



# Planning and Zoning Commission Regular Meeting Agenda

Wednesday, February 21, 2024 at 4:00 PM

City Hall, 102 Sherman Street, Deadwood, SD 57732

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1. **Call to Order**
2. **Roll Call**
3. **Approval of Minutes**
  - a. Approval of the January 17, 2024 Minutes
4. **Sign Review Commission**
5. **Planning and Zoning Commission**
  - a. Final Plat - Division of property and creating property lines - Miller Street - City of Deadwood  
  
PLAT OF TRACT 3 OF BLOCK 30, O.T. DEADWOOD; BEING A PORTION OF TRACT 1 OF THE MILLER STREET SUBDIVISION; CITY OF DEADWOOD, LAWRENCE COUNTY, SOUTH DAKOTA  
  
Action Required:
    1. Approval/Denial by the Deadwood Planning and Zoning Commission
  - b. Act as Planning & Zoning Commission to approve/deny Findings of Fact and Conclusion - Conditional Use Permit - RV Park - 20577 Highway 85 - B & L Properties (Brad Kooiker) legally described as Lot A in Lot H2 of H.E.S. No. 613 in the NE1/4 of Section 11, T5N, R3E, BHM, Lawrence County, South Dakota and Lot C in H.E.S. No. 613 in the NE1/4 of Section 11, T5N, R3E, BHM, City of Deadwood, Lawrence County, South Dakota. Recommended Approval by Planning and Zoning Commission on July 19, 2023 and Approval by Board of Adjustment on August 7, 2023.
  - c. Discussion and general acceptance of proposed street names for Stage Run Palisades Tract (Phase III - Stage Run Development). Names proposed as Palisades Stone, Bavarian Lode, and Blarney Stone as shown in packet.
6. **Items from Citizens not on Agenda**  
(Items considered but no action will be taken at this time.)
7. **Items from Staff**
  - a. Fassbender Photographic Collection Newsletter 4th Quarter 2023
  - b. Annual Report on Building Permits - Trent Mohr
8. **Adjournment**

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



## Planning and Zoning Commission Regular Meeting Minutes

Wednesday, January 17, 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 Chairman Martinisko on Wednesday, January 17, 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 (Chair) John Martinisko  
 Commissioner (Vice-Chair) Josh Keehn  
 Commissioner Ken Owens

#### ABSENT

Commissioner (Secretary) Dave Bruce  
 Commissioner Charles Eagleson

#### STAFF PRESENT

Trent Mohr, Building Inspector  
 Leah Blue-Jones, Zoning Coordinator  
 Amy Greba, Administrative Assistant

### 3. Approval of Minutes

- a. Approval of the January 3, 2024, Minutes

***It was moved by Commissioner Owens and seconded by Commissioner Keehn to approve the January 3, 2024 minutes. Voting Yea: Martinisko, Keehn, Owens***

### 4. Sign Review Commission

- a. Deadwood Outfitters - 653 Main Street - Install new sign

Mr. Mohr stated the sign permit application is a single application for 2 signs for a new business that will open in the spring. Proposed signs and locations are compliant with the sign ordinance and require no variances. Applicant is present at the meeting and is available to answer any questions.

***It was moved by Commissioner Owens and seconded by Commissioner Keehn to approve permit for two new signs at 653 Main Street. Voting Yea: Martinisko, Owens, Keehn.***

## 5. Planning and Zoning Commission

- a. Act as Planning and Zoning Commission to approve/deny Findings of Fact and Conclusion - Conditional Use Permit - Bed and Breakfast Establishment - 388 & 390 Main Street - Nugget Saloon LLC (Wayne Morris) legally described as Lot Twelve (12) and the South Half of Lot Thirteen (13), Both Lots in Block Three (3) in the Fountain City Addition to the City of Deadwood, Together with all Improvements Thereon and Appurtenances Thereunto Belonging, Subject to Covenants, Restrictions and Reservations of Record.

Ms. Blue-Jones shared Findings of Fact and Conclusion - Conditional Use Permit - Bed and Breakfast Establishment - 388 & 390 Main Street - Nugget Saloon LLC (Wayne Morris) legally described as Lot Twelve (12) and the South Half of Lot Thirteen (13), Both Lots in Block Three (3) in the Fountain City Addition to the City of Deadwood, Together with all Improvements Thereon and Appurtenances Thereunto Belonging, Subject to Covenants, Restrictions and Reservations of Record.

***It was moved by Commissioner Keehn and seconded by Commissioner Owens to approve the Findings of Fact and Conclusion for the Conditional Use Permit – Bed and Breakfast Establishment for Nugget Saloon, LLC (Wayne Morris) at 388 & 390 Main Street, Deadwood, Lawrence County, South Dakota. Voting Yea: Owens, Martinisko, Keehn.***

- b. Act as Planning and Zoning Commission to approve/deny Findings of Fact and Conclusion - Conditional Use Permit - Vacation Home Establishment - 606 1/2 Main Street - Nugget Saloon LLC (Wayne Morris) legally described as Lot 24, in Block 15 of the Original Townsite of the City of Deadwood, Lawrence County, South Dakota, According to the P.L. Rogers Map Except a Portion of Land Along the Southerly Side of Lot 24, Block 15 Being 8 Inches in Width Fronting on Main and Back of Even Width 100' as Set Forth in Deed and Recorded in Book 162 Page 243.

