followed. Example. Babies can only be played with for so long before they have to go in and let sleep and rest.

-A vet care plan is also regulated by the USDA. Worming, vaccinations and injuries.

-The USDA requires safety and emergency handling procedures. During inspections these procedures are inspected. Some of the Emergency procedures are severe weather, escaped animal, human interference and medical emergencies (vet care).

Please visit our website at fureverwild.org.

Thank you for your time.

I apologize for not being able to answer these questions in person. The St Paul Sportsman show starts Thurs and Fur-Ever Wild does all the media coverage for the local LIVE morning news broadcasts in the mornings starting at 6am.

I will be available for a conference call during your meeting. 612-366-2574.

Thank you very much and I look forward to hearing from you to answer any other questions you might have.

Terri Petter

Print

Deadwood, SD Code of Ordinances

Chapter 17.40
CH COMMERCIAL HIGHWAY DISTRICT

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.

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STAFF REPORT
PLANNING AND ZONING
JANUARY 21, 2015 JOINT MEETING

APPLICANT: City of Deadwood

PURPOSE: To Create a Legal Description and To Facilitate the Transfer of Property

GENERAL LOCATION: Lower Main Street Parking Lot

LEGAL DESCRIPTION: Lot 4, Being a Portion of M.C. 216; Located in the SW1/4 of Section 23, T5N, R3E, BHM, City of Deadwood, Lawrence County, South Dakota

FILE STATUS: All legal obligations have been completed.

ZONE: PU – Public Use District

STAFF FINDINGS:

Surrounding Zoning:	Surrounding Land Uses
North: C1 Commercial	Retail Business
South: R2 Multi-family	Vacant Land
East: R2 Multi-family	Whitewood Creek Trail
West: C1 Commercial	Tin Lizzie Gaming Resort

SUMMARY OF REQUEST

The Final Plat of Lot 4 has been submitted to facilitate the transfer of land as well as create a legal description. The property is located at the south end of the lower main street parking lot and is currently under ownership of the State of South Dakota.

Lot 4
State of South Dakota
January 21, 2015

FACTUAL INFORMATION

1. The property is currently zoned PU – Public Use District
2. Lot 4 is comprised of 0.073 Acres±
3. The subject property is located within an area designated "Business Park" by the City of Deadwood's Comprehensive plan of 2001. This area is intended to contain a mixture of uses in an urbanized environment.
4. Lot 4 is located within the floodplain with average depths of less than 1 foot or with drainage areas less than 1 square mile.
5. Public facilities are available to serve the property.

