



Planning and Zoning Commission Meeting Agenda

Wednesday, September 02, 2026 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 August 19, 2026, Planning and Zoning Commission Meeting.

4. **Sign Review Commission**

- [a.](#) Application for Sign Permit - 51 Sherman Street (The Landmark). Applicant Is requesting a new projecting sign. The proposed sign and its location are compliant with the sign ordinance.

Actions:

1. Approve/deny request for Sign Permit

5. **Planning and Zoning Commission**

- [a.](#) Annual Review - Conditional Use Permit for Vacation Home Establishment – 819 Main Street – Deadwood Rentals - Main, legally described as Lot 12 in Block A of Sunnyside Addition to the City of Deadwood as set out in Plat Book 3 Page 251, Lawrence County, South Dakota, except that part deeded to the State of South Dakota for highway purposes as set out in Book 372 Page 58 and Page 168.

And

Tract A-1 in Block A, a replat of Tracts "A" and "B" of the subdivision of Lot 13, Block A of Sunnyside Addition, located in the NW 1/4 NE 1/4 of Section 27, T5N, R3E, B.H.M., City of Deadwood, Lawrence County, South Dakota, according to Plat filed in Document No. 2001-4003.

Action Required:

1. Approval/Denial of continued use by Planning and Zoning Commission

- [b.](#) Annual Review - Conditional Use Permit for Vacation Home Establishment – 36 Water Street – Deadwood Rentals - Creekside, legally described as Tract A, an 8' platted alley and a portion of Lot R-1 of the City of Deadwood railroad property all located in the Hillsdale Addition to the City of Deadwood, in the NW 1/4 of Section 26, T5N, R3E, B.H.M., City of Deadwood, Lawrence County, South Dakota.

And

Tract B-1, McGovern Hill Addition of the City of Deadwood, located in the NW 1/4 NW 1/4 of Section 26 T5N, R3E, B.H.M., City of Deadwood, Lawrence County, South Dakota.

Action Required:

1. Approval/Denial of continued use by Planning and Zoning Commission

c. Annual Review - Conditional Use Permit - 138 Sherman Street - Laundromat legally described as Lot Twenty-Two (22) in Block Forty (40), Original Town of the City of Deadwood, Lawrence County, South Dakota, according to the P.L. Rogers Map of said City of Deadwood.

Actions:

1. Approve/Deny Continued Use of Laundromat

d. Request for Variance - 37 Lincoln Avenue legally described as The East twenty feet (20') of Lot Three (3) and all of Lot Four (4), Block 43, Deadwood, as shown on P.L. Rogers Map of the City of Deadwood, Lawrence County, South Dakota.

Action Required:

1. Public Hearing

2. Approval/Denial by Deadwood 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**

8. **Adjournment**



Planning and Zoning Commission Meeting Minutes

Wednesday, August 19, 2026 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, August 19, 2026, at 4:00 p.m. in the Deadwood Century Room located at 108 Sherman Street, Deadwood, SD 57732.

2. Roll Call

PRESENT

Commissioner (Chair) John Martinisko
 Commissioner (Vice-Chair) Josh Keehn
 Commissioner (Secretary) Dave Bruce
 Commissioner Ken Owens
 Commissioner Jim Williams

City Commissioner Charles Eagleson

STAFF PRESENT

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

3. Approval of Minutes

- a. Approve the minutes of the August 5, 2026, Planning and Zoning Commission Meeting.

4. Sign Review Commission

- a. Application for Sign Permit - 641 Main Street (Happy Times). Applicant Is requesting a new projecting sign. The proposed sign and its location are compliant with the sign ordinance.

Actions:

1. Approve/deny request for Sign Permit

Mr. Mohr introduced Application for Sign Permit - 641 Main Street (Happy Times) and reviewed the Staff Report.

It was moved by Commissioner Williams and seconded by Commissioner Owens to approve Application for Sign Permit - 641 Main Street (Happy Times). Voting yea: Martinisko, Keehn, Bruce, Owens, Williams.

- b. Application for Sign Permit - 138 Sherman Street (Deadwood Laundry Co). Applicant Is requesting a new wall sign. The proposed sign and its location are compliant with the sign ordinance.

Actions:

1. Approve/deny request for Sign Permit

Mr. Mohr discussed Application for Sign Permit - 138 Sherman Street (Deadwood Laundry Co) and reviewed the Staff Report.

It was moved by Commissioner Bruce and seconded by Commissioner Keehn to approve Application for Sign Permit - 138 Sherman Street (Deadwood Laundry Co). Voting yea: Martinisko, Keehn, Bruce, Owens, Williams.

- c. Application for Sign Permit - 305 Cliff Street (The Red Lodge). Applicant Is requesting to replace an existing freestanding sign. The proposed sign and its location are compliant with the sign ordinance.

Actions:

1. Approve/deny request for Sign Permit

Mr. Mohr reviewed Application for Sign Permit - 305 Cliff Street (The Red Lodge) and reviewed the Staff Report.