Ms. Blue-Jones shared Findings of Fact and Conclusion - Conditional Use Permit - Vacation Home Establishment - 606 1/2 Main Street - Nugget Saloon LLC (Wayne Morris) legally described as Lot 24, in Block 15 of the Original Townsite of the City of Deadwood, Lawrence County, South Dakota, According to the P.L. Rogers Map Except a Portion of Land Along the Southerly Side of Lot 24, Block 15 Being 8 Inches in Width Fronting on Main and Back of Even Width 100' as Set Forth in Deed and Recorded in Book 162 Page 243.

***It was moved by Commissioner Owens and seconded by Commissioner Keehn to approve the Findings of Fact and Conclusion for the Conditional Use Permit – Vacation Home Establishment for Nugget Saloon, LLC (Wayne Morris) at 606 1/2 Main Street, Deadwood, Lawrence County, South Dakota. Voting Yea: Owens, Martinisko, Keehn***

- c. Consider formal request to surrender and remove Conditional Use Permit for the development of condominiums in the C – Commercial District at 51, 53, 55 Sherman Street previously approved by the Deadwood Planning and Zoning Commission on Wednesday, September 21, 2022 and the Deadwood Board of Adjustment on October 3, 2022.

Ms. Blue-Jones shared the formal request to surrender and remove Conditional Use Permit for the development of condominiums in the C – Commercial District at 51, 53, 55 Sherman Street previously approved by the Deadwood Planning and Zoning Commission on Wednesday, September 21, 2022 and the Deadwood Board of Adjustment on October 3, 2022. Ms. Blue-Jones stated the applicant has changed plans and will no longer be developing condominiums on the upper floors of the building and instead will be utilizing it as a hotel space. Applicant emailed the P&Z staff requesting a surrender of the Conditional Use Permit.

***It was moved by Commissioner Keehn and seconded by Commissioner Owens to approve the request to surrender and remove Conditional Use Permit for the development of condominiums in the C-Commercial District at 51, 53, 55 Sherman Street previously approved by the Deadwood Planning and Zoning Commission and the Deadwood Board of Adjustment. Voting Yea: Owens, Martinisko, Keehn.***

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

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

## **7. Items from Staff**

- a. Update on 62 Williams Street and 462 Williams Street for Short Term Rental violations. [Summons and Complaint served through legal counsel]

Ms. Blue-Jones stated that property owners for both 62 Williams and 462 Williams have been served by legal counsel and have 30 days to respond.

- b. Mr. Mohr stated that the Landmark has completed plans for the third and fourth floors of 51, 53, 55 Sherman Street, but no permits have been applied for.
- c. Mr. Mohr stated the Ridge apartments are close to being done but will not be occupied until water and sewer are complete.

## **8. Adjournment**

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

There being no further business, the Planning and Zoning Commission adjourned at 4:12 p.m.

ATTEST:

\_\_\_\_\_  
Chairman, Planning & Zoning Commission

\_\_\_\_\_  
Secretary, Planning & Zoning Commission

***Leah Blue-Jones, Zoning Coordinator***

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



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

**PLANNING AND ZONING MEETING**  
**BOARD OF ADJUSTMENT**  
**STAFF REPORT**  
January 24, 2024

**APPLICANT:** City of Deadwood

**PURPOSE:** Transfer of Land & Creating Property Lines

**GENERAL LOCATION:** Tract 1 of Miller Street Subdivision

**LEGAL DESCRIPTION:** PLAT OF TRACT 3 OF BLOCK 30, O.T. DEADWOOD; BEING A PORTION OF TRACT 1 OF THE MILLER STREET SUBDIVISION; CITY OF DEADWOOD, LAWRENCE COUNTY, SOUTH DAKOTA

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

**ZONE:** PU Public Use

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**STAFF FINDINGS:**

Surrounding Zoning:

North: Commercial

South: Commercial

East: Public Use

West: Commercial

Surrounding Land Uses:

Commercial Structure

Commercial Structure

Parking Lot

Commercial Structure

**SUMMARY OF REQUEST**

*The purpose of this plat is to facilitate the transfer of property by dividing lots and establishing property lines. This plat describes the area located at Tract 1 of Miller Street Subdivision and behind Block 30 of Sherman Avenue. The City of Deadwood desires to get this portion of the Miller Street parking lot on the tax roll. This plat will create Tract 3 of the Miller Street Subdivision.*

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### **FACTUAL INFORMATION**

1. The property is currently zoned PU – Public Use.
2. Lot is comprised of 0.024 Acres±.
3. The subject property is located within a Public Use Zoning designation.
4. The property is located outside of a flood zone or flood hazard zone.
5. Public facilities are available to serve the property.
6. The area is currently characterized by a mixture of commercial and public uses along Miller Street.

### **STAFF DISCUSSION**

The subject property is owned by the City of Deadwood, and they desire to have the parcel currently under private use to be on the tax roll. Currently, the parcel is being utilized by a commercial entity and is behind a chain link fence. The lot(s) meets the area and bulk requirements for square footage.

1. The North Arrow is shown on the plat with a direct reference to the coordinate mapping system.
2. Land is identified with a new legal description for the transfer of the land.
3. Surveyor's Certificate is shown with the name of the surveyor and his registered land surveyor number.
4. A date is shown on the plat and serves to "fix in time" the data represented on the plat.
5. The street bounding the lot is shown and named.
6. All certifications are indicated and correct on the plat.
7. Dimensions, angles and bearings are shown along the lot lines.
8. Scale of the plat is shown and accompanied with a bar scale.
9. Area's taken out of the mineral survey and remaining acreage is indicated on the plat.

