



Planning and Zoning Commission Regular Meeting Agenda

Wednesday, October 01, 2025 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 of the September 3, 2025, Planning and Zoning Commission Meeting.

4. **Sign Review Commission**

- [a.](#) Application for Sign Permit - 732 Main Street - Kristine Villafuerte. Applicant is requesting permission to amend existing permit to install a new freestanding sign. Proposed sign and location are compliant with sign ordinance.

Actions:

1. Approve/deny amendment to existing Sign Permit

5. **Planning and Zoning Commission**

- [a.](#) Request for Variance to front yard setback requirements for 118 Mystery Wagon Road, legally described as Lot 2A, Block 3A of Palisades Tract of Deadwood Stage Run Addition to the City of Deadwood formerly Lot 2, Block 3A located in the SW 1/4 of Section 14, the SE 1/4 of Section 15, the NE 1/4 NE 1/4 of Section 22 and the N 1/2 NE 1/4 of Section 23, T5N, R3E, B.H.M., City of Deadwood, Lawrence County, South Dakota.

Actions:

1. Public Hearing
2. Approve/Deny Request for Variance

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 Regular Meeting Minutes

Wednesday, September 03, 2025 at 4:00 PM

City Hall, 102 Sherman Street, Deadwood, SD 57732

1. Call to Order

The Planning and Zoning Commission Meeting was called to order by Chairman Martinisko on Wednesday, September 3, 2025, 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 (Secretary) Dave Bruce
 Commissioner Ken Owens
 Commissioner Jim Williams

City Commissioner Blake Joseph
 Historic Preservation Commissioner Beverly Posey

ABSENT

Commissioner (Vice-Chair) Josh Keehn

STAFF PRESENT

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

Quentin Riggins – City Attorney

3. Approval of Minutes

- a. Approve the minutes of the August 20, 2025, Planning and Zoning Commission Meeting.

It was moved by Commissioner Bruce and seconded by Commissioner Owens to approve the minutes from the August 20, 2025, Planning and Zoning Commission Meeting. Voting yea: Martinisko, Bruce, Owens, Williams.

4. Sign Review Commission

5. Planning and Zoning Commission

- a. Petition for Deannexation of Territory for land legally described as Buena Vista Tract, being a portion of M.S. 343, M.S. 681, M.S. 685, M.S. 788, M.S. 840, M.S. 920, M.S. 1208, and Lot R7 of M.S. 840, located in Sections 23 and 24, T5N, R3E, B.H.M.,

containing portions within and outside the City of Deadwood, Lawrence County, South Dakota.

Mr. Kuchenbecker introduced the Petition for Deannexation of Territory and further introduced Kellen Willert of Bennett Main Gubbrud & Willert, P.C.. Mr. Willert is providing legal representation of Boot Hill Estates LLC.

Mr. Willert addressed the Commission and explained his client is seeking deannexation from the city limits and is requesting a recommendation by the Planning and Zoning Commission to the City Commission to grant the deannexation. The property is currently zoned as forestry land and does not contain infrastructure or residences. Deannexation would not cause the boundaries of the city to become extremely irregular. The only negative impact to the city would be loss of revenue through taxes. The deannexation should be granted in the name of justice and equity.

Commissioner Williams inquired as to the status of the property as it pertains to development. Mr. Willert responded his client has attempted to develop the property in the past, but development has been discouraged by the city, which is contrary to the City of Deadwood Comprehensive Plan. In addition, the cost of development has increased since COVID.

Commissioner Williams asked Mr. Willert to clarify his statement by asking if the property would remain undeveloped if it was deannexed. Mr. Willert responded that while he could not commit to the property never being developed in the future, any future development is not a consideration in the proposed deannexation since it is zoned forestry.

Commissioner Bruce inquired as to the motivation of the property owner to request a deannexation. Mr. Willert responded that the motivations are partly financial and to allow the property owner more freedom to do what he wants with the land outside of the rules of the municipality.

Commissioner Owens asked why a deannexation is necessary if there are no plans for development and nothing has recently changed with the property. Mr. Willert stated his client could answer such questions at the City Commission meeting.

Commissioner Williams stated that the property owner entered a contract with the City in July 2024 in which he agreed to maintain the property and protect the viewshed. Commissioner Williams expressed concern that the motivation for deannexation is to get around those requirements, which may have an end result that is not in the best interest of the community. For example, if the property was developed after deannexation, the tax base would change which could result in significant financial loss to the city. Mr. Willert responded that the city could seek to reannex the land in the future if it was later felt it would be beneficial. In the past, development on the property stopped because of regulations required by the city which resulted in increased cost to the property owner.

Commissioner Martinisko voiced concern that deannexation could degrade the National Landmark status of the city. This property is part of the original boundaries of the city and deannexing could have a negative impact on that status. Mr. Kuchenbecker added that a consultation with the National Park Service would be

needed to determine if changing the boundaries of the Historic Landmark District would adversely affect the Historic Landmark District status for the entire city. However, the property would remain under the purview of the National Park Service and State Historical Society due to its National Landmark status regardless of whether it is within city limits or not and would continue to be subject to regulation by those departments.

Mr. Kuchenbecker further stated there is a need for housing within the city, as laid out in the Comprehensive Plan. A development plan was submitted by the property owner with extensive housing. It is important to note the city does not have a 3-mile zoning jurisdiction, which would prevent the city from having oversight of the viewshed of this property if it were to be deannexed. Commissioner Martinisko expressed concern that, if deannexed, the city would not have a say on any future development.

Commissioner Williams stated that until questions pertaining to the National Landmark status of the property and future zoning changes and their effects are researched further, deannexing the property would not be advisable.

It was moved by Commissioner Bruce and seconded by Commissioner Owens to recommend to the City Commission to not permit the deannexation of the subject property, and to deny the Petition for Deannexation of Territory. Voting yea: Martinisko, Bruce, Owens, Williams.

