



Planning and Zoning Commission Regular Meeting Agenda

Wednesday, June 05, 2024 at 4:00 PM

City Hall, 102 Sherman Street, Deadwood, SD 57732

1. **Call to Order**

2. **Roll Call**

3. **Approval of Minutes**

- [a.](#) Approve the minutes from the May 15, 2024 Planning and Zoning Commission meeting.

4. **Sign Review Commission**

- [a.](#) Application for Sign Permit - 110 Sherman Street - First Baptist Church (Jeanna Dewey). Applicant wishes to replace existing sign with new sign at the same location. Variance to the sign ordinance will be required.

Actions: Approve/Deny Sign Permit

- [b.](#) Sign Permit Application - 270 Main Street - First Gold (Steve Schaeffer, General Manager). Applicant wishes to add to the existing freestanding sign. Sign will be compliant with sign ordinance.

Actions: Approve/Deny Sign Permit Application

- [c.](#) Application for Sign Permit - 57 Sherman Street - Breland Meador. Applicant wishes to install a wall sign above the entrance area for a development sales office. Proposed sign and location are compliant with the sign ordinance.

Actions: Approve/Deny Application for Sign Permit

- [d.](#) Application for Sign Permit - 388 Main Street - Nugget Saloon (Lee Harstad). Applicant wishes to replace existing projecting sign with a new sign in the same location. Proposed sign and location are compliant with sign ordinance.

Actions: Approve/Deny Application for Sign Permit

5. **Planning and Zoning Commission**

- [a.](#) Conditional Use Permit Application for Vacation Home Establishment – 596 Main Street – JVK-SD, LLC (Jack Kucera), legally described as Lot 34 in Block 15, being a part of Mineral Lot 38, and also known as Lot 4, in Block 7 of the City of Deadwood, also known as 596 Main Street, Deadwood, South Dakota.

Action Required:

1. Public Discussion
2. Approval/Denial by Planning and Zoning Commission

b. Request for Variance – 288 Williams Street – Brian Kinkler legally described as Lot 1 of Probate Lots 354 and 508; formerly Probate Lot 508 and the west 11’ of Probate Lot 354; City of Deadwood, Lawrence County, South Dakota..

Action Required:

1. Public Discussion
2. Approval/Denial by Planning and Zoning Commission

c. Approve/deny Findings of Fact and Conclusion - Conditional Use Permit - VHE - 81 Charles Street - BNS Properties, LLC (Lorann Berg) legally described as Lot 7 in Block 74 of the Original Town of Deadwood, Lawrence County, South Dakota, as shown on the P.L. Rogers map of the Town of Deadwood. Recommend Approval by Planning and Zoning Commission and Approved by Board of Adjustment on April 1, 2024.

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 05, 2024 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 Vice-Chairman Keehn on Wednesday, June 5, 2024, 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 (Vice-Chair) Josh Keehn
 Commissioner (Secretary) Dave Bruce
 Commissioner Charles Eagleson
 Commissioner Ken Owens
 City Commissioner Blake Joseph

STAFF PRESENT

Kevin Kuchenbecker - Planning, Zoning and Historic Preservation Officer
 Trent Mohr – Building Inspector
 Leah Blue-Jones – Zoning Coordinator

ABSENT

Commissioner (Chair) John Martinisko

3. Approval of Minutes

- a. Approve the minutes from the May 15, 2024 Planning and Zoning Commission meeting.

It was moved by Commissioner Owens and seconded by Commissioner Eagleson to approve the minutes from the May 15, 2024, Planning and Zoning Commission Meeting. Voting yea: Keehn, Bruce, Owens, Eagleson.

4. Sign Review Commission

- a. Application for Sign Permit - 110 Sherman Street - First Baptist Church (Jeanna Dewey). Applicant wishes to replace existing sign with new sign at the same location. Variance to the sign ordinance will be required.

Actions: Approve/Deny Sign Permit

Mr. Mohr shared the Application for Sign Permit - 110 Sherman Street - First Baptist Church (Jeanna Dewey) and explained the new sign would require a variance due to its size.

Commissioner Keehn asked if the current sign would have required a variance had it originally been installed according to today's ordinances. Mr. Mohr responded in the

affirmative. Commissioner Bruce inquired if the new sign would be larger than the previous one. Mr. Mohr confirmed it would be larger. Commissioner Keehn asked about lighting of the sign. Mr. Mohr stated the sign would be lit according to ordinance.

It was moved by Commissioner Bruce and seconded by Commissioner Eagleson to approve the Application for Sign Permit - 110 Sherman Street - First Baptist Church (Jeanna Dewey). Voting yea: Keehn, Bruce, Owens, Eagleson.

- b. Sign Permit Application - 270 Main Street - First Gold (Steve Schaeffer, General Manager). Applicant wishes to add to the existing freestanding sign. Sign will be compliant with sign ordinance.

Actions: Approve/Deny Sign Permit Application

Mr. Mohr shared Sign Permit Application - 270 Main Street - First Gold (Steve Schaeffer, General Manager) and explained a new logo will be added to the old sign, thereby increasing the overall size of the sign.

It was moved by Commissioner Owens and seconded by Commissioner Bruce to approve the Sign Permit Application - 270 Main Street - First Gold (Steve Schaffer, General Manager). Voting yea: Keehn, Bruce, Owens, Eagleson.

- c. Application for Sign Permit - 57 Sherman Street - Breland Meador. Applicant wishes to install a wall sign above the entrance area for a development sales office. Proposed sign and location are compliant with the sign ordinance.

Actions: Approve/Deny Application for Sign Permit

Mr. Mohr introduced Application for Sign Permit - 57 Sherman Street - Breland Meador and explained the ownership group of the Landmark purchased the property and will lease it as sales office for the Deer Mountain development.

It was moved by Commissioner Bruce and seconded by Commissioner Owens to approve Application for Sign Permit - 57 Sherman Street - Breland Meador. Voting yea: Keehn, Bruce, Owens, Eagleson.

- d. Application for Sign Permit - 388 Main Street - Nugget Saloon (Lee Harstad). Applicant wishes to replace existing projecting sign with a new sign in the same location. Proposed sign and location are compliant with sign ordinance.

Actions: Approve/Deny Application for Sign Permit

Mr. Mohr introduced Application for Sign Permit - 388 Main Street - Nugget Saloon (Lee Harstad) and shared the replacement sign will be slightly larger than the previous sign but will continue to meet the ordinance requirements.

It was moved by Commissioner Eagleson and seconded by Commissioner Owens to approve Application for Sign Permit - 388 Main Street - Nugget Saloon (Lee Harstad). Voting yea: Keehn, Bruce, Owens, Eagleson.

5. Planning and Zoning Commission

- a. Conditional Use Permit Application for Vacation Home Establishment – 596 Main Street – JVK-SD, LLC (Jack Kucera), legally described as Lot 34 in Block 15, being a part of Mineral Lot 38, and also known as Lot 4, in Block 7 of the City of Deadwood, also known as 596 Main Street, Deadwood, South Dakota.

Action Required:

1. Public Discussion
2. Approval/Denial by Planning and Zoning Commission

Mr. Kuchenbecker shared Conditional Use Permit Application for Vacation Home Establishment - 596 Main Street - JVK-SD, LLC (Jack Kucera) and stated the subject property is surrounded mainly by commercial properties in the core Historic District. The site has operated as a Vacation Home since 2016. The owner wishes to become compliant with Ordinance 17.53.

Ms. Blue-Jones added there is a single on-street parking spot for the location that is reserved, and additional vehicles can utilize a nearby parking lot.

Commissioner Keehn requested clarification on the property lines shown on the aerial map. Ms. Blue-Jones explained the lot lines shown on the county map are not perfectly reflected on the map; however, the building does sit inside the lot lines.

It was moved by Commissioner Bruce and seconded by Commissioner Eagleson to approve Conditional Use Permit for Vacation Home Establishment - 596 Main Street - JVK-SD, LLC (Jack Kucera) with eight (8) conditions. Voting yea: Keehn, Bruce, Owens, Eagleson.

- b. Request for Variance – 288 Williams Street – Brian Kinkler legally described as Lot 1 of Probate Lots 354 and 508; formerly Probate Lot 508 and the west 11’ of Probate Lot 354; City of Deadwood, Lawrence County, South Dakota.

Action Required:

1. Public Discussion
2. Approval/Denial by Planning and Zoning Commission

Mr. Kuchenbecker introduced Request for Variance - 288 Williams Street - Brian Kinkler and explained the variance will allow for the construction of a garage and introduced Mr. Kinkler who was in the audience. Mr. Kuchenbecker reminded the commission of a plat recently approved for same lot. The reason the plat was recently redrawn was to allow space for a new garage to be constructed. Mr. Kuchenbecker noted the design of the garage would need to go through the Historic Preservation Commission for design approval. The Fire Department will need to inspect the building to ensure fire codes are met due to the proximity of the new garage to the existing house. The City of Deadwood Building Inspector will ensure all building codes are met via inspection of the new accessory building.

Commissioner Eagleson requested further clarification on the orientation of the new garage. Mr. Kuchenbecker explained the garage will face the street and allow a car to drive straight into the garage from the street via the driveway.

Commissioner Keehn asked Mr. Kinkler if the owners of the neighboring property approved of the location of the new garage being built so close to their property line. Mr. Kinkler explained that he owns the neighboring property as well as the subject property.

It was moved by Commissioner Bruce and seconded by Commissioner Eagleson to approve Request for Variance - 288 Williams Street - Brian Kinkler with three (3) conditions. Voting yea: Keehn, Bruce, Owens, Eagleson.

- c. Approve/deny Findings of Fact and Conclusion - Conditional Use Permit - VHE - 81 Charles Street - BNS Properties, LLC (Lorann Berg) legally described as Lot 7 in Block 74 of the Original Town of Deadwood, Lawrence County, South Dakota, as shown on the P.L. Rogers map of the Town of Deadwood. Recommend Approval by Planning and Zoning Commission and Approved by Board of Adjustment on April 1, 2024.

Mr. Kuchenbecker shared Findings of Fact and Conclusion - Conditional Use Permit - VHE - 81 Charles Street - BNS Properties, LLC (Lorann Berg) and stated the owners have met the conditions placed on the Conditional Use Permit that was approved by the Planning and Zoning Commission on March 20, 2024.

It was moved by Commissioner Bruce and seconded by Commissioner Eagleson to approve Findings of Fact and Conclusion - Conditional Use Permit - VHE - 81 Charles Street - BNS Properties, LLC (Lorann Berg). Voting yea: Keehn, Bruce, Owens, Eagleson.

6. Items from Citizens not on Agenda

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

7. Items from Staff

Mr. Kuchenbecker shared the FEMA project at the Sherman Street parking lot is almost complete; sealing and striping is in progress. The next FEMA project is the reconstruction of Water Street to include sidewalk, curb, gutter and the burial of utility lines. Water Street will be closed beginning the week of June 10 and should be finished by the end of October. A meeting of affected property owners was held to discuss the project and address concerns.

Broken Boot Gold Mine has provided final approval for the trail on the Fuller Brothers property. This trail project is set to begin the week of June 10. Also on June 10, realignment of the Homestake Trail is set to begin as is the start of work on the trail located at the top of White Rocks.

Notice to Proceed on the Fuller Brothers property will be provided on June 6. Notice to Proceed was provided June 5 to begin work on the Boardwalk near the Welcome Center. Utilities located at the Boardwalk will be moved so they no longer lie beneath the walking path.

Masonry work for the retaining wall at 33 ½ Jackson Street continues. Retaining wall at 10 Denver Avenue will begin shortly. Work on retaining wall located at 358 Williams Street has begun.

Boot Hill contractor has submitted a grading permit that is under review.

Commissioner Bruce inquired about the decision to move forward with the Welcome Center Boardwalk in advance of completion on the box culvert. Mr. Kuchenbecker explained since it has been determined the box culvert will maintain its current orientation when it is rebuilt, and due to delays in the start date of the project, completion of the Boardwalk is being accelerated for resident access.

An easement has been obtained for property owned by Natasha Fuller which will allow for public creek access. The access point will include stairs off Mickelson Trail and down to another trail to create a loop.

Tree Wise Men will begin cleanup from Comfort Inn to Charles Street.

Mr. Kuchenbecker discussed legal action taken on two (2) Short-Term Rentals who were operating against ordinance. Both properties have since ceased operating as Short-Term Rentals.

Commissioner Keehn requested information on the street paving on Van Buren Street. Mr. Mohr responded that deterioration at the top of the street required the project to be completed.

Commissioner Bruce inquired about the retaining wall on Harrison Street. Mr. Kuchenbecker stated the wall has been put to bid and design alternatives are being considered to reduce costs.

Commissioner Eagleson inquired if the HP Commission would consider overseeing the interior remodels of properties in the core downtown Historic District. Mr. Kuchenbecker stated to do so would require a change in ordinance and support by the Commission and community.

Commissioner Eagleson reminded those present the upcoming Farmer's Market will be held weekly on Fridays, beginning on June 21 from 4:00 p.m. – 7:00 p.m. There will be thirty-four (34) vendors with two (2) volunteer groups assisting each week. Sherman Street will be available for additional parking. Commissioner Eagleson thanked the Farmer's Market committee for their hard work.

Mr. Kuchenbecker shared a handout created and presented by Vicki Dar at the Certified Local Government meeting held in Sioux Falls. Her presentation provided a Historic Preservation update for the City of Deadwood. The City of Deadwood appreciates the time and efforts of Ms. Dar to present the information and create the materials.

8. Adjournment

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

There being no further business, the Planning and Zoning Commission adjourned at 4:34 p.m.

ATTEST:

Chairman, Planning & Zoning Commission

Leah Blue-Jones, Zoning Coordinator

Secretary, Planning & Zoning Commission

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"The Historic City of the Black Hills"
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SIGN PERMIT STAFF REPORT

Sign Review Commission

June 5, 2024

Applicant: Jeanna Dewey

Address: 110 Sherman Street, Deadwood, SD 57732

Site Address of Proposed Signage: 110 Sherman Street (First Baptist Church)

Computation of Sign Area

Building Frontage: 100 Feet

Total Available Signage: 200 Square Feet

Existing Signage: One freestanding (to be replaced), one freestanding (4 Square Feet), one wall sign (7 Square feet), one shadowbox (15 Square Feet)

Remaining Available Signage Area: 174 Square Feet

Proposed Sign Project: Install new freestanding sign (22.4 Square Feet) in place of existing sign

Proposed Building Materials: Wood and Metal (see attached rendering)

Proposed Lighting of the Signs: Indirect illumination

Location of Proposed Sign: Attached is a photograph showing the current sign the new sign would be in this same location

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 wishes to replace the existing freestanding sign with a new freestanding sign of a different design in the same location.