It was moved by Commissioner Owens and seconded by Commissioner Bruce to approve Application for Sign Permit - 305 Cliff Street (The Red Lodge). Voting yea: Martinisko, Keehn, Bruce, Owens, Williams.

5. Planning and Zoning Commission

- a. Application for Plat - 25 and 29 Terrace Street legally described as Lot 11AR, Block 64 and Lot 1AR, Block 65 formerly Lot 11A, Block 64 and Lot 1A, Block 65 and a portion of Lot 9, Block 64 Original Townsite, City of Deadwood, Lawrence County, South Dakota.

Action Required:

1. Approval/Denial by Deadwood Planning and Zoning Commission

Mr. Kuchenbecker discussed Application for Plat - 25 and 29 Terrace Street and reviewed the Staff Report.

It was moved by Commissioner Bruce and seconded by Commissioner Owens to approve Application for Plat - 25 and 29 Terrace Street. Voting yea: Martinisko, Keehn, Bruce, Owens, Williams.

6. Items from Citizens not on Agenda

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

7. Items from Staff

Mr. Kuchenbecker discussed the potential purchase of a property near the rodeo grounds. The Crescent Street project is coming together. The walls are complete and backfill is beginning.

85 Charles Street is almost complete and about to go on the market.

There is a large retaining wall being built on Centennial Street.

A recent study shows that approximately 53% of all homes in the city are owned by absentee owners and being used as either second homes or investment properties.

Discussion of ongoing construction in Stage Run occurred.

Budget season is upon us. Both Historic Preservation and the City budgets will be decided on in the coming weeks.

An archaeological assistance program is being discussed and would assist residential property owners with the cost of archaeology requirements.

Banners may be looked at with more scrutiny in the future. Several banner requests for businesses without representation in town were received this season.

Ms. Blue-Jones discussed the upcoming time capsule photo of the Commission.

Mr. Mohr discussed the construction of Ian Munsick's Cowboy Bar. It is due to open mid-September.

The new homes on Peck Street are moving along. Larger garages than originally requested have been proposed. Public comment has been made about the height of the homes, but they meet ordinance requirements.

Commissioner Eagleson discussed the Farmer's Market.

Commissioner Williams praised the new parking lot by the Lodge.

8. Adjournment

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

There being no further business, the Planning and Zoning Commission adjourned at 4:23 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) 578-2084



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

SIGN PERMIT STAFF REPORT

Sign Review Commission

September 2, 2026

Applicant: Arden Keating

Address: 53 Sherman Street, Deadwood, SD 57732

Site Address of Proposed Signage: 51 Sherman St (The Landmark complex)

Computation of Sign Area

Building Frontage: 316 Feet

Total Available Signage: 632 Square Feet

Existing Signage: Three wall signs and one projecting sign (118.6 Square feet total)

Remaining Available Signage Area: 197 Square Feet

Proposed Sign Project: Install new projecting sign (10 Square Feet)

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

Proposed Lighting of the Signs: None

Location of Proposed Sign: See attached rendering

Discussion

The sign permit application in review is proposed at a location inside the locally-designated historic district which is regulated by chapter 15.32.300 of the sign ordinance. The current signage at the subject property is compliant with the sign ordinance. The sign proposed in the current application is regulated by 15.32.090 of the Sign Ordinance, reference below.

- A. *Before any sign can be erected or altered in any way, a valid permit must be issued. Any further alteration of the sign shall require an amendment of the existing permit or the issuance of a new permit. Such changes, as well as original permits, shall be issued pursuant to review by the sign review commission. It is unlawful to display, construct, erect, locate or alter any sign without first obtaining a sign permit for such sign.*

The applicant is completing a remodel of a portion of the building that will include a bar, restaurant, kitchen, and outdoor music venue. The proposed sign advertises this business in this portion of the larger building.

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

OFFICE OF
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"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

