



# Planning and Zoning Commission Regular Meeting Agenda

Wednesday, July 05, 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 June 21, 2023 Minutes
4. **Sign Review Commission**
  - a. 668 Main Street - Black Diamond Capital, LLC - Install New Sign  
Action Required:
    - a. Approval/Denial by Sign Review Commission
5. **Planning and Zoning Commission**
  - a. a. Public Hearing - Request for Conditional Use Permit - Bed and Breakfast - 5 Burlington Street  
b. Conditional Use Permit - Bed and Breakfast - Jay and Pam Smith - 5 Burlington Street  
LOTS THREE (3) AND FOUR (4) OF PECK'S GARDEN SUBDIVISION OF PART OF PROBATE LOTS 138 AND 327, DEADWOOD CITY, LAWRENCE COUNTY, SD, ACCORDING TO THE RECORDED PLAT THEREOF.  
Action Required:
    - a. Approval/Denial by Planning and Zoning Commission
  - b. Final Plat of Lots 21A and 22A - Adjusting Property Lines - Stage Run Addition - Hueners Living Trust and John & Sharon Martin  
PLAT OF LOTS 21A AND 22A, BLOCK 2 OF PALISADES TRACT OF DEADWOOD STAGE RUN ADDITION TO THE CITY OF DEADWOOD ALL LOCATED IN THE SW1/4 OF SECTION 14, THE SE1/4 OF SECTION 15, THE NE1/4/NE1/4 OF SECTION 22 AND THE N1/2NW1/4 OF SECTION 23, T5N, R3E, B.H.M., CITY OF DEADWOOD, LAWRENCE COUNTY, SOUTH DAKOTA FORMERLY LOTS 20 REVISED, 21 AND 22, BLOCK 2 OF PALISADES TRACT OF DEADWOOD STAGE RUN ADDITION  
Action Required:
    - a. Approval/Denial by Planning and Zoning Commission
  - c. Annual renewal for the 2023 Convention Center Vending License - Deadwood Mountain Grand - 1906 Deadwood Mountain Drive
6. **Items from Citizens not on Agenda**

(Items considered but no action will be taken at this time.)
7. **Items from Staff**
8. **Adjournment**

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



# Planning and Zoning Commission Regular Meeting Minutes

Wednesday, June 21, 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, June 21, 2023, at 4:00 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 Charles Eagleson

Michael Johnson, City Commissioner

ABSENT

Commissioner Ken Owens

STAFF PRESENT

Kevin Kuchenbecker, Planning, Zoning and Historic Preservation Officer  
 Trent Mohr, Building Inspector  
 Cindy Schneringer, Administrative Assistant/Zoning Coordinator

## 3. Approval of Minutes

a. Approval of June 7, 2023 Minutes

***It was moved by Commissioner Keehn and seconded by Commissioner Bruce to approve the June 7, 2023 minutes. Voting Yea: Martinisko, Keehn, Bruce, Eagleson***

## 4. Sign Review Commission

## 5. Planning and Zoning Commission

a. Final Plat of Consolidating Parcels - 58 Pleasant - Donna Keller

PLAT OF LOT D-1 BEING A SUBDIVISION OF A PORTION OF SCHOOL LOT 70 AND LOTS D AND E OF THE SUBDIVISION OF PROBATE LOT 439 LOCATED IN THE NW1/4 OF SECTION 23, T5N, R3E, B.H.M., CITY OF DEADWOOD, LAWRENCE COUNTY, SOUTH DAKOTA

Mr. Kuchenbecker stated this for consolidating parcels. You have in front of you the final plat. The address is 58 Pleasant. Legally described as PLAT OF LOT D-1 BEING A SUBDIVISION OF A PORTION OF SCHOOL LOT 70 AND LOTS D AND E OF THE SUBDIVISION OF PROBATE LOT 439 LOCATED IN THE NW1/4 OF SECTION 23,

T5N, R3E, B.H.M., CITY OF DEADWOOD, LAWRENCE COUNTY, SOUTH DAKOTA. All legal obligations have been completed. This is R1 zoning. Surrounding uses is a cemetery and vacant land. The final plat of Lot D-1 of the subdivision of Probate Lot 439 has been submitted to consolidate parcels of common ownership. The property is located off Pleasant Street. It consists of 0.425 Acres±. It will remain R1 zoning - residential. Public facilities are available to serve the property. It is a historic home. The applicants are here if you have any questions.

Commissioner Bruce asked what the benefit of combining those?

Sandy Donahue, realtor with Re/Max, stated she has the listing for Donna. The reason, the banks do not like to loan on three parcels. The buyer is looking at getting a loan and they told him that they could not do it on the three lots. It should all be one.

Donna Keller asked Kevin if the one lot down below (Lot 70) is it a buildable lot?

Mr. Kuchenbecker stated we talked at one point about the possibly of an outbuilding like a garage or something. I think it would be a challenge for a residential home but maybe for a garage. Obviously in the plat it does show the easements in there for access utility easement. It is adjacent to Pleasant Street which is a twenty foot right-of-way along side the cemetery which is unimproved. It would remain right-of-way but it is only for access for maintenance on the fence along the lower side of the cemetery.

***It was moved by Commissioner Bruce and seconded by Commissioner Keehn to approve the final plat of consolidating parcels legally described as PLAT OF LOT D-1 BEING A SUBDIVISION OF A PORTION OF SCHOOL LOT 70 AND LOTS D AND E OF THE SUBDIVISION OF PROBATE LOT 439 LOCATED IN THE NW1/4 OF SECTION 23, T5N, R3E, B.H.M., CITY OF DEADWOOD, LAWRENCE COUNTY, SOUTH DAKOTA. Voting Yea: Martinisko, Keehn, Bruce, Eagleson***

**b. Final Plat for Dividing Lot X of Riverside Addition - Hole in the Sky Holdings, LLC**

PLAT OF LOTS X1 AND X2 OF RIVERSIDE ADDITION CITY OF DEADWOOD, LAWRENCE COUNTY SOUTH DAKOTA FORMERLY LOT X OF RIVERSIDE ADDITION LOCATED IN THE NE1/4 OF SECTION 27, T5N, R3E, B.H.M.

Mr. Kuchenbecker stated this is the final plat for dividing Lot X of the Riverside Addition for Hole in the Sky Holdings LLC. The legal description is PLAT OF LOTS X1 AND X2 OF RIVERSIDE ADDITION CITY OF DEADWOOD, LAWRENCE COUNTY SOUTH DAKOTA FORMERLY LOT X OF RIVERSIDE ADDITION LOCATED IN THE NE1/4 OF SECTION 27, T5N, R3E, B.H.M. It is zoned commercial highway. Surrounding land use is Commercial Highway to the North. It has a commercial structure. To the south is Commercial Highway with a single family residential unit. To the east is R2 multi-family zoning district with vacant land. To the West is Commercial Highway where Claim Jumpers Mobile Home Court is. The purpose of the plat is to facilitate the transfer of property by dividing the lot and establishing property lines. The plat describes the areas located at 64 Cliff Street. The applicant

would like to divide the lot into two parcels to separate the house from their business parking lot for the purpose of selling the house in the future. This plat will create Lots X1 and X2, formerly Lot X. Once again it is commercial highway. Lot X1 will be comprised of 0.181 Acres±. Lot X2 will be comprised of 0.144 Acres±. It will remain commercial highway zoning. The property is located in the flood zone or flood hazard zone. Public facilities are available. The area is characterized as a mixture of commercial and residential uses along US Highway 85 known as Cliff Street.