- b. Consideration of use for an IV Hydration Therapy business located at 604 Main Street legally described as Lots 26 and 26A being a portion of Block 15, O.T., City of Deadwood, located in the SW 1/4 of Section 23, T5N, R3E, B.H.M. Lawrence County, South Dakota.

Actions:

1. Provide opinion of appropriate land use designation
2. Provide opinion of necessitation to amend ordinance

Mr. Kuchenbecker introduced Consideration of Use for an IV Hydration Therapy business and explained the business owner has requested a business license which has not been issued. Staff have been researching how the requested business can fit into the zoning requirements of the city since such a business is not permissible as a use within the C1 - Commercial zoning district. Research on the topic has included verifying how other municipalities have classified such a business. Spearfish and Sioux Falls consider such a business to be personal services while Rapid City considers them to be medical clinics. Staff recommend the Commission consider creating a new usage category within the current zoning ordinance if an existing category cannot be used. It is important to note that medical clinics are only allowed within the CH - Commercial Highway zoning districts. Further discussion about business categories occurred.

Ms. Daphne Loup introduced herself to the Commission and described her qualifications to operate such a business. Ms. Loup is requesting her business be allowed as a use by right within the C1 - Commercial zoning district. Her intention is

to include additional services to the IV hydration, such as red light, heat and hydro therapies.

Commissioner Martinisko asked if IV therapy requires a prescription from a physician. Ms. Loup responded that oversight by a Medical Director is required, and she has a Medical Director.

Commissioner Bruce stated the services seemed more personal than medical. Commissioner Martinisko commented that an ordinance amendment may be necessary to allow the business to operate. Discussion about the pros and cons of creating a new category and whether to create one as a use by right versus a conditional use occurred.

Lee Harstad introduced himself to the Commission and suggested the business could fit the category of "Restaurant, Bar and Lounge" as listed in Ordinance 17.32.020 (AM) by claiming the business is a wellness lounge. This would allow the business to continue to operate and prevent it from missing out on income during the upcoming fall events. Commissioner Martinisko expressed dismay at the idea of a Lounge classification.

Commissioner Martinisko requested clarification as to whether the business was currently in operation. Ms. Loup confirmed she has been operating her business. Mr. Kuchenbecker advised the Commission a letter was sent to Ms. Loup instructing her to cease operations since the business was not allowed in the location she began operating in.

State Representative Scott Odenbach introduced himself to the Commission and suggested the business be able to operate as a lounge temporarily until the ordinance can be amended to allow her business to operate at the location she desires. Quentin Riggins, City Attorney, warned that if the ordinance amendment does not pass, the business would be permanently classified as a lounge which could cause a problem in the future.

Ms. Loup complained about businesses in the city whom she believes are operating within the incorrect zoning classification. Discussion about legal non-conformity occurred, including the fact that if allowed to operate temporarily until the ordinance was amended, Ms. Loup's business would fall into the legal non-conforming category.

Ms. Loup stated she did not want to obtain a Conditional Use Permit and requested the ordinance be amended to allow her business to operate as a use by right so the value of her business would not be affected should she choose to sell it in the future.

It was moved by Commissioner Bruce and seconded by Commissioner Owens to allow the business to temporarily operate under the category of a Lounge to allow the city time to amend the ordinance to include a category for wellness and/or spas as a use by right within the C1 - Commercial Zoning District. Voting yea: Martinisko, Bruce, Owens, Williams.

6. Items from Citizens not on Agenda

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

Beverly Posey, Historic Preservation Commissioner, reminded the Commission that the Community Picnic would be held Sunday, September 7 at Gordon Park. In addition, the Farmer's Market will be open on Friday, September 5.

7. Items from Staff

Mr. Kuchenbecker briefly discussed ongoing budget meetings, the Stage Run development and the water redundancy line project.

8. Adjournment

It was moved by Commissioner Williams and seconded by Commissioner Bruce to adjourn the Planning and Zoning Commission Meeting. Voting yea: Martinisko, Bruce, Owens, Williams.

There being no further business, the Planning and Zoning Commission adjourned at 5:04 p.m.

ATTEST:

Chairman, Planning & Zoning Commission

Secretary, Planning & Zoning Commission

Minutes by Leah Blue-Jones, Zoning Coordinator

OFFICE OF
Planning & Zoning
108 Sherman Street
Telephone (605) 578-2082
Fax (605) 578-5084



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

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

M E M O R A N D U M

Date: October 1, 2025
To: Sign Commission
Re: Permission to amend existing sign permit.

On February 16, 2022, the Sign Commission approved a permit application for a freestanding sign at 732 Main Street. The original Staff report is included in the packet. The sign was never installed. The applicant is requesting permission to amend the permit and proceed with installation of a revised sign.

The current proposed sign varies from the approved sign in the following areas:

- It is rectangular vs. round
- The size is slightly smaller 9.3 SF vs. 9.6 SF
- The Material is vinyl wrapped metal composite vs. high density urethane
- The overall height is 10.3 feet vs. 12 feet
- The location will be different from what was originally proposed (see attached)

With the above changes the current proposed sign still complies with the sign ordinance and requires no variances.

Respectfully submitted.

Trent Mohr
Building Official

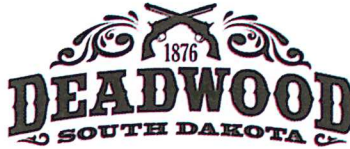


proposed location



05/17/2020

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SIGN PERMIT STAFF REPORT

Sign Review Commission

February 16, 2022

Applicant: Kristine Villafuerte

Address: 732 Main Street, Deadwood, SD 57732

Site Address of Proposed Signage: 732 Main Street (Angel's Attic)

Computation of Sign Area

Building Frontage: 52 Feet

Total Available Signage: 104 Square Feet

Existing Signage: One projecting sign permitted 01-19-22 (8 Square Feet)

Remaining Available Signage Area: 96 Square Feet

Proposed Sign Project: Install new freestanding sign (9.6 Square Feet)

Proposed Building Materials: Metal composite and high-density urethane (see attached rendering)

Proposed Lighting of the Signs: None

Location of Proposed Sign: See attached photograph

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.*

This request is a continuation of the new signage for this business in conjunction with the rehabilitation of the façade.