Variances

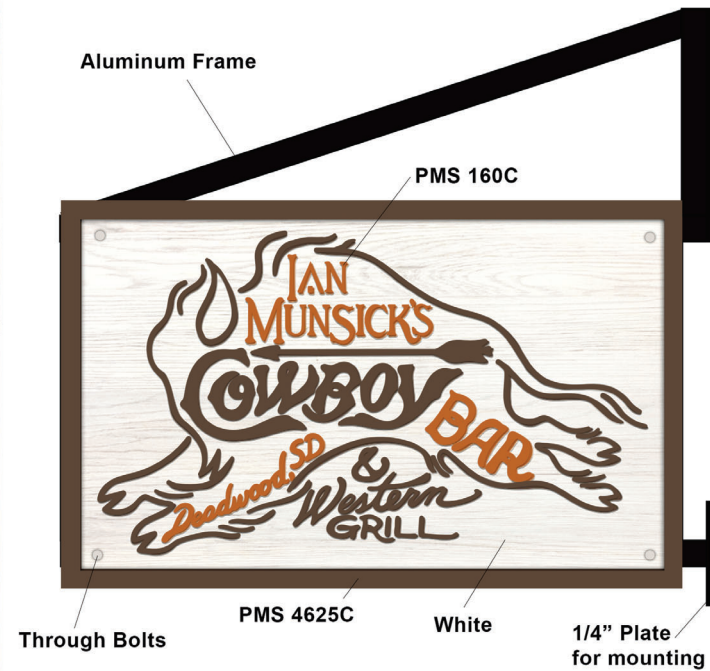
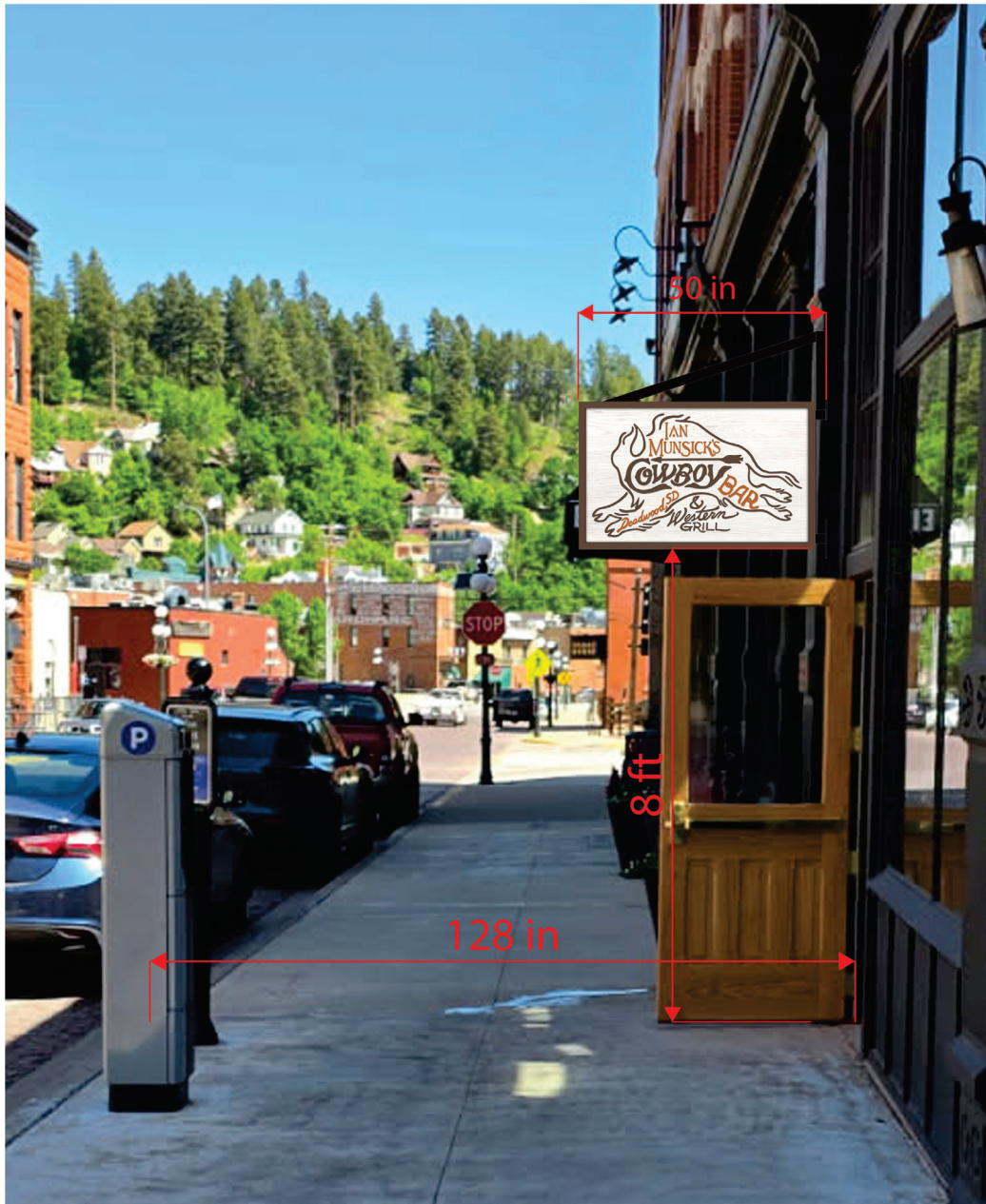
The sign permit application in review as proposed requires no variances from the sign ordinance. Signage variances may be obtained if the sign review commission is able to find *"special circumstances or conditions such as the existence of buildings, topography, vegetation, sign structures, distance or other matters on adjacent lots or within the adjacent public right-of-way that would substantially restrict the effectiveness of the sign in question and such special circumstances or conditions are peculiar to the business or enterprise to which the applicant desires to draw attention and do not apply generally to all businesses or enterprises in the area."* However, it is the responsibility of the applicant to provide adequate evidence of such special circumstances or conditions.

Sign Review Commission Action

Motion to approve permit for new projecting sign at 51 Sherman Street

OR

Motion to deny proposed sign permit application as submitted.