The proposed sign does require variances from the sign ordinance for being larger than ten square feet and the bottom of the sign being lower than eight feet above grade. Its location is compliant with the sign ordinance.

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Variances

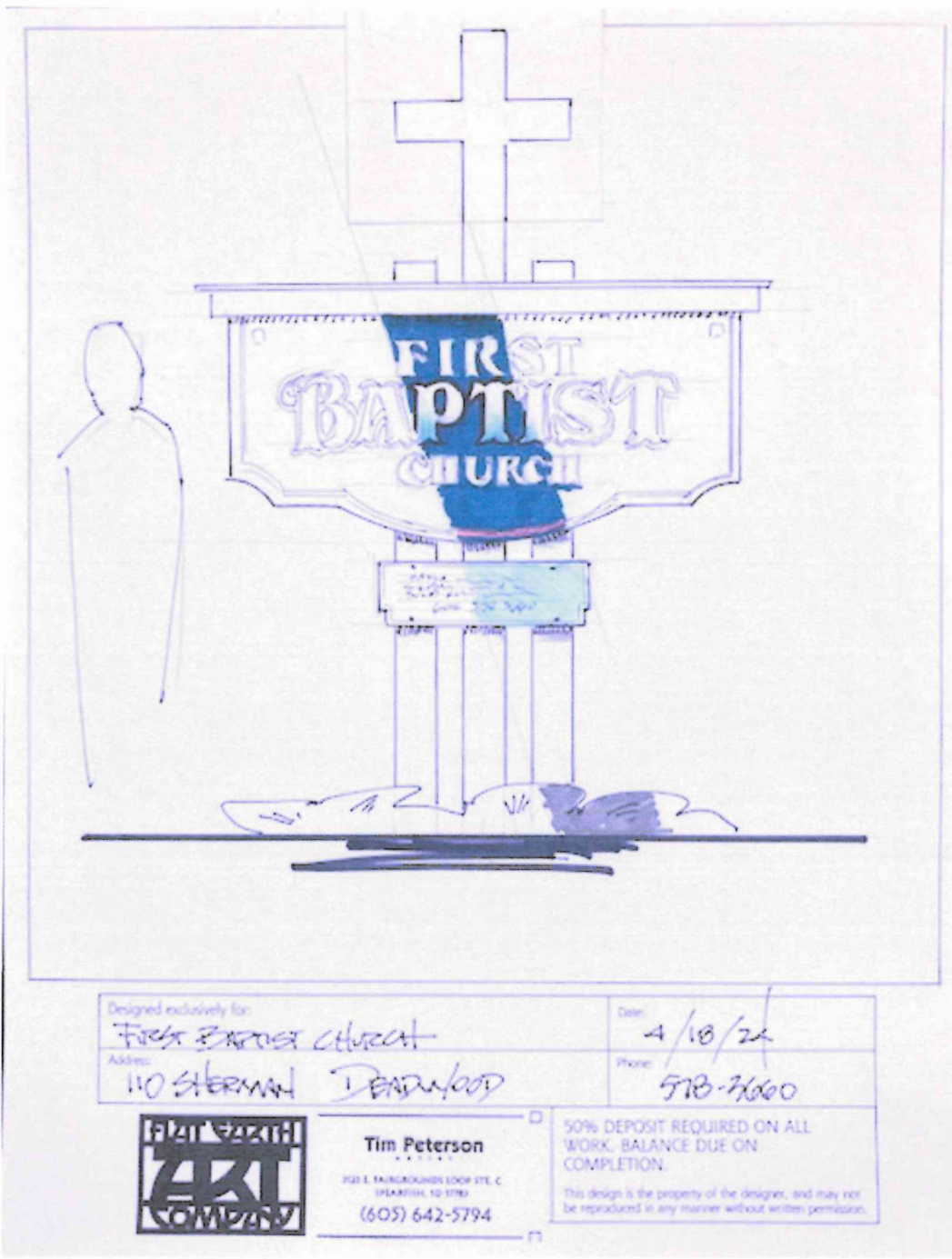
The sign permit application in review as proposed requires variances from the sign ordinance. Signage variances may be obtained if the sign review commission is able to find *"special circumstances or conditions such as the existence of buildings, topography, vegetation, sign structures, distance or 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 freestanding sign at 110 Sherman Street granting variances for overall size and height of the bottom of the sign

OR

Motion to deny proposed sign permit application as submitted



Overall height from grade to top of cross is 9.5 feet.
Main sign panel is 3' x 6' with lower information panel 14" x 24" approximately
See attached for additional specifications

One double sided aluminum and wood sign

- Main panel of composite aluminum 36"h x 72"w
- Panel flat painted (no raised elements)
- Panel clear coated with automotive enamel
- Secondary information panel of same aluminum
- Secondary panel has digital print

Top horizontal cap of redwood oil primed and painted with two top coats of premium latex

- Structure of treated rough sawn 5x6 timbers set in concrete
- Timbers oil primed and painted with two top coats of premium latex
- Back structure of redwood (oil primed and painted)

Price: \$6985.00

Illumination option:
Install two 48" LED light bars behind top wood cap
Wire in conduit run to base of structural post
No switch or power component

Price: \$1110.00

Prices do not include tax, permit acquisition, landscaping or additional artwork

Terms: 50% deposit/balance due on completion

Production time: app. 8 weeks upon receipt of deposit

Price good for 90 days



**Request for Variance to the City of Deadwood Sign Regulation
Justification Narrative**

Applicant: First Baptist Church of the Northern Hills

Location of Variance Request: 110 Sherman Street, Deadwood, SD. 57732

First Baptist Church wishes to replace the existing sign located on church property, immediately north of the church building, with a new sign that will be of the specifications on the attached sheet. The new sign will be two sided, and in the same location after demolition of the existing. Tim Peterson is the sign contractor, and his work is synonymous with excellent design, form, and color that reflects the historic context. The new sign will have white lettering "First Baptist Church" in front of a blue background, with a reddish orange accent color, white cap, and white support posts with the center post featuring the cross. The sign will be illuminated from a recessed LED fixture that is hidden behind the white cap. This fixture will softly illuminate the face of the sign but the light fixture itself will not be visible. A detachable lower panel will note the pastor's name, times of services, and telephone number.

The present sign is 3 x 6 for a total of 18 square feet.

The proposed sign is of the following dimensions:

Overall height 9.5 feet; distance from grade to bottom of sign is 30 inches. The sign will be setback from the property line so as not to impede visibility of oncoming traffic.

Primary sign is 3 x 6 feet – 18 square feet and no change from existing

Detachable lower panel is 1.9 square feet

The cross is 6 inches wide x 36 inches tall for the vertical portion and 6 inches wide x 24 inches on the horizontal portion for a total of 2.5 square feet

The total area of the new sign is 22.4 square feet

The city sign ordinance states the maximum sign area for signage at the above location is 10 square feet.

First Baptist respectfully requests the variance to allow the additional square footage based on the following, as explained in bold text following the ordinance language.

1. The city ordinance states that: "variance may be appropriate where, by reason of exceptional narrowness, shallowness, or shape or by reason of other exceptional topographic conditions or other extraordinary conditions on a piece of property, the

strict application of any regulation enacted under this title would result in peculiar, exceptional and undue hardship on the owner of such property. The aforesaid circumstances or conditions shall be set forth in the findings of the board.”

The attached photos show “extraordinary conditions” as described below:

The presence of the city/county office parking and a proliferation of poles and other visual obstructions obscure the visibility of the existing church sign. Reducing the sign to the current code requirement of 10 square feet would make it even less visible.

The church architecture itself reflects what was then considered a contemporary design from 1917-18. As such, the building is more civic in appearance than a house of worship and for this reason the sign is an important means of identifying the building as a church.

2. Variances shall not be granted to allow a use otherwise excluded from the particular district in which requested.

This is not a request for a variance pertaining to land use. Signs are allowed on the property.

3. Any variance granted under the provisions of this section shall be the minimum adjustment necessary for the reasonable use of the land.

The church has an established land use right, and by extension, the ability for the church to slightly increase the amount of sign area to overcome the obstructions described in #1 enables a reasonable means of identification of the building.

4. The granting of any variance is in harmony with the general purposes and intent of this title and will not be injurious to the neighborhood, and/or detrimental to the public welfare, or in conflict with the established policies of the city.

The sign layout and design reflect the highest quality without becoming garish or visually loud.

5. There must be proof of practical difficulty, which may be based upon sufficiently documented economic factors, but such proof shall not be based solely upon or limited to such economic factors. Furthermore, the hardship complained of cannot be self-created, nor can it be established on this basis by one who purchases with or without knowledge of the restrictions; it must result from the application of this title; it must be suffered directly by the property in question; and evidence of variance granted under similar circumstances shall not be considered.

This variance is not based on economic factors, and in fact the opposite is true. The church wishes to pursue a high-quality and durable sign. The hardship in this example is that the surroundings have significantly changed in the 100 years since the church was built. New buildings, parking lots, street signs, light poles, etc. all contribute to limited visibility for signage.

6. That the proposed variance will not impair an adequate supply of light and air to adjacent properties, substantially increase the congestion in the public streets, increase the danger of fire, endanger the public safety, or substantially diminish or impair property values within the adjacent neighborhood.

Signage has no impact on light and air quality, traffic patterns, or public safety. It will be placed in the same location as the existing, which is not blocking visibility of oncoming traffic. The new sign will enhance the property and strike a balance between revitalized signage and the historic context.

In summary, First Baptist believes it has demonstrated the justification of the variance as evidenced by the following: (bold text following city code)

Before the board shall have the authority to grant a variance, the person claiming the variance has the burden of showing:

1. That the granting of the permit will not be contrary to the public interest.

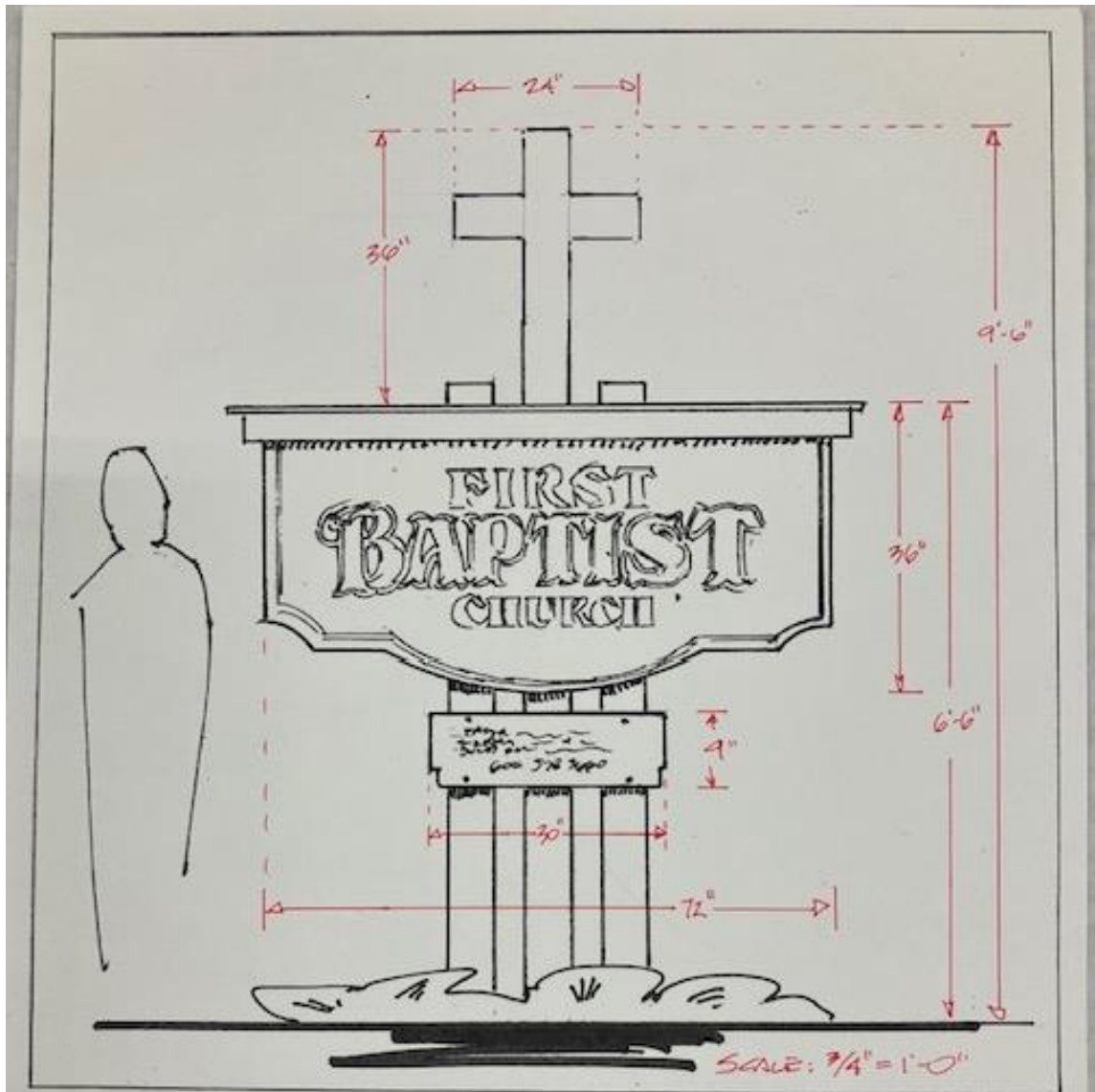
Replacement of the existing sign enhances the overall historic and vitality of Deadwood, which is a key public interest.

2. That the literal enforcement of this title will result in unnecessary or unreasonable hardship

The public will not be able to perceive the difference in square footage between the existing and new sign. Both have the same general proportion, with the only exception being the new added element, the cross. The additional square footage is needed to overcome existing obstacles that block visibility of the sign. An unreasonable and un-necessary hardship will result if the church must follow the code requirement of a maximum of 10 square feet.

3. That by granting the permit, substantial justice will be done

An upgrade to the sign will benefit the church by enhancing its presence.



