



Planning and Zoning Commission Regular Meeting Minutes

Wednesday, May 04, 2022 at 5:00 PM

City Hall, 102 Sherman Street, Deadwood, SD 57732

1. Call to Order

The meeting of the Deadwood Planning and Zoning Commission was called to order by Chairman Martinisko on Wednesday, April 20, 2022 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) Josh Keehn
Commissioner (Secretary) Dave Bruce
Commissioner Kevin Wagner
Commissioner Vicki Dar

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

STAFF PRESENT

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

3. Approval of Minutes

a. Approval of April 20, 2022 Meeting Minutes

It was moved by Commissioner Wagner and seconded by Commissioner Keehn to approve the April 20, 2022 minutes. Voting Yea: Martinisko, Keehn, Bruce, Wagner, Dar

4. Sign Review Commission

5. Planning and Zoning Commission

- a. a. Public Hearing - Request for Conditional Use Permit - 29 Van Buren Avenue
- b. Conditional Use Permit - Deanna & Thomas Smith - 29 Van Buren Avenue
The Southerly 57 feet of Lots 21, 22, 23 and 24, Block 50 Original Townsite, City of Deadwood Lawrence County, South Dakota

Action Required:

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

Chairman Martinisko opened up the public hearing and invited the public to make comment. Residents in attendance made comment: K. Sulentic, K Flaigg, S. Flagg, T Smith, D Smith, A Estoclet, L VanRoekel, D. Van Roekel, S Ohmacher, M. Sulentic, C. Sulentic Morcom. Written comments were read by Mr. Russell. Being no further comment Chairman Martinisko closed the public hearing.

Conditional Use Permit: Mr. Russell stated the applicant has submitted a request for a Conditional Use Permit to operate a Bed and Breakfast establishment at their residence located at 29 Van Buren Avenue. The subject property is in the Presidential neighborhood surrounded by residential homes. Legally described as the Southerly 57 feet of Lots 21, 22, 23 and 24, Block 50 Original Townsite, City of Deadwood, Lawrence County, South Dakota. ***It was moved by Commissioner Wagner and seconded by Commissioner Bruce to approve the Conditional Use Permit to operate a Bed and Breakfast at 29 Van Buren Avenue, legally described as the Southerly 57 feet of Lots 21, 22, 23 and 24, Block 50 Original Townsite, City of Deadwood, Lawrence County, South Dakota and stipulate the required conditions of 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. The Bed and Breakfast must be owner occupied.; 3. Proof of a state sales tax number shall be provided to the Planning and Zoning Office for their files.; 4. Proof that the Building Inspector has inspected the building and it meets all the building codes; 5. Proper paperwork is filed with the City of Deadwood Finance Office for BID taxes; 6. Proof of City of Deadwood Business License; 7. Obtain lodging license after inspection from the South Dakota Department of Health; 8. All parking shall be off street. Voting Yea: Martinisko, Bruce, Wagner, Dar. Voting Nay: Keehn. Motion Carries.***

It was moved by Commissioner Bruce and seconded by Commissioner Wagner to adjourn the Planning and Zoning Commission Meeting. Voting Yea: Martinisko, Keehn, Bruce, Wagner, Dar

Mayor Ruth called the Board of Adjustment meeting to order.

It was moved by City Commissioner Martinisko and seconded by City Commissioner Johnson to approve the Conditional Use Permit to operate a Bed and Breakfast at 29 Van Buren Avenue, legally described as the Southerly 57 feet of Lots 21, 22, 23 and 24, Block 50 Original Townsite, City of Deadwood, Lawrence County, South Dakota and stipulate the required conditions of 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. The Bed and Breakfast must be owner occupied.; 3. Proof of a state sales tax number shall be provided to the Planning and Zoning Office for their files.; 4. Proof that the Building Inspector has inspected the building and it meets all the building codes;

5. Proper paperwork is filed with the City of Deadwood Finance Office for BID taxes; 6. Proof of City of Deadwood Business License; 7. Obtain lodging license after inspection from the South Dakota Department of Health; 8. All parking shall be off street. Voting Yea: Johnson, Struble, Martinisko, Todd, Ruth.

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

Commissioner Martinisko called the Planning and Zoning Commission back to order.

6. Items from Citizens not on Agenda

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

7. Items from Staff

8. Adjournment

It was moved by Commissioner Wagner and seconded by Commissioner Keehn to adjourn the meeting of the Planning and Zoning Commission. Voting Yea: Martinisko, Keehn, Bruce, Wagner, Dar

There being no further business, the Planning and Zoning Commission adjourned at 6:20 p.m.

ATTEST:

Chairman, Planning & Zoning Commission

Bonny Anfinson, Planning & Zoning Office/Recording Secretary

Secretary, Planning & Zoning Commission