***It was moved by Commissioner Keehn and seconded by Commissioner Eagleson to approve the final plat for dividing Lot X of Riverside Addition legally described as PLAT OF LOTS X1 AND X2 OF RIVERSIDE ADDITION CITY OF DEADWOOD, LAWRENCE COUNTY SOUTH DAKOTA FORMERLY LOT X OF RIVERSIDE ADDITION LOCATED IN THE NE1/4 OF SECTION 27, T5N, R3E, B.H.M. Voting Yea: Martinisko, Keehn, Bruce, Eagleson***

- c. Discussion and recommendation for setback variance request for construction of new single-family home on corner of Washington and Monroe Street - Jackie Fisher
- Mr. Kuchenbecker stated this is a setback variance for a proposed new residential structure in the Presidential district. The address would be 22 Washington Street. The applicants are Jackie Diana Fisher and Bryan James Duffy Revocable Trust. This will be for a single family home. located at TRACT C, BLOCK 53, A SUBDIVISION OF PART OF LOTS 1 AND 2, BLOCK 53, ORIGINAL TOWN, CITY OF DEADWOOD, LOCATED IN THE NW1/4 OF SECTION 26, T5N, R3E, BHM, LAWRENCE COUNTY, SOUTH DAKOTA, according to Plat recorded as Document No. 2001-01165, subject to easements, reservations, and restrictions of record. It is R1 residential zoning. Surrounded by residential zoning. The applicant has submitted a request for a variance to the required 20' front yard setback according to Deadwood City 17.24.040 (Area and Bulk Requirements). The applicant is requesting a variance (11'-4"+ to building plane and 15'-4"+ to the covered porch) on Washington Street and a variance (7'-10"+ to building plane or 11'-10"+ to the covered porch) along the Monroe Street. Zoned residential as required. Surrounded by historic resources and single family residential. It is outside the flood zone. We have public services available to the property and there is a mixture of single family dwellings in this area. The sign has been posted. The notice of public hearing has been put in the paper for the Board of Adjustment based on the ordinance. This body would be providing a recommendation to the Board of Adjustment and they will make the final decision. In your packet there is a preliminary sight plan that shows how the house will lay out with the adjacent properties. What is not shown in the grays is the porches of those additional resources. You kind of see how that sits in there. It has gone through Historic Preservation Commission. They approved it contingent upon Planning and Zoning Commission and Board of Adjustment approving setbacks. Here you can see how it would sit in adjacent to the historic properties. One of our concerns was height. It does meet the criteria for height both through the Code of Ordinances as well as SD Administrative Rules dealing with historic preservation. You have the floor plans and the site plans. They also provided a 3D modeling. I will play this so you can see how it sits in there with the

adjacent properties. Most of the properties have a small setback and would not meet today's required setbacks. It is a vacant lot now. What is interesting is on the historical research of that lot, we have Sanborn Fire Insurance Maps going back to 1885, there are five sets of them. From 1885 forward, we show no structure on that lot. From 1876 to 1885, we are unaware of any structures but we would be able to determine that through the archaeological requirements of new construction. The original jail was on the lot across the street from there. The vacant lot has been fenced for a number of years. It was previously owned by the Tautkus. They have sold it to this couple. Their desire is to put a residential house on that lot.

***It was moved by Commissioner Keehn and seconded by Commissioner Bruce to recommend approval of the setback variance to the Board of Adjustment legally described as TRACT C, BLOCK 53, A SUBDIVISION OF PART OF LOTS 1 AND 2, BLOCK 53, ORIGINAL TOWN, CITY OF DEADWOOD, LOCATED IN THE NW1/4 OF SECTION 26, T5N, R3E, BHM, LAWRENCE COUNTY, SOUTH DAKOTA, according to Plat recorded as Document No. 2001-01165, subject to easements, reservations, and restrictions of record. Voting Yea: Martinisko, Keehn, Bruce, Eagleson***

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

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

Donna Keller asked if 58 Pleasant house is in a flood zone

Mr. Kuchenbecker stated part of Lot 70 does touch the flood plain. I met with the potential buyer and my suggestion is to work with a civil engineer to give him a base flood elevation and a floor elevation. Technically the property touches the flood plain but your seventy feet above it.

Mr. Mohr stated the challenge is lenders are looking at a two dimensional map and you have to illustrate to them that the topography is such. Basically a surveyor would do that. They would indicate the base flood elevation and then show the elevation of the lowest grade adjacent to the structure. Then it will be clearly obvious to anyone that it is well above the base flood elevation.

## **7. Items from Staff**

Cindy with her dual responsibilities has been a tremendous help. We have six applicants for our administrative assistant position. Four of them have been through Indeed which I am getting a little frustrated with because they are not providing cover letters and a formal application. I think they are using it for compliance for their unemployment. We have reached out to the four that haven't provided that and no response. Technically, we have two complete applications. That ends on the 26th so we will start interviewing the end of next week and hopefully get that position filled. In the meantime, we've got an office to build, desk to get, computer to get.

- a. Discussion on amendment of Zoning Code under Chapter 17.60.100 - Fire and Safety.

Mr. Mohr stated you will see Kevin's memo in the packet. This is one of those things as we look at the ordinances we come upon these rarely viewed sections of the

ordinance that haven't been updated in quite some time. 17.60.100 is such an ordinance. You can see the proposed change. This probably won't be the final but you will get the gist of it. The original text of the ordinance is all developments shall meet the applicable requirements of UBC, NFPA 101, UFC. What those mean is UBC is United Building Code. NFPA is National Fire Protection Association, the Standard 101. UFC is Uniform Fire Code. Both the UBC and UFC are very outdated codes. The current building code is the 2021 Editions of I Codes published by the ICC. Obviously, these are outdated references in our ordinance. The proposed change to the ordinance that is read is the Building Code of the City of Deadwood as adopted and amended. This will just reference back to those sections of the ordinance that we adopted and amend those I codes so whenever we update those sections this will automatically reference back and we won't have to continue updating this.

Mr. Kuchenbecker stated no action is needed. I felt that anytime we start dealing with Title 17, which is the zoning code, I want to make sure this body is aware if there is any concerns.

- b. Discussion and recommendation on the development of a grading ordinance for the City of Deadwood.