### **ACTION REQUIRED:**

1. Approval by 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 Section 5 Item a.  
**Kevin Kuchenbecker**  
(605) 578-2082 or  
kevin@cityofdeadwood.com

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

## APPLICATION FOR PLAT

**Application/Filing Fee: \$200.00 per lot**

**The application fee needs to be paid when plat is submitted to the Planning and Zoning Office.**

**Applicants:** Please read thoroughly prior to completing this form. Only complete applications will be considered for review. Applications must be received no later than fifteen (15) days prior to the P&Z Commission meeting. Mylar(s) must be received by the Planning and Zoning office no later than the Wednesday before the scheduled meeting. The Planning and Zoning Commission meets the first and third Wednesday of each month.

Applicant: City of Deadwood

Address: 102 Sherman St Deadwood SD 57732  
Street City State Zip

Phone Number: (605) 578-2082 Email Address: kevin@cityofdeadwood.com

Property Address: Tract 3 of Miller Street

Property Owner: City of Deadwood

Property Owner Phone Number: (605) 578-2082

Full Legal Description of Property: PLAT OF TRACT 3 OF BLOCK 30, O.T. DEADWOOD; BEING A  
PORTION OF TRACT 1 OF THE MILLER STREET SUBDIVISION; CITY OF DEADWOOD,  
LAWRENCE COUNTY, SOUTH DAKOTA

Purpose of this Plat: To facilitate the transfer of property by dividing lots and establishing property  
lines.

Summary of this Plat: The subject property is owned by the City of Deadwood and they desire to have  
the parcel available for public use.

### 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 copy of the full legal description from the Lawrence County Register of Deeds Office.



Check the box to confirm the following information is included on the plat and is accurate:

- The North Arrow is shown on the plat with a direct reference to the coordinate mapping system.
  - Land is identified with a new legal description for the transfer of the land.
  - Surveyor’s Certificate is shown with the name of the surveyor and his registered land surveyor number.
  - A date is shown on the plat and serves to “fix in time” the data represented on the plat.
  - The street bounding the lot is shown and named.
  - All certifications are indicated and correct on the plat.
  - Dimensions, angles, and bearings are shown along the lot lines.
  - Scale of the plat is shown and accompanied with a bar scale.
  - Area’s taken out of the mineral survey and remaining acreage is indicated on the plat.
- I understand I am required to have the Lawrence County Register of Deeds email a digital copy of the completed final copy of this plat to kevin@cityofdeadwood.com.

Signature of Owner/Applicant: \_\_\_\_\_ Date: January 24, 2024

**Staff Use Only**

Fee: \$ _____	Paid On _____	Receipt Number _____
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<b>PLANNING AND ZONING ADMINISTRATOR:</b>			
Approved/P&Z Administrator:	Yes	No	Signature: _____ Date: _____
<b>PLANNING AND ZONING COMMISSION:</b>			
Approved/P&Z Commission:	Yes	No	Date: _____
<b>DEADWOOD BOARD OF ADJUSTMENT:</b>			
Approved/Board of Adjustment:	Yes	No	Date: _____

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

PLAT OF TRACT 3 OF BLOCK 30, O.T. DEADWOOD;  
BEING A PORTION OF TRACT 1 OF THE MILLER STREET SUBDIVISION;  
CITY OF DEADWOOD, LAWRENCE COUNTY, SOUTH DAKOTA

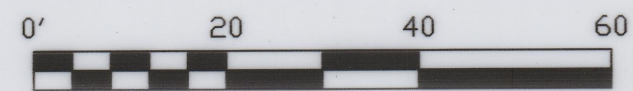
OWNER/DEVELOPER:  
CITY OF DEADWOOD  
102 SHERMAN STREET  
DEADWOOD, SD 57732



- LEGEND:**
- SET REBAR AND CAP STAMPED "LS11918"
  - FOUND MONUMENT AS NOTED

- NOTES:**
1. PROPOSED LOT AREA = 0.024 ACRES±;  
PROPOSED R-O-W AREA = 0.00 ACRES±;  
AVERAGE DENSITY PER LOT = 0.024 ACRES±  
TOTAL PROPOSED PLATTED AREA = 0.024 ACRES±  
REMAINING AREA OF TRACT 1 = 2.076 ACRES±  
EASEMENTS INCLUDED IN ALL AREAS.
  2. 5' UTILITY EASEMENT ON INTERIOR OF ALL LOT LINES.
  3. ZONING IS PUBLIC USE DISTRICT PER GIS ZONING MAP.
  4. WE HEREBY GRANT EASEMENTS TO RUN WITH THE LAND FOR WATER, DRAINAGE, SEWER, GAS, ELECTRIC, TELEPHONE, OR OTHER PUBLIC UTILITY LINES OR SERVICES UNDER, ON OR OVER THOSE PORTIONS OF LAND DESIGNATED HEREON AS EASEMENTS.
  5. TRACT 1 ORIGINALLY RECORDED IN PLAT DOC#2012-5646.

LINE	BEARING	DISTANCE
L1	S81°05'15"E	15.50'
L2	S79°57'24"E	13.00'



**CERTIFICATE OF SURVEYOR**

STATE OF SOUTH DAKOTA COUNTY OF LAWRENCE  
I, BRADLEY LIMBO, REGISTERED LAND SURVEYOR NO. 11918 IN THE STATE OF SOUTH DAKOTA, DO HEREBY CERTIFY THAT AT THE REQUEST OF THE OWNER(S) LISTED HEREON I HAVE SURVEYED THAT TRACT OF LAND SHOWN, AND TO THE BEST OF MY KNOWLEDGE AND BELIEF, THE WITHIN PLAT IS A REPRESENTATION OF SAID SURVEY. EASEMENTS OR RESTRICTIONS OF MISCELLANEOUS RECORD OR PRIVATE AGREEMENTS THAT ARE NOT KNOWN TO ME ARE NOT SHOWN HEREON. IN WITNESS WHEREOF, I HAVE HEREUNTO SET MY HAND AND SEAL.