Designed exclusively for: FIRST BAPTIST CHURCH	Date: 5/3/24
Address: 110 STERMAN ST DEADWOOD	Phone: 578-7400



Tim Peterson
DESIGN
303 E. FAIRGROUNDS LOOP STE. C
SPARTANBURG, SC 29583
(605) 642-5794

50% DEPOSIT REQUIRED ON ALL WORK. BALANCE DUE ON COMPLETION.
This design is the property of the designer, and may not be reproduced in any manner without written permission.

Sign Specifications:

One double sided aluminum and wood sign

Main panel of composite aluminum 36"h x 72"w

Panel flat painted (no raised elements)

Panel clear coated with automotive enamel

Secondary information panel of same aluminum

Secondary panel has digital print

Top horizontal cap of redwood oil primed and painted with two top coats of premium latex

Structure of treated rough sawn 5x6 timbers set in concrete

Timbers oil primed and painted with two top coats of premium latex

Back structure of redwood (oil primed and painted)

Illumination:

Install two 48" LED light bars behind top wood cap



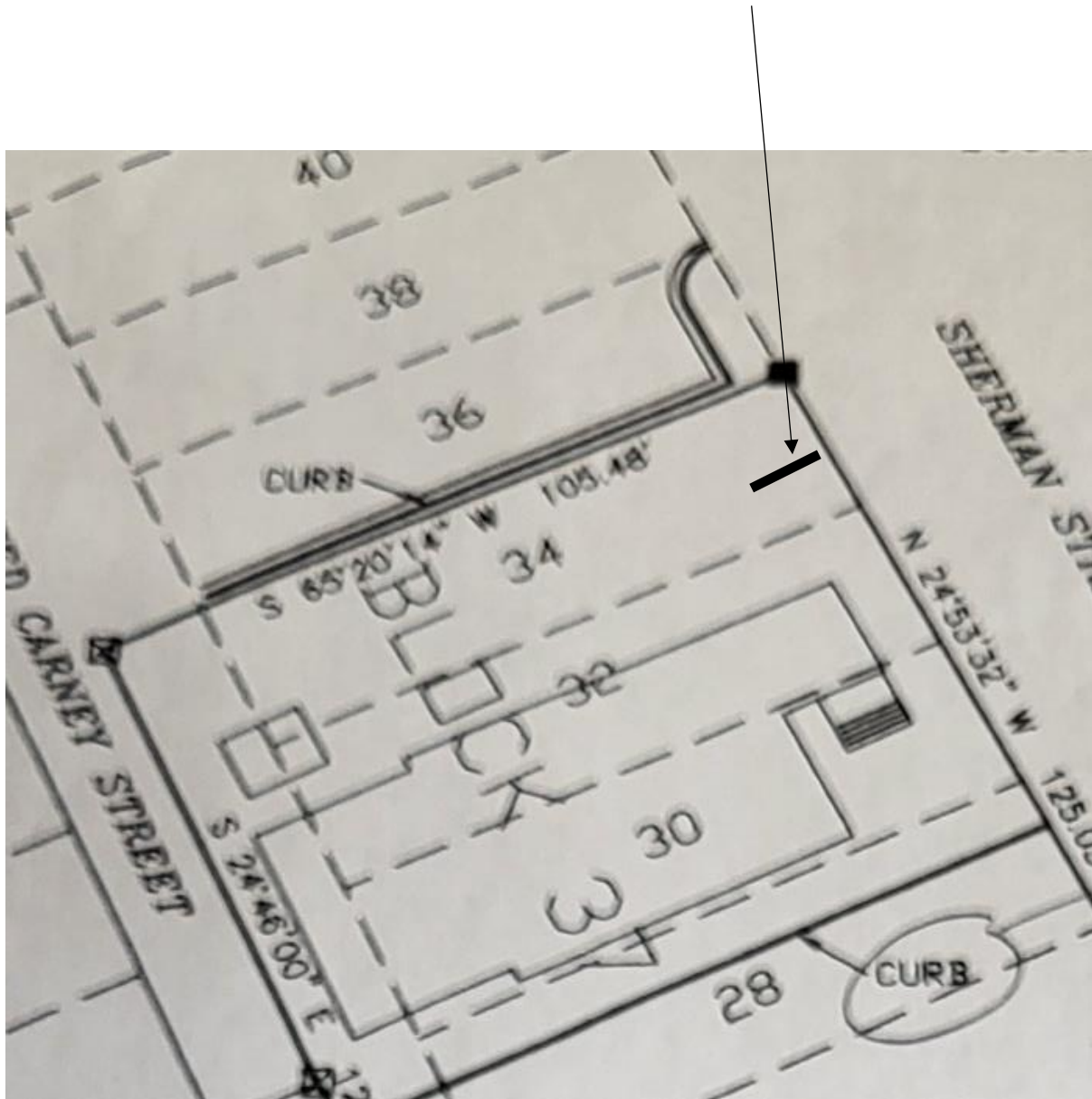
These photos illustrate the importance of sign visibility from a reasonable distance.

Existing sign is behind the white van, obstructed in this view



Existing Sign – painted wood with tan letters

APPROXIMATE LOCATION OF NEW SIGN IS SAME AS EXISTING.



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SIGN PERMIT STAFF REPORT

Sign Review Commission

June 5, 2024

Applicant: Steve Schaeffer, General Manager
Address: 270 Main Street, Deadwood, SD 57732
Site Address of Proposed Signage: 270 Main Street (First Gold)

Computation of Sign Area

Building Frontage: 355 Feet
Total Available Signage: 710 Square Feet
Existing Signage: One freestanding (124.5 Square Feet to be enlarged), one freestanding (39 Square Feet), and one wall sign (18 Square Feet)
Remaining Available Signage Area: 528.5 Square Feet
Proposed Sign Project: Add to existing freestanding sign enlarging it by 14 Square Feet to bring it to 138.5 Square Feet
Proposed Building Materials: Vinyl and metal (see attached rendering)
Proposed Lighting of the Signs: external illumination
Location of Proposed Sign: See attached rendering

Discussion

The sign permit application in review is proposed at a location outside the locally-designated historic district and inside the national historic landmark district which is regulated by chapter 15.32.310 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 wishes to add to the existing freestanding sign. Increasing its size by 14 Square Feet. The new total size of the sign would be 138.5 Square Feet. A freestanding sign in the national landmark district may be a maximum of 180 Square Feet. The additional graphics are to advertise the restaurant at this location.

The proposed enlargement of this sign is 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 to enlarge a freestanding sign at 270 Main Street

OR

Motion to deny proposed sign permit application as submitted.



Both stickers are 48" Round or 12.566in Square footage each



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SIGN PERMIT STAFF REPORT

Sign Review Commission

June 5, 2024

Applicant: Breland Meador

Address: PO Box 130, Atkinson, NE 68713

Site Address of Proposed Signage: 57 Sherman Street (formerly Butch Cassidy's)

Computation of Sign Area

Building Frontage: 15 Feet

Total Available Signage: 30 Square Feet

Existing Signage: None

Remaining Available Signage Area: 30 Square Feet

Proposed Sign Project: Install new wall sign (20 Square Feet)

Proposed Building Materials: Composite metal with vinyl graphics (see attached rendering)

Proposed Lighting of the Signs: None

Location of Proposed Sign: Above entrance area for 57 and 59 Sherman Street (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 applicant wishes to install a wall sign above the entrance area for a development sales office located in this building.

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

OFFICE OF
Planning & Zoning
108 Sherman Street
Telephone (605) 578-2082
Fax (605) 578-2084



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

TRENT MOHR
Building Inspector
Dept. of Planning & Zoning
Telephone: (605) 578-2082
Fax: (605) 578-2084

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 wall sign at 57 Sherman Street

OR

Motion to deny proposed sign permit application as submitted.



DEER
MOUNTAIN
VILLAGE

SALES
OFFICE



THREE PEAKS
RANCH



OFFICE OF
Planning & Zoning
 108 Sherman Street
 Telephone (605) 578-2082
 Fax (605) 578-2084



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

TRENT MOHR
 Building Inspector
 Dept. of Planning & Zoning
 Telephone: (605) 578-2082
 Fax: (605) 578-2084

SIGN PERMIT STAFF REPORT

Sign Review Commission

June 5, 2024

Applicant: Lee Harstad

Address: 388 Main Street, Deadwood, SD 57732

Site Address of Proposed Signage: 604 Main Street (Nugget Saloon)

Computation of Sign Area

Building Frontage: 26 Feet

Total Available Signage: 32 Square Feet

Existing Signage: One projecting (20 Square Feet - to be replaced)

Remaining Available Signage Area: 12 Square Feet

Proposed Sign Project: Replace existing projecting sign with a new sign of a larger size (26 Square Feet) in the same location

Proposed Building Materials: Wood and Metal (see attached rendering)

Proposed Lighting of the Signs: external illumination

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.

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The applicant wishes to replace the existing projecting sign with a new sign in the same location and add a hanging portion below it. This would increase the size from the existing 20 Square Feet to 26 Square Feet.

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

OFFICE OF
Planning & Zoning
 108 Sherman Street
 Telephone (605) 578-2082
 Fax (605) 578-2084



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

TRENT MOHR
 Building Inspector
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 Telephone: (605) 578-2082
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Variances

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Sign Review Commission Action

Motion to approve permit for new projecting sign at 604 Main Street

OR

Motion to deny proposed sign permit application as submitted.

Sign Permit Application

The Nugget

604 Main Street

15.32.190 C:

Construction:

The Nugget sign will be made of painted exterior grade signboard-type plywood with raised lettering/logo. The sign will be 1.75 inches thick with the upper sign being 4' wide x 5' tall and a lower sign that is 4' wide x 9" tall.

15.32.190 D:

Colors

The background will be black and the lettering and logo will be yellow.

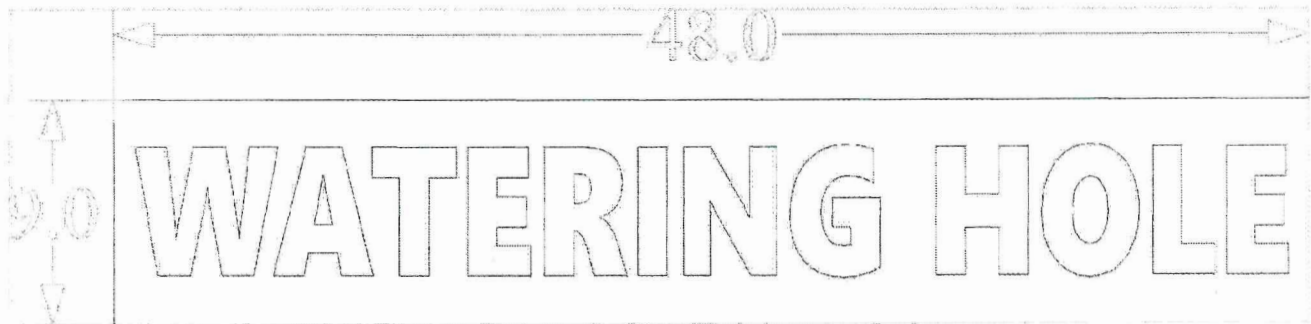
15.32.190 E:

Signage support/anchor

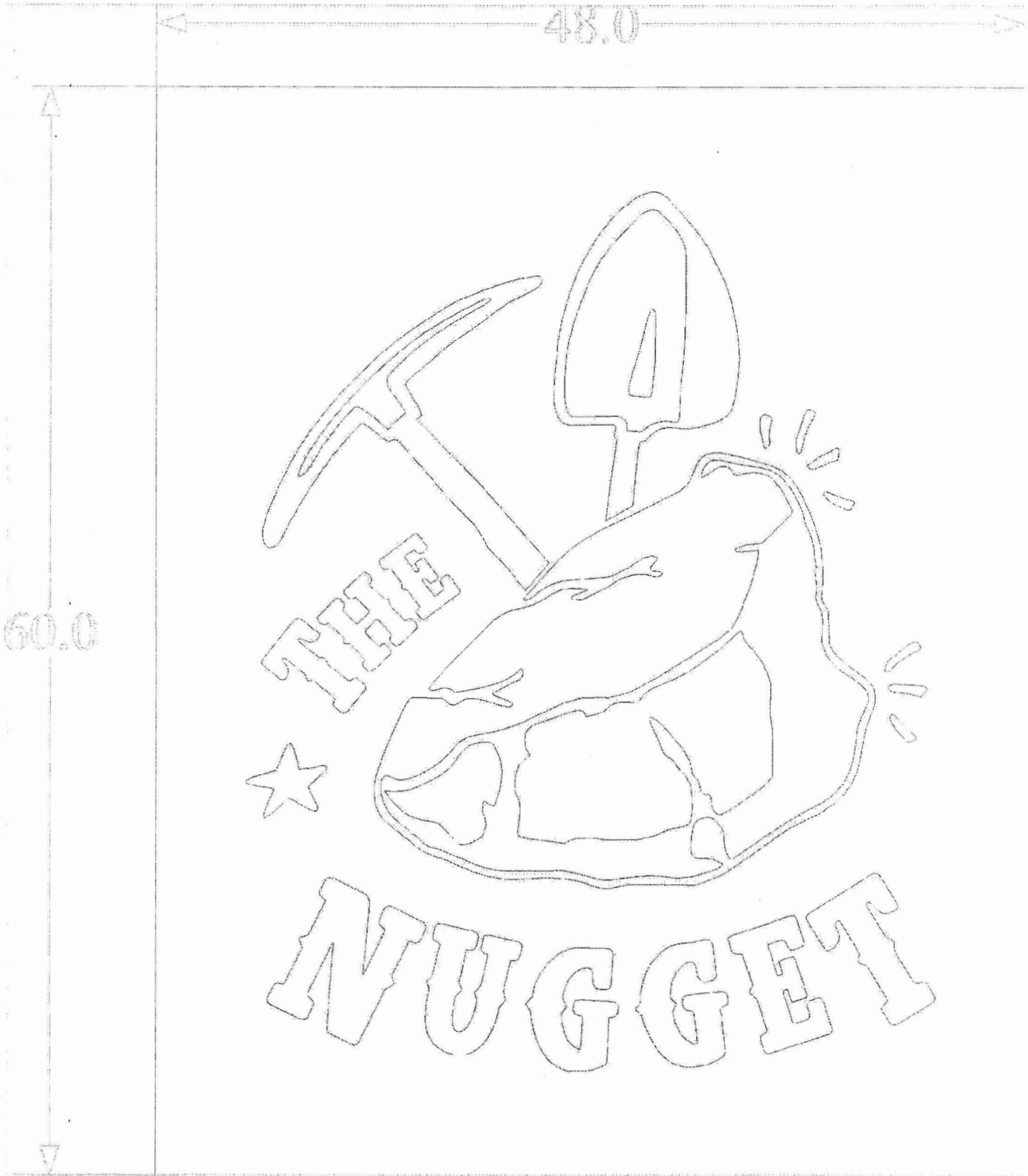
The existing sign frame/bracket remains attached to the building. The new sign will be attached to this frame.



