



Planning and Zoning Commission Regular Meeting Agenda

Wednesday, June 19, 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 June 5, 2024 Planning & Zoning Commission meeting.
4. **Sign Review Commission**
 - a. Application for Sign Permit - 20577 Highway 85 - Can Am 85 RV (Brad Kooiker). Applicant wishes to install a new freestanding sign. Sign and its location are compliant with sign ordinance.

Actions: Approve/Deny Sign Permit
5. **Planning and Zoning Commission**
 - a. Conditional Use Permit Review for Bed and Breakfast Establishment – 7 Spring Street – The Birdcage (Kenneth Steier), legally described as Lots X, a replat of Lots 1, 2, and 3, Block 1, Miricks Addition and a portion of MS 735, located in the City of Deadwood, Lawrence County, South Dakota.

Action Required:
 1. Public Discussion
 2. Approval/Denial by Planning and Zoning Commission
6. **Items from Citizens not on Agenda**
(Items considered but no action will be taken at this time.)
7. **Items from Staff**
 - a. 2024 Annual Conference for South Dakota Planners Association - Box Elder, SD - October 22 - October 24, 2024.
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 June 5, 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

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 19, 2024

Applicant: Brad Kooiker

Address: PO Box 195, Deadwood, SD 57732

Site Address of Proposed Signage: 20577 Hwy 85 (Can Am 85 RV)

Computation of Sign Area

Building Frontage: 307 Feet

Total Available Signage: 614 Square Feet

Existing Signage: None

Remaining Available Signage Area: 614 Square Feet

Proposed Sign Project: Install new freestanding sign (32 Square Feet)

Proposed Building Materials: Wood and poly-metal (see attached photograph)

Proposed Lighting of the Signs: None

Location of Proposed Sign: Attached is a photograph showing the proposed location

Discussion

The sign permit application in review is proposed at a location outside the locally-designated historic district and outside the national historic landmark district which is regulated by chapter 15.32.315 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 freestanding sign to advertise the RV park at this location.

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 freestanding sign at 20577 Hwy 85

OR

Motion to deny proposed sign permit application as submitted.

Sign Size
4' x 8'

CAN AM 85 RV

FULL HOOKUPS

605-366-2620



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

PLANNING AND ZONING COMMISSION

CONDITIONAL USE PERMIT – ANNUAL REVIEW

Staff Report

Date: June 19, 2024
From: Kevin Kuchenbecker
Planning, Zoning & Historic Preservation Officer
RE: Annual Review - Conditional Use Permit – Bed and Breakfast

OWNER(S): Kenneth & Lee Steier
PURPOSE: Annual Review – Conditional Use Permit – Bed and Breakfast Establishment

ADDRESS: 7 Spring Street
Deadwood, Lawrence County, South Dakota

LEGAL DESCRIPTION: Lots X, a replat of Lots 1, 2, and 3, Block 1, Miricks Addition and a portion of MS 735, located in the City of Deadwood, Lawrence County, South Dakota.

FILE STATUS: Legal obligations completed.

ZONE: R2 – Multi-Family Residential

STAFF FINDINGS:

Surrounding Zoning:	Surrounding Land Uses:
North: R2 – Multi-Family Residential	Residential
South: R2 – Multi-Family Residential	Residential
East: R2 – Multi-Family Residential	Residential
West: R2 – Multi-Family Residential	Residential

SUMMARY OF REQUEST

The Deadwood City Commission has directed the Planning and Zoning Commission to conduct annual reviews of all Conditional Use Permits in accordance with City of Deadwood Municipal Code 17.76.060. The owner was issued a Conditional Use Permit on June 8, 2003, to operate a Bed and Breakfast establishment at 7 Spring Street.

The subject property is located on Spring Street and is surrounded by an R2 Zoning District.

FACTUAL INFORMATION

1. The property is currently zoned R2 – Multi-Family Residential District.
2. The subject property is accessed from Spring Street.
3. The property is not in a Flood Zone.
4. Adequate public facilities are available to serve the property.
5. The area is characterized by a mixture of single-family homes and open space.

STAFF DISCUSSION

The applicant was granted a Conditional Use Permit for a Bed and Breakfast establishment, and City regulations permit Bed and Breakfast establishments in R2- Residential Districts with an approved Conditional Use Permit. The subject property is a five (5) bedroom, five (5) bath single family home located on the subject property. The establishment allows up to twelve (12) guests. Renters can park in two (2) parking spaces in front of the establishment, with additional off-street parking across the street.