Sandblasted Wood Sign Mounted to Custom Aluminum Frame

Logo/Lettering and Border will be raised, while the background will be sandblasted to reveal wood grain texture

Aluminum frame welded from 2" x 2" tubing
Frame will be painted Black

Sign attachment: Through-bolted through wood sign on both sides to attach to aluminum frame (painted to match background)

Wood type: Redwood

Background Paint Color: White

Brown border/logo Paint Color: Custom Mixed to match PMS 4625C

Orange Lettering Paint Color: Custom Mixed to match PMS 160C

Sign will have an 8 ft ground clearance



Creative Outdoor Advertising
SINCE 1928

1650 SAMCO RD.
RAPID CITY, SD 57702

605-342-0481
www.RosenbaumSigns.com

Client:

Ian Munsick
Cowboy Bar

Location:

Deadwood, SD

Revision:

N/A

Drawn By:

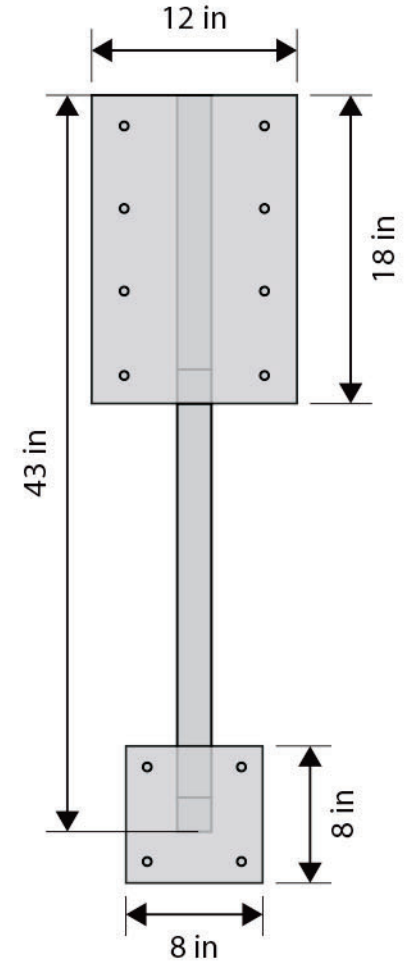
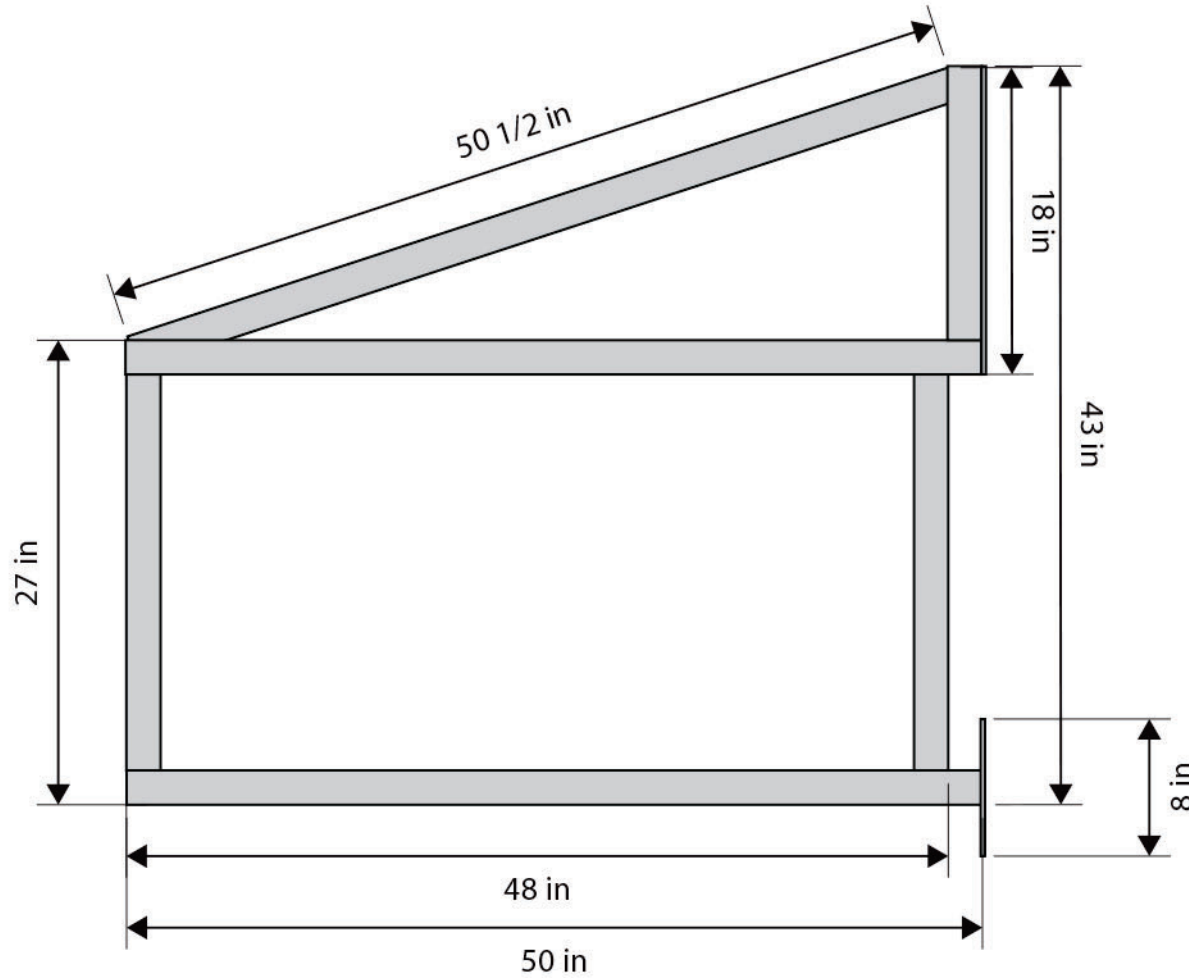
Jonni DuBray