15.32.190 A

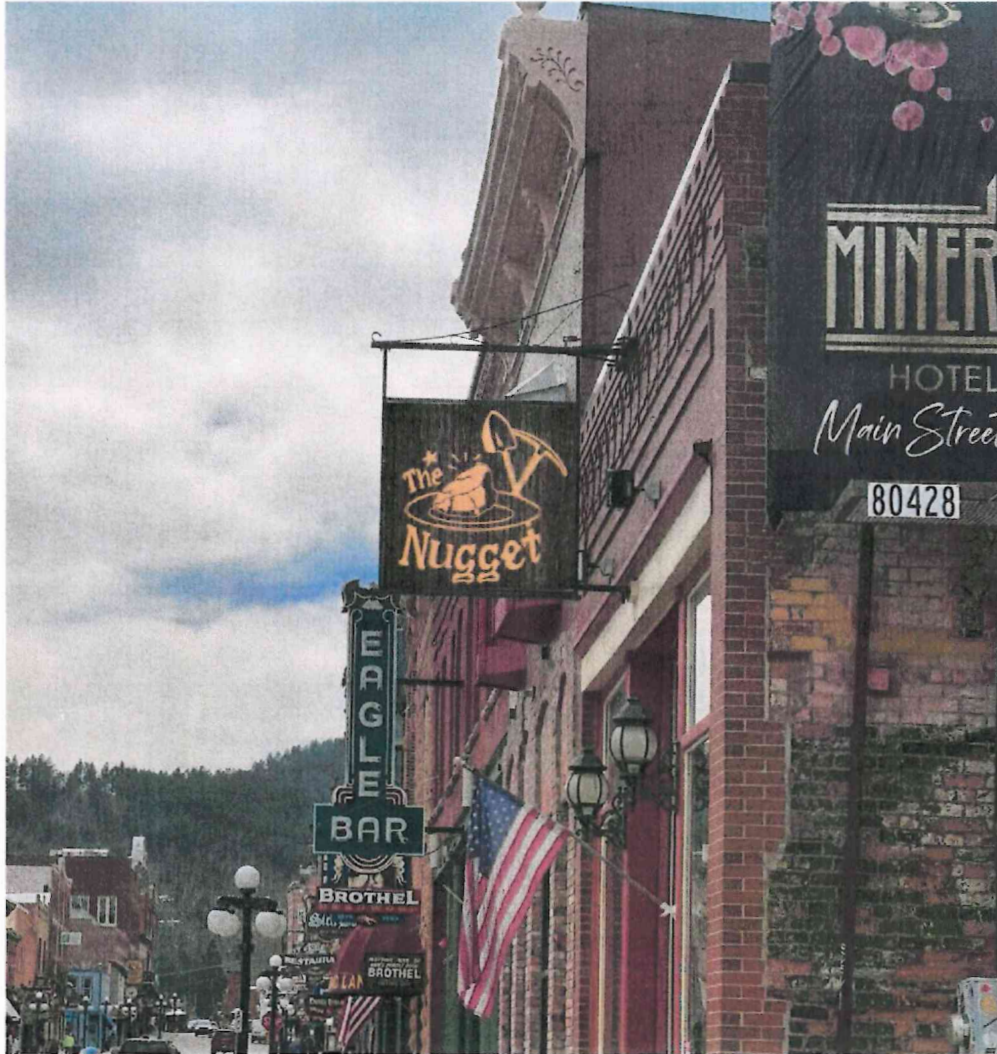


15.32.190 A



OPTION 3

THE NUGGET LOGO DECK



MAIN LOGO

15,32,190 C
 Existing frame
 on building



ALTERNATIVE VERSION



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 COMMISSION
STAFF REPORT
CONDITIONAL USE PERMIT**

Staff Report

Date: June 5, 2024
From: Kevin Kuchenbecker
Planning, Zoning & Historic Preservation Officer
RE: Conditional Use Permit – Vacation Home Establishment

APPLICANT(S): JVK-SD, LLC

PURPOSE: Application for CUP – Vacation Home Establishment

ADDRESS: 596 Main Street

LEGAL DESCRIPTION: Lot 34 in Block 15, being a part of Mineral Lot 38, and also known as Lot 4, in Block 7 of the City of Deadwood, also known as 596 Main Street, Deadwood, South Dakota.

FILE STATUS: All legal obligations have been completed.

ZONE: C1 - Commercial

STAFF FINDINGS:

Surrounding Zoning:

North: R1 – Commercial
South: C1 - Commercial
East: C1 – Commercial
West: C1 - Commercial

Surrounding Land Uses:

Residential
Businesses
Businesses
Businesses

SUMMARY OF REQUEST

The applicants have submitted a request for a Conditional Use Permit to operate a Vacation Home Establishment located at 596 Main Street. Since 2016, 596 Main Street has been utilized as a Vacation Home establishment. This property is seeking to become compliant with Municipal Code 17.76.

FACTUAL INFORMATION

1. The property is currently zoned C1 - Commercial.
2. The property has operated in the past as a Vacation Home Establishment for several years.
3. The subject property has access from Main Street with reserved on-street parking for one (1) vehicle.
4. The subject property is located within an R1 – Residential zoning location on one (1) side, and a C1 – Commercial zoning on three (3) sides.
5. The property is not located within a flood zone.
6. Adequate public facilities are available to serve the property.
7. According to Deckard – Rentalscape the property has been booked 163 nights in the last 12 months.

STAFF DISCUSSION

The applicants have submitted a request for a Conditional Use Permit for a Vacation Home Establishment and City regulations permit Vacation Home Establishments in C1 - Commercial zoning districts with an approved Conditional Use Permit. The subject property has been operating as a Vacation Home establishment since 2016. A visit to the location by city staff confirmed that there is one (1) reserved parking space located on Main Street.

The Deadwood Zoning Code 17.08 and South Dakota Codified Law defines a Vacation Home Establishment as the following:

“Vacation Home Establishment” means:

Any home, cabin, or similar building that is rented, leased, or furnished in its entirety to the public on a daily or weekly basis for more than 14 days in a calendar year and is not occupied by an owner or manager during the time of rental as defined and permitted by the State of South Dakota and this Title.

Conditional Use Permit – Vacation Home Establishment
596 Main Street
June 5, 2024

This term does not include a bed and breakfast establishment as defined in this Title.

1. Vacation Home Establishments are strictly prohibited in R1 and R2 zoning districts with the exceptions under 17.53.040.

In this instance the property is in a C1 – Commercial zoning district. The owner of the property, Jack Kucera, plans to continue to operate the Vacation Home Establishment as it has been running since 2016.

2. Vacation Home Establishments shall be located in upper floors of commercial structures only within the local historic district.

This property is in a commercial structure within the local historic district. The rental is located on the second floor of the structure, in compliance with 17.53.030.

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 have not significantly affected the neighborhood. This area is in the core historic business district.

Conditional Use Permit – Vacation Home Establishment
596 Main Street
June 5, 2024

- 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 C1 – Commercial and is intended to provide locations for commercial uses, which require access to roads and highways, and substantial amounts of parking.

- 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 the reserved parking space, only rents out the second floor, and prevents any public nuisance issues that are often associated with Vacation Home Establishments, the proposed use may not result in a substantial or undue adverse effect on adjacent properties, or the character of the property and the use would not alter the character of the district. 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. To date, the city has not received any complaints about the operation of this establishment.

- 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 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.

Conditional Use Permit – Vacation Home Establishment
596 Main Street
June 5, 2024

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. Proof of a state sales tax number shall be provided to the Planning and Zoning Office for their files.
3. Proof that the Building Inspector has inspected the building and it meets all the building codes.
4. City water and sewer rates to be changed from residential to commercial rates.
5. Proper paperwork is filed with the City of Deadwood Finance Office for Business Improvement District (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.

ACTION REQUIRED:

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

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



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

Section 5 Item a.

Application No. _____

APPLICATION FOR CONDITIONAL USE PERMIT

Application Fee: \$500.00

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

Name of Proposed Development: Ayres Hardware / Beuter Building

Street Location of Property: 596 Main Street Deadwood, SD

Legal Description of Property: Original Town Deadwood Lot 34 Blk 15 Plt BK1 PG 19

Zoning Classification of Property: Commercial

Name of Property Owner: JVK-SD, LLC Telephone: (602) 910-3161

Address: 2851 W Kathleen Road Phoenix, AZ 85053
Street City State Zip

Name of Applicant: Jack Kucera Telephone: (602) 919-3161

Address: 21245 US Hwy 14A Lead, SD
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: Retail spac on ground floor; VHE upstairs

Signature of Applicant: Jack Kucera Date: April 9, 2024

Signature of Property Owner: _____ Date: _____

Fee: \$ 500 Paid On 4/17/24 Receipt Number 9261

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): _____



Account Number: 1-310027-01 Address: 596 MAIN ST

Zone: 1 Name: KUCERA, JACK

General | Metered | Non-Metered | Financial | Information | Comments | History | Consumption History | Service Orders | Devices

Pending Activity: 0.00 Balance: 447.49CR

Drag a column header here to group by that column

Date	Packet	Type	Receipt #	Reference	Debits	Credits	Balance
04/30/2024	009261	Adjustment		CORRECT TO CUP PMT	500.00		447.49CR
04/17/2024	009244	Payment	192960	3370598811		500.00	947.49CR
04/05/2024	009231	Adjustment		APPLY CREDITS			447.49CR
04/05/2024	009231	Bill		2/29- 3/29 04/29	97.64		447.49CR
03/07/2024	009191	Adjustment		APPLY CREDITS			545.13CR
03/07/2024	009191	Bill		1/31- 2/29 03/27	89.85		545.13CR
02/07/2024	009153	Adjustment		APPLY CREDITS			634.98CR
02/07/2024	009153	Bill		12/29- 1/31 02/27	92.71		634.98CR
01/08/2024	009113	Adjustment		APPLY CREDITS			727.69CR
01/08/2024	009113	Bill		11/30-12/29 01/29	82.97		727.69CR
12/07/2023	009076	Adjustment		APPLY CREDITS			810.66CR
12/07/2023	009076	Bill		10/31-11/30 12/27	87.24		810.66CR
11/07/2023	009041	Adjustment		APPLY CREDITS			897.90CR
11/07/2023	009041	Bill		9/30-10/31 11/27	102.10		897.90CR
11/02/2023	009034	Payment	189388	3214256150		1,000.00	1,000.00CR

Edit This Record

View | jan

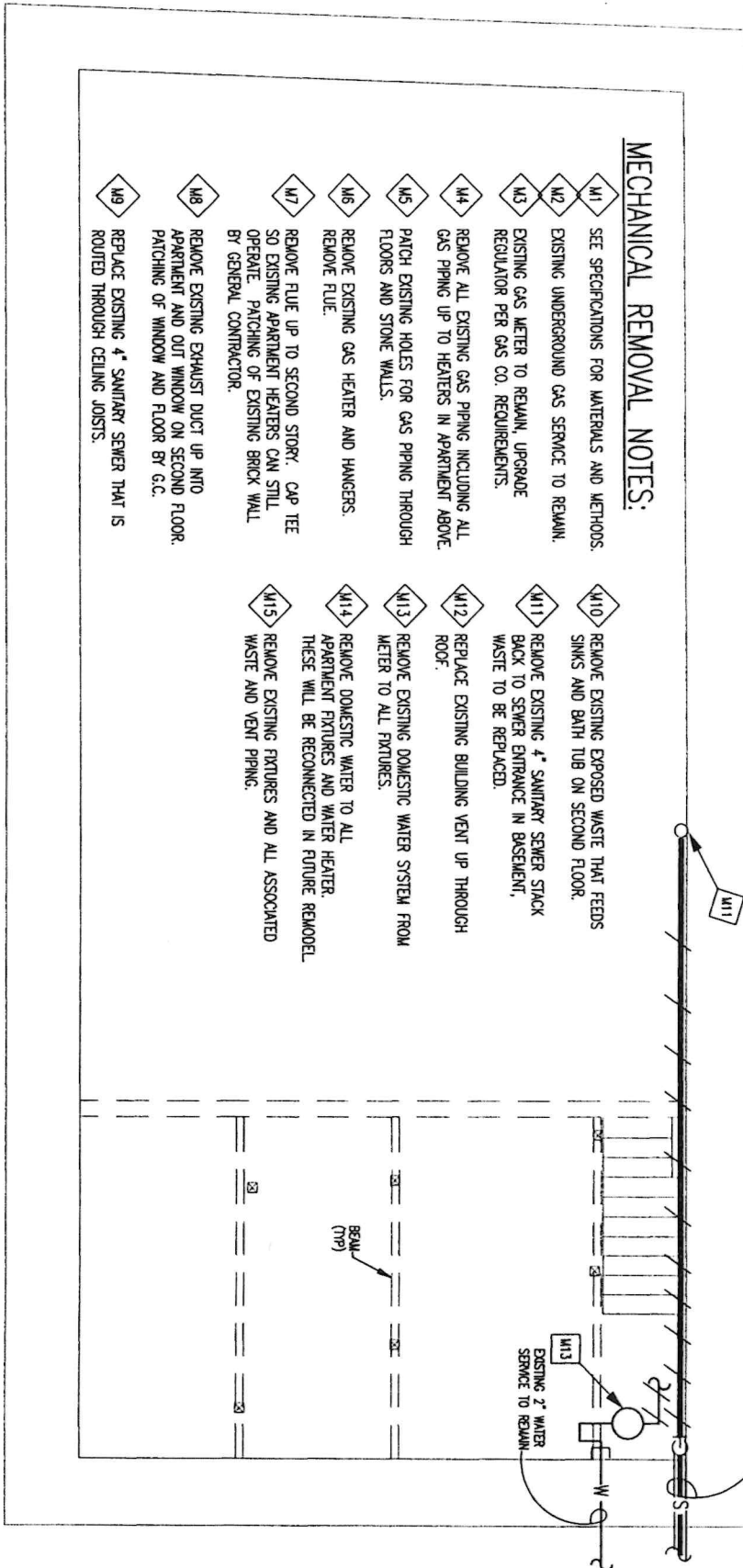
Ayres Hardware – Beuter Building

596 Main Street

The downstairs space is retail space, currently occupied by the Beef Jerky Outlet on a 5-year lease with an option to renew for an additional 5 years. The apartment upstairs is available as an Airbnb rental. Rentals are not regular, but rather sporadic. It has the highest rating of any Airbnb property available in Deadwood, a tribute to my brother and his wife who operate it. Usage is driven by events in Deadwood and the Black Hills, as well as snow conditions that bring snowmobilers and skiers. My brother and his wife have several acres on the outskirts of Deadwood where Airbnb tenants park their snowmobile or motorcycle trailers, if parking is needed. The majority of the time, there are 2 to 4 occupants. On rare occasions, mostly families with children (there are two bedrooms with queen beds, the third has bunk beds), there may be up to 6 occupants. To the best of my knowledge, there has never in our history of ownership of the building been a noise complaint, so we don't have a noise mitigation plan.