STAFF DISCUSSION

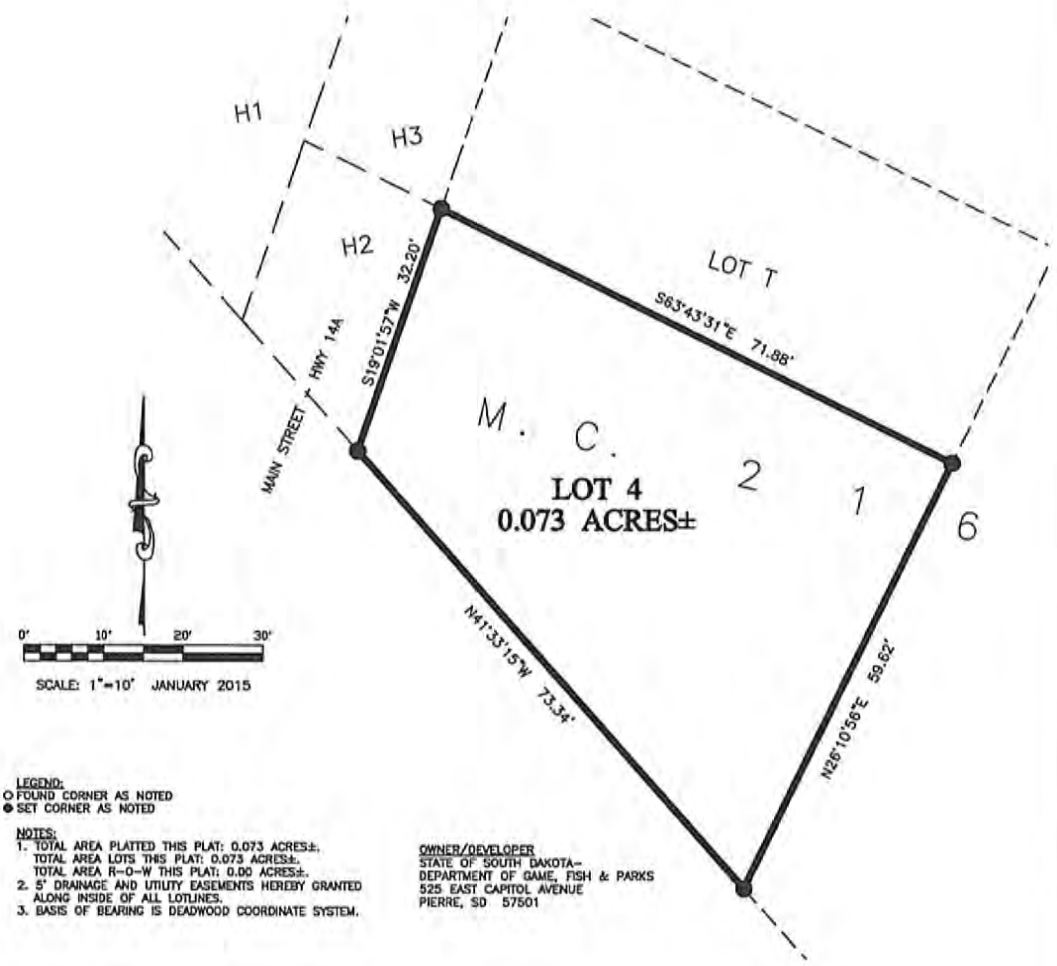
The property involved in this plat is used as a public entrance to the lower main street parking lot. This plat involves property proposed to be transferred to the City of Deadwood from the State of South Dakota. With the City currently in the development stages of a new visitor's center near this location it is required that the City own the property being developed. In addition the State of South Dakota Game, Fish, and Parks Department has no purpose for owning real estate within the boundaries of the City of Deadwood.

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 lots is shown and named.
6. All certifications are indicated and correct on the plat.
7. Dimensions, angles and bearings are shown along the lot lines.
8. Scale of the plat is shown and accompanied with a bar scale.
9. Area's taken out of the mineral survey and remaining acreage is indicated on the plat.

ACTION REQUIRED:

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

PLAT OF LOT 4, BEING A PORTION OF M.C. 216;
LOCATED IN THE SW1/4 OF SECTION 23, T5N, R3E, B.H.M., CITY OF DEADWOOD, LAWRENCE COUNTY, SOUTH DAKOTA.



SCALE: 1"=10' JANUARY 2015

LEGEND:
○ FOUND CORNER AS NOTED
● SET CORNER AS NOTED

NOTES:
1. TOTAL AREA PLATTED THIS PLAT: 0.073 ACRES±.
   TOTAL AREA LOTS THIS PLAT: 0.073 ACRES±.
   TOTAL AREA R-O-W THIS PLAT: 0.00 ACRES±.
2. 5' DRAINAGE AND UTILITY EASEMENTS HEREBY GRANTED ALONG INSIDE OF ALL LOTLINES.
3. BASIS OF BEARING IS DEADWOOD COORDINATE SYSTEM.

OWNER/DEVELOPER
STATE OF SOUTH DAKOTA-
DEPARTMENT OF GAME, FISH & PARKS
525 EAST CAPITOL AVENUE
PIERRE, SD 57501

SURVEYOR'S CERTIFICATE
I, JOHN M. ARLETH, 24 CLIFF RD., 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, DOUGLAS HOFER, ACTING DEPARTMENT SECRETARY, DO HEREBY CERTIFY THAT WE ARE THE OWNERS OF THE PROPERTY SHOWN AND DESCRIBED HEREON, THAT WE DO APPROVE THIS PLAT AS HEREON SHOWN AND THAT DEVELOPMENT OF THIS PROPERTY SHALL CONFORM TO ALL EXISTING APPLICABLE ZONING, SUBDIVISION, EROSION AND SEDIMENT CONTROL REGULATIONS.