*Bradley Limbo*  
BRADLEY LIMBO, LS11918 DATE: 15 Feb 24

**OWNER'S CERTIFICATE**

STATE OF SOUTH DAKOTA COUNTY OF LAWRENCE  
I, \_\_\_\_\_ DO HEREBY CERTIFY THAT WE ARE THE OWNERS OF THE PROPERTY SHOWN AND DESCRIBED HEREON, THAT WE DO APPROVE THIS PLAT AS HEREON SHOWN AND THAT DEVELOPMENT OF THIS PROPERTY SHALL CONFORM TO ALL EXISTING APPLICABLE ZONING, SUBDIVISION, EROSION AND SEDIMENT CONTROL REGULATIONS.

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

**ACKNOWLEDGMENT OF OWNER**

STATE OF SOUTH DAKOTA COUNTY OF LAWRENCE  
ON THIS \_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_, BEFORE ME THE UNDERSIGNED NOTARY PUBLIC, PERSONALLY APPEARED

KNOWN TO ME TO BE THE PERSON DESCRIBED IN AND WHO EXECUTED THE FOREGOING CERTIFICATE.

MY COMMISSION EXPIRES: \_\_\_\_\_

NOTARY PUBLIC: \_\_\_\_\_

**APPROVAL OF THE CITY OF DEADWOOD PLANNING COMMISSION**

STATE OF SOUTH DAKOTA COUNTY OF LAWRENCE  
THIS PLAT APPROVED BY THE CITY OF DEADWOOD PLANNING COMMISSION THIS \_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
CITY PLANNER CHAIRMAN

**APPROVAL OF THE CITY OF DEADWOOD BOARD OF COMMISSIONERS**

STATE OF SOUTH DAKOTA COUNTY OF LAWRENCE  
BE IT RESOLVED THAT THE CITY OF DEADWOOD BOARD OF COMMISSIONERS HAVING VIEWED THE WITHIN PLAT, DO HEREBY APPROVE THE SAME FOR RECORDING IN THE OFFICE OF THE REGISTER OF DEEDS, LAWRENCE COUNTY, S.D. DATED THIS \_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_.

ATTEST: \_\_\_\_\_  
FINANCE OFFICER MAYOR

**CERTIFICATE OF COUNTY TREASURER**

STATE OF SOUTH DAKOTA COUNTY OF LAWRENCE  
I, \_\_\_\_\_, LAWRENCE COUNTY TREASURER, DO HEREBY CERTIFY THAT \_\_\_\_\_ TAXES WHICH ARE LIENS UPON THE HEREIN PLATTED PROPERTY HAVE BEEN PAID. DATED THIS \_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_.

LAWRENCE COUNTY TREASURER: \_\_\_\_\_

**APPROVAL OF HIGHWAY AUTHORITY**

STATE OF SOUTH DAKOTA COUNTY OF LAWRENCE  
THE LOCATION OF THE PROPOSED ACCESS ROADS ABUTTING THE COUNTY OR STATE HIGHWAY AS SHOWN HEREON, IS HEREBY APPROVED. ANY CHANGE IN THE PROPOSED ACCESS SHALL REQUIRE ADDITIONAL APPROVAL.

HIGHWAY AUTHORITY: \_\_\_\_\_

**CERTIFICATE OF DIRECTOR OF EQUALIZATION**

STATE OF SOUTH DAKOTA COUNTY OF LAWRENCE  
I, LAWRENCE COUNTY DIRECTOR OF EQUALIZATION, DO HEREBY CERTIFY THAT I HAVE RECEIVED A COPY OF THIS PLAT. DATED THIS \_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
LAWRENCE COUNTY DIRECTOR OF EQUALIZATION

**CERTIFICATE OF REGISTER OF DEEDS**

STATE OF SOUTH DAKOTA COUNTY OF LAWRENCE  
FILED FOR RECORD THIS \_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_, AT \_\_\_\_ O'CLOCK, \_\_\_\_ M., AND

RECORDED AS DOC. \_\_\_\_\_

LAWRENCE COUNTY REGISTER OF DEEDS FEE: \$ \_\_\_\_\_

PREPARED BY: SHEET 1 of 1

**ALL ASPECTS INC.**  
LAND SURVEYING

Project: AA-23-330  
Date: JAN. 22, 2024  
Rev: \_\_\_\_\_  
Surveyed by: BJL  
Prepared by: FD

ALL ASPECTS INC.  
444 SAINT JOE ST.  
SPEARFISH SD 57783  
605-490-2944  
limboplsaai@gmail.com

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

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## FINDINGS OF FACT AND CONCLUSION CONDITIONAL USE PERMIT

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Date: February 15, 2024  
From: Kevin Kuchenbecker  
Planning, Zoning & Historic Preservation Officer  
RE: Conditional Use Permit – RV Park

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**APPLICANT(S):** B & L Properties, LLC (Brad Kooiker)  
**PURPOSE:** Conditional Use Permit – RV Park  
**ADDRESS:** 20577 US Highway 85  
Deadwood, Lawrence County, South Dakota

**LEGAL DESCRIPTION:** LOT A IN LOT H2 OF H.E.S. NO. 613 IN THE NE/14  
OF SECTION 11, T5N, R3E, BHM, LAWRENCE  
COUNTY, SOUTH DAKOTA

AND

LOT C IN H.E.S. NO. 613 IN THE NE1/4 OF SECTION  
11, T5N, R3E, BHM, CITY OF DEADWOOD,  
LAWRENCE COUNTY, SOUTH DAKOTA

**ASSESSORS NO.:** 30930-00503-110-10

**RE: Request for Conditional Use Permit**

WHEREAS, the above application for a Conditional Use Permit for a RV Park in the CH – Commercial Highway district came on review before the Deadwood Planning and Zoning Commission on Wednesday, July 19, 2023. The application was recommended for approval by the Deadwood Planning and Zoning Commission. The Deadwood Board of Adjustment approved the request for a RV Park at 20577 US Highway 85, as recommended by the Planning and Zoning Commission, on August 7, 2023.