MECHANICAL REMOVAL NOTES:

- M1 SEE SPECIFICATIONS FOR MATERIALS AND METHODS.
- M2 EXISTING UNDERGROUND GAS SERVICE TO REMAIN.
- M3 EXISTING GAS METER TO REMAIN, UPGRADE REGULATOR PER GAS CO. REQUIREMENTS.
- M4 REMOVE ALL EXISTING GAS PIPING INCLUDING ALL GAS PIPING UP TO HEATERS IN APARTMENT ABOVE FLOORS AND STONE WALLS.
- M5 PATCH EXISTING HOLES FOR GAS PIPING THROUGH FLOORS AND STONE WALLS.
- M6 REMOVE EXISTING GAS HEATER AND HANGERS. REMOVE FLUE.
- M7 REMOVE FLUE UP TO SECOND STORY. CAP TEE SO EXISTING APARTMENT HEATERS CAN STILL OPERATE. PATCHING OF EXISTING BRICK WALL BY GENERAL CONTRACTOR.
- M8 REMOVE EXISTING EXHAUST DUCT UP INTO APARTMENT AND OUT WINDOW ON SECOND FLOOR. PATCHING OF WINDOW AND FLOOR BY G.C.
- M9 REPLACE EXISTING 4" SANITARY SEWER THAT IS ROUTED THROUGH CEILING JOISTS.
- M10 REMOVE EXISTING EXPOSED WASTE THAT FEEDS SINKS AND BATH TUB ON SECOND FLOOR.
- M11 REMOVE EXISTING 4" SANITARY SEWER STACK BACK TO SEWER ENTRANCE IN BASEMENT. WASTE TO BE REPLACED.
- M12 REPLACE EXISTING BUILDING VENT UP THROUGH ROOF.
- M13 REMOVE EXISTING DOMESTIC WATER SYSTEM FROM METER TO ALL FIXTURES.
- M14 REMOVE DOMESTIC WATER TO ALL APARTMENT FIXTURES AND WATER HEATER. THESE WILL BE RECONNECTED IN FUTURE REMODEL.
- M15 REMOVE EXISTING FIXTURES AND ALL ASSOCIATED WASTE AND VENT PIPING.



BASEMENT FLOOR PLAN – MECHANICAL REMOVAL

SCALE 1/4" = 1'-0"



JOHN W. HET & COMPANY
CONSULTING ENGINEER



TITLE	
DATE	DESCRIPTION
DATE	DESCRIPTION
DATE	DESCRIPTION
DATE	DESCRIPTION
DATE	DESCRIPTION
DATE	DESCRIPTION

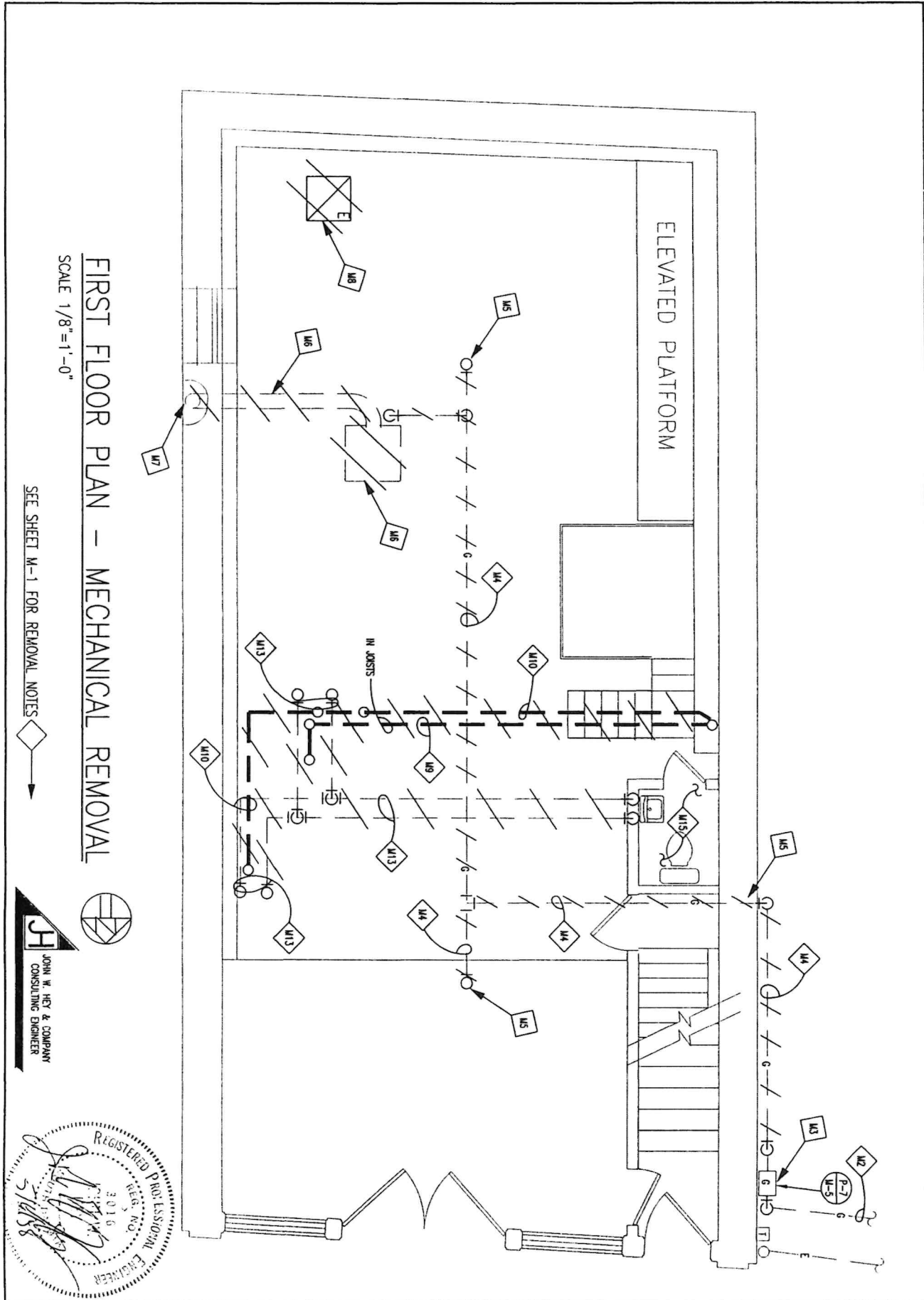
BASEMENT MECHANICAL REMOVAL FLOOR PLAN

TSP A Professional Design Group
 TSP Three, Inc.
 600 Kansas City Street • Rapid City • South Dakota • 57701
 (605) 343-6102 FAX (605) 343-7158

RENOVATION OF AYRES HARDWARE DEADWOOD, SD

Project No.	3016
Client Name	AYRES HARDWARE
Contract No.	
Scale	1/4" = 1'-0"
Date	5/14/18

M-1



FIRST FLOOR PLAN - MECHANICAL REMOVAL

SCALE 1/8" = 1'-0"

SEE SHEET M-1 FOR REMOVAL NOTES

JOHN W. HEY & COMPANY
CONSULTING ENGINEER

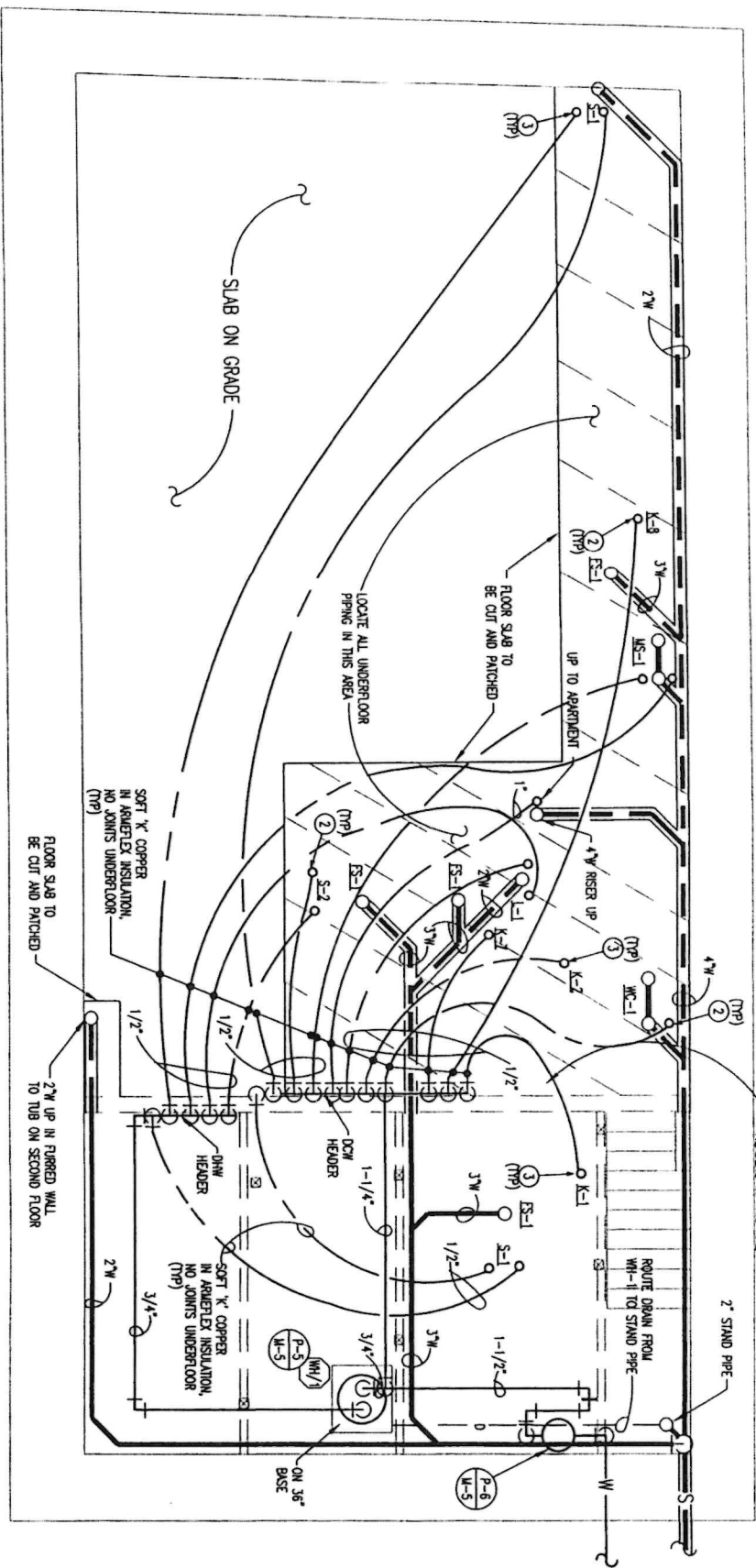
Project No.	02124
Drawn By	ME
Checked By	ME
Date	3/16/08

**RENOVATION OF
AYRES HARDWARE
DEADWOOD, SD**

TSP A Professional Design Group
TSP Three, Inc.
600 Kansas City Street • Rapid City • South Dakota • 57701

**FIRST FLOOR MECHANICAL
REMOVAL FLOOR PLAN**

TITLE		
NO.	DATE	DESCRIPTION



BASEMENT FLOOR PLAN - PIPING
 SCALE 1/4" = 1'-0"
 (SEE SHEET M-4 FOR PLUMBING NOTES)



JH
 JOHN W. HETZ & COMPANY
 CONSULTING ENGINEERS



Project No.	3013
Rev. No.	1
Drawn By	JWH
Checked By	JWH
Date	1/1/00
Scale	AS SHOWN

**RENOVATION OF
 AYRES HARDWARE
 DEADWOOD, SD**

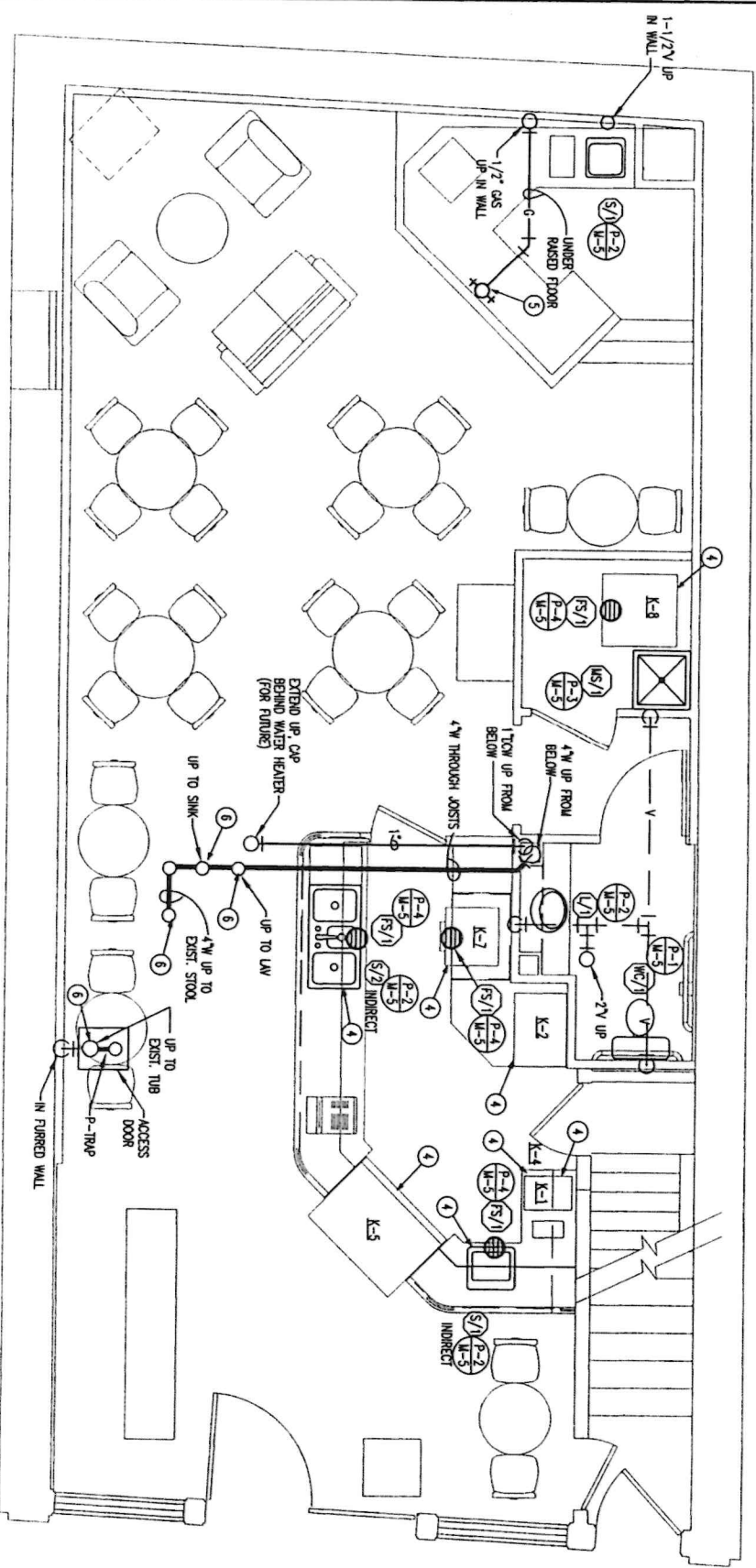
TSP
 A Professional Design Group
 TSP Three, Inc.
 600 Kansas City Street • Rapid City • South Dakota • 57701
 (605) 343-6102 FAX (605) 343-7159