Under the current ordinance, as well as the South Dakota Department of Health this would be considered a specialty resort establishment due to the number of guests it may accommodate.

“Bed and Breakfast Establishment” means:

Any building or buildings run by an operator that is used to provide accommodations for a charge to the public, with at most five (5) rental units for up to an average of ten (10) guests per night in which family style meals are provided as defined and permitted by the State of South Dakota and this Title.

COMPLIANCE:

This short-term rental has been in continual use over the last twenty-one (21) years. The original Conditional Use Permit was under the auspices of a Bed & Breakfast Establishment; however, they are currently licensed with the South Dakota Department of Health as a vacation home establishment which is prohibited in R2 – Multi Family Residential zoning districts. Furthermore, under the definitions regarding short-term rentals, they appear to be operating a specialty resort also prohibited in R2 –zoning districts.

According to Deckard – Rentalscape the property was booked 166 nights in the past 12 months and has received very good reviews.

Staff is aware of complaints during the early years of this conditional use permit; however, no formal complaints are on record for this establishment over the past 24 months or longer.

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. Traffic and parking should not significantly affect the neighborhood if the applicant abides by the off-street parking requirements associated with Short-Term Rentals. This area is of mixed use.

- 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 R2– Multi-Family Residential District and is intended to provide locations for medium density, multiple family units such as duplexes, townhouses, condominiums, and apartment developments.

- 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.

The applicant only uses off street parking and prevents any public nuisance issues that are often associated with Short-Term Rentals, the proposed use should not result in a substantial or undue adverse effect on adjacent property, or the character of the neighborhood and the use would not alter the character of the neighborhood. There has been no change in the size of the dwelling.

- D. The previously approved Conditional Use Permit is still in use, and 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

Conditional Use Permit Review – Bed & Breakfast Establishment
7 Spring Street
June 19, 2024

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 current use has not increased the proliferation of non-conforming uses. The subject residence is in an area that does not have additional Short-Term Rentals in the immediate area. The appearance of the structure has not changed; therefore, the character and use of the buildings and structures adjoining the subject property has not been adversely affected.

- E. Whether or not the current use in the proposed area has been 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 has not caused significant adverse impacts on water supply, fire protection, waste disposal, schools, traffic and circulation, or other services. Existing services are available onsite. All utilities have been assigned commercial rates.

CONDITIONS GOVERNING APPLICATIONS AND PROVISIONS:

- A. Following the review 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.

Conditional Use Permit Review – Bed & Breakfast Establishment
7 Spring Street
June 19, 2024

Written notice thereof shall be given to the person(s) affected, together with notice that further use or work as described in the canceled permit shall not proceed, unless and until a new Conditional Use Permit has been obtained.

- E. If the use permitted under the terms of a Conditional Use Permit ceases, for whatever reason, for a period of twelve (12) months, said permit shall expire and be canceled by the City Planning Department. Written notice thereof shall be given to the person(s) affected, together with notice that further use or work as described in the canceled permit shall not proceed, unless and until a new Conditional Use Permit has been obtained.