Date:

8/21/2026

Aluminum Frame Fabrication:

2" x 2" Aluminum Tubing & 1/4" Mounting Plates



(605) 342-0481
 Fax: (605) 342-9474
 1650 Samco Rd.
 Rapid City, SD 57701

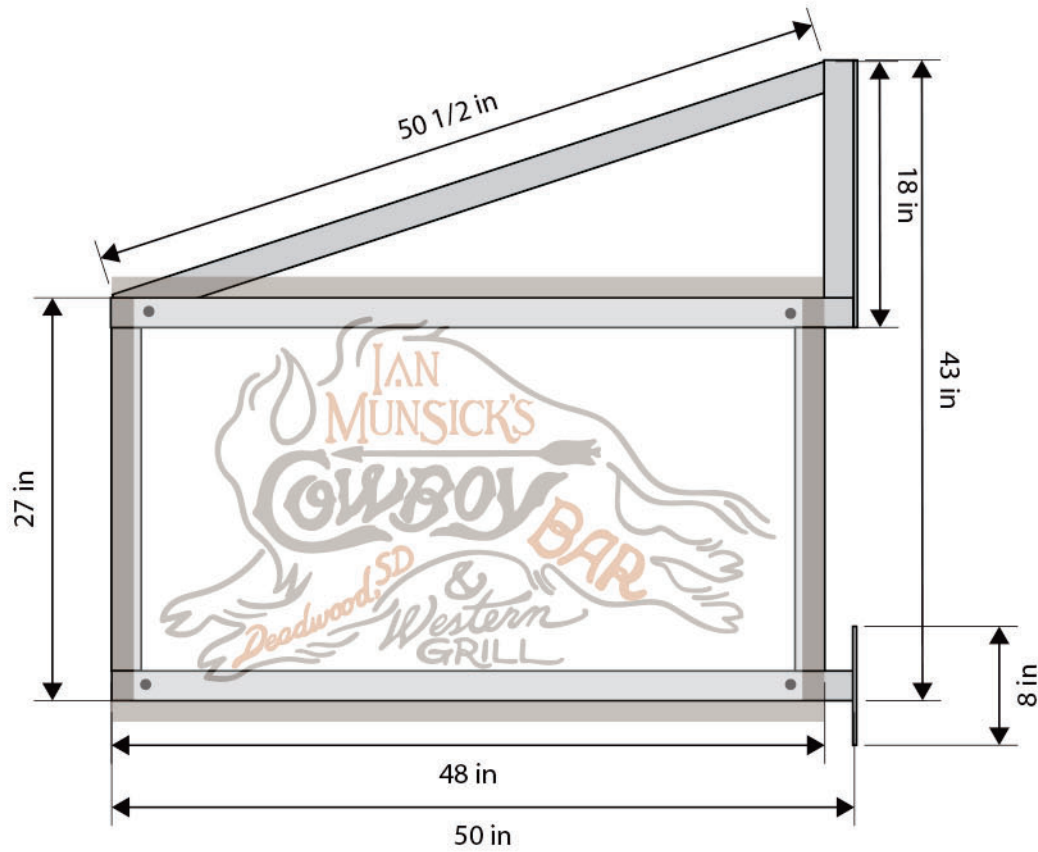
**ROSENBAUM'S
 SIGNS**

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Customer:
 Ian Munsick
 Cowboy Bar