**BASEMENT PIPING
 FLOOR PLAN**

TITLE	
DATE	DESCRIPTION
DATE	DESCRIPTION
DATE	DESCRIPTION
DATE	DESCRIPTION
DATE	DESCRIPTION
DATE	DESCRIPTION

PLUMBING NOTES:

- ① SEE SPECIFICATIONS FOR MATERIALS AND METHODS.
- ② PROVIDE SLEEVES THROUGH ALL WALL AND FLOOR PENETRATIONS.
- ③ PROVIDE 3/8" SUPPLY STOP ABOVE SLAB.
- ④ PIPE DRAIN TO FLOOR SINK, MAINTAIN 1" AIR GAP.
- ⑤ GAS PEDISTAL MANUFACTURED BY CHICAGO FAUCET - 981-TWO TURRET W/2 - 907 GAS VALVES.
- ⑥ RECONNECT WASTE TO EXISTING FIXTURE.



FIRST FLOOR PLAN - PIPING
 SCALE 1/4" = 1'-0"



JH
 JOHN W. HEY & COMPANY
 CONSULTING ENGINEER



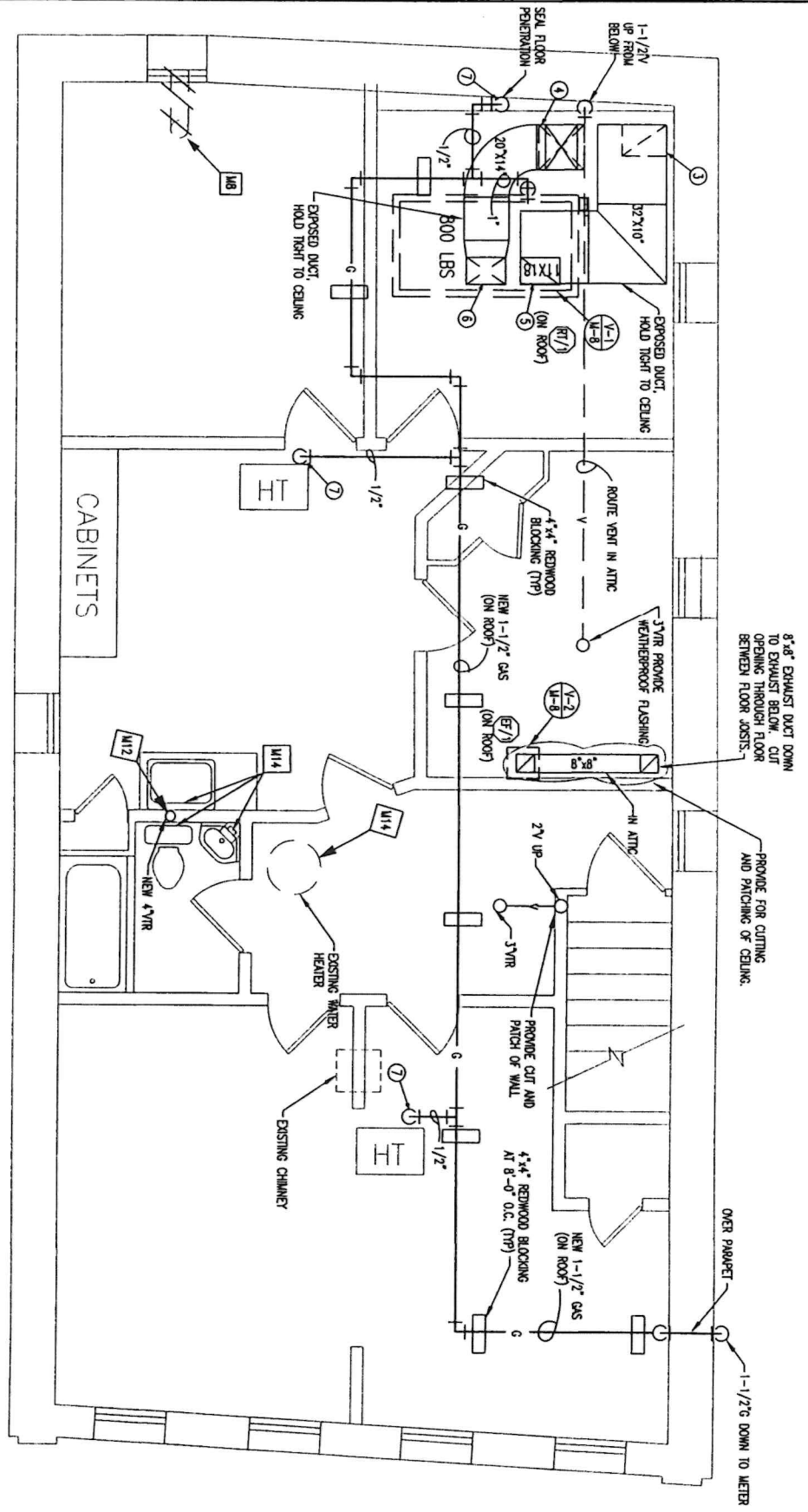
Project No.	2016
File Name	2016
Drawn By	JK
Checked By	JK
Date	3/1/16

**RENOVATION OF
 AYRES HARDWARE
 DEADWOOD, SD**

TSP
 A Professional Design Group
 TSP Three, Inc.
 600 Kansas City Street • Rapid City • South Dakota • 57701
 (605) 343-6102 FAX (605) 343-7150

**FIRST FLOOR PIPING
 FLOOR PLAN**

DATE	DESCRIPTION

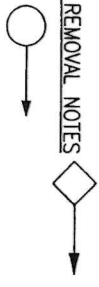


SECOND FLOOR PLAN - MECHANICAL REMOVAL/HVAC

SCALE 1/4"=1'-0"

SEE SHEET M-1 FOR MECHANICAL REMOVAL NOTES

SEE SHEET M-6 FOR HVAC NOTES



JOHN W. MEY & COMPANY
CONSULTING ENGINEER



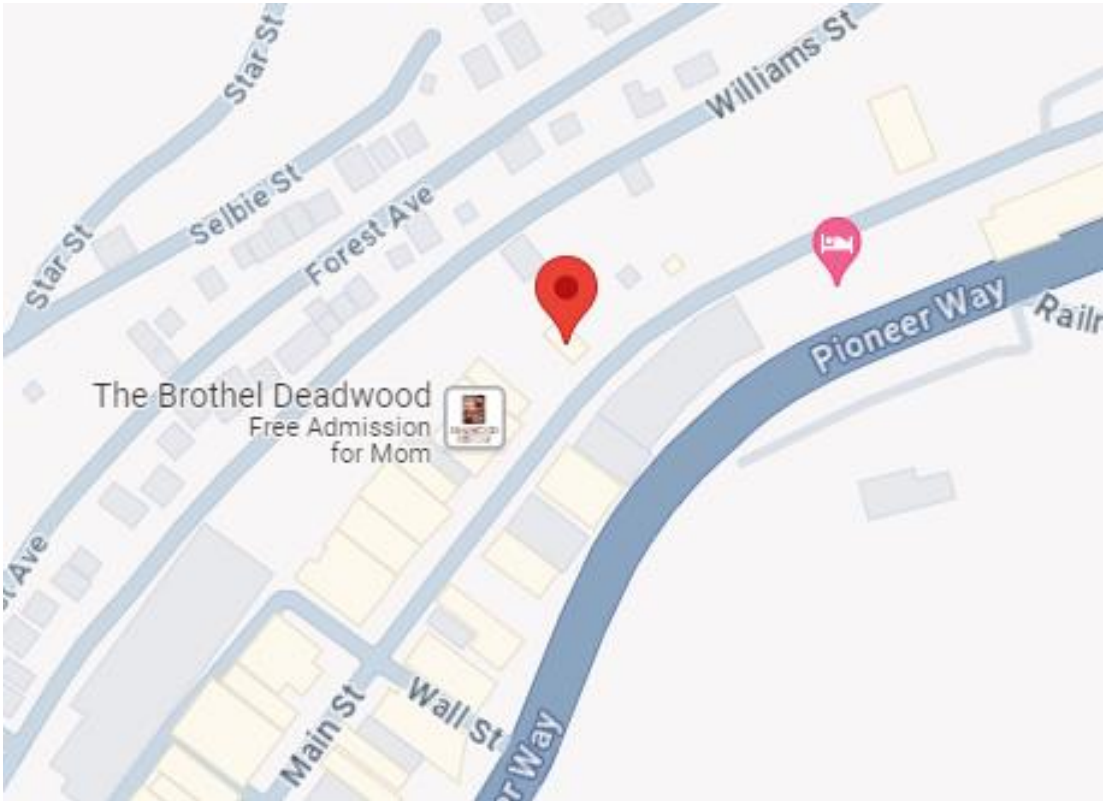
TITLE	

SECOND FLOOR MECHANICAL REMOVAL/HVAC FLOOR PLAN

TSP A Professional Design Group
TSP Three, Inc.
600 Kansas City Street • Rapid City • South Dakota • 57701
(605) 343-6102 FAX (605) 343-7156

RENOVATION OF AYRES HARDWARE DEADWOOD, SD

Project No.: 27214
Date: 5/16/15
Sheet: M-7



Map showing the location of 596 Main Street, Deadwood, SD 57732.



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

City of Deadwood
Board of Adjustment
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 Vacation Home Establishment as allowed under Section 17.32.030 Conditional Uses.

APPLICANTS: Jack Kucera

LEGAL DESCRIPTION: LOT 34 IN BLOCK 15, BEING A PART OF MINERAL LOT 38, AND ALSO KNOWN AS LOT 4, IN BLOCK 7 OF THE CITY OF DEADWOOD, ALSO KNOWN AS 596 MAIN STREET, DEADWOOD, SOUTH DAKOTA.

ADDRESS: 596 Main Street

ZONE: C1 - Commercial

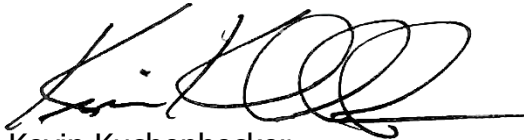
NOTICE IS FURTHER GIVEN that said application will be heard by the Planning and Zoning Commission within and for the City of Deadwood, State of South Dakota, at a regular meeting to be held Wednesday, June 5, 2024, in the Commission Room at 102 Sherman Street, Deadwood, South Dakota, will at 4:00 p.m. 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 Vacation Home 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.

Dated this May 15, 2024.

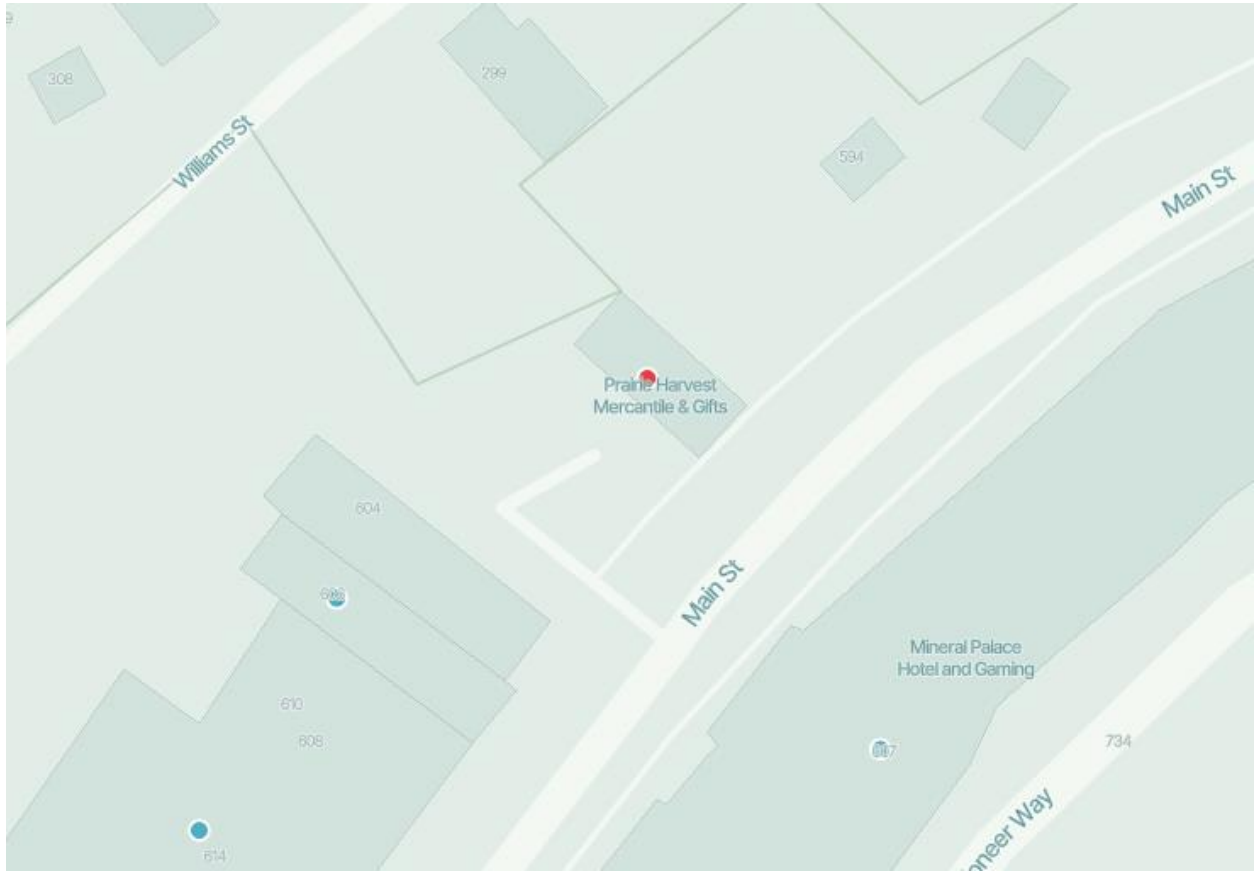
City of Deadwood, Lawrence County, South Dakota



Kevin Kuchenbecker
Planning, Zoning and Historic Preservation Officer

PUBLISH: Black Hills Pioneer: May 15, 2024

Published once at the total approximate cost of \$_____



Map of nearby Short-Term Rentals to 596 Main Street, Deadwood, SD 57732.