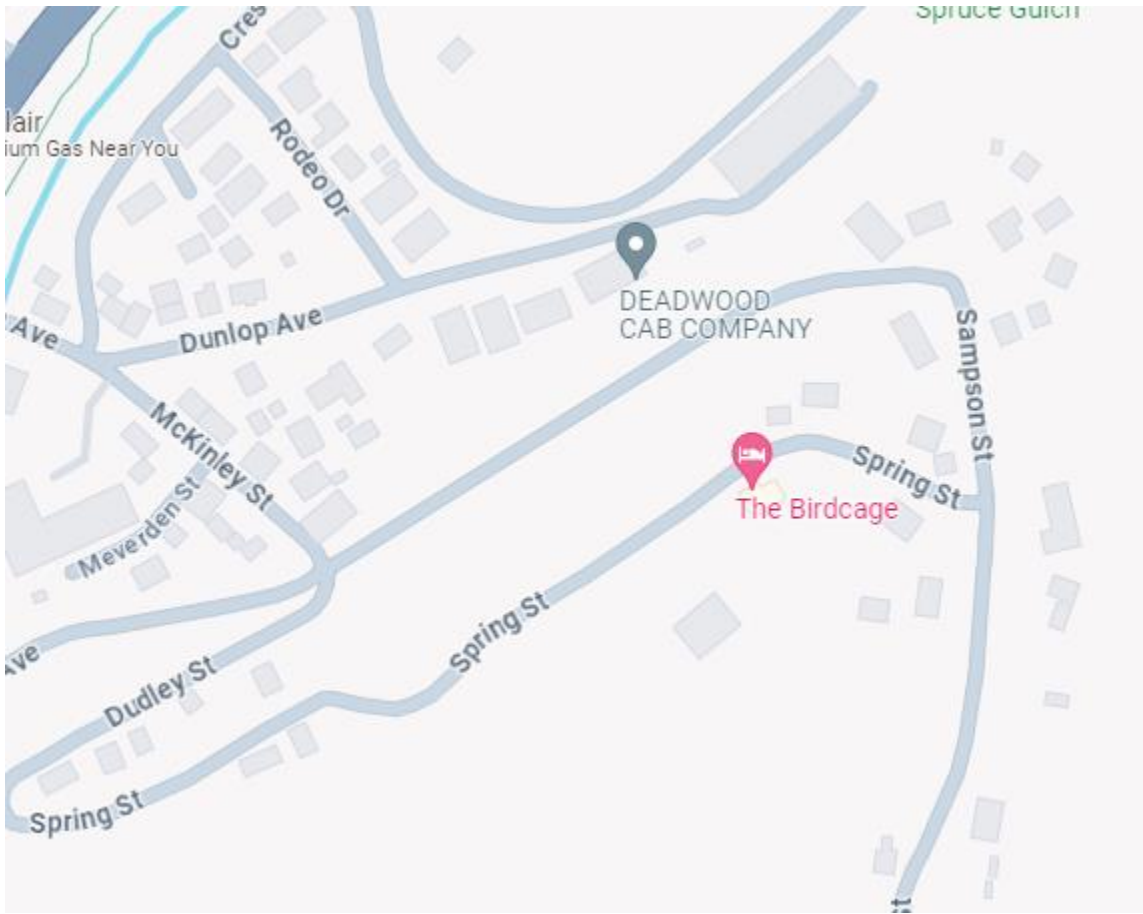
If approved, staff recommendations for stipulation(s):

1. The Conditional Use Permit runs with the applicant and not the land; therefore, should the property be sold, the Conditional Use Permit is null and void.
2. The City of Deadwood Building Inspector shall have the right to inspect he premises to ensure compliance with the Building Code under Title 15.
3. Proof of a state sales tax number must be provided to the Planning and Zoning Office for their files.
4. City water and sewer rates to remain 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. Maintain a City of Deadwood Business License.
7. Obtain and maintain a Bed & Breakfast Lodging License from the South Dakota Department of Health and provide copy to the Planning and Zoning Office for their files on an annual basis. Surrendering the vacation home establishment license would be a requirement.
8. All parking shall be off street.
9. No more than ten (10) guests permitted to stay overnight.
10. No large gatherings or events shall be held at the property.
11. Family style meal(s) must be provided for all overnight guests.

Conditional Use Permit Review – Bed & Breakfast Establishment
7 Spring Street
June 19, 2024

ACTION REQUIRED FOR CONDITIONAL USE PERMIT:

1. Approval/Denial by Deadwood Planning and Zoning Commission



Map showing location of 7 Spring Street, Deadwood, SD 57732.





Aerial view of 7 Spring Street, Deadwood, SD 57732.





Map of STR locations near 7 Spring Street, Deadwood, SD 57732.





Get the app



United States

Trip Planner

List your property

Help

My trips

Sign in

Home > Vacation Rentals > United States of America > South Dakota > Lawrence County > Deadwood >

Birdcage- within minutes of downtown Deadwood, Deadwood

← See all properties



Save

Entire home

Birdcage- within minutes of downtown Deadwood

Going to
Deadwood, So...

