



# Planning and Zoning Commission Regular Meeting Minutes

Wednesday, July 21, 2021 at 5:00 PM

City Hall, 102 Sherman Street, Deadwood, SD 57732

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## 1. Call to Order

The meeting of the Deadwood Planning and Zoning Commission was called to order by Chairman Martinisko on Wednesday, July 23, 2021, at 5:00 p.m. in the Deadwood City Hall Meeting Room, located at 102 Sherman Street, Deadwood, SD 57732.

## 2. Roll Call

PRESENT

Commissioner (Chair) John Martinisko  
Commissioner (Vice Chair) Bill Rich  
Commissioner (Secretary) Josh Keehn  
Commissioner Dave Bruce  
Commissioner Kevin Wagner

Mayor, David R. Ruth Jr.  
City Commissioner Charlie Struble Mook  
City Commissioner Mike Johnson  
City Commissioner Gary Todd

STAFF PRESENT

Jeramy Russell, Planning and Zoning Administrator  
Trent Mohr, Building Inspector  
Bonny Anfinson, Program Coordinator

## 3. Approval of Minutes

- a. Approval of June 16, 2021, Minutes

***It was moved by Commissioner Wagner and seconded by Commissioner Keehn to approve the June 16, 2021, minutes. Voting Yea: Martinisko, Keehn, Bruce, Wagner, Rich***

## 4. Sign Review Commission

- a. 658 Main - Midwest Motels of Deadwood/KHJ Hospitality - Install New Wall Sign

Mr. Mohr stated Midwest Motels of Deadwood/KHJ Hospitality is requesting permission to install a new wall sign at 658 Main Street. There was a previously approved wall sign of a different design and size in the same location. That sign was approved September 8, 2011, and was removed by the applicant after being damaged by hail. The proposed sign requires four variances: Exceed the maximum square footage of a wall sign of 50 square feet; Exceed the maximum vertical dimension of a wall sign of two feet; The top of the sign will be higher than bottom sills of the second story windows; The addition of this sign will exceed the overall maximum square footage allowed for signage at this address by 42.5 square feet.

The word "casino" is not allowed on signage. ***It was moved by Commissioner Bruce and seconded by Commissioner Rich to continue the sign request to the next meeting. Voting Yea: Martinisko, Keehn, Bruce, Wagner, Rich***

## **5. Planning and Zoning Commission**

- a. Temporary Vending Application - 21 Deadwood Street - Camy Wenberg - Rally Tattoo Business

Mr. Russell stated Camy Wenberg has applied for a temporary vendor's license for the purpose of operating her tattoo business in Deadwood during the Sturgis Motorcycle Rally. Camy will be working out of the Iron Horse located at 21 Deadwood Street. Camy has obtained her South Dakota State Sales Tax ID and is licensed with the Minnesota Department of Health. A call was made to the Minnesota Department of Health to confirm and assure the applicant has no issues with them. ***It was moved by Commissioner Keehn and seconded by Commissioner Wagner to approve the Temporary Vending License to Camy Wenberg to operate a temporary tattoo business during the Sturgis Motorcycle Rally at the Iron Horse located at 21 Deadwood Street. Voting Yea: Martinisko, Keehn, Bruce, Wagner, Rich***

- b. Findings of Fact and Conclusions - Request for Variance - Robb & Wendy Nelson – 19 Centennial Avenue

Lot 8A, Block K, Original Townsite, City of Deadwood, Lawrence County, South Dakota, Formerly Portions of Lots 8 and 9, Block K

***It was moved by Commissioner Keehn and seconded by Commissioner Wagner to approve the Findings of Fact and Conclusions for request of variance from section 17.24.040.B - front yard setback requirements, R1-Residential District. Voting Yea: Martinisko, Keehn, Bruce, Wagner, Rich***

- c. Final Plat - Transfer of Land and Creating Property Lines - 731 and 733 Stage Run - WJP Holdings, LLC (William Pearson)

PLAT OF LOTS 1C AND 1D, BLOCK 4A OF PALISADES TRACT OF DEADWOOD STAGE RUN ADDITION TO THE CITY OF DEADWOOD 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 FORMERLY A PORTION OF LOT 1, BLOCK 4A

Mr. Russell stated WJP Holdings, LLC is submitting a plat for the purpose of facilitating the transfer of property and establish property lines. This plat describes the area located at 731 and 733 Stage Run Road. Legally described as Plat of Lots 1C and 1D, Block 4A of Palisades Tract of Deadwood Stage Run Addition of the City of Deadwood located in the SW 1/4 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 formerly a portion of Lot 1, Block 4A. ***It was moved by Commissioner Wagner and seconded by Commissioner Rich to approve the transfer of land and creating property lines for Plat of Lots 1C and 1D, Block 4A of Palisades Tract of Deadwood Stage Run Addition of the City of Deadwood located in the SW 1/4 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 formerly a portion of Lot 1, Block 4A. Voting Yea: Martinisko, Keehn, Bruce, Wagner, Rich***