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 freestanding sign at 732 Main Street

OR

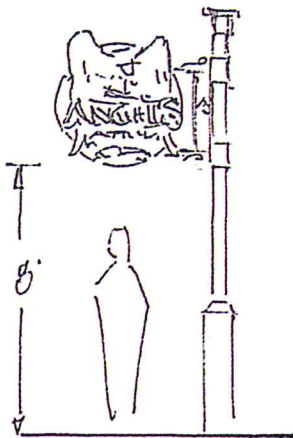
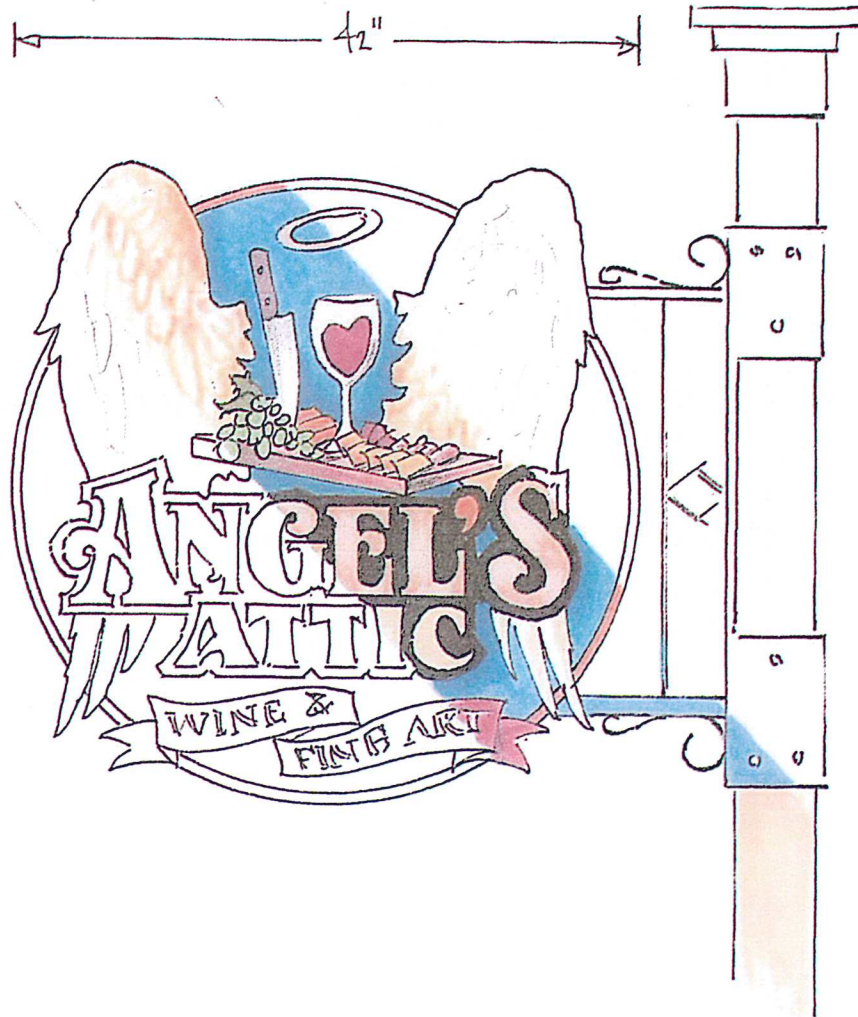
Motion to deny proposed sign permit application as submitted.

proposed location

Section 4 Item a.



Section 4 Item a.



EXTERIOR FREESTANDING SIGN - 10 SQ FT.

Designed exclusively for:

ANGEL'S ATTIC

Date:

1/2/22

Address:

732 MAIN ST DEADWOOD

Phone:

591-2705



Tim Peterson
ARTIST

3123 E. FAIRGROUNDS LOOP STE. C
SPEARFISH, SD 57783

(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.

Hi, Kristi!

Attached is the revised layout for your exterior sign. Your specs are as follows:

One double sided freestanding sign of aluminum composite and High-Density Urethane (HDU) 42" dia.

- Wings, charcuterie graphic flat painted

- Halo gilded in 23k gold leaf (flat)

- ANGELS ATTIC letters of 1" HDU

 - ANGELS gilded in 23k gold leaf over epoxy dome

 - ATTIC painted over epoxy dome

 - HDU letters mounted on outline panel on standoffs

- Ribbon cut out of separate piece of aluminum and mounted on standoffs

- All aluminum components clear coated with automotive enamel

Installed on 5x6 treated timber oil primed and set in concrete

Cap and bottom skirt of redwood oil primed and painted

Custom bracket of painted steel tubing and strap

Thanks, Kristi!

Tim Peterson
Flat Earth Art Co.
Spearfish

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: September 12, 2025
To: Planning and Zoning Commission
From: Kevin Kuchenbecker
 Planning, Zoning & Historic Preservation Officer
RE: Request for Variance

APPLICANT(S): Travis Lindner

PURPOSE: Request for Variance

ADDRESS: 118 Mystery Wagon Road

LEGAL DESCRIPTION: Lot 2A, Block 3A of Palisades Tract of Deadwood Stage Run addition to the City of Deadwood formerly Lot 2, Block 3A and a portion of Palisades Tract of Deadwood Stage Run addition located in the SW $\frac{1}{4}$ of Section 14, the SE $\frac{1}{4}$ of Section 15, the NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 22 and the N $\frac{1}{2}$ NE $\frac{1}{4}$ of Section 23, T5N, R3E, B.H.M., City of Deadwood, Lawrence County, South Dakota.