Mr. Kuchenbecker stated we have been directed by the City Commission to develop a grading ordinance for the City of Deadwood. This comes out of continued protection of our hillsides. What has happened on lower main with some of the larger casinos where remove mountains for additional space and even up in Stage Run where they are moving part of a mountain to flatten it off for additional flat lands development. Right now our grading permit is no different than our building permit. Our fee is \$50.00 and they can take as much as they want away. We have found some good models. We are working on it. I was hoping to have a draft for you at this meeting. My goal was to have it at the City Commission meeting on July 3rd. I think I am going to push that out to the next City Commission meeting on July 17th as we only have three of the five City Commissioners scheduled for July 3rd and I would like to have a full body discussion on that. Hopefully, at your next meeting we can discuss it. Wanted to make you aware that staff is working on a grading ordinance. The ordinance I found is pretty comprehensive. Not only will it deal with grading but it will be cuts and fills, where it is taken, and how it impacts our public infrastructure. Right now, up at Stage Run, that excavation has been running numerous trucks up and down Stage Run, which is a residential road, down to this location which is zoned commercial highway. It has caused lots of phone calls to the city with regards to traffic, with regards to concerns with the impact it has on roads and the public infrastructure, as well as the track out. We have been up there continually working with that developer to ensure the roads are clear. If we cut down the load limit then there is twice as many trucks. I think if we take a comprehensive look at that grading and in some ways discourage the removal of the hillsides.

Mr. Mohr stated to further expand Kevin's very good description of the challenges in our approach to addressing the is our current grading permit requirements are really geared towards smaller projects. For example, the grading permit issued to The Ridge. We know how much dirt they moved up there. They only paid a

hundred bucks for that. The ruler we hold up to all these projects is Appendix J of the building code and it is like two pages more geared toward grading for an individual building project not a development or something like that. It is a very simple fee schedule, but I will probably misquote it. I think zero to ten yards is free. Ten to fifty yards is fifty bucks. Anything over fifty yards is a hundred bucks.

c. Update on Short-Term Rental compliance and enforcement activities

Mr. Kuchenbecker stated just a quick update on the short-term rental compliance and enforcement activities. We have been checking Harmari on a weekly basis. We know we have two or three that are in violation. I reached out to Harmari. Cindy and I have been doing our due diligence. There were letters sent out with a first warning and a second warning. The last letter was in November of 2021. We are working with legal counsel. We are trying to get a comprehensive list together of those that are in direct violation of our ordinance and we will be sending out those letters, hopefully, by the end of the month is our goal. We are giving them fourteen days to come into compliance. If they are not in compliance, we will seek court action.

## 8. Adjournment

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

There being no further business, the Planning and Zoning Commission adjourned at 4:37 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

OFFICE OF  
**Planning & Zoning**  
 108 Sherman Street  
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"The Historic City of the Black Hills"  
 Deadwood, South Dakota 57732

**TRENT MOHR**  
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## SIGN PERMIT STAFF REPORT

Sign Review Commission

July 5, 2023

**Applicant:** Garth Ligtenberg – Conrad’s Signs for Black Diamond Capital, LLC

**Address:** 205 6<sup>th</sup> Ave. SE Suite 300, Aberdeen, SD 57401

**Site Address of Proposed Signage:** 668 Main Street (Gold Dust C-Store)

### Computation of Sign Area

**Building Frontage:** 94 Feet

**Total Available Signage:** 188 Square Feet

**Existing Signage:** None

**Remaining Available Signage Area:** 188 Square Feet

**Proposed Sign Project:** Install new projecting sign (13 Square Feet)

**Proposed Building Materials:** Metal (see attached rendering)

**Proposed Lighting of the Signs:** None

**Location of Proposed Sign:** see attached rendering

### 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 upper floor at this location has been remodel into a residential use. This sign is to advertise the upper floor business. The entrance for the upstairs is on the Lee Street side of the building.

The proposed sign and its location are compliant with the sign ordinance.



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## Variances

The sign permit 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

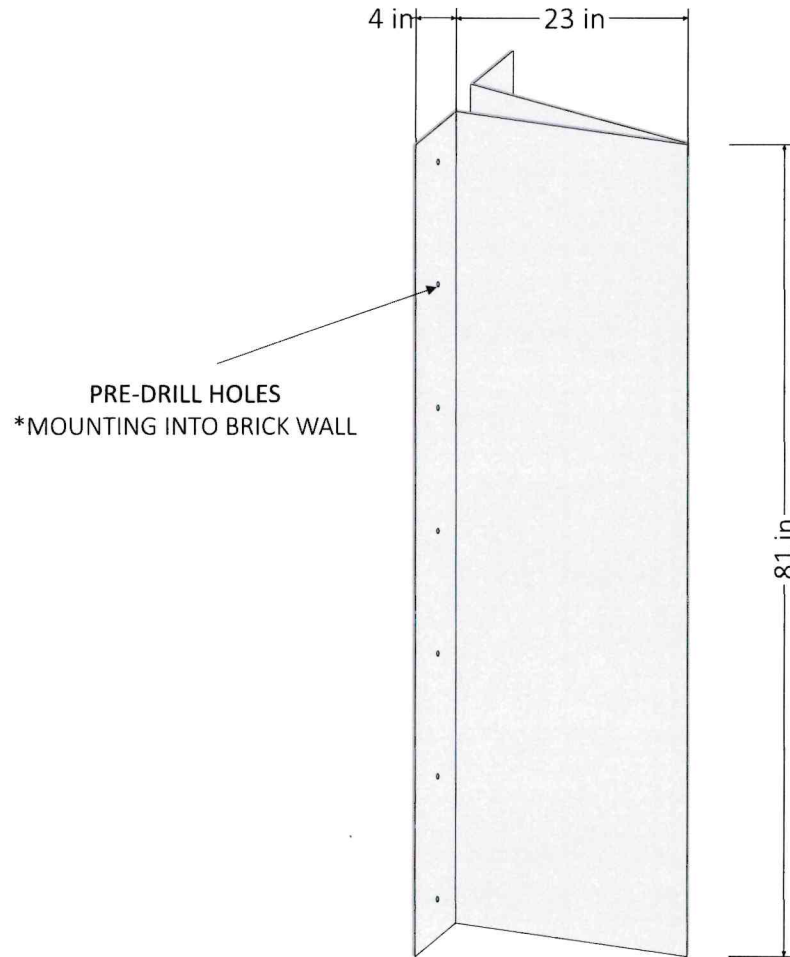
Motion to approve permit for new projecting sign at 668 Main Street

OR

Motion to deny proposed sign permit application as submitted.