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

Findings of Fact and Conclusion – Conditional Use Permit  
B & L Properties, LLC  
February 15, 2024

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offered and all of 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**

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- 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.
- 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 CH – Commercial Highway. The area near the subject property consists of a mixture of multi-family dwellings and national forest.
- 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. The use is expressly allowed in the CH – Commercial Highway 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 RV Park. The Deadwood Board of Adjustment approved the request as recommended by the Planning and Zoning Commission with the following conditions:

Findings of Fact and Conclusion – Conditional Use Permit  
B & L Properties, LLC  
February 15, 2024

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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 of the building codes.
4. Provide City proof of permitted septic and water acceptance by the State of South Dakota Department of Agriculture and Natural Resources.
5. Proper paperwork is filed with the City of Deadwood Finance Office for BID taxes.
6. Proof of City of Deadwood Business License.
7. Obtain lodging license after inspection from the South Dakota Department of Health.
8. Provide City written approval from South Dakota Department of Transportation for entrance(s).

Findings of Fact and Conclusion – Conditional Use Permit  
B & L Properties, LLC  
February 15, 2024

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**ATTEST:**

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

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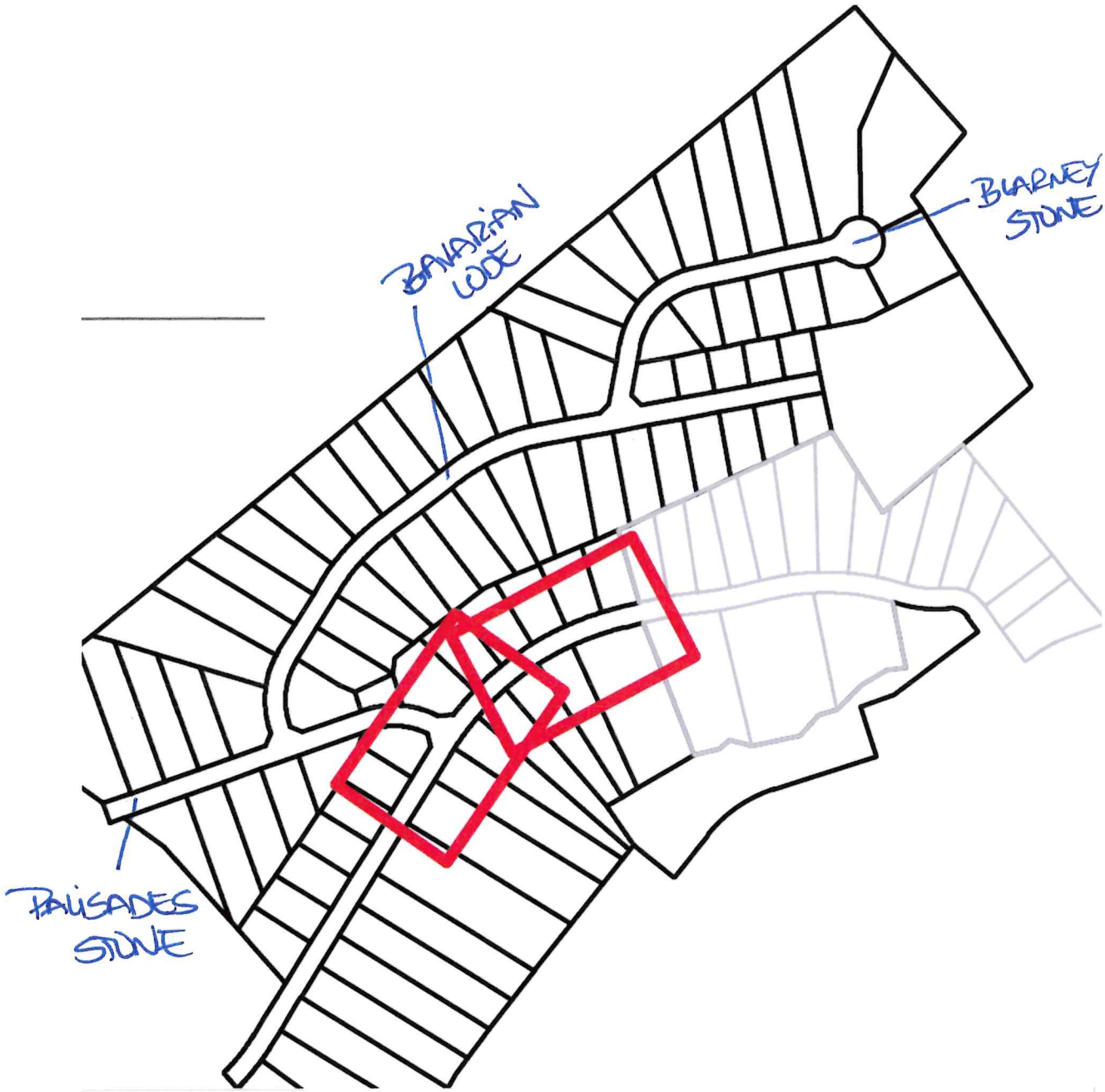
David Ruth, Mayor  
City of Deadwood  
/ / /2024