FILE STATUS: All legal obligations have been completed.

ZONE: R2 – Multi-Family Residential

STAFF FINDINGS:

Surrounding Zoning:

North: PU – Public Use
 South: R2 – Multi-Family Residential
 East: PU – Public Use
 West: R2 – Multi-Family Residential

Surrounding Land Uses:

Open Space
 Residences
 Open Space
 Residences

Request for Variance
118 Mystery Wagon Road
October 1, 2025

SUMMARY OF REQUEST

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

FACTUAL INFORMATION

1. The property is currently zoned R2 – Multi-Family Residential.
2. The property is not located within a flood zone.
3. The area is characterized by multi and single-family homes.

STAFF DISCUSSION

The applicants have submitted a Request for a Variance to Ordinance 17.24.040 (B) – Area and Bulk Requirements. (Minimum front yard for accessory buildings and uses: twenty (20) feet). According to their application, a shed is to be placed on the property nine and one-half (9.5) feet from the front yard property line. A variance from the required twenty (20) feet minimum front yard for accessory buildings and uses is being requested due to the narrowness of the property.

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 11-4-4.
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
118 Mystery Wagon Road
October 1, 2025

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

The flat portion of the lot at 118 Mystery Wagon Road measures approximately twenty-five (25) feet wide at its widest point. The dwelling unit located on the property required a variance to front yard setback requirements to be built. The shed will be placed in line with the house, approximately nine and one-half feet from the front property line.

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 R2 – Multi-Family Residential, and accessory buildings, such as sheds, are 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 shed will measure 10 feet wide x 20 feet deep. This will provide additional storage space for UTV/ATV, lawn equipment, etc. The property owner intends to paint the shed the same color as the house.

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 schedule a staking inspection prior to shed installation to ensure the shed is not intruding on any existing easements located on the property.

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.

The applicant has stated the storage shed is needed for additional storage space on the property to keep the proper neat and tidy.

Request for Variance
118 Mystery Wagon Road
October 1, 2025

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.

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.
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. Staking inspection to occur prior to installation of the shed to ensure it does not intrude on any existing easements located on the property.

Request for Variance
118 Mystery Wagon Road
October 1, 2025

ACTION REQUIRED:

1. Approval/Denial by Deadwood Planning and Zoning Commission

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: Traavis W. Lindner Telephone: () _____

Address: _____
 Street City State Zip

Legal Description of Property: _____

Property Address: _____
 Street City State Zip

Description of Request: Add 10'x20' storage shed

Appeal from Section: _____

Signature of Applicant: T.W. Lindner Date: Sept 11, 25

Signature of Property Owner: T.W. Lindner Date: Sept 11, 25

Fee: \$ 200.- Paid On 9/11/25 Receipt Number 203497

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): _____



Old Hickory Sheds
Cust. Service: (615) 890-8075
www.oldhickorysheds.com



Pines Edge M Section 5 Item a.
19060 US Hwy 85
Belle Fourche, SD 57717
605-723-5952

Purchase Type: **ORDER-SHOP BUILT**
Building Type: **Lofted Barn (7' Walls)**
Size: **10x20**
Reference #: **3587618**

Date: **09/09/2025**
Salesman: **Michael Dirks**

*Revisions on Custom Orders subject to fee, see below for details

All Sizes Nominal *12' wide measured eave to eave* *7' & 8' Tall Walls
Measured on Outside*

Customer Name

(Name must match ID) **TRAVIS LINDNER**

NOTES/COMMENTS
Home Office Disc Reason: Seasonal Sale

Delivery Address: **118 Mystery Wagon Rd**

(City) **Deadwood** (State) **SD** (Zip) **57732**

(County) **Lawrence**

Primary Phone: **(608) 697-0099**

Cell Phone:

Mailing Address:

City:

State:

ZIP:

Work Phone:

Email:

118 Mystery Wagon Rd

Deadwood

SD

57732

NO EMAIL

Cash Sale

*Checks payable to:
Old Hickory Sheds, LLC*

	Amount
Sales Price	\$8,025.00
Option Cost	\$2,855.00
Subtotal	\$10,880.00
Discount	\$2,176.00
Total (Pre-Tax)	\$8,704.00
Tax	\$365.57
Total Cost	\$9,069.57

Free setup includes leveling the building to the specifications on our blocking diagram (customer may request a copy from dealer) starting with the high corner at ground level or one four inch concrete block high. Buildings may then be leveled to a maximum of 3 feet at the highest corner. If leveling requires one (1) foot or less, pressure treated wood may be used. If placement of the building requires it to be set on concrete blocks, the customer must have them ready PRIOR to delivery OR have a clear agreement with the driver to supply the blocks at a price to be negotiated with the driver. In very rare cases, underground footers may be required by local building codes. Old Hickory Sheds does not offer digging or footer services, and these services are not included in free setup. However, we can work with Customer or a contractor when required for an additional cost. Free delivery covers one trip up to thirty (30) miles one way. Trips over thirty (30) miles are subject to a \$3.50/mile (8ft & 10ft wide) or \$4.00/mile (12ft wide) or \$5.00/mile (14ft & 16ft wide) charge one way. Customer will be responsible for any additional mileage charge as well as the cost of any additional trips. * A non-refundable fee will be charged on cancellations or revisions of custom orders as follows: 10% on cash sales of 8ft, 10ft, & 12ft wide buildings, 20% on cash sales of 14ft & 16ft wide buildings, up to 50% on any build on site order; or, on rent to own sales, the security deposit plus first month's rent.

QUOTE ONLY - NOT AN ORDER. PRICES SUBJECT TO CHANGE.

Old Hickory Sheds, LLC - QUOTE SHEET
Quote Only - Reference #: 3587618

Section 5 Item a.