1) ONE .080" ALUMINUM PANEL

2) PANELS PAINTED BLACK W/ VINYL DECORATION

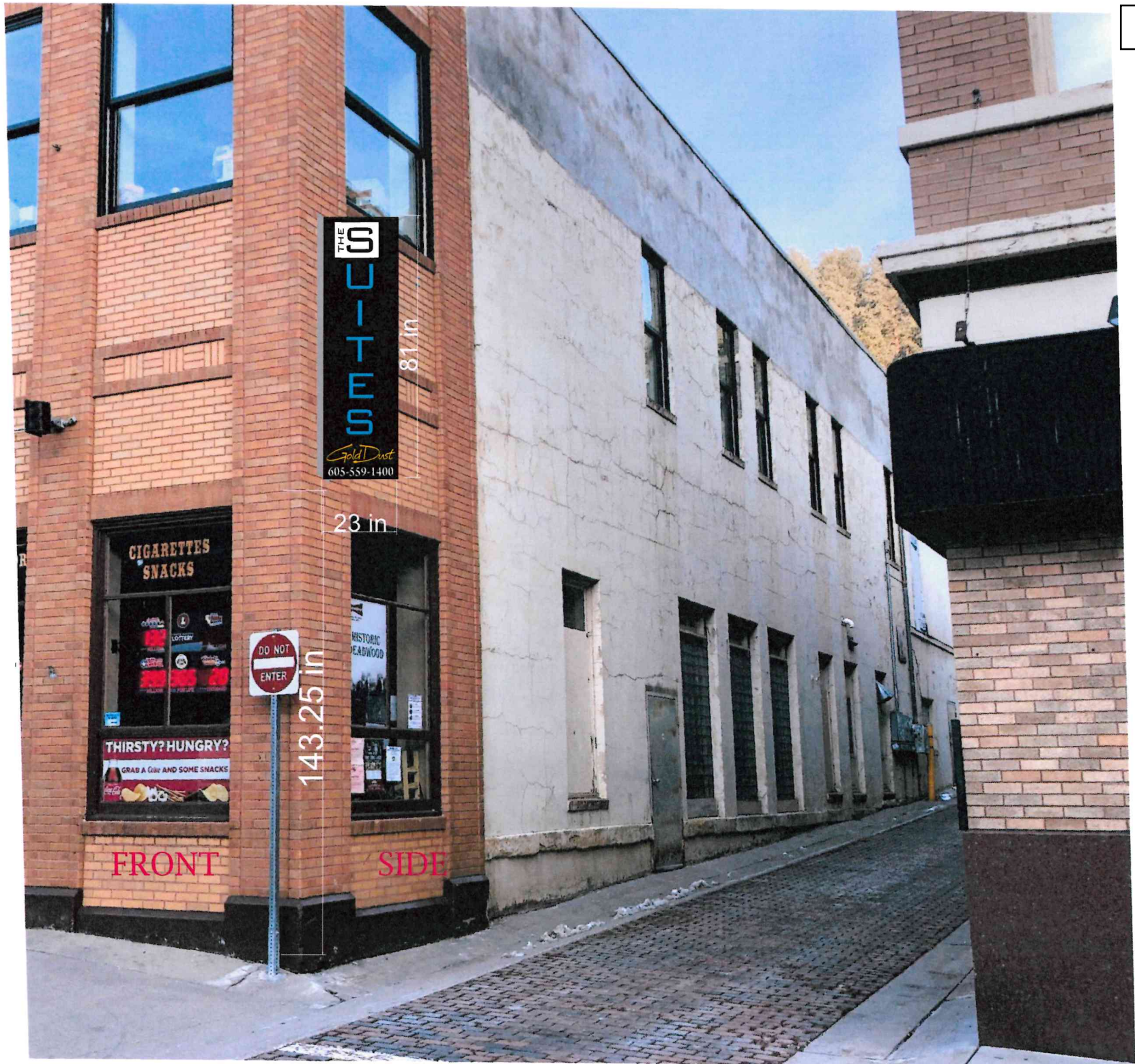


Exploded view. Sign will have 90 degree angle from mounting flanges to projecting portion of sign



COMPANY: CONRAD'S SIGNS	DATE: 10/15/2022
ADDRESS: 1742 E. NORTH ST. RAPID CITY SD	FILE: CS_WALLSIGN

PRODUCTION



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**PLANNING AND ZONING MEETING  
BOARD OF ADJUSTMENT  
STAFF REPORT  
June 14, 2023**

**APPLICANT:** Jay and Pam Smith

**PURPOSE:** Application for CUP – Bed and Breakfast Establishment

**GENERAL LOCATION:** 5 Burlington Street

**LEGAL DESCRIPTION:** LOTS THREE (3) AND FOUR (4) OF PECK’S GARDEN SUBDIVISION OF PART OF PROBATE LOTS 138 AND 327, DEADWOOD CITY, LAWRENCE COUNTY, SD, ACCORDING TO THE RECORDED PLAT THEREOF.

**FILE STATUS:** All legal obligations have been completed.

**ZONE:** R1 Residential

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**STAFF FINDINGS:**

Surrounding Zoning:

North: R2 - Multi-Family Residential  
South: R1 - Residential  
East: R1 - Residential  
West: R1 - Residential

Surrounding Land Uses:

Townhouses  
Residential Housing  
Residential Housing  
Residential Housing

**SUMMARY OF REQUEST**

The applicants have submitted a request for a Conditional Use Permit to operate a Bed and Breakfast Establishment in the accessory building [7 Burlington] at their resident located at 5 Burlington Street. The subject property is in the Peck Garden Neighborhood and surrounded by residential homes and multi-family townhomes.

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## FACTUAL INFORMATION

1. The property is currently zoned R1 - Residential.
  2. The site was built in 1950 and was originally a gun shop known as Lock, Stock and Barrel.
  3. The subject property has access from Burlington Street with off street parking.
  4. The subject property is located within a R1 Residential zoning district adjacent to R2 Multi-Family zoning district.
  5. The property is not located within a flood zone.
  6. Adequate public facilities are available to serve the property.
  7. The area is characterized by a mixture of single-family dwellings and multi-family dwellings.
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## STAFF DISCUSSION

The applicants have submitted a request for a Conditional Use Permit for a Bed and Breakfast establishment and City regulations permit Bed and Breakfast establishments in R1- Residential District with an approved Conditional Use Permit. The subject property was originally a gun shop, then the applicant's mothers house, and the house is now vacant. The applicants indicate they intend convert the house for their operation. According to their application, they have adequate off-street parking.

The Deadwood Zoning Code 17.08 and South Dakota Codified Law defines a Bed and Breakfast as the following:

**“Bed and breakfast establishment” means:**

Any building or buildings run by an operator that is used to provide accommodations for a charge to the public, with at most five rental units for up to an average of ten guests per night and in which family style meals are provided.

**Jay and Pam Smith intend to rent the small house for their operation.**

1. No bed and breakfast home shall be located on a lot closer than two hundred (200) feet or eight residences, whichever is greater, from any other lot containing a bed and breakfast home. However, the planning and zoning commission may waive the distance limitation if the structure is listed on the

National Register of Historic Places or eligible for individual listing on the National Register of Historic Places. The Deadwood building inspector shall inspect the premises to ensure compliance with the Building Code;

**In this instance there are no bed and breakfasts within the two hundred feet required buffers.**

2. Applicants proposing tandem parking shall be required to provide a control board for the keys of the guests. The owner/manager shall be responsible for the control board. The subject residence proposed for a bed and breakfast shall be required to provide the following: Off-street parking for four vehicles.

**The Deadwood Zoning Code requires a bed and breakfast establishment to be occupied by the owner(s). The code also states a requirement of one off-street parking space per guestroom in section 17.64.060 of the ordinance book. The property does have four off street parking spaces on site.**

#### **COMPLIANCE:**

1. The Zoning Office provided notice identifying the applicant, describing the project and its location, and giving the scheduled date of the public hearing in accordance with Section 10.10.B.
2. A sign was posted on the property for which the requests were filed.
3. Notice of the time and place was published in the designated newspaper of the City of Deadwood.