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

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

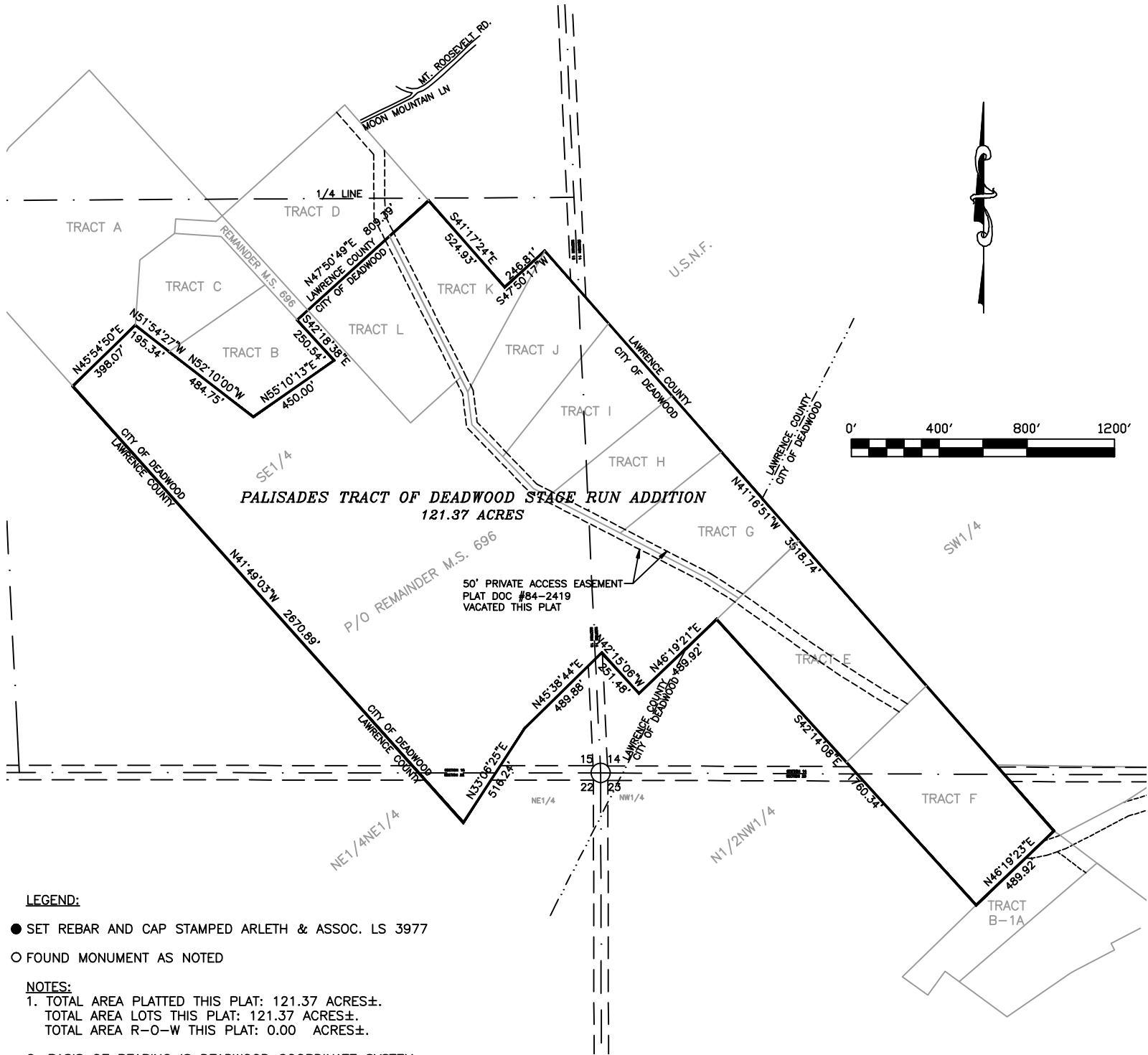


## Stage Run – Possible Street Names

Bavarian Lode  
Blarney Stone  
Carpenter  
Cimbria  
Columbia  
Dale  
Gold Bug  
Hill  
Hill and Bar  
Hill and Gulch  
Jessie L. Consolidated  
Karoline Lode  
Knox Lode  
Ocean Wave  
Palisades Stone  
Ridge Stone  
Sawdust  
Sunnyside Stone  
Thor  
Wilmington



**PLAT OF PALISADES TRACT OF DEADWOOD STAGE RUN ADDITION**  
**FORMERLY TRACTS L, K, J, I, H, G, E, AND F AND THE REMAINING PORTION OF M.S. 696 PALISADES STONE PLACER,**  
**ALL LOCATED IN THE SW1/4 SECTION 14, THE SE1/4 OF SECTION 15, THE NE1/4NE1/4 OF SECTION 22 AND THE**  
**N1/2NW1/4 OF SECTION 23 T.5N, R.3E, B.H.M.,**  
**CITY OF DEADWOOD, LAWRENCE COUNTY, SOUTH DAKOTA**



**LEGEND:**

- SET REBAR AND CAP STAMPED ARLETH & ASSOC. LS 3977
- FOUND MONUMENT AS NOTED

**NOTES:**

1. TOTAL AREA PLATTED THIS PLAT: 121.37 ACRES±.  
 TOTAL AREA LOTS THIS PLAT: 121.37 ACRES±.  
 TOTAL AREA R-O-W THIS PLAT: 0.00 ACRES±.
2. BASIS OF BEARING IS DEADWOOD COORDINATE SYSTEM.
3. THIS PLAT VACATES LOTS E, F, G, H, I, J, K, AND L OF RECORD WITHIN THE REMAINING PORTION OF M.S. 696, PALISADES STONE PLACER.
4. TRACTS G, H, I, J, K, AND L ARE RECORDED IN PLAT DOCUMENT NO. 1984-2419.  
 TRACTS E AND F ARE RECORDED IN PLAT DOCUMENT NO. 1981-2887.