Sales Lot Pines Edge Mini Barns LLC Date 09/09/2025
Customer Name TRAVIS LINDNER Bldg Type/Size 7' Lofted Barn (7' Walls) 10x20

Bldg Type	Painted	Item	Price	Qty	Total Price
Flooring	Engineered Panels T&G	7' Walls	175.00 EA	1	\$175.00
Roof	Charcoal - Metal	8' Garage	1430.00 EA	1	\$1430.00
Siding Type	LP SmartPanel	8' Garage Door (7' Tall)	INCLUDED		
Exterior Finish	Painted	12" On Center Floor Joists	INCLUDED		
Wall Color	Silken Peacock	2x3 Window	INCLUDED		
Trim Color	Barn White Paint	Short Solid Door	INCLUDED		
Door Color		Additional Color (Different Trim Color)	70.00 EA	1	\$70.00
Trim on Door Color		Double 3/4" Flooring	4.15 / SF	200	\$830.00
Shutter Color		2x6 Floor Joists	0.55 / SF	200	\$110.00
		Loft	INCLUDED		
		Octagonal Window	140.00 EA	1	\$140.00
		Custom Paint Color Upcharge	100.00 EA	1	\$100.00
TOTAL OPTIONS PRICE \$2855.00					

Notes/Comments

Custom Wall Color: SW9059 - Silken Peacock

QUOTE ONLY - NOT AN ORDER. PRICES SUBJECT TO CHANGE.

OLD HICKORY SHEDS

Old Hickory Sheds, LLC - Options Notice

Please send along with work order, order sheet, and drawing sheet on all custom orders - Order Number: 3587618

Sales Lot	<u>Pines Edge Mini Barns LLC</u>	Date	<u>09/09/2025</u>
Customer Name	<u>TRAVIS LINDNER</u>	Bldg Type/Size	<u>7' Lofted Barn (7' Walls) 10x20</u>

CUSTOMER AGREES TO:

- WALL HEIGHT OF 7'
- UNCENTERED OPTION ON LEFT WALL
- RECOMMENDED FLOORING IS (JOISTS SPACED AT 12" FOR THE HIGHER LISTED WEIGHT):
 - 5/8" FOR ATVS, GOLF CARTS, AND SMALL MOWERS - LESS THAN 300LB - 500LB PER WHEEL
 - 3/4" FOR LAWN TRACTORS AND LARGE MOWERS - LESS THAN 500LB - 700LB PER WHEEL
 - DOUBLE 3/4" FOR CARS, TRUCKS, AND HEAVY TOOLBOXES - LESS THAN 1050LB - 1500LB PER WHEEL

SEE FLOOR LOAD CHART ON WEBSITE:

[HTTPS://OLDHICKORYBUILDINGS.COM/SHED-FLOOR-LOAD-INFO/](https://oldhickorybuildings.com/shed-floor-load-info/)

DOUBLE 3/4" FLOORING WITH JOISTS AT 12 INCHES OC WILL NOT SUPPORT POINT LOADS OF MORE THAN 1500 LBS. (SPREAD EVENLY OVER AN AREA NO LESS THAN 5 IN. X 5 IN.). POINT LOADS CAN BE NO CLOSER THAN 3 FEET APART. OLD HICKORY IS NOT LIABLE FOR BROKEN OR CRACKED FLOOR DECKING WHEN LOADS MORE THAN ABOVE ARE PLACED ON FLOORING.