#### **GENERAL USE STANDARDS FOR CONDITIONAL USE PERMITS:**

In reviewing any application under the authority of this chapter and as a further guide to its decision upon the facts of the case, the Commission(s) shall consider, among other things, the following facts:

- A. The proposed use shall be in harmony with the general purposes, goals, objectives, and standards to the City Policy Plan, the ordinance, the district in which it is located, or any other plan, program, map, or ordinance adopted, or under consideration pursuant to official notice by the City of Deadwood.

*The City Comprehensive Plan encourages a variety of uses and a mixture of housing types. Preserve the existing stock of historic structures by working with the individuals and guiding the uses is an acceptable means. Traffic and parking should not significantly affect the neighborhood if the applicant abides by the parking requirements associated with a Bed and Breakfast. This area has a mixture of single family and townhome dwellings.*

- B. Whether or not a community need exists for the proposed use at the proposed location in light of existing and proposed uses of a similar nature in the area and of the need to provide or maintain a proper mix of uses both within the city and also within the immediate area of the proposed use: (a) the proposed use in the proposed location shall not result in either a detrimental over concentration of a particular use from previously permitted uses within the city or within the immediate area of the proposed use.

*The subject area is zoned R1 – Residential District and is intended to provide locations for low to medium density residential. Medium density residential is designed to provide apartment and multi-family dwellings as well as parks and recreation areas. There are no B&Bs within 200 feet of the proposed B&B.*

- C. The proposed use at this location shall not result in a substantial or undue adverse effect on adjacent property, the character of the neighborhood, traffic conditions, parking, public improvement, public sites, or rights-of-way.

*If the applicant only uses off street parking and prevents any public nuisance issues that are often associated with Short-Term Rentals, the proposed use would not result in a substantial or undue adverse effect on adjacent property, or the character of the neighborhood and the use would not alter the character of the neighborhood. There will be no change in the size of the dwelling. To support a denial of a conditional use permit on the grounds that it will cause increased traffic problems, there must be a high degree of probability that the increase would pose a substantial threat to the health and safety of the community.*

- D. Whether or not the proposed use increases the proliferation of non-conforming uses as well as previously approved Conditional Use Permits which are still in use, when influenced by matters pertaining to the public health, safety, and general welfare, either as they now exist or as they may in the future be developed as a result of the implementation of provisions and policies of the Policy Plan, this ordinance, or any other plan, program, map or ordinance adopted, or under consideration pursuant to official notice, by the city or other governmental agency having jurisdiction to guide growth and development.

For any conditional use, lot and performance standards shall be the same as similar type uses located in specific districts. The character and use of buildings and structures adjoining or near the property mentioned in the application shall be considered in their entirety.

*The proposed use would not increase the proliferation of non-conforming uses. The subject residence is in an area that does not have additional bed and breakfasts nearby and the new ordinance changes limited the number of Bed and Breakfast establishments through a buffer requirement. The appearance of the structure will not change; therefore, the character and use of the buildings and structures adjoining the subject property will not be adversely affected.*

- E. Whether or not the proposed use in the proposed area will be adequately served by and will not impose an undue burden on any of the improvements, facilities, utilities, and services specified in this section.

*The proposed use will not cause significant adverse impacts on water supply, fire protection, waste disposal, schools, traffic and circulation, or other services. Existing services are available onsite.*

#### CONDITIONS GOVERNING APPLICATIONS AND PROVISIONS:

- A. Following the issuance of a conditional use permit pursuant to the provisions of this ordinance, such permit may be amended, varied, or altered only pursuant to the standards and procedures established by this section for its original approval.
- B. The Board of Adjustments can revoke conditional use permits, once granted, for cause after a hearing is held before them. Complaints seeking the revocation of such permit shall be filed with the Zoning Administrator and may be initiated by the Planning and Zoning Commission OR any three (3) residents within three hundred (300) feet of the property lines of which the application has been filed. All such revocation hearings shall be conducted in the same manner as for the Conditional Use Permit application hearings.
- C. The Planning and Zoning Commission shall have the authority to review Conditional Use Permits at any time and/or on an annual basis and place additional stipulations to mitigate a problem.
- D. If the use permitted under the terms of a Conditional Use Permit has not been started within six (6) months of the date of issuance thereof, said permit shall expire and be canceled by the City Planning Department. Written notice thereof, shall be given to the person(s) affected, together with notice that further use or work as described in the canceled permit shall not proceed, unless and until a new conditional use permit has been obtained.
- E. If the use permitted under the terms of a Conditional Use Permit ceases, for whatever reason, for a period of twelve (12) months, said permit shall expire and be canceled by the City Planning Department. Written notice thereof, shall be given to the person(s) affected, together with notice that further use or work as described in the canceled permit shall not proceed, unless and until a new conditional use permit has been obtained.

If approved, staff recommendations for stipulation(s):

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 Establishment 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. City water and sewer rates to be changed from residential to commercial rates.
6. Proper paperwork is filed with the City of Deadwood Finance Office for Business Improvement District (BID) taxes.
7. Proof of City of Deadwood Business License.
8. Obtain lodging license after inspection from the South Dakota Department of Health.
9. All parking shall be off street.

**ACTION REQUIRED FOR CONDITIONAL USE PERMIT:**

1. Approve / Deny by the Planning and Zoning Commission.
2. Approve / Deny by the Board of Adjustment.

Return Completed Form To:  
**Planning and Zoning**  
108 Sherman Street  
Deadwood, SD 57732



Section 5 Item a.  
Questions Contact:  
**Kevin Kuchenbecker**  
(605) 578-2082 or  
kevin@cityofdeadwood.com

Application No. \_\_\_\_\_

## APPLICATION FOR CONDITIONAL USE PERMIT

**Application Fee: \$200.00**

**Applicants:** Please read thoroughly prior to completing this form. Only complete applications will be considered for review.

Name of Proposed Development: Burlington Bed and Breakfast

Street Location of Property: 5 Burlington Street

Legal Description of Property: Peck's Garden s/D Lot 4  
PLAT BK1 PG284

Zoning Classification of Property: R1

Name of Property Owner: Jay and Pam Smith Telephone: (605) 580-5498

Address: 5 Burlington Street Deadwood SD 57732  
Street City State Zip

Name of Applicant: Jay and Pam Smith Telephone: (605) 580-5932

Address: 5 Burlington Street Deadwood SD 57732  
Street City State Zip

**1. The following documents shall be submitted:**

- a. An improvement survey, including all easements,
- b. Development plan, including site plan with location of buildings, usable open space, off-street parking, loading areas, refuse area, ingress/egress, screening, proposed or existing signage, existing streets, and
- c. A written statement addressing the criteria for approval.