**OWNER/DEVELOPER:**

DEADWOOD STAGE RUN LLC  
 376 MAIN ST. DEADWOOD SD 57732

**SURVEYOR'S CERTIFICATE**

I, JOHN M. ARLETH, 25 KIRK ROAD, DEADWOOD, SD, DO HEREBY CERTIFY THAT I AM A LICENSED LAND SURVEYOR IN THE STATE OF SOUTH DAKOTA. THAT AT THE REQUEST OF THE OWNER AND UNDER MY SUPERVISION, I HAVE CAUSED TO BE SURVEYED AND PLATTED THE PROPERTY SHOWN AND DESCRIBED HEREON. TO THE BEST OF MY KNOWLEDGE, INFORMATION AND BELIEF, THE PROPERTY WAS SURVEYED IN GENERAL CONFORMANCE WITH THE LAWS OF THE STATE OF SOUTH DAKOTA AND ACCEPTED METHODS AND PROCEDURES OF SURVEYING. DATED THIS \_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_.

JOHN M. ARLETH, R.L.S. 3977

**OWNER'S CERTIFICATE**

STATE OF SOUTH DAKOTA COUNTY OF LAWRENCE \_\_\_\_\_, DO HEREBY CERTIFY THAT WE ARE THE OWNERS OF THE PROPERTY SHOWN AND DESCRIBED HEREON, THAT WE DO APPROVE THIS PLAT AS HEREON SHOWN AND THAT DEVELOPMENT OF THIS PROPERTY SHALL CONFORM TO ALL EXISTING APPLICABLE ZONING, SUBDIVISION, EROSION AND SEDIMENT CONTROL REGULATIONS.

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

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

**ACKNOWLEDGEMENT OF OWNER**

STATE OF SOUTH DAKOTA COUNTY OF LAWRENCE \_\_\_\_\_, ON THIS \_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_, BEFORE ME THE UNDERSIGNED NOTARY PUBLIC, PERSONALLY APPEARED \_\_\_\_\_, KNOWN TO ME TO BE THE PERSON DESCRIBED IN AND WHO EXECUTED THE FOREGOING CERTIFICATE.

MY COMMISSION EXPIRES: \_\_\_\_\_ NOTARY

PUBLIC: \_\_\_\_\_

**CERTIFICATE OF COUNTY TREASURER**

STATE OF SOUTH DAKOTA COUNTY OF LAWRENCE \_\_\_\_\_, I, \_\_\_\_\_, LAWRENCE COUNTY TREASURER, DO HEREBY CERTIFY THAT \_\_\_\_\_ TAXES WHICH ARE LIENS UPON THE HEREIN PLATTED PROPERTY HAVE BEEN PAID. DATED THIS \_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_.

LAWRENCE COUNTY TREASURER: \_\_\_\_\_

**APPROVAL OF HIGHWAY AUTHORITY**

STATE OF SOUTH DAKOTA COUNTY OF LAWRENCE \_\_\_\_\_ THE LOCATION OF THE PROPOSED ACCESS ROADS ABUTTING THE COUNTY OR STATE HIGHWAY AS SHOWN HEREON, IS HEREBY APPROVED. ANY CHANGE IN THE PROPOSED ACCESS SHALL REQUIRE ADDITIONAL APPROVAL.

HIGHWAY AUTHORITY: \_\_\_\_\_

**APPROVAL OF THE CITY OF DEADWOOD PLANNING COMMISSION**

STATE OF SOUTH DAKOTA COUNTY OF LAWRENCE \_\_\_\_\_ THIS PLAT APPROVED BY THE CITY OF DEADWOOD PLANNING COMMISSION THIS \_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
 CITY PLANNER

\_\_\_\_\_  
 CHAIRMAN

**APPROVAL OF THE CITY OF DEADWOOD BOARD OF COMMISSIONERS**

STATE OF SOUTH DAKOTA COUNTY OF LAWRENCE \_\_\_\_\_ BE IT RESOLVED THAT THE CITY OF DEADWOOD BOARD OF COMMISSIONERS HAVING VIEWED THE WITHIN PLAT, DO HEREBY APPROVE THE SAME FOR RECORDING IN THE OFFICE OF THE REGISTER OF DEEDS, LAWRENCE COUNTY, S.D. DATED THIS \_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_.

ATTEST: \_\_\_\_\_

\_\_\_\_\_  
 FINANCE OFFICER

\_\_\_\_\_  
 MAYOR

**OFFICE OF THE COUNTY DIRECTOR OF EQUALIZATION**

STATE OF SOUTH DAKOTA COUNTY OF LAWRENCE \_\_\_\_\_ I, LAWRENCE COUNTY DIRECTOR OF EQUALIZATION, DO HEREBY CERTIFY THAT I HAVE RECEIVED A COPY OF THIS PLAT. DATED THIS \_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_.

LAWRENCE COUNTY DIRECTOR OF EQUALIZATION: \_\_\_\_\_

**OFFICE OF THE REGISTER OF DEEDS**

STATE OF SOUTH DAKOTA COUNTY OF LAWRENCE \_\_\_\_\_ FILED FOR RECORD THIS \_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_, AT \_\_\_\_ O'CLOCK, \_\_\_\_ M., AND RECORDED IN DOC. \_\_\_\_\_.