- d. Plat - Development, Construction and Creating Property Lines - Mystery Wagon Road - WJP Holdings, LLC (William Pearson)  
PLAT OF LOTS 6, 7, 8, 9, 10, 11, 12, 13 and 14, BLOCK 4A OF PALISADES TRACT OF DEADWOOD STAGE RUN ADDITION TO THE CITY OF DEADWOOD 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

Mr. Russell stated Deadwood Stage Run, LLC is submitting a plat for development, construction and creating property lines for Stage Run Phase 2 legally described as Plat of Lots 6, 7, 8, 9, 10, 11, 12, 13, and 14, Block 4A of Palisades Tract of Deadwood Stage Run Addition to the City of Deadwood 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, SD. ***It was moved by Commissioner Rich and seconded by Commissioner Keehn to approve a plat for development, construction and creating a property line for Stage Run Phase 2 legally described as Plat of Lots 6, 7, 8, 9, 10, 11, 12, 13 and 14, Block 4A of Palisades Tract of Deadwood Stage Run Addition to the City of Deadwood 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, SD. Voting Yea: Martinisko, Keehn, Bruce, Wagner, Rich***

Commissioner Martinisko turned the meeting over to the Board of Adjustments.

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

- a. Temporary Vending Application - 21 Deadwood Street - Camy Wenberg - Rally Tattoo Business

***It was moved by Commissioner Struble and seconded by Commissioner Johnson to approve the Temporary Vending License to Camy Wenberg to operate a temporary tattoo business during the Sturgis Motorcycle Rally at the Iron Horse located at 21 Deadwood Street. Voting Yea: Ruth, Struble, Johnson, Todd***

- b. Findings of Fact and Conclusions - Request for Variance - Robb & Wendy Nelson – 19 Centennial Avenue  
Lot 8A, Block K, Original Townsite, City of Deadwood, Lawrence County, South Dakota, Formerly Portions of Lots 8 and 9, Block K

***It was moved by Commissioner Struble and seconded by Commissioner Johnson to approve the Findings of Fact and Conclusions for request of variance from section 17.24.040.B - front yard setback requirements, R1-Residential District. Voting Yea: Ruth, Struble, Johnson, Todd***

- c. Final Plat - Transfer of Land and Creating Property Lines - 731 and 733 Stage Run - WJP Holdings, LLC (William Pearson)  
PLAT OF LOTS 1C AND 1D, BLOCK 4A OF PALISADES TRACT OF DEADWOOD STAGE RUN ADDITION TO THE CITY OF DEADWOOD 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 FORMERLY A PORTION OF LOT 1, BLOCK 4A

***It was moved by Commissioner Todd and seconded by Commissioner Struble to approve the transfer of land and creating property lines for Plat of Lots 1C and 1D, Block 4A of Palisades Tract of Deadwood Stage Run Addition of the City of Deadwood located in the SW 1/4 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 formerly a portion of Lot 1, Block 4A. Voting Yea: Ruth, Struble, Johnson, Todd***

- d. Plat - Development, Construction and Creating Property Lines - Mystery Wagon Road - WJP Holdings, LLC (William Pearson)  
PLAT OF LOTS 6, 7, 8, 9, 10, 11, 12, 13 and 14, BLOCK 4A OF PALISADES TRACT OF DEADWOOD STAGE RUN ADDITION TO THE CITY OF DEADWOOD 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

***It was moved by Commissioner Rich and seconded by Commissioner Keehn to approve a plat for development, construction and creating a property line for Stage Run Phase 2 legally described as Plat of Lots 6, 7, 8, 9, 10, 11, 12, 13 and 14, Block 4A of Palisades Tract of Deadwood Stage Run Addition to the City of Deadwood 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, SD. Voting Yea: Ruth, Struble, Johnson, Todd***

***It was moved by Commissioner Struble and seconded by Commissioner Johnson to adjourn the Board of Adjustments meeting. Voting Yea: Ruth, Struble, Johnson, Todd***

Mayor David R. Ruth, Jr. turned the meeting back to Commissioner Martinisko.

## **6. Items from Citizens not on Agenda**

(Items considered but no action will be taken at this time.)

## **7. Items from Staff**

Mr. Russell stated staff has been working with Hamari on the short-term rental issues. There was a great article in the ***Black Hills Pioneer***. We are down to 65 and 15 are out of compliance.

This is Bill Rich's last meeting as he is resigning from the Planning and Zoning Commission. He has been a great asset to the City of Deadwood and the Planning and Zoning Commission.

**8. Adjournment**

***It was moved by Commissioner Wagner and seconded by Commissioner Keehn to adjourn the regular meeting of the Planning and Zoning Commission.***

***Voting Yea: Martinisko, Keehn, Bruce, Wagner, Rich***

*There being no further business, the Planning and Zoning Commission adjourned at 5:28 p.m.*

*ATTEST:*

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*Chairman, Planning & Zoning Commission*

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*Secretary, Planning & Zoning Commission*

*Bonny Anfinson, Planning & Zoning Office/Recording Secretary*