Uses of Building or Land: residential / Bed and Breakfast

Signature of Applicant: Jay M Smith Pam Smith Date: June 1, 2023

Signature of Property Owner: Jay M Smith Pam Smith Date: June 1, 2023

Fee: \$ 200.00 Paid On 6/9/2023 Receipt Number 20186067

**Legal Notice Published** Date: \_\_\_\_\_ **Hearing Date:** \_\_\_\_\_

PLANNING AND ZONING ADMINISTRATOR:			
Approved/P&Z Administrator:	Yes	No	Signature: _____ Date: _____
PLANNING AND ZONING COMMISSION:			
Approved/P&Z Commission:	Yes	No	Date: _____
DEADWOOD BOARD OF ADJUSTMENT:			
Approved/City Commission:	Yes	No	Date: _____

Reason for Denial (if necessary): \_\_\_\_\_

June 1, 2023

Development Plan for Bed and Breakfast

5 Burlington Street, Deadwood

The house on our property is now vacant after the death of my mother, Deloris Stratton. Jay and I would like to convert the house into a Bed and Breakfast establishment. We live in a house on the same property. For years (since the mid 70's) that building was a gun shop run by my father, Glenn Stratton.

We feel a Bed and Breakfast would be the perfect use of the house. It is close to a trolley stop, within walking distance of downtown Deadwood, and across the street from the Mickelson Trail. We live on the property and would provide upkeep and supervision. It is a small house and would accommodate 4 people at the most. It has one bed and one bath with a sleeper sofa in the living room. There is off-street parking and garbage cans are kept in the garage.

Jay and I are lifelong residents of Deadwood and love where we live. We have taken care of lots of people in our lives and hospitality is one of our strong suits. Jay will be home full time. I am a teacher at Lead-Deadwood Elementary School and would be home full-time during the summer months. We will provide a comfortable, clean, and aesthetically pleasing home away from home for visitors to the Black Hills. We will strive to keep our neighborhood a quiet, clean, family-friendly place to live.

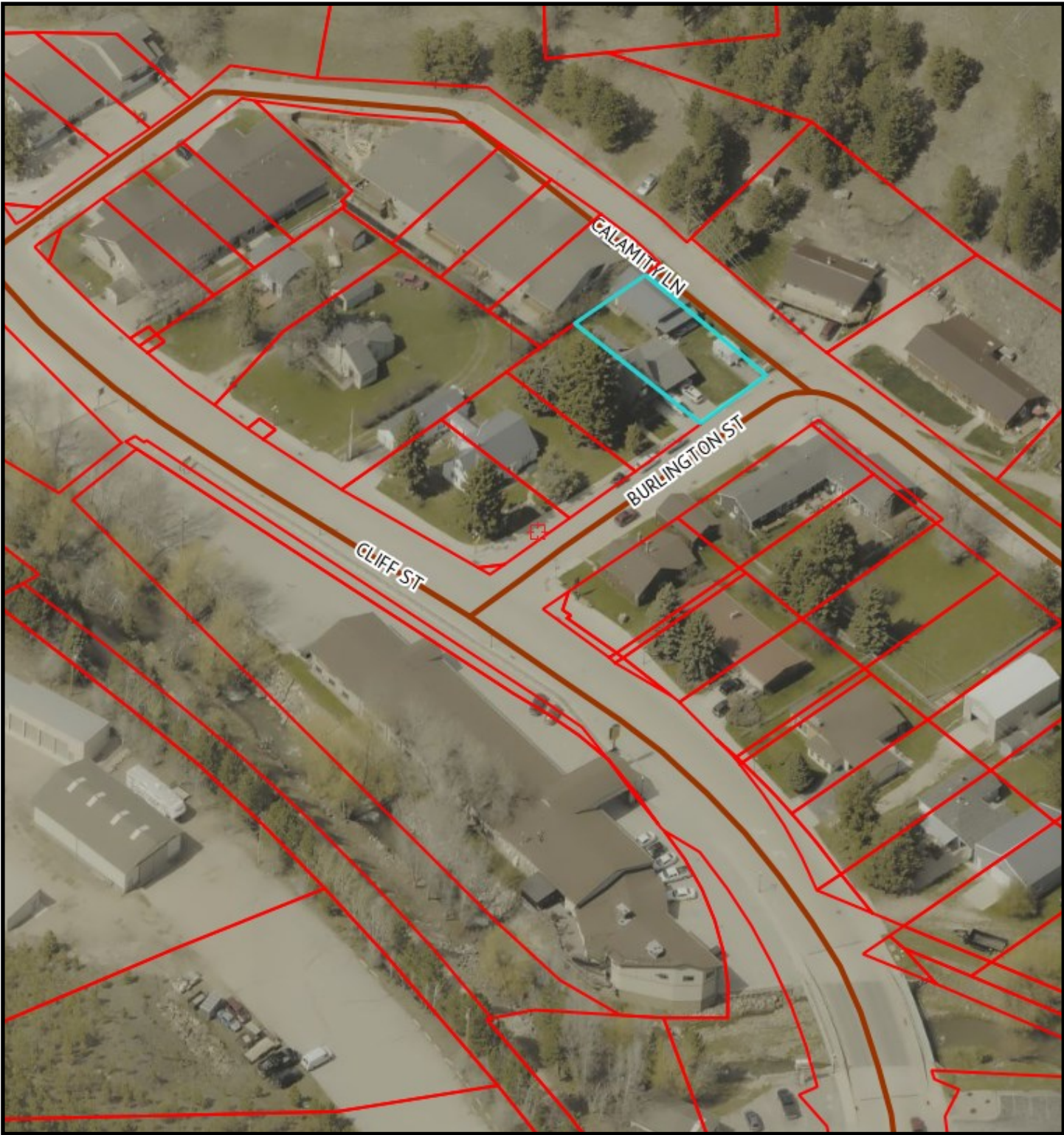
As we begin pursuing this venture, we realize there are improvements we must make to the house to meet building codes such as egressed windows in the bedroom and extra fire alarms. We also need to get a tax certificate, lodging license, and Deadwood Business License. We do not want to get the cart before the horse, however, and our main concern at this point is the Conditional Use Permit.

Thank you for your consideration.

Jay and Pam Smith

605-580-5408

605-580-5932



**REQUEST FOR A CONDITIONAL USE PERMIT**  
**JAY AND PAM SMITH**  
**5 BURLINGTON STREET**



**NOTICE OF PUBLIC HEARING  
BEFORE THE DEADWOOD PLANNING AND ZONING COMMISSION**

City of Deadwood  
Planning and Zoning Commission  
Deadwood, South Dakota 57732

**NOTICE IS HEREBY GIVEN**, that the following person(s) has applied to the City of Deadwood Planning and Zoning Office for a Conditional Use Permit for the operations for a single unit Bed & Breakfast as allowed under Section 17.24.030 Conditional Uses under Home Occupation.

**APPLICANTS:** Jay and Pam Smith

**LEGAL DESCRIPTION:** LOTS THREE (3) AND FOUR (4) OF PECK'S GARDEN SUBDIVISION OF PART OF PROBATE LOTS 138 AND 327, DEADWOOD CITY, LAWRENCE COUNTY, SD, ACCORDING TO THE RECORDED PLAT THEREOF.