Dates

Travelers
2 travelers

Search



Overview

Amenities

Policies

Location

Host

10 **Exceptional**

See all 5 reviews >

5 bedrooms

4 bathrooms

Sleeps 12

Popular amenities



 Hot Tub

 Fireplace

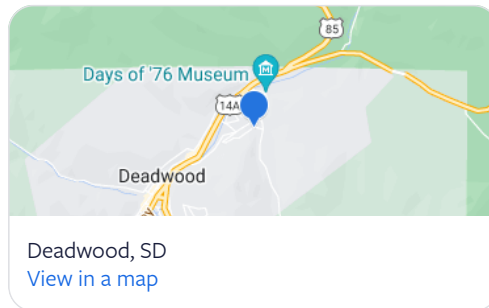
 Barbecue grill




 Washer

[See all >](#)

 Check-in time 4:00 AM	 Check-out time 10:00 AM
--	--

Explore the area



-  Cadillac Jacks Casino 12 min walk
-  Deadwood Welcome Center 12 min walk
-  Deadwood Mountain Grand 3 min drive
-  Spearfish, SD (SPF-Black Hills) 19 min drive

[See more >](#)

Rooms & beds

5 bedrooms (sleeps 12)

4 bathrooms

Bathroom 1

Bathroom 2

Bathroom 3

Bathroom 4

Spaces

[See all rooms and beds details](#)

About this property

Birdcage- within minutes of downtown Deadwood

Located close to Downtown Deadwood South Dakota, this cabin is great experience for friends and family. It is equipped with a full outdoor kitchen that features a 42 -inch grill, two gas burners, a flat top griddle, a gas oven, and a beverage station with an ice maker and refrigerator. Sit back and relax on the outdoor patio or private hot tub listening to the custom waterfall. Great outdoor play area for the children and green space to play some yard games. This place has it all. Inside takes you back in time with historical features throughout the house.

Property manager

Amber Galbraith

 Check-in Select date	 Check-out Select date
 Travelers 1 room, 2 travelers	

[Check availability](#)

Amenities



Hot Tub



Washer



Barbecue grill



Fireplace

[See all 22 amenities](#)

House Rules

Check in after 4:00 AM

Check out before 10:00 AM



Children

Children allowed: ages 0-17



Events

No events allowed



Pets

No pets allowed

Call host



Smoking

Smoking is not permitted

Important information

You need to know

Extra-person charges may apply and vary depending on property policy

Government-issued photo identification and a credit card, debit card, or cash deposit may be required at check-in for incidental charges

Special requests are subject to availability upon check-in and may incur additional charges; special requests cannot be guaranteed

Onsite parties or group events are strictly prohibited

Host has not indicated whether there is a carbon monoxide detector on the property; consider bringing a portable detector with you on the trip

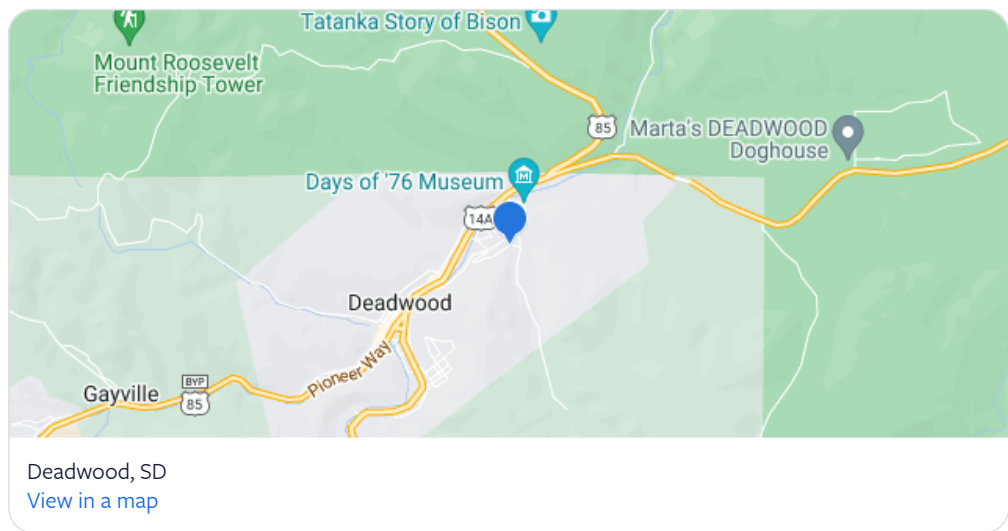
Host has not indicated whether there is a smoke detector on the property

About the neighborhood

Deadwood

This vacation home is located in Deadwood. While the natural beauty of Black Hills National Forest and Spearfish Canyon Scenic Byway can be enjoyed by anyone, those looking for an activity can check out Terry Peak Ski Area.