Drawn By: Jonni
Date: 8/21/2026

Customer Signature: _____ Date: _____



(605) 342-0481
 Fax: (605) 342-9474
 1650 Samco Rd.
 Rapid City, SD 57701

**ROSENBAUM'S
 SIGNS**

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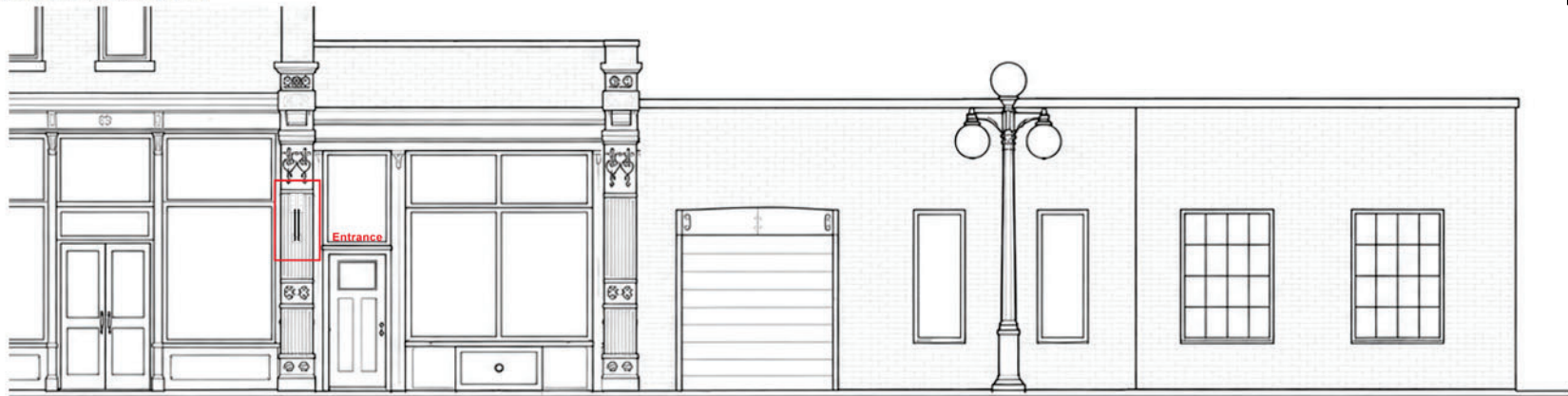
Customer:
 Ian Munsick
 Cowboy Bar

Drawn By: Jonni
Date: 8/21/2026

Customer Signature: _____ Date: _____

Sign Placement:

Section 4 Item a.



(605) 342-0481
Fax: (605) 342-9474
1650 Samco Rd.
Rapid City, SD 57701

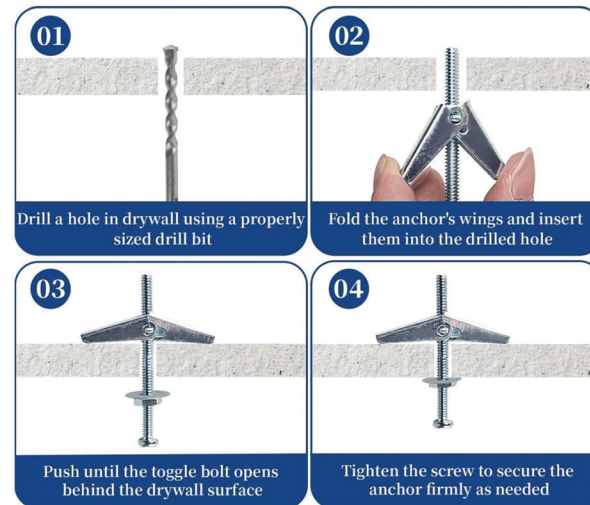
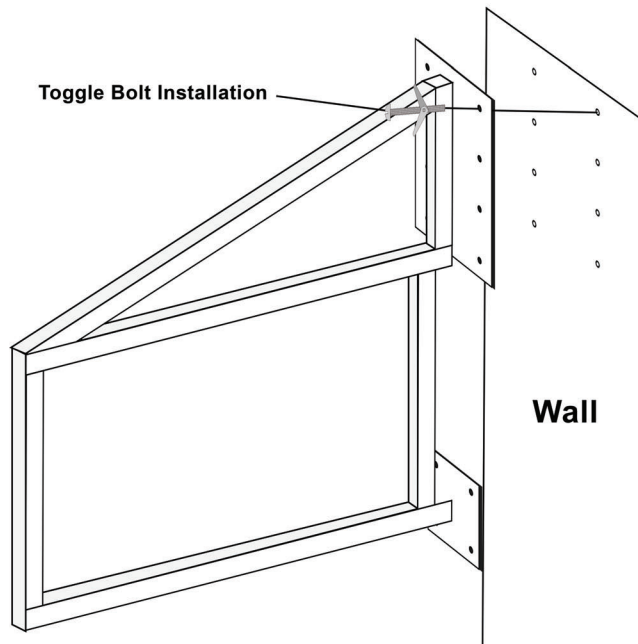
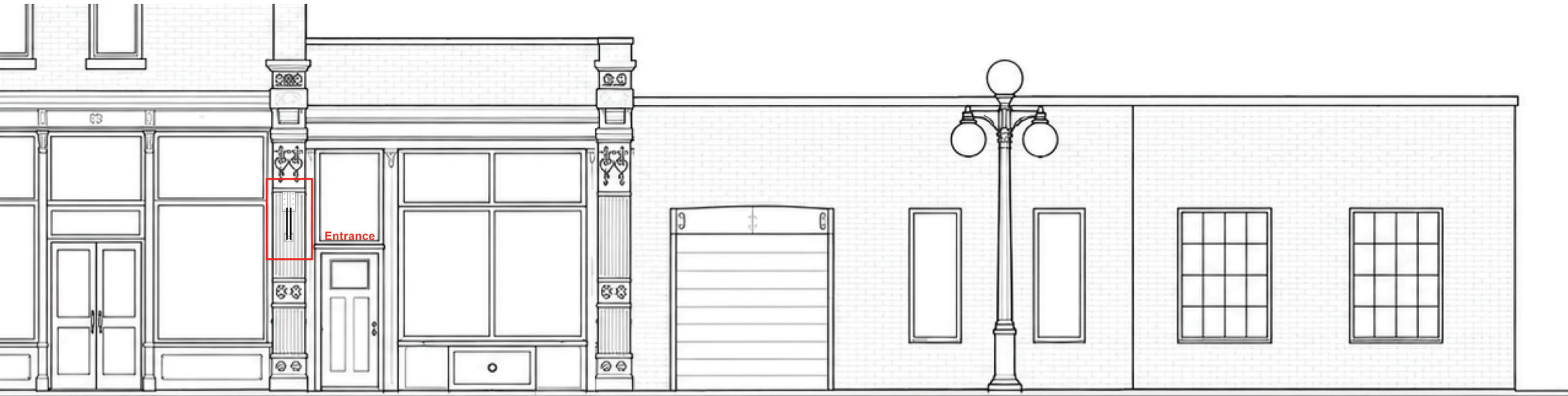
**ROSENBAUM'S
SIGNS**