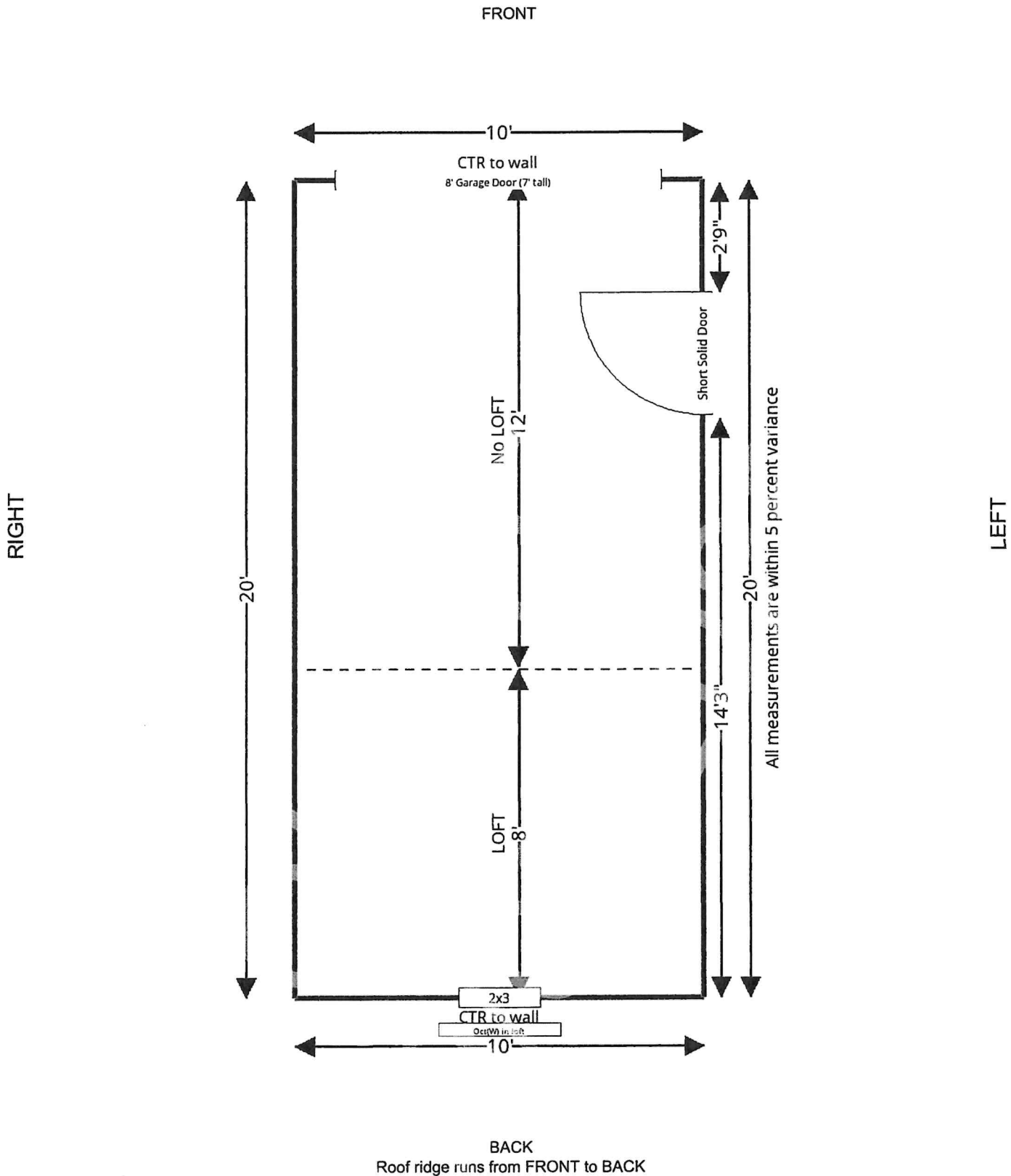
Customer Signature: _____

Prepared by: Michael Dirks : 09/09/2025 16:48pm (CDT)

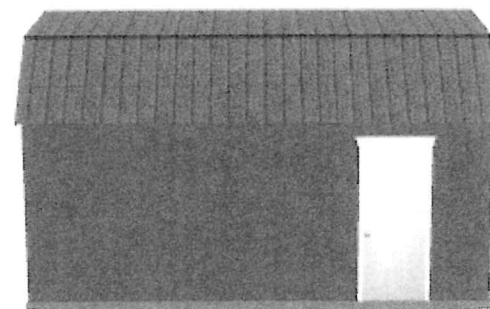
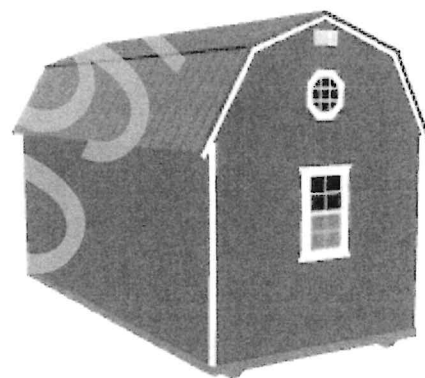
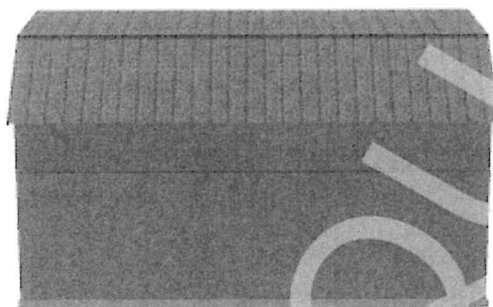
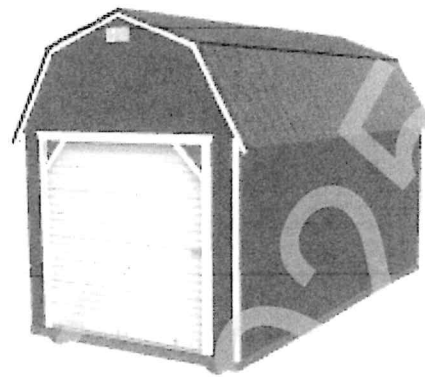
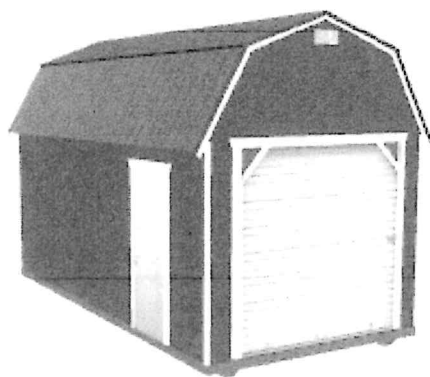
Old Hickory Sheds, LLC - DRAWING SHEET

Please send along with work order and order sheet on all custom orders - Reference #: 3587618

Sales Lot Pines Edge Mini Barns LLC Date 09/09/2025
Customer Name TRAVIS LINDNER Bldg Type/Size 7' Lofted Barn (7' Walls) 10x20



QUOTE ONLY - NOT AN ORDER. PRICES SUBJECT TO CHANGE.



QUOTE ONLY - NOT AN ORDER. PRICES SUBJECT TO CHANGE.

Old Hickory Sheds, LLC - Additional Terms, Conditions, and Warranties

Please send along with work order, order sheet, and drawing sheet on all custom orders - Reference #: 3587618

Section 5 Item a.

Sales Lot	Pines Edge Mini Barns LLC	Date	09/09/2025
Customer Name	TRAVIS LINDNER	Blgd Type/Size	7' Lofted Barn (7' Walls) 10x20

Additional Terms, Conditions and Warranties

1. SALE IS NOT FINAL. This Agreement is subject to approval and execution by Old Hickory's corporate office. Old Hickory has the right to refuse any sale up until the time when the building is set up at customer's location. Old Hickory shall have the right to correct any errors in this Agreement concerning pricing or taxes.

2. LIMITED WARRANTY. Customer will receive a limited five-year warranty. The details of this warranty can be found online at www.oldhickorysheds.com. Customer acknowledges that Customer has been provided a copy of this warranty or have had adequate time to review this warranty online. Discounted Buildings do not carry a warranty on cosmetic issues.

