



# Planning and Zoning Commission Regular Meeting Agenda

Wednesday, February 01, 2023 at 4:00 PM

City Hall, 102 Sherman Street, Deadwood, SD 57732

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1. **Call to Order**
2. **Roll Call**
3. **Approval of Minutes**
  - a. Approval of January 18, 2023 Minutes
4. **Sign Review Commission**
  - a. 715 Main Street (Masonic Center) - Bill Rectenwald - Install Projecting Sign in Place of Existing Sign and Install New Projecting Sign Above Door  
Action Required:
    - a. Approval/Denial by Sign Review Commission
5. **Planning and Zoning Commission**
6. **Items from Citizens not on Agenda**  
(Items considered but no action will be taken at this time.)
7. **Items from Staff**
  - a. Report from Deadwood Day at the Capitol and the 2023 Legislative Session
  - b. Update on Short-Term Rental Task Force Meeting
  - c. Update on New Development Activity
8. **Adjournment**

*Planning and Zoning Commission meetings are not available by Zoom unless requested.*



# Planning and Zoning Commission Regular Meeting Minutes

Wednesday, January 18, 2023 at 4:00 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, January 18, 2023 at 4:00 p.m. in the Deadwood City Hall Meeting Room, located at 102 Sherman Street, Deadwood, SD 57732.

- a. Swearing in of Ken Owens as Mayoral appointment to replace Kevin Wagner's unexpired term ending December 31, 2025. (Charlie Struble)

Commissioner Struble swore in new commissioner, Ken Owens, as a Mayoral appointment to replace Kevin Wagner's unexpired term ending December 31, 2025.

## 2. Roll Call

PRESENT

Commissioner (Chair) John Martinisko  
 Commissioner (Vice-Chair) Josh Keehn  
 Commissioner (Secretary) Dave Bruce  
 Commissioner Ken Owens

Charlie Struble, City Commissioner

ABSENT

Commissioner Charles Eagleson

STAFF PRESENT

Trent Mohr, Building Inspector  
 Cindy Schneringer, Administrative Assistant

## 3. Approval of Minutes

- a. Approval of December 21, 2022 Minutes

***It was moved by Commissioner Keehn and seconded by Commissioner Bruce to approve the December 21, 2022 minutes. Voting Yea: Martinisko, Keehn, Bruce, Owens***

## 4. Planning and Zoning Commission

- a. Permission for the Chair and Secretary to sign Planned Unit Development Certification for The Ridge development as required under DCO Chapter 17.72.090.

Mr. Mohr stated this is for permission for the P&Z Chair and Secretary to sign the PUD certificate for The Ridge Development. This is the last step in the process, lined out in the ordinance, that certifies it is done.

***It was moved by Commissioner Bruce and seconded by Commissioner Keehn to allow the P&Z Chair and Secretary to sign the PUD Certificate for The Ridge Development. Voting Yea: Martinisko, Keehn, Bruce, Owens***

**5. Items from Citizens not on Agenda**

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

**6. Items from Staff**

- a. Update on Short-Term Rental Task Force meeting - Dave Bruce / Cindy Schneringer  
Commissioner Bruce and Mrs. Schneringer provided updates on the short-term rental task force meeting held on January 5, 2023
- b. Update on development activity - Trent Mohr  
Mr. Mohr provided updates on the The Ridge Development, Stage Run Development, and the new Lawrence County Public Safety building.
- c. Fassbender Newsletter - 4th Qtr. 2022

**7. Adjournment**

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

There being no further business, the Planning and Zoning Commission adjourned at 4:21 p.m.

ATTEST:

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Chairman, Planning & Zoning Commission

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

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Secretary, Planning & Zoning Commission

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

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## SIGN PERMIT STAFF REPORT

Sign Review Commission

February 1, 2023

**Applicant:** Bill Rectenwald

**Address:** 715 Main Street, Deadwood, SD 57732

**Site Address of Proposed Signage:** 715 Main Street (Masonic Center)

### Computation of Sign Area

**Building Frontage:** 167 Feet

**Total Available Signage:** 334 Square Feet

**Existing Signage:** One projecting sign (to be replaced)

**Remaining Available Signage Area:** 334 Square Feet

**Proposed Sign Project:** Install projecting sign (10.6 Square Feet) in place of existing sign on Main Street side and install new projecting sign (10.6 Square Feet) above door on Pine Street side

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

**Proposed Lighting of the Signs:** None

**Location of Proposed Sign:** Attached are photographs showing the proposed locations of the new signs

### Discussion

The sign permit application in review is proposed at a location inside the locally-designated historic district which is regulated by chapter 15.32.300 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 is moving his business from the basement of the Fairmont Hotel to the Masonic Center. He wishes to relocate the signs from the Fairmont to the Masonic Center. One would replace the existing projecting sign on Main Street and the other would be placed above the door on Pine Street. A variance was granted in 2014 at this location for the sign on Main Street to be closer to the curb than the ordinance requirements. This new sign would need that same

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variance. From my research the decision to grant a variance in the past was based on the width of the sidewalk.

The proposed signs and their locations are compliant with the sign ordinance if the variance is continued on the Main Street side.

### **Variances**

The sign permit application in review as proposed requires a continued variance 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 for new projecting signs 715 Main Street

OR

Motion to deny proposed sign permit application as submitted