LAWRENCE COUNTY REGISTER OF DEEDS: \_\_\_\_\_



PREPARED BY:  
**ARLETH & ASSOCIATES**

25 KIRK ROAD  
 DEADWOOD, SD 57732  
 605-578-1637

JOB NO.  
 7271

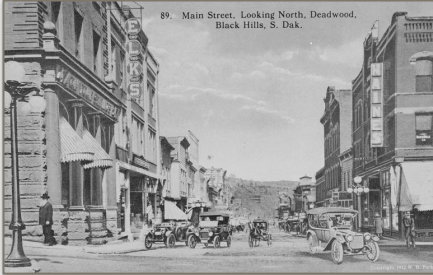
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APPROVED: JMA  
 DRAWN: FD  
 DWG: 7271 TRACT-A PLAT.dwg

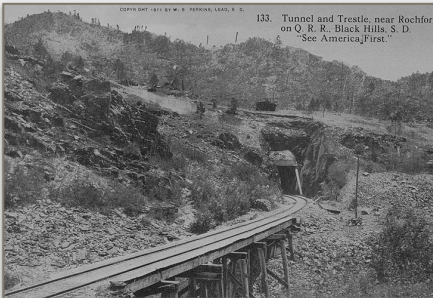
# HISTORIC BLACK HILLS STUDIOS

HOME OF THE FASSBENDER PHOTOGRAPHIC COLLECTION

## From the Archive



Postcard of Deadwood 1912.



Postcard of trestle and tunnel near Rochford 1911.



Undated image of Hearst Mercantile in Lead.

## Photography Quote:

“...we are there with our cameras to record reality. Once we start modifying that which exists, we are robbing photography of its most valuable attribute.”

— Philip Jones



## Fassbender Exhibit

The Fassbender Collection will finally have a permanent display in the coming months at the Days of 76 Museum. In addition to photographs, artifacts such as studio and darkroom equipment will sit among vintage cameras in the display. Historic photographs will provide the backdrop. Deadwood History collections manager Sherri Hall and Fassbender Collection digital archivist will organize the items.

The collection was acquired in 2010 by the cities of Lead, Deadwood and Spearfish and is housed at the Homestake Adams Research & Cultural Center as well as Lead, city hall and a cold storage facility in Deadwood.



**Above:** Objects for the exhibit are “mocked up” in a space marked by tape at the Homestake Adams Research & Cultural Center.

**Right:** The Durst Laborator enlarger was manufactured from 1948 to 1994. It stands more than 6’ tall and weighs more than 200 lbs.

(Continued on page 2)



## Remembered

The Fassbender Photographic Collection lost one of its earliest supporters in the recent passing of Wally Reed.

Reed's early donation in 2011 to the collection helped with the purchase of computers and a scanner to jump start the processing and digitizing of the collection.



**Wally Reed**

**Above:** Wally Reed is pictured getting a closer look at one of the photographs in the collection.

## Photography Community

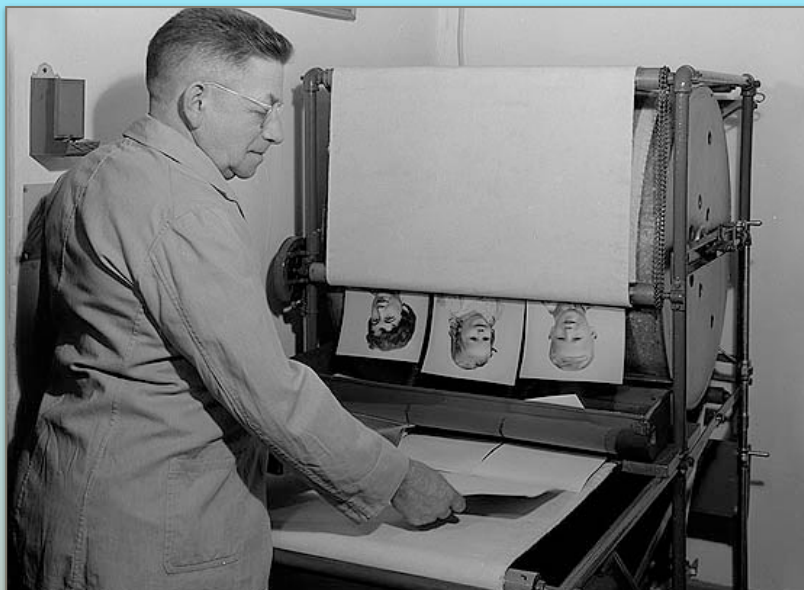
•**Black Hills Focus Group**  
([historicblackhillstudios.org/BHFG](http://historicblackhillstudios.org/BHFG))

•**Black Hills Photography Club**  
([blackhillphotographyclub.com](http://blackhillphotographyclub.com))

•**Black Hills Photo Shootout** and related photography events  
([blackhillphotoshootout.com](http://blackhillphotoshootout.com))

•**Historic Black Hills Studios** on Facebook.

## Exhibit (cont. from pg. 1)



**Above:** Joseph Fassbender retrieves prints coming off of a large print dryer as part of the finished product in the darkroom process. Numerous images from the collection will provide a backdrop to the display.

**Right:** A chair used for posing in the studio

**Below:** A number of cameras from the collection being considered for the exhibit.



OFFICE OF  
**Planning & Zoning**  
108 Sherman Street  
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*"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

## ANNUAL REPORT ON BUILDING PERMITS

YEAR	TOTAL #	TOTAL VAULTATION
2019	- 288	15,272,585.00
2020	- 186	21,274,187.00
2021	- 157	24,313,047.00
2022	- 125	24,403,572.00
2023	- 111	66,780,368.00