3. DELIVERY AND SETUP. Old Hickory strives to deliver all buildings in a timely manner consistent with our customers' expectations; however, Old Hickory does not guarantee dates or times of delivery. Customer expressly understands that inclement weather, vehicle problems, difficulties at other delivery locations, and/or other unforeseen circumstances can affect the date and time of delivery. Old Hickory is not responsible for any of Customer's lost work time associated with any delays or rescheduled deliveries. Customer represents that the delivery location will be accessible by a truck and trailer. It is the Customer's responsibility to decide if ground conditions are unsuitable or too wet for delivery. Customer is responsible for informing the delivery driver of any utility hazards or any other relevant matter prior to commencement of setup.

4. LIMITATIONS. Old Hickory is not responsible for permits, snow/wind load requirements, covenant searches, restrictions, setbacks, yard damage, or underground damage. Please contact your local building inspector and/or homeowner's association for information on requirements and restrictions. Customer shall be solely responsible for and shall obtain any necessary permits PRIOR TO installation. Customer agrees to indemnify and hold harmless Old Hickory and its independent contractor delivery drivers for any yard damage done during installations and/or any violation of any government ordinance or code resulting from the installation of any Old Hickory product at Customer's location. Customer releases Old Hickory and its independent contractor delivery drivers from any claims for punitive, indirect, incidental, special, or consequential damages.

5. PAYMENT. Drivers do not take credit cards. All balances due must be paid by cash or check on delivery. Balance due paid by credit card must be paid prior to delivery. Credit card price is 3% higher than discounted cash price listed on the work order. In the event building is not paid for before or on delivery, driver will not leave building and additional trip charges will be incurred. If delivery has not been made within 90 days, cash customers must pay balance due, rental customers must pay the rent due or other amounts as required by the rental purchase agreement, or the order is subject to cancellation and cancellation fee will be charged. All amounts not paid at delivery will be considered past due. On cash sales, customer may choose option to postpone construction start date and extend requirement to pay within 90 days for an additional 10% non-refundable fee paid at the time of sale. If customer chooses to postpone construction start date, the customer still must pay the balance due within 90 days of construction completion regardless of whether building is delivered.

6. CANCELLATIONS AND REFUNDS. If Customer is dissatisfied with the Old Hickory product upon acceptance of delivery by Customer or Customer's authorized agent, Customer's sole recourse is to file a warranty claim.

7. LATE PAYMENT, COSTS OF COLLECTION, AND RETRIEVAL. Unless otherwise prohibited by state law, if Old Hickory must engage in any effort to secure payment or otherwise seek to compel Customer to fulfill any of Customer's obligations under this Agreement, Customer agrees to reimburse Old Hickory for any and all reasonable attorney fees, costs, and other expenses. For cash sales, Old Hickory may charge a monthly late fee equal to 10% of the amount due or the maximum amount allowed by law. FOR CASH SALES, CUSTOMER EXPRESSLY ACKNOWLEDGES AND AGREES THAT A FAILURE TO PAY ALL AMOUNTS DUE ENTITLES OLD HICKORY THE RIGHT TO RETRIEVE THE OLD HICKORY PRODUCT AND CUSTOMER FURTHER WAIVES ANY AND ALL RIGHTS AND/OR CLAIMS FOR REFUND FOR ANY PAYMENTS MADE PRIOR TO SUCH RETRIEVAL UNLESS THE PAYMENTS MADE EXCEED THE DEPOSIT PLUS EXPENSES INCURRED BY OLD HICKORY IN RETRIEVING THE OLD HICKORY PRODUCT.

8. REPRESENTATIONS AND WARRANTIES. Customer hereby represents and warrants to Old Hickory, that Customer is the owner, or an authorized agent of the owner, of the property on which the Old Hickory product is to be delivered and set up.

9. SEVERABILITY; APPLICABLE LAW AND VENUE; CLASS ACTION WAIVER. If any provision of this Agreement is invalid, illegal, or incapable of being enforced by reason of any rule of law, public policy, or otherwise, any remaining provisions of this Agreement shall nevertheless remain in full force and effect. Unless otherwise prohibited by state law, this Agreement will be governed and construed by the laws of the State of Tennessee, without giving effect to its choice of law principles, and Customer agrees that any legal action arising out of this Agreement instituted by Customer will be brought, and consents to the jurisdiction and venue in, Rutherford County, Tennessee. Customer specifically agrees that any claims arising out of or relating to this Agreement must be brought by Customer in an individual capacity and expressly waives any right or option for Customer to bring any claim related in any way to this Agreement as a plaintiff or class member in any representative action.

10. ELECTRONIC NOTICE; CONSENT TO USE INFORMATION. Customer and Old Hickory have agreed to conduct all and/or portions of this transaction by electronic means, including, but not limited to, acceptance by Customer of any revisions regarding errors in pricing or taxes. Customer consents to Old Hickory's use of any information disclosed by Customer for the purposes of completing the transactions contemplated in this document, for providing any ongoing support and services, and otherwise in accordance with Old Hickory's privacy policy. Such consent includes the disclosure of such information to third parties which is reasonably necessary for such purposes. Customer may request a copy of Old Hickory's privacy policies and practices through the above contact information.

Customer agrees to be bound by the terms, conditions, and warranties set forth herein and expressly acknowledges that there are no agreements of any type or kind other than those set forth herein.

QUOTE ONLY - NOT AN ORDER. PRICES SUBJECT TO CHANGE.

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 17.28.040 (B) – Front Yard Requirements. (Minimum front yard setback requirements, accessory buildings and uses: twenty (20) feet)

APPLICANTS: Travis Lindner

LEGAL DESCRIPTION: Lot 2A, Block 3A of Palisades Tract of Deadwood Stage Run Addition to the City of Deadwood formerly Lot 2, Block 3A and a portion of Palisades Tract of Deadwood Stage Run Addition located in the SW ¼ of Section 14, the SE ¼ of Section 15, the NE ¼ NE ¼ of Section 22 and the N ½ NE ¼ of Section 23, T5N, R3E, B.H.M., City of Deadwood, Lawrence County, South Dakota.