**ADDRESS:** 5 Burlington Street

**ZONE:** R1 Residential District

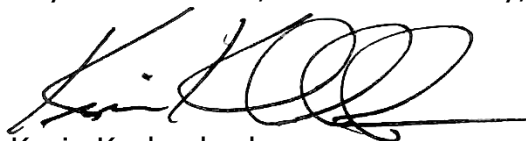
**NOTICE IS FURTHER GIVEN** that said application will be heard by the Planning and Zoning Commission within and for the City of Deadwood, State of South Dakota, at a regular meeting to be held Wednesday, July 5, 2023 in the Commission Room at 102 Sherman Street, Deadwood, South Dakota, will at 4:00 p.m. or soon thereafter as the matter at which time and place any such person interested may appear and show cause if there be any, why such special exception should not be granted.

**NOTICE IS FURTHER GIVEN**, that the proposed request for a Home Occupation is on file and available for public examination at the Deadwood Zoning Office located at 108 Sherman Street, Deadwood, South Dakota.

**ANY** interested person or his/her agent is invited to submit oral or written comments or suggestions regarding the request to the Commissions or their agent prior to or at the public hearing.

Dated this 14<sup>th</sup> of June 2023

City of Deadwood, Lawrence County, South Dakota



Kevin Kuchenbecker  
Planning, Zoning and Historic Preservation Officer

**PUBLISH:** Black Hills Pioneer: June \_\_\_\_\_, 2023

Published once at the total approximate cost of \$ \_\_\_\_\_

OFFICE OF  
PLANNING, ZONING AND  
HISTORIC PRESERVATION  
108 Sherman Street  
Telephone (605) 578-2082  
Fax (605) 722-0786



**Kevin Kuchenbecker**  
Planning, Zoning and  
Historic Preservation Officer  
Telephone (605) 578-2082  
kevin@cityofdeadwood.com

## Public Notification

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Date: June 16, 2023  
To: Deadwood Property Owner / Resident  
From: Kevin Kuchenbecker  
Planning, Zoning & Historic Preservation Officer  
RE: Request for Conditional Use Permit for Bed & Breakfast

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**NOTICE IS HEREBY GIVEN**, that the following person(s) has applied to the City of Deadwood Planning and Zoning Office for a Conditional Use Permit for the operations of a Bed and Breakfast Establishment as allowed under Section 17.24.030 Conditional Uses under Bed & Breakfast.

**APPLICANT(S):** Jay and Pam Smith

**LEGAL DESCRIPTION:** LOTS THREE (3) AND FOUR (4) OF PECK’S GARDEN SUBDIVISION OF PART OF PROBATE LOTS 138 AND 327, DEADWOOD CITY, LAWRENCE COUNTY, SD, ACCORDING TO THE RECORDED PLAT THEREOF.

**ADDRESS:** 5 Burlington Street

**NOTICE IS FURTHER GIVEN** that said application will be heard by the Planning and Zoning Commission within and for the City of Deadwood, State of South Dakota, at a regular meeting to be held Wednesday, July 5, 2023 in the Commission Room at 102 Sherman Street, Deadwood, South Dakota, will at 5:00 p.m. or soon thereafter as the matter at which time and place any such person interested may appear and show cause if there be any, why such special exception should not be granted. A public hearing will also be heard by the Deadwood City Commission at 5:00 p.m. on Monday, July 17<sup>th</sup> at the same location.

**NOTICE IS FURTHER GIVEN**, that the proposed request for a Bed and Breakfast Establishment is on file and available for public examination at the Deadwood Zoning Office located at 108 Sherman Street, Deadwood, South Dakota.

**ANY** interested person or his/her agent is invited to submit oral or written comments or suggestions regarding the request to the Commissions or their agent prior to or at the public hearing.

The purpose of this mailed notice is to reasonably inform the surrounding property owners of the applications for a Conditional Use Permit and to inform you of the type of use being requested.

If you have any questions, please feel free to contact our office at 605-578-2082.

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



**Kevin Kuchenbecker**  
Planning, Zoning and  
Historic Preservation Officer  
Telephone (605) 578-2082  
kevin@cityofdeadwood.com

**PLANNING AND ZONING MEETING**  
**BOARD OF ADJUSTMENT**  
**STAFF REPORT**  
June 23, 2023

**APPLICANT:** Hueners Living Trust and John & Sharon Martin

**PURPOSE:** Adjusting Property Lines

**GENERAL LOCATION:** Stage Run Addition

**LEGAL DESCRIPTION:** PLAT OF LOTS 21A AND 22A, BLOCK 2 OF PALISADES TRACT OF DEADWOOD STAGE RUN ADDITION TO THE CITY OF DEADWOOD ALL 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 LOTS 20 REVISED, 21 AND 22, BLOCK 2 OF PALISADES TRACT OF DEADWOOD STAGE RUN ADDITION

**FILE STATUS:** All legal obligations have been completed.

**ZONE:** R1 – Residential District

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**STAFF FINDINGS:**

Surrounding Zoning:

North: R1 – Residential  
South: Future Development Area  
East: R1- Residential  
West: R1 - Residential

Surrounding Land Uses:

Residential Dwellings  
Vacant Land  
Residential Dwellings  
Residential Dwellings

**SUMMARY OF REQUEST**

The purpose of this final plat is to facilitate adjusting the lot lines for Lots 20 Revised, 21, and 22. Lot 20 was revised on June 7, 2023 to add the drainage area behind it. This plat creates Lots 21A and 22A.

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### **FACTUAL INFORMATION**

1. The property is currently zoned R1 - Residential.
2. Lot 21A is comprised of 0.584 Acres $\pm$ .  
Lot 22A is comprised of 0.283 Acres $\pm$ .
3. The subject property is located within a R1- Residential Zoning 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 residential homes.

### **STAFF DISCUSSION**

The subject properties are owned by legal entities, and they desire to divide the lot between theirs to increase the size of their lots. The lots meet 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
2. Approval/Denial by Deadwood Board of Adjustment