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Customer:
Ian Munsick
Cowboy Bar

Drawn By: Jonni
Date: 8/21/2026

Customer Signature: _____ Date: _____



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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: September 2, 2026
From: Kevin Kuchenbecker
 Planning, Zoning & Historic Preservation Officer
To: Planning and Zoning Commission
RE: Annual Review - Conditional Use Permit – Vacation Home
 Establishment

APPLICANT(S): Deadwood Rentals – Main

PURPOSE: Annual Review – Conditional Use Permit – Vacation
 Home Establishment

ADDRESS: 819 Main Street
 Deadwood, Lawrence County, South Dakota

LEGAL DESCRIPTION: Lot 12 in Block A of Sunnyside Addition to the City of
 Deadwood as set out in Plat Book 3 Page 251,
 Lawrence County, South Dakota, except that part
 deeded to the State of South Dakota for highway
 purposes as set out in Book 372 Page 58 and Page
 168.

And

Tract A-1 in Block A, a replat of Tracts “A” and “B” of
 the subdivision of Lot 13, Block A of Sunnyside
 Addition, located in the NW ¼ NE ¼ of Section 27,
 T5N, R3E, B.H.M., City of Deadwood, Lawrence
 County, South Dakota, according to plat filed in
 Document No. 2001-4003.

FILE STATUS: Legal obligations are being met.

ZONE: C1 – Commercial

Conditional Use Permit Review – Vacation Home Establishment
819 Main Street
September 2, 2026

STAFF FINDINGS:

Surrounding Zoning:	Surrounding Land Uses:
North: C1 – Commercial	Parking Lot
South: PU – Public Use	Highway/Open Space
East: C1 – Commercial	Hotel
West: R2 – Multi-Family Residential	Church

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 applicant was issued a Conditional Use Permit on September 18, 2023, to operate a Vacation Home Establishment at 819 Main Street.

The subject property is located on Main Street and is surrounded by a variety of zoning districts.

FACTUAL INFORMATION

1. The property is currently zoned C1 - Commercial District.
2. The subject property has access from Main Street.
3. The subject property is located within a zone where certain commercial uses and gaming are permitted.
4. The property is in a 500-year flood zone.
5. Adequate public facilities are available to serve the property.
6. The area is characterized by a mixture of businesses.

STAFF DISCUSSION

The applicant was granted a Conditional Use Permit for a Vacation Home Establishment and City regulations permit Vacation Home Establishments in C1 - Commercial Districts with an approved Conditional Use Permit. The subject property is a triplex consisting of a total of six (6) bedrooms and six (6) baths. Renters can park in the parking lot across the street.

“Vacation Home Establishment” means:

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

Conditional Use Permit Review – Vacation Home Establishment
819 Main Street
September 2, 2026

COMPLIANCE:

This Vacation Home Establishment has been in continual use over the last 12 months.

According to Deckard – Rentalscape the property was booked 182 nights in the past 12 months and has excellent reviews.

No complaints are on record for this establishment.

GENERAL USE STANDARDS FOR CONDITIONAL USE PERMITS:

In reviewing any application under the authority of Chapter 17.76.040 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 Conditional 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 have not significantly affected the neighborhood since the applicant abides by the parking requirements associated with Short-Term Rentals.

- B. Whether or not a community need exists for the Conditional Use at the 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 Conditional Use in the location has not resulted in either a detrimental over concentration of a particular use from previously permitted uses within the city or within the immediate area of the Conditional Use.