ADDRESS: 118 Mystery Wagon Road

ZONE: R2 – Multi-Family 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, October 1, 2025, 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 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 12th day of September 2025.

City of Deadwood, Lawrence County, South Dakota



Kevin Kuchenbecker
Planning, Zoning and Historic Preservation Officer

PUBLISH: Black Hills Pioneer: Date 2025

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

Date: September 15, 2025
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 (B) – Area and Bulk Requirements. (Minimum front yard for accessory buildings and uses: five (5) feet)

APPLICANT(S): Travis Lindner

LEGAL DESCRIPTION: Lot 2A, Block 3A of Palisades Tract of Deadwood Stage Run Addition to the City of Deadwood formerly Lot 2, Block 3A and a portion of Palisades Tract of Deadwood Stage Run Addition located in the SW $\frac{1}{4}$ of Section 14, the SE $\frac{1}{4}$ of Section 15, the NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 22 and the N $\frac{1}{2}$ NE $\frac{1}{4}$ of Section 23, T5N, R3E, B.H.M., City of Deadwood, Lawrence County, South Dakota

ADDRESS: 118 Mystery Wagon Road

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, October 1, 2025, 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. A public hearing will also be held by the Deadwood City Commission at 5:00 p.m. on Monday, October 20, 2025, 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.



Aerial photo of 118 Mystery Wagon Road



Attn: Deadwood Historical Society and Planning and Zoning,

The land they're requesting to put this structure on was created by fill dirt in the last 2 years or less from the homes dug out on the eastside of Mystery Wagon Rd. I would think footings should be required for something due to the land instability and something that is as large as 10x20ft structure sitting for fear it could slide down the hill like everything else when we have heavy rains. These newly excavated and exposed areas of land made from fill dirt slide and move even with less than 2 inches of rain.

Please note: The City of Deadwood street department has to send up road graders to clean our streets from the gravel and rock runoff from the nonexistent required grading and packing around these homes by developers. This unpacked hillside around homes on both the west side of street and east side of street now runs into the streets and is very unstable to the point it's dangerous to cars and people when it happens. A landslide in one area even happened from the extreme pressure of the water flow pushing over a retaining wall. You will note that this development has MAJOR ruts between a majority of the homes that have not been properly filled or packed since built.

Please note: We also have a majority of all Utility boxes sitting half kiltered and moved from erosion and unstable land. Please note: Many homeowners have front porches and patios being propped up by 2X4s because things are moving. So allowing another structure without proper footings on unstable land is a concern as to what it will look like in 1-3 years. As all these ruts around homes are visible and an eye sore, tilted utility boxes that moved from erosion, falling porches on 2 year old homes and unmaintained newly created land with 3 foot tall weeds leads me to believe our highly taxed new development is going down hill fast. It already looks ghetto in some areas because of lack of maintenance and proper building requirements. My point being, you would think, the chances of a "shed" without footings has a very high potential of sliding/moving from thawing and heavy rains that are inevitable at any time in the near and far future in that area creating even more eyesores to look at.

For the record, my thoughts are this building needs to be revisited, this should not be acceptable in any development, as well as the requirement by our building department to allow the lack of grading or packing of land around these new homes as it is creating costs for one the city as ultimately their equipment has to cleanup after a development that was not built with integrity or done properly with inspection considerations of long term effects. In addition to all the expense to the home owners because the developers and builders were not required to properly pack the ground around the homes with the appropriate clay based rock to eliminate the erosion ultimately protecting foundation damage as well as the hillside spewing out into the roads cause car damage and cleanup expense for the city. Anything put on these unstable, unpacked land has the potential to move over time or even tomorrow with a heavy rain.

If we are letting developers just push over fill to create sellable land and then homeowners put structures on it, it should have safety of community and integrity of the neighborhood beauty in mind by not allowing structures without footings with potential to move like everything else on this street when we have rain as our streets and sidewalks are flooded with debris, rock and gravel every time it even rains a little.

I feel from watching all the runoff and property movement from erosion from regular seasonal rains that anything with a pad only should not be allowed. We must have footings especially as this "land" is only an unstable fill that has the risk of floating away and moving with time. Please note the drainage and ruts all over east side of Mystery wagon and west side in newly created area and around homes when rains. This is evidence of my concerns. I'm not thrilled with allowing these "sheds" as something that large is actually a garage and it will be used for atvs being put in without a driveway.

They need to be put up in a manner that does not distort our quality of neighborhood beauty with Matching siding and roofs if done and footings.

If they're boasting this is the hottest newest development in City limits, let's keep standards higher as Mystery Wagon Rd is less than 3 years old and already looks terrible. It looks run down and neglected. We have busted trees and overgrown weeds and ruts around homes everywhere from no final grade or packing of ground between twin homes and now thistles and weeds are over 3 foot high around homes and on all this "created land from fill rock spills into the roads every rain. These trees and cement pile run offs were never hauled out by developers and garbage was blown all over in reveue. Let's keep the integrity of Deadwoods History and Beauty in mind and hold developers and homeowners accountable to higher building standards for long term goals.

Deadwood historic society and planNing and zoning should want these new developments to maintain the natural beauty and have higher standards in home and continued neighborhood maintenance in place and keep the integrity by holding land owners/developers to higher standards creating lasting developments of over a 100 years not homes and land going down hill after only 2 years of building.

Sara Hyser

Sr Account Manager

Digital and All Media Marketing Specialist

Midwest Advertising

Need help with your SEM Google Ad words, Search Engine Optimization, Advanced Digital Targeting? Call my cell: 605-941-3775