[View more Vacation Homes in Deadwood](#) 



 **What's nearby**

- Cadillac Jacks Casino - 12 min walk
- Deadwood Welcome Center - 12 min walk
- Days of '76 Museum - 13 min walk
- Tin Lizzie Gaming Resort - 14 min walk
- Deadwood Mountain Grand - 3 min drive

 **Restaurants**

- Mustang Sally's - 19 min walk
- Sick-N-Twisted Brewery - 3 min drive
- Saloon No 10 - 19 min walk
- Paddy O'Neill's Irish Pub & Grill - 15 min walk
- Tin Lizzie Casino & Restaurant - 15 min walk

10 **Exceptional**
[5 reviews](#)

Reviews are presented in chronological order, subject to a moderation process, and verified unless otherwise labeled.

[Learn more](#)

10 - Excellent	5
8 - Good	0
6 - Okay	0
4 - Poor	0
2 - Terrible	0

10/10
Cleanliness

10/10
Check-in

10/10
Communication

10/10
Location



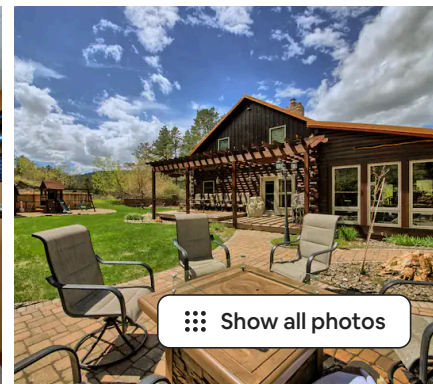
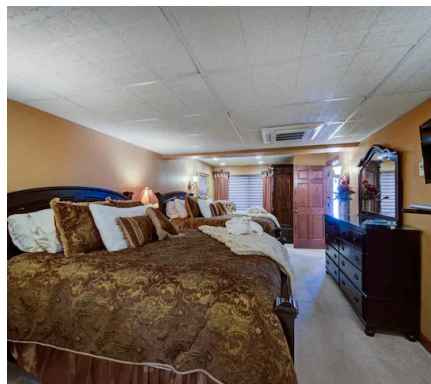
Anywhere Any week Add guests

Airbnb your home



Birdcage, Families and comforts of home.

[Share](#) [Save](#)



Show all photos

Entire cabin in Deadwood, South Dakota

12 guests · 5 bedrooms · 6 beds · 4.5 baths



5.0
★★★★★

13
Reviews



Hosted by Amber Ranek Galbraith

Superhost · 2 years hosting



Dedicated workspace

A room with wifi that's well-suited for working.



Self check-in

Check yourself in with the keypad.



Amber Ranek Galbraith is a Superhost

Superhosts are experienced, highly rated Hosts.

Take it easy at this unique and tranquil getaway. The Birdcage of Deadwood is sure to have you taking your vacation to the next level. Winter months you can sit back and be part of a snow globe as you watch the white powder fluffs fall. Come time for the holidays this home will make you feel like you stepped into a hallmark movie. Decorated with multiple trees, garlands, and those little touches of holiday spirit.

No celebrations of bachelorette, bachelor, weddings permitted city ordinance...

[Show more](#) >


What this place offers

Add dates for prices

CHECK-IN Add date	CHECKOUT Add date
GUESTS 1 guest	

Check availability

[Report this listing](#)


 Mountain view


 Kitchen


 Wifi


 Dedicated workspace


 Free driveway parking on premises – 6 spaces

 Private hot tub

 HDTV with premium cable, Hulu, Apple TV

 Free washer – In unit

 Free dryer – In unit

 Central air conditioning

Show all 70 amenities

Select check-in date

Add your travel dates for exact pricing

< >

Su Mo Tu We Th Fr Sa Su Mo Tu We Th Fr Sa

June 2024

July 2024



[Clear dates](#)

5.0

Guest favorite

One of the most loved homes on Airbnb based on ratings, reviews, and reliability

Overall rating

5
4
3
2
1

Cleanliness

5.0



Accuracy

4.9



Check-in

5.0



Communication

5.0



Location

4.8



Value

4.8



James

Minneapolis, Minnesota

★★★★★ · May 2024 · Group trip

Fantastic home and location. Will definitely rebook for any future trips to Deadwood.

Lisa

4 years on Airbnb

★★★★★ · April 2024 · Group trip

The Birdcage was a beautiful home. The game room was our nightly gathering. So many memories were made with our friends. The outside area was amazing. We will rent again on...