SIGNATURE:_____
DOUGLAS HOFER, ACTING DEPARTMENT SECRETARY
STATE OF SOUTH DAKOTA-
DEPARTMENT OF GAME, FISH & PARKS
525 EAST CAPITOL AVENUE
PIERRE, SD 57501

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:_____

SHEET 1 OF 1

PREPARED BY: ARLETH LAND SURVEYING	24 CLIFF STREET DEADWOOD, SD 57732 605-578-1637	JOB NO. 9156	DATE: JANUARY 9, 2015 REV: SCALE: 1"=10'	APPROVED: JMA DRAWN: FD DWG: 9156.dwg

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FINDINGS OF FACT AND CONCLUSIONS
REQUEST FOR VARIANCE
FROM SECTION 17.36.040.B.1
FRONT YARD SETBACK REQUIRMENTS
CE – COMMERCIAL ENTERPRISE DISTRICT

APPLICANTS: FIRST INTERSTATE BANK

ADDRESS: 152 Sherman Street

LEGAL DESCRIPTION: Bank Lot, a portion of "Lot R1", City of Deadwood Railroad Property, Located in the NW1/4 of Section 26, T5N, R3E, BHM, City of Deadwood, Lawrence County, South Dakota.

PURPOSE: In the matter of the application of First Interstate Bank for a five (5) foot variance from Section 17.36.040.B.1 Front yard setback requiring a 20' setback for all structures.

ZONING: CE – Commercial Enterprise District

WHEREAS, the above application for Variance from Front Yard Setback heard in public hearing on December 21, 2014, at 5:05 p.m. was recommended for approval by the Deadwood Planning and Zoning Commission to the Deadwood Board of Adjustment and Approved by the Deadwood Board of Adjustment.

WHEREAS, all present members of the Deadwood Planning and Zoning Commission and the Deadwood Board of Adjustment having reviewed the Variance request and having considered all comments offered and all of the evidence and testimony presented for the application; and, after discussion and consideration of the application and being fully advised in the premises, the Deadwood Planning and Zoning Commission and Deadwood Board of Adjustment hereby enter their:

First Interstate Bank
Variance from Front Yard Setback
January 21, 2014 Meeting

FINDINGS OF FACT AND CONCLUSIONS

COMPLIANCE:

1. Staff provided public notice identifying the applicant, describing the purpose of the application and its location, and giving the scheduled date of the public hearing to adjacent landowners within 300' in accordance with Section 17.80.010.B.
2. Notice was placed in the designated newspaper of the City of Deadwood, ten (10) days in advance of the hearing as required by Section 17.80.B.
3. An official sign was posted on the property for which the Variances were filed as required by Section 17.80.
4. Application requirements were met.

FINDINGS:

1. ***The shape of the described lot is not of uniform shape and the site has been laid out to serve as a drive-up bank location which limits the use of a large portion of the lot.***

2. ***The subject use will remain the same and is a use by right in the CE – Commercial Enterprise District.***

3. ***That within the intent and purposes of this application for variance, if granted, the minimum adjustment necessary to afford relief or the reasonable use of the land would be a five foot variance. The remaining bulk and height regulations are all met (i.e. side and rear setback requirements and height).***

4. ***The proposed project is compatible with the current built in structure on the lot. The granting of the proposed addition will not be detrimental to fire safety, clearance, preservation of light and open space and/or visual and aesthetic concerns.***

   The variance will not alter the essential character of the surrounding area in which the property is located; substantially or permanently impair the appropriate use or development of adjacent property.

5. ***Several factors shall be evaluated in review of the variance request for the Bank Lot. A site plan for the initial construction of the bank allowed for sufficient parking, the building, and the ability to provide drive-up service; this however did not take into consideration future growth of the building. Without major changes to the entire site, an addition cannot be built to the bank unless an extension to the existing building is created to the North. In addition to site plan layout the overall appearance of the building was previously approved as it is today by the Historic Preservation Commission and any addition proposed today must have Historic Preservation***

Commission approval. The proposed addition may or may not be appropriate upon review of the Historic Preservation Commission.

6. ***The use and value of the area adjacent to the property included in the variance request will not be affected in an adverse manner. There will be no significant adverse impacts on water supply, schools, or other services. A variance cannot be granted if it would pose any threat to the public health or safety. This finding includes concerns such as fire safety, and visual and aesthetic concerns.***

7. ***First Interstate Bank has proven ownership of the subject property to the City of Deadwood Planning and Zoning office.***

ATTEST:

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Ms. Mary Jo Nelson, Finance Officer
City of Deadwood
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Charles Turbiville, Mayor
City of Deadwood
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Jim Shedd, Chairperson
Planning and Zoning
City of Deadwood
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Ms. Sheree Green, Secretary
Planning and Zoning
City of Deadwood
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