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

Date: May 16, 2024
To: Deadwood Property Owner / Resident
From: Kevin Kuchenbecker
Planning, Zoning & Historic Preservation Officer
RE: Request for Conditional Use Permit for Vacation Home
Establishment

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 Vacation Home Establishment as allowed under Section 17.32.030 Conditional Uses under C1-Commercial District.

APPLICANT(S): JVK-SD, LLC

LEGAL DESCRIPTION: LOT 34 IN BLOCK 15, BEING A PART OF MINERAL LOT 38, AND ALSO KNOWN AS LOT 4, IN BLOCK 7 OF THE CITY OF DEADWOOD, ALSO KNOWN AS 596 MAIN STREET, DEADWOOD, SOUTH DAKOTA.

ADDRESS: 596 Main 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, June 5, 2024, 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. A public hearing will also be held by the Deadwood City Commission at 5:00 p.m. on Monday, June 17, 2024, at the same location.

NOTICE IS FURTHER GIVEN, that the proposed request for a Vacation Home Establishment is on file and available for public examination at the Deadwood Planning and 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.



Aerial view of 596 Main Street, Deadwood, SD 57732.



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 COMMISSION
STAFF REPORT
REQUEST FOR VARIANCE**

Staff Report

Date: June 7, 2024
From: Kevin Kuchenbecker
Planning, Zoning & Historic Preservation Officer
RE: Request for Variance

APPLICANT(S): Brian Kinkler

PURPOSE: Request for Variance

ADDRESS: 288 Williams Street

LEGAL DESCRIPTION: Lot 1 of Probate Lots 354 and 508; formerly Probate Lot 508 and the west 11' of Probate Lot 354; City of Deadwood, Lawrence County, South Dakota.

FILE STATUS: All legal obligations have been completed.

ZONE: R1 - Residential

STAFF FINDINGS:

Surrounding Zoning:

North: R1 – Residential
South: R1 – Residential
East: R1 – Residential
West: R1 – Residential

Surrounding Land Uses:

Residences
Residences
Residences
Residences

SUMMARY OF REQUEST

The applicant has applied for a variance to Ordinance Chapter 17.24.040 (C) – Area and Bulk Requirements. (Minimum side yard for accessory buildings and uses: five feet).

FACTUAL INFORMATION

1. The property is currently zoned R1 - Residential.
2. The property is not located within a flood zone.
3. The area is characterized by single family homes.

STAFF DISCUSSION

The applicants have submitted a Request for a Variance to Ordinance 17.24.040 (C) – Area and Bulk Requirements. (Minimum side yard for accessory buildings and uses: five feet). According to their application, the driveway is to be widened to reach the eastern property line and a new garage is to be constructed one (1) foot from the eastern property line. A variance from the required five feet minimum side yard for accessory buildings and uses is being requested.

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 VARIANCE REQUESTS:

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:

1. A variance may be appropriate where, by reason of exceptional narrowness, shallowness, or shape or by reason of other exceptional topographic conditions or other extraordinary conditions on a piece of property, the strict application of any regulation enacted under this title would result in peculiar, exceptional, and undue hardship on the owner of

Request for Variance
288 Williams Street
June 5, 2024

such property. The aforesaid circumstances or conditions shall be set forth in the findings of the board.

The lot of 288 Williams measures 67.05 feet wide (street frontage/south side) x 95.3 feet (east side) x 66.43 feet wide (north side), x 88.33 feet wide (west side). The property currently has a narrow driveway entrance. A sharp turn to the left is required to access the current garage, which sits behind, and slightly west, of the house. The property owner is prevented from accessing the garage with his vehicle, due to lot size as well as the current configuration of both the driveway and garage.

2. Variances shall not be granted to allow a use otherwise excluded from the particular district in which requested.

The subject property is in zoning district R1 – Residential, and accessory buildings, such as garages, and driveways are both allowed within this zone.

3. Any variance granted under the provisions of this section shall be the minimum adjustment necessary for the reasonable use of the land.

The proposed garage will measure 35 feet wide x 25 feet deep. This will be larger than the current garage, which measures 12 feet wide x 30 feet deep., however, the larger garage, the change in orientation of the garage entrance to face the south, and the relocation of the garage from the west to the east side of the property will allow for the minimum adjustment necessary for the reasonable use of the land. The new configuration of the garage will place it within one (1) foot of the east property line, prompting the Variance Request.

4. The granting of any variance is in harmony with the general purposes and intent of this title and will not be injurious to the neighborhood, and/or detrimental to the public welfare, or in conflict with the established policies of the city.

The granting of this variance is not anticipated to be injurious and/or detrimental to the public welfare. It is required that the property owner receive project approval from the Historic Preservation office prior to the start of construction.

5. There must be proof of practical difficulty, which may be based upon sufficiently documented economic factors, but such proof shall not be based solely upon or limited to such economic factors. Furthermore, the hardship complained of cannot be self-created, nor can it be established on this basis by one who purchases with or without knowledge of the

Request for Variance
288 Williams Street
June 5, 2024

restrictions; it must result from the application of this title; it must be suffered directly by the property in question; and evidence of variance granted under similar circumstances shall not be considered.

According to the applicant, the current size and configuration of the existing garage creates a practical difficulty due to lack of accessibility and its inability to be utilized by the property owner for the purpose of parking and storage of vehicle(s).

6. That the proposed variance will not impair an adequate supply of light and air to adjacent properties, substantially increase the congestion in the public streets, increase the danger of fire, endanger the public safety, or substantially diminish or impair property values within the adjacent neighborhood.

The proposed variance will not impair light and air to adjacent properties, nor will it increase the congestion in the public streets. If granted, the newly built garage will be built within one (1) foot of the house, which may increase the danger of fire spreading between buildings on the lot. It is staff recommendation that the property owner, and any contractor(s) working on the new garage consult with the Fire Department and proceed with all fire safety requirements and/or recommendations provided by the Fire Department related to the construction of the new accessory building.

7. A fee, as adopted by resolutions, due and payable prior to the public hearing, shall be paid to the zoning administrator as agent for the board to cover the costs of notices and other expenses incidental to the hearing.

The applicant paid an application fee at the time the Request for Variance was submitted to the zoning administrator.

8. The applicant has proven that he or she is the owner of the property or is his or her officially designated agent and has presented proof thereof.

Per the Lawrence County online database, the applicant is the owner of the subject property.

CONDITIONS GOVERNING APPLICATIONS AND PROVISIONS:

1. A variance shall be null and void two (2) years from the date it is granted unless completion or substantial construction has taken place. The board of adjustment may extend the variance for an additional period not to exceed one year upon the receipt of a written request from the applicant demonstrating good cause for the delay.

Request for Variance
288 Williams Street
June 5, 2024

2. If upon review by the zoning administrator, a violation of any condition, imposed in approval of a variance is found, the administrator shall inform the applicant by registered mail of the violation and shall require compliance within sixty (60) days, or the administrator will take action to revoke the permit. The administrator's letter, constituting notice of intent to revoke variance may be appealed to the board of adjustment within thirty (30) days of its mailing. The board of adjustment shall consider the appeal and may affirm, reverse, or modify the administrators notice of intent to revoke. The applicant must comply with the board of adjustment's order on appeal of notice of intent to revoke variance within thirty (30) days of the board's decision.

If approved, staff recommendations for stipulation(s):

1. Project approval from the Historic Preservation Commission are required prior to the start of the project.
2. Proof that the Fire Department has inspected the building, and it meets all fire codes.
3. Proof that the Building Inspector has inspected the building, and it meets all the building codes.

ACTION REQUIRED:

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

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 No. _____

REQUEST FOR VARIANCE

Application Fee: \$200.00

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

Name of Petitioner: Brian Kinkler Telephone: (605) 941-8666

Address: 288 Williams St Deadwood SD 57732
Street City State Zip

Legal Description of Property: Plat of Lots land 2 of Probate Lots 354 and 508 Formerly
Probate Lot 354 except the west 11' thereof and Probate Lot 508 and the west 11' of Probate Lot 354

Property Address: 288 Williams St Deadwood SD 57732
Street City State Zip

Description of Request: widen Driveway to prop line & build garage
one foot from prop line

Appeal from Section: 17.24.04D

Signature of Applicant: Brian Kinkler Date: 5-15-24

Signature of Property Owner: Brian Kinkler Date: 5-15-24

Fee: \$ 200.- Paid On 5/15/24 Receipt Number 193499

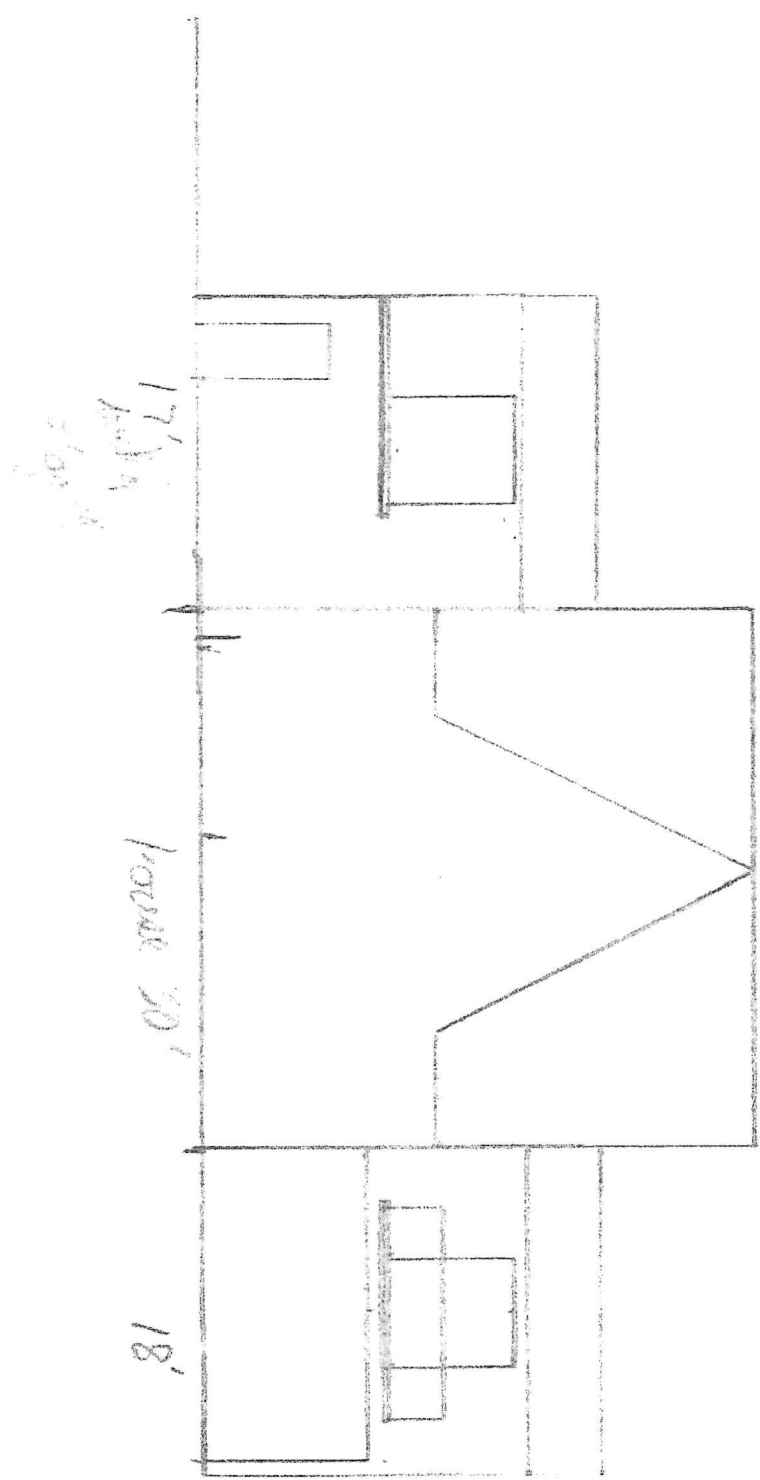
Legal Notice Published Date: _____ **Hearing Date:** _____