[Show more](#)

Austin

Castle Rock, Colorado

★★★★★ · April 2024 · Group trip

Great location and fun house to stay in with the video games, hot tub, and other amenities.

Riley

Omaha, Nebraska

★★★★★ · September 2023 · Group trip

This was our 2nd trip to the Birdcage. We absolutely love it!!

Richard

2 years on Airbnb

★★★★★ · February 2024 · Group trip

super nice place

Steven

1 year on Airbnb

★★★★★ · May 2023 · Group trip

We had no complaints as a group and would definitely recommend to others.

Show all 13 reviews

Where you'll be

Deadwood, South Dakota, United States

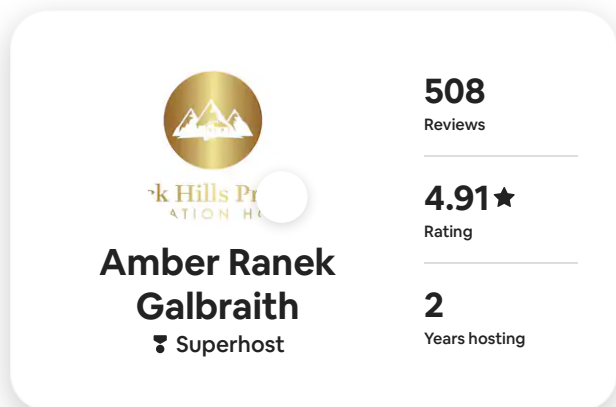
We verified that this listing's location is accurate. [Learn more](#)


Neighborhood highlights

Quite neighborhood. Able to sit back and relax. There are neighbors that are full time residence. We ask that we respect driving speeds and quite hours after 10 pm

[Show more](#) >

Meet your Host




Amber Ranek Galbraith
 Superhost

508
 Reviews

4.91 ★
 Rating

2
 Years hosting

Amber Ranek Galbraith is a Superhost

Superhosts are experienced, highly rated hosts who are committed to providing great stays for guests.

Co-hosts

Kelsey

Host details

Response rate: 100%
Responds within an hour

 Where I went to school: Bon Homme- SDSU

 My work: BlackHillsPremier

Been working on this Industry for 12 years. Worked for a company, now own BlackHillsPremier vacatio...

Message Host

[Show more >](#)



To protect your payment, never transfer money or communicate outside of the Airbnb website or app.

Things to know

House rules

Check-in after 4:00 PM

Checkout before 10:00 AM

12 guests maximum

[Show more >](#)

Safety & property

Carbon monoxide alarm

Smoke alarm

[Show more >](#)

Cancellation policy

Add your trip dates to get the cancellation details for this stay.

[Add dates >](#)

[Airbnb](#) > [United States](#) > [South Dakota](#) > [Lawrence County](#) > [Deadwood](#)

Explore other options in and around Deadwood

Rapid City

Vacation rentals

Sturgis

Vacation rentals

Spearfish

Vacation rentals

Custer

Vacation rentals

Hill City

Vacation rentals

Gillette

Vacation rentals

Lead

Vacation rentals

Keystone

Vacation rentals

Hot Springs

Vacation rentals

Other types of stays on Airbnb


[Back](#)
[Add to my calendar](#)

2024 SDPA Annual Conference

Start October 22, 2024

6:30 PM

End October 24, 2024

12:00 PM

Location The Box, Box Elder SD

Registered [Be the first](#)

We are excited to host the Annual SDPA Conference at The Box, in Box Elder, SD October 22-24, 2024!

We have a DRAFT Agenda available and are still searching for a couple of speakers, so if you see an area you might be able to add to a robust conversations please reach out! All speakers have been notified by email!

[2024 SDPA Proposed Agenda \(6.3.2024\).pdf](#)

Conference Registration is **NOW AVAILABLE!** Fees will be as follows:

- **\$125 for SDPA Members** (if you are not currently a member - become one today - or if you have been in the past but you need to renew - you can do this now as well) ...check out the link to find out how!