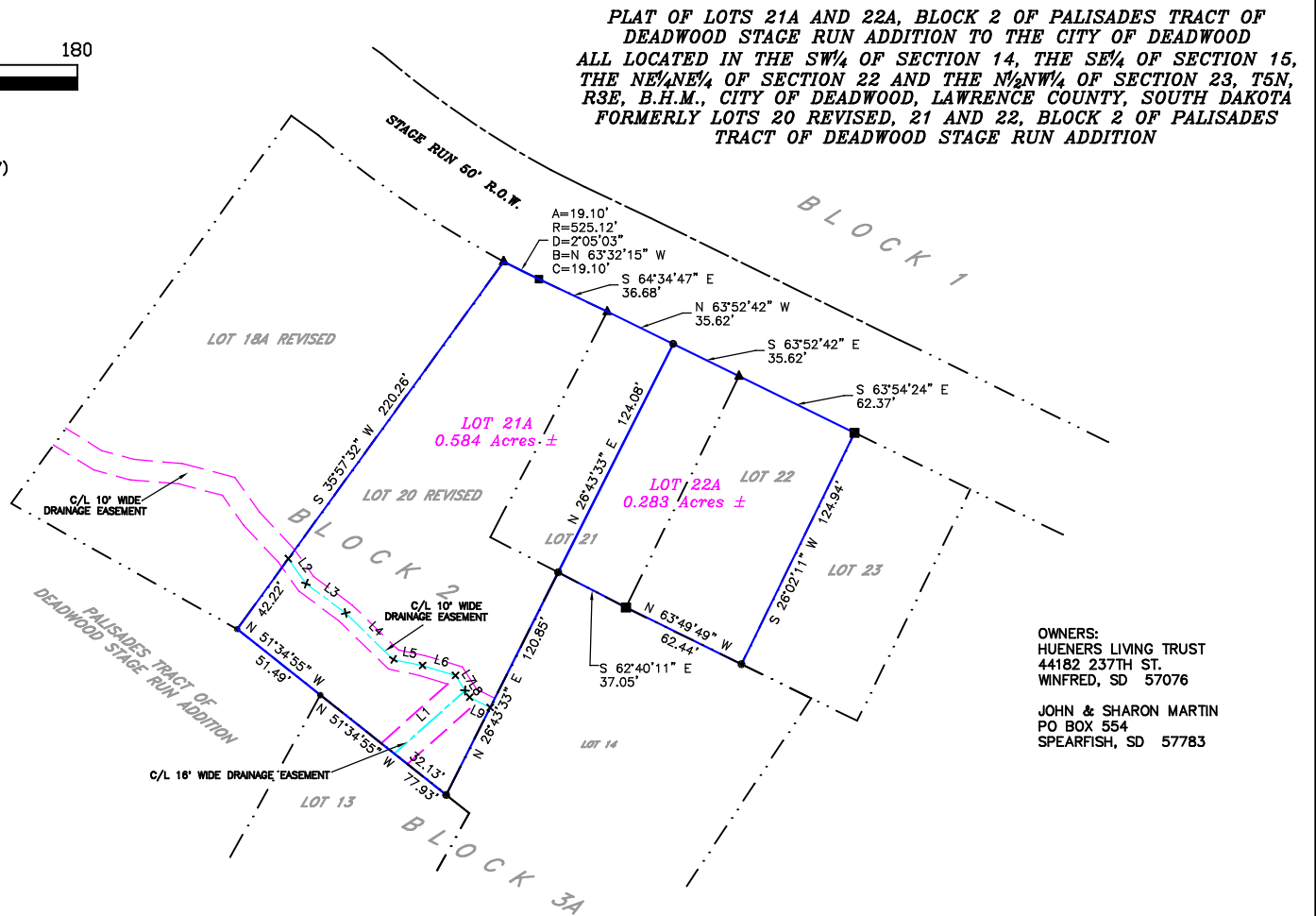
0 60 120 180



- REBAR & CAP (VREM LS6577)
- ▲ REBAR & CAP (ARLETH LS3977)
- REBAR



LINE	BEARING	DISTANCE
L1	S 48°17'10" W	46.08'
L2	S 35°22'11" E	14.33'
L3	N 53°29'27" W	23.87'
L4	N 45°44'50" W	32.36'
L5	N 78°19'55" W	14.45'
L6	N 73°12'58" W	16.69'
L7	S 32°48'48" E	8.65'
L8	S 32°48'48" E	3.95'
L9	N 63°44'14" W	11.13'



OWNERS:  
 HUENERS LIVING TRUST  
 44182 237TH ST.  
 WINFRED, SD 57076

JOHN & SHARON MARTIN  
 PO BOX 554  
 SPEARFISH, SD 57783

**SURVEYOR'S CERTIFICATE**

I, LOREN D. VREM, 332A WEST MAIN STREET, LEAD, SOUTH DAKOTA, DO HEREBY CERTIFY THAT I AM A REGISTERED 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\_\_\_\_.

LOREN D. VREM, R.L.S. 6577

**OWNER'S CERTIFICATE**  
 STATE OF SOUTH DAKOTA COUNTY OF LAWRENCE

\_\_\_\_\_, DO HEREBY CERTIFY THAT I/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.

OWNER: \_\_\_\_\_ ADDRESS: \_\_\_\_\_

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: \_\_\_\_\_

**OWNER'S CERTIFICATE**  
 STATE OF SOUTH DAKOTA COUNTY OF LAWRENCE

\_\_\_\_\_, DO HEREBY CERTIFY THAT I/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.

OWNER: \_\_\_\_\_ ADDRESS: \_\_\_\_\_

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\_\_\_\_.

CHAIRMAN

ATTEST: \_\_\_\_\_ CITY PLANNER

**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, SOUTH DAKOTA,

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: \_\_\_\_\_ FEE: \$ \_\_\_\_\_



Prepared By:  
**PONDEROSA LAND SURVEYS, L.L.C.**  
 332A WEST MAIN STREET  
 LEAD, SD 57754  
 (605) 722-3840

Date:	6/12/2023
Drawn By:	L. D. Vrem
Project No.:	23-201
Dwg. No.:	23-201.dwg

Return Completed Form To:  
**Planning and Zoning**  
108 Sherman Street  
Deadwood, SD 57732



Questions Contact:  
**Kevin Kuchenbecker**  
(605) 578-2082 or  
kevin@cityofdeadwood.com

Application Date: \_\_\_\_\_

## APPLICATION FOR CONVENTION CENTER VENDING LICENSE

The Deadwood Zoning Administrator and Planning & Zoning Commission review all applications.

**Applicants:** Application must be received **60 days prior** to start of event. Please read thoroughly prior to completing this form. Only complete applications will be considered for review.

Applicant: ZCN - Deadwood Mountain Grand Telephone: (605) 5590386

Name of Business: Deadwood Mountain Grand Telephone: (605) 5590386

Applicant's Mailing Address: 1906 Deadwood Mountain Drive Deadwood SD 57732  
Street City State Zip

\* Convention Center Vending Permit Fee – \$1,500.00 \$1,500

Permit is valid from January 1<sup>st</sup> to December 31<sup>st</sup> of the year in which it is purchased.

Notice of renewal will be mailed to you in January of the next year.

Convention Center Liquor License Number: CL-0510

Physical Street Address of Vending Location: 1906 Deadwood Mountain Drive

Contact Name and Phone Number of Property Owners: Dale Morris - 830-370-7178

**I agree that any falsification, misstatements, or omissions, including those related to location and contact information, shall result in immediate revocation of this license and forfeiture of the right to operate within the City Limits of Deadwood. It is further understood that payment of applicable state and city sales tax is made a provision of this license.**

Applicant's signature: *Londra Powell* Date submitted: 05/11/23

Fee: \$ \_\_\_\_\_ Paid On \_\_\_\_\_ Receipt Number \_\_\_\_\_

<b>PLANNING AND ZONING ADMINISTRATOR:</b>			
Approved/P&Z Administrator:	Yes	No	Signature: _____ Date: _____
<b>PLANNING AND ZONING COMMISSION:</b>			
Approved/P&Z Commission:	Yes	No	Date: _____

Reason for Denial (if necessary): \_\_\_\_\_