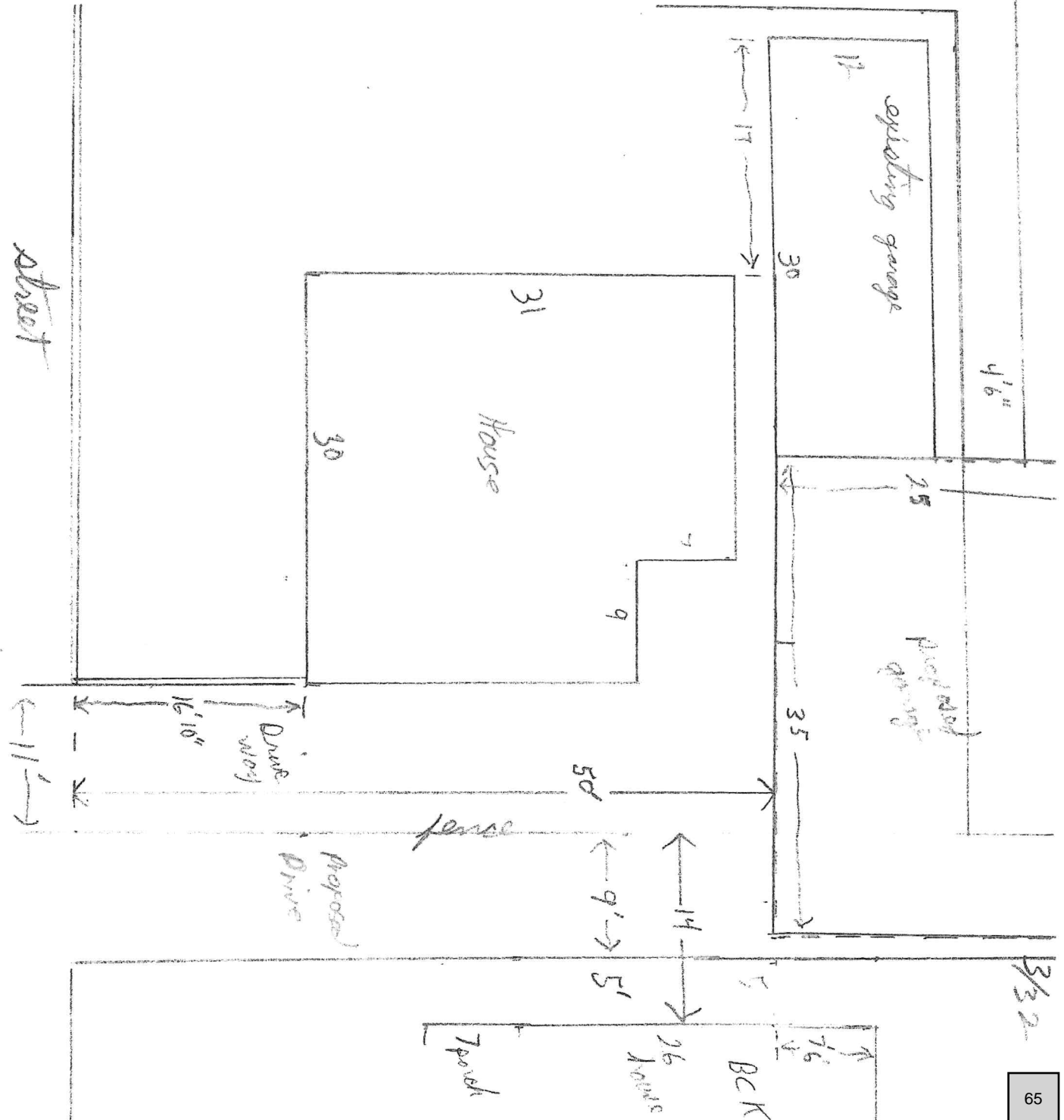
PLANNING AND ZONING ADMINISTRATOR:			
Approved/P&Z Administrator:	Yes	No	Signature: _____ Date: _____
PLANNING AND ZONING COMMISSION:			
Approved/P&Z Commission:	Yes	No	Date: _____
DEADWOOD BOARD OF ADJUSTMENT:			
Approved/City Commission:	Yes	No	Date: _____

Reason for Denial (if necessary): _____

Brian Williams
288 Williams
Deadwood, SD 57732

47'





street

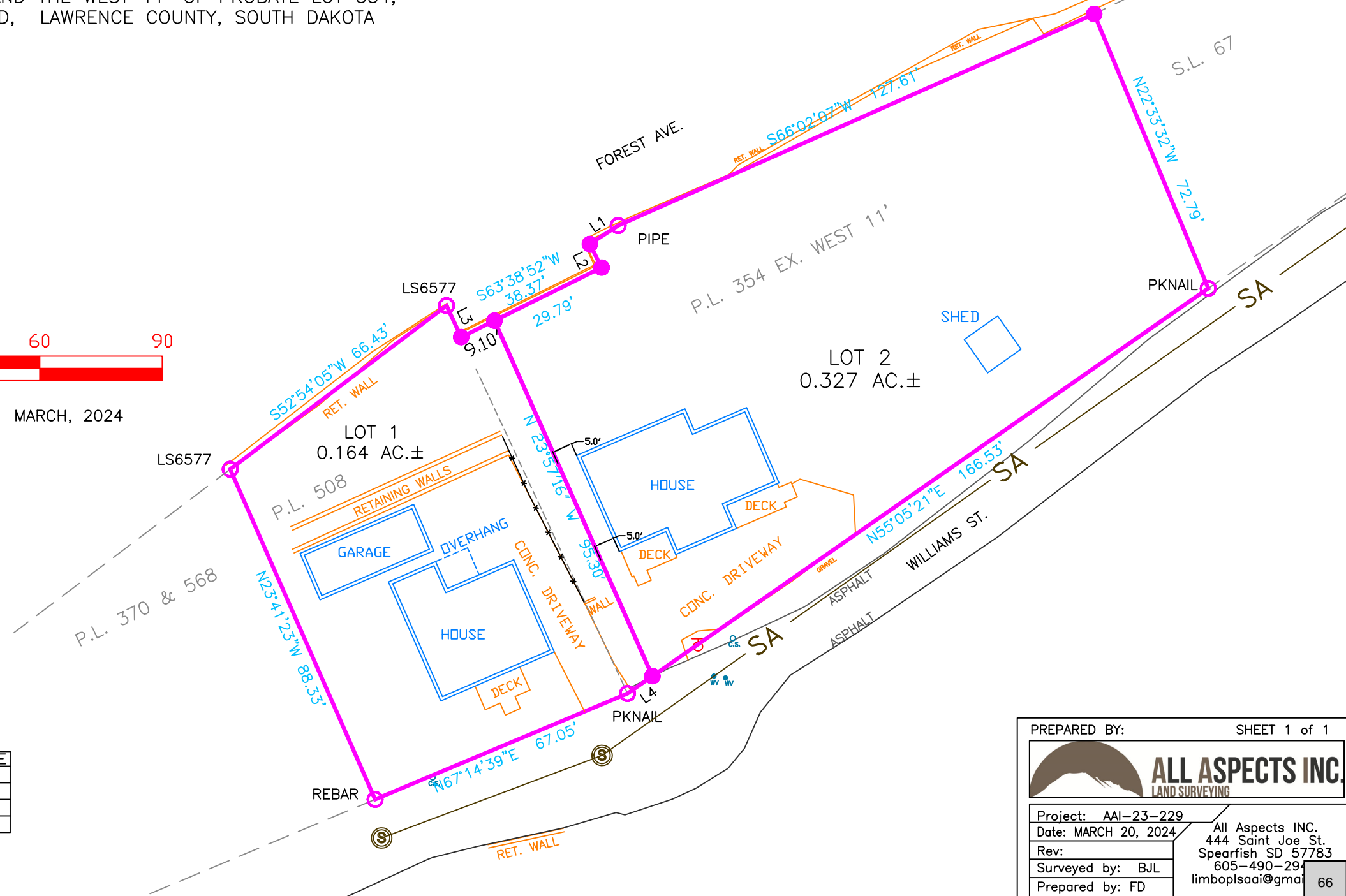
prop line

3/32

SITE PLAN OF LOTS 1 AND 2 OF PROBATE LOTS 354 AND 508;
 FORMERLY PROBATE LOT 354 EXCEPT THE WEST 11' THEREOF AND
 PROBATE LOT 508 AND THE WEST 11' OF PROBATE LOT 354;
 CITY OF DEADWOOD, LAWRENCE COUNTY, SOUTH DAKOTA




SCALE: 1"=30' MARCH, 2024



LINE	BEARING	DISTANCE
L1	S56°51'23"W	8.28'
L2	S26°25'33"E	6.45'
L3	N25°00'42"W	8.50'
L4	N 55°05'21" E	7.44'

PREPARED BY: SHEET 1 of 1



Project: AAI-23-229
 Date: MARCH 20, 2024
 Rev:
 Surveyed by: BJL
 Prepared by: FD

All Aspects INC.
 444 Saint Joe St.
 Spearfish SD 57783
 605-490-2941
 limboplsaai@gmail.com

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

City of Deadwood
Planning & 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 Variance to Ordinance Chapter 17.24.040 (C) – Area and Bulk Requirements. (Minimum side yard for accessory buildings and uses: five feet)

APPLICANTS: Brian Kinkler

LEGAL DESCRIPTION: Lot 1 of Probate Lots 354 and 508; formerly Probate Lot 508 and the west 11' of Probate Lot 354; City of Deadwood, Lawrence County, South Dakota.

ADDRESS: 288 Williams Street

ZONE: R1 - Residential

NOTICE IS FURTHER GIVEN that said application will be heard by the Planning & Zoning Commission within and for the City of Deadwood, State of South Dakota, at a regular meeting to be held Wednesday, June 5, 2024, in the Commission Room at 102 Sherman Street, Deadwood, South Dakota, 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 Variance is on file and available for public examination at the Deadwood Planning, 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 16th of May 2024.

City of Deadwood, Lawrence County, South Dakota



Kevin Kuchenbecker
Planning, Zoning and Historic Preservation Officer

PUBLISH: Black Hills Pioneer: May 24, 2024

Published once at the total approximate cost of \$_____



Photo showing current garage configuration at 288 Williams Street.



Photo showing proposed location of driveway expansion and new garage at 288 Williams St.



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

Date: May 17, 2024
To: Deadwood Property Owner / Resident
From: Kevin Kuchenbecker
Planning, Zoning & Historic Preservation Officer
RE: Request for Variance

NOTICE IS HEREBY GIVEN, that the following person(s) has submitted to the City of Deadwood Planning and Zoning Office a Request for Variance to Ordinance Chapter 17.24.040 (C) – Area and Bulk Requirements. (Minimum side yard for accessory buildings and uses: five feet).

APPLICANT(S): Brian Kinkler

LEGAL DESCRIPTION: Lot 1 of Probate Lots 354 and 508; formerly Probate Lot 508 and the west 11’ of Probate Lot 354; City of Deadwood, Lawrence County, South Dakota.

ADDRESS: 288 Williams 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, June 5, 2024, 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. A public hearing will also be held by the Deadwood City Commission at 5:00 p.m. on Monday, June 17, 2024, at the same location.

NOTICE IS FURTHER GIVEN that the proposed Request for a Variance is on file and available for public examination at the Deadwood Planning and 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 application for a Request for Variance and to inform you of the type of variance 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) 722-0786



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

FINDINGS OF FACT AND CONCLUSION CONDITIONAL USE PERMIT

Date: June 5, 2024

From: Kevin Kuchenbecker, Planning, Zoning & Historic Preservation Officer
Leah Blue-Jones, Zoning Coordinator

RE: Conditional Use Permit – Vacation Home Establishment

APPLICANT(S): BNS Properties, LLC (Luann Berg, Property Manager)

PURPOSE: Conditional Use Permit – Vacation Home Establishment

ADDRESS: 81 Charles Street
Deadwood, Lawrence County, South Dakota

LEGAL DESCRIPTION: LOT 7 IN BLOCK 74 OF THE ORIGINAL TOWN OF DEADWOOD, LAWRENCE COUNTY, SOUTH DAKOTA, AS SHOWN ON THE P.L. ROGERS MAP OF THE TOWN OF DEADWOOD.

ASSESSORS NO.: 30025-07400-070-00

RE: Request for Conditional Use Permit

WHEREAS the above application for a Conditional Use Permit for a Vacation Home Establishment in the C1 – Commercial District came on review before the Deadwood Planning and Zoning Commission on Wednesday, March 20, 2024. The application was recommended for approval by the Deadwood Planning and Zoning Commission. The Deadwood Board of Adjustment approved the request for a Vacation Home Establishment at 81 Charles Street, as recommended by the Planning and Zoning Commission, on April 1, 2024.

WHEREAS, all present members of the Deadwood Planning and Zoning Commission and the Deadwood Board of Adjustment having reviewed the Conditional Use Permit request and having considered all comments offered and all 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:

Findings of Fact and Conclusion – Conditional Use Permit
BNS Properties, LLC
June 5, 2024

FINDINGS OF FACT AND CONCLUSION

- Staff provided public notice identifying the applicant, describing the project and its location, and giving the scheduled date of the public hearing in accordance with Section 17.76.020. Notice was placed in the designated newspaper of the City of Deadwood, ten (10) days in advance of the hearing as required by Section 17.76.060.J.
- An official sign was posted on the property for which the Conditional Use would occur.
- Property owners within three hundred (300) feet of the boundaries of the subject land were notified by first class mail as required by Section 17.76.060.J.
- The subject area is zoned C1 – Commercial District. The area near the subject property consists of commercial businesses and residences.
- The use, as proposed, 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 area.
- The granting of the Conditional Use Permit would not increase the proliferation of non-conforming uses. Use is expressly allowed in the C1 – Commercial District under certain conditions and the conditions were met.
- The use would not cause significant adverse impacts on water supply, fire protection, waste disposal, schools, traffic and circulation or other services. This type of use does not demand a high degree of services.
- Based on these findings, the Deadwood Planning and Zoning Commission recommended approval of the request for a conditional use permit for a Vacation Home Establishment. The Deadwood Board of Adjustment approved the request as recommended by the Planning and Zoning Commission with the following conditions:
 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. Proof of a state sales tax number shall be provided to the Planning and Zoning Office for their files.
 3. The Building Inspector will inspect the building to ensure all

Findings of Fact and Conclusion – Conditional Use Permit
BNS Properties, LLC
June 5, 2024

building codes are met.

4. City water and sewer rates to be changed from residential to commercial rates.
5. Proper paperwork will be filed with the City of Deadwood Finance Office for BID taxes.
6. A City of Deadwood Business License will be obtained.
7. Obtain lodging license after inspection from the South Dakota Department of Health.
8. Designated off-street parking spaces are to be painted on the driveway.
9. Signs are to be hung designating parking spaces.
10. Compliance with all city ordinances shall be met.

ATTEST:

Jessicca McKeown, Finance Officer
City of Deadwood
/ / /2024

David Ruth, Mayor
City of Deadwood
/ / /2024

John Martinisko, Chairman
Planning and Zoning Commission
/ / /2024

David Bruce, Secretary
Planning and Zoning Commission
/ / /2024