[Membership](#)

- GUEST LUNCH TICKET for WEDNESDAY - \$25.00
- GUEST MIXER TICKET for TUESDAY - \$25.00
- SDPA MEMBER - \$125.00

- \$200 for Non Members
- \$75 for Students/Retired/Board Members
- \$55 for 1 day

We also have the pleasure of working with the Courtyard for an amazing room rate of \$75/night, but you will want to book your rooms asap-the hotel block will be held until Wed, Sept 23, 2024! You may either call the

REGISTER

hotel directly at 605-791-0945 and mention South Dakota Planners Association or you can book you clicking on the link [Book Your Room for the South Dakota Planners Association Room Block Here!](#)

Hope to see you in October!

Amber Vogt

SDPA President

South Dakota Planners Association

Address: 23 2nd St. NE

Watertown, SD 57201

+1 (605) 882-6202, southdakotaplanners@gmail.com

[Terms & Conditions](#)

© 2024 South Dakota Planners Association

[Membership](#)

[Topics of Interest/Discussion](#)

[Recorded Docs for CUPs or Variances](#)

posted by Anonymous | December 15, 2023 3:32 PM

[Floodway Property](#)

posted by Tessah Behlings | October 19, 2023 10:22 AM

[Conditional Use Pemits](#)

posted by Anonymous | June 28, 2023 7:32 AM



2024 SDPA Annual Conference Box Elder, SD

October 22-24, 2024

sdplanners.org

southdakotaplanners@gmail.com



"Excited to share what's been happening West River in Box Elder, SD - which has a great new venue with The box as well so much growth taking place! See you all at The box!" – Amber Vogt, SDPA President

TUESDAY, OCTOBER 22, 2024	
6:30 - 8:30 pm	Networking Mixer w/ 2 drinks provided with heavy hors d' oeuvres in the Courtyard at The box
WEDNESDAY, OCTOBER 23, 2024	
8:30 - 9:00 am	REGISTRATION & NETWORKING (Breakfast on your own - coffee provided at conference)
9:00 - 9:15 am	Welcome to Box Elder, SD Mayor of Box Elder
9:15 -10:15 am CM Credits 1.5	General Session from City of Box Elder/Growth and Development - Lauralee Patton, AICP, CFM, and Jessica Hoffman, Planning & Zoning Assistant, City of Box Elder Lauralee and Jessica will discuss the extensive growth in the City of Box Elder and the new Comprehensive Plan. Box Elder is in the process of updating our comprehensive plan and have completed 80% of the goals from our current comprehensive plan.
10:15-10:45 am	Young Planners Development & Retention (need speakers) Too much reliance on consultants, young planners are learning nothing but admin, how do we utilize our knowledge to bring them around.
10:45 - 11:00 am	BREAK Sponsored by: (no snacks)
11:00 -12:00 pm CM Credits 1.0	How Sioux Falls has approached Form Based Zoning - Maria Lancto and Karla Resendiz, City of Sioux Falls In 2014 the City of Sioux implemented the Shape Places Zoning Ordinance, a creative approach to conventional zoning that included form-based elements and simplified regulations. Utilizing both conventional and form-based zoning tools allows the City of Sioux Falls to approach development with a focus on flexibility and context. This presentation will describe how and why the Shape Places Zoning Code was developed and what lessons have been learned in 10 years of implementation.

12:00 - 1:00 pm	LUNCH Provided at The box with a Roundtable Discussion	
1:15 pm - 2:15 pm	BREAKOUT SESSION CM Credits 1.0	BREAKOUT SESSION CM Credits 1.0
	<p>Striking a balance on Parking Requirements-Jason Bieber and Adam Roach, City of Sioux Falls</p> <p>Jason and I will talk about the measures Sioux Falls have taken to think differently about parking by using hybrid formulas, counting on street, and reductions for certain elements. We have several real world examples planners can take back to their community and implement without rocking the apple cart.</p>	<p>Roads/Easements/Road Districts can and can not.....</p> <p>Bruce Outka, Lawrence County Deputy State's Attorney</p> <p>Bruce will discuss all aspects of road issues that are evolving in Lawrence County. Public vs. private; how roads can be blocked; who maintains it and how we view subdivision roads.</p>
2:20 - 3:20 pm	BREAKOUT SESSION CM Credits 1.0	BREAKOUT SESSION CM Credits 1.0
	<p>Hybrid Zoning: A key to Unlock Redevelopment Potential Downtown</p> <p>Sarah Hanzel, Planning Projects Division Manager, Community Development Dept; Jessica Olson, Current Planning; and Kip Harrington, Transportation Planning all of City of Rapid City</p> <p>This session explains how Rapid City introduced hybrid/form based standards in our downtown fringe. A downtown master plan process founded on a market assessment helped to crystallize the community's vision and supported the removal of land use barriers to redevelopment that aligned with the plan. The session will cover the planning process, implementing a brand new "hybrid" zoning district, the impact it's had on the built environment so far, lessons learned, and what's next.</p>	<p>So what happens now...zoning vs. no zoning-plat review process</p> <p>Amber Vogt, Lawrence County Planning & Zoning Director, Cristina Wilson, Director of Planning, Butte County and Tonya Vig, Planning Director, Meade County</p> <p>Amber, Cristina and Tonya will attack the review process in different entities and how it changes views and process depending on zoning or lack thereof.</p>
3:20 - 3:30 pm	BREAK Sponsored by: (Individual trail mix; m & ms or chips/pop)	
3:30 - 5:00 pm CM Credits 1.25	<p>(Floodplain Happy Hour) Planning for Floodplain, Albert Schmidt, CFM, City of Sioux Falls; Brandi Hanten, AICP & CFM, City of Watertown; Marc Macy, South Dakota, OEM</p> <p>Flooding can cause damaging immediate and lasting effects on a community. Preparing portions of the community to be more resilient can often be thankless and even angry responses from residents and contractors alike. In this presentation, we'll talk about minimum and additional standards to help improve resiliency for communities. There are no default perfect standards for every community, but understanding the minimum standards and other communities' experience with additional standards can provide a very helpful starting point when considering regulations for your community. Join us to go over a large swath of information and real-world examples (CFM CEC event).</p> <p>This topic is often under-regulated in SD and education opportunities can be hard to find. The goal of this session is to get in front of practitioners who may want to hear some of the standards, see examples, and ask questions to others.</p>	

5:30 - 8:00 pm	Dinner & 2 Drinks - Business Meeting @ The box - Your opportunity to discuss the overall health of the SDPA organization; upcoming budgets and items for the future!
THURSDAY, OCTOBER 24, 2023	
8:00 - 8:30 am	NETWORKING (Breakfast on your own - coffee provided at conference)
8:30 - 10:00 am CM Credits 1.0	<p>General Session Short Term Rentals in South Dakota - Sean Hegyi, SECOG; Toby Brown, Lincoln County and Robin Lucero, City of Leading Planner</p> <p>South Dakota has made regional and national attempts to increase tourism throughout the state. As tourism and attractions increase throughout the state, many people might be interested in purchasing homes in South Dakota with the intent to make them short term rentals.</p> <p>Prior to regulating short term rentals, it is beneficial to understand some of the general business aspects that make short term rentals a successful business venture. Short term rentals, when determining their price per night, take into consideration many factors, such as general vacancy rates, seasonal demand, and upkeep of the home. We will provide brief background information on the general business aspects of short term rentals so that attendees will have a better understanding of how potential regulations might impact investment properties.</p> <p>After providing background on general business aspects, we will then cover the general benefits and challenges that short term rental might bring to a community and how we might be able to address those problems as a municipality (Sean and Robini, presenters) or county (Toby Brown, presenter). Benefits discussed may include improving tourism in areas that might not have hotels or motels nearby, bringing outside money into the community, investors purchasing blighted homes and improving them to make the certain areas more attractive, potential for economic growth, etc.. Potential challenges include noise complaints in quiet neighborhoods, housing shortages, higher vacancy rates for single-family homes, potential non-local contact when an emergency occurs. We will discuss various strategies for addressing challenges and ensuring that attendees leave with a better understanding of different strategies to regulate short term rentals for their individual communities.</p>
10:00 - 10:15 am	BREAK(cookies/pop) (Sponsored by The Planning Districts) (Time to check out is by 11:00 am)
10:15 - 11:15 am CM LEGAL Credits 1.0	<p>SOUTH DAKOTA PLANNING & ZONING LEGAL ISSUES OF THE YEAR - Jack Hieb, Attorney and Partner and Zachary Peterson, Attorney and Partner with Richardson Law Firm Attorneys</p> <p><i>Jack and Zach are back with a legal update of what's happening this year in South Dakota. They will review any case law that we need to be aware of or changes occurring in legislation.</i></p>
11:15 - 11:30 am	CONFERENCE WRAP UP. See you next year!

Thank you to the Conference Committee!

We want to thank all of our sponsors this year!



3