The subject area is zoned C1– Commercial District and is intended to provide locations coinciding with the Downtown Core Commercial Zone where certain commercial uses and gaming are permitted.

- C. The Conditional Use at this location has not resulted 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 Conditional Use has not resulted 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.

Conditional Use Permit Review – Vacation Home Establishment
819 Main Street
September 2, 2026

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

For any Conditional Use, lot and performance standards shall be the same as similar type of 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 have additional Short-Term Rentals nearby. 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 area has been adequately served by and will not impose an undue burden on any of the improvements, facilities, utilities, and services specified in city ordinance.

The Conditional 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 Commission for its original approval.
- B. Conditional Use Permits, once granted, can be revoked by the Board of Adjustment for cause after a hearing is held before them. Complaints seeking the revocation of such permit shall be filled 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

Conditional Use Permit Review – Vacation Home Establishment
819 Main Street
September 2, 2026

additional stipulations to mitigate a problem.

- D. Any use permitted under the terms of any Conditional Use Permit shall be established and conducted in conformity with the terms of such a permit and of any conditions designated in connection therewith.
- E. If the permitted use 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 for continued use, staff recommend the following conditions be met:

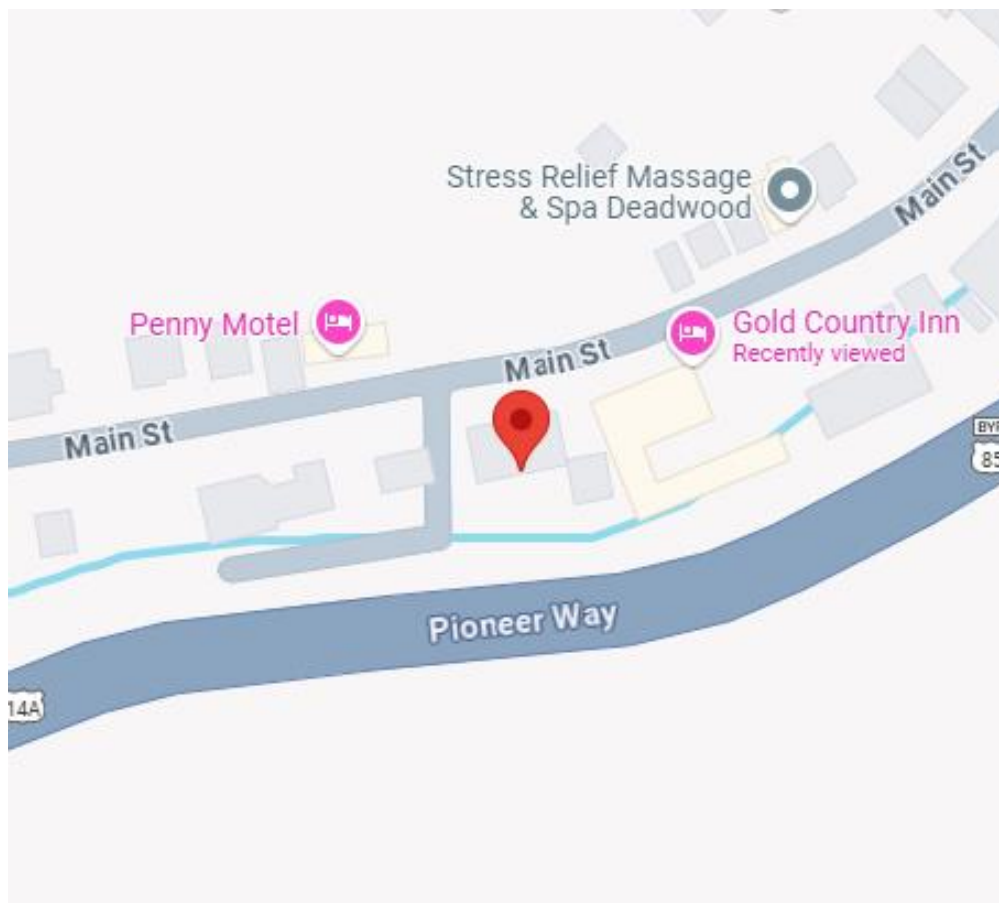
- 1. The Conditional Use Permit runs with the applicant and not the land; therefore, should the property be sold, the Conditional Use Permit is null and void.
- 2. A state sales tax number has been provided to the Planning and Zoning Office for their files.
- 3. The Building Inspector has inspected the building, and it meets applicable building codes.
- 4. City water and sewer rates have changed from residential to commercial rates.
- 5. Proper paperwork has been filed with the City of Deadwood Finance Office for Business Improvement District (BID) taxes.
- 6. City of Deadwood Business and Short-Term Rental Licenses have been maintained.
- 7. A Lodging License from the South Dakota Department of Health has been maintained.
- 8. All parking shall be off street.
- 9. No burn permits will be issued to this address.

ACTION REQUIRED FOR CONDITIONAL USE PERMIT:

- 1. Approval/Denial by Deadwood Planning and Zoning Commission



Aerial photo of 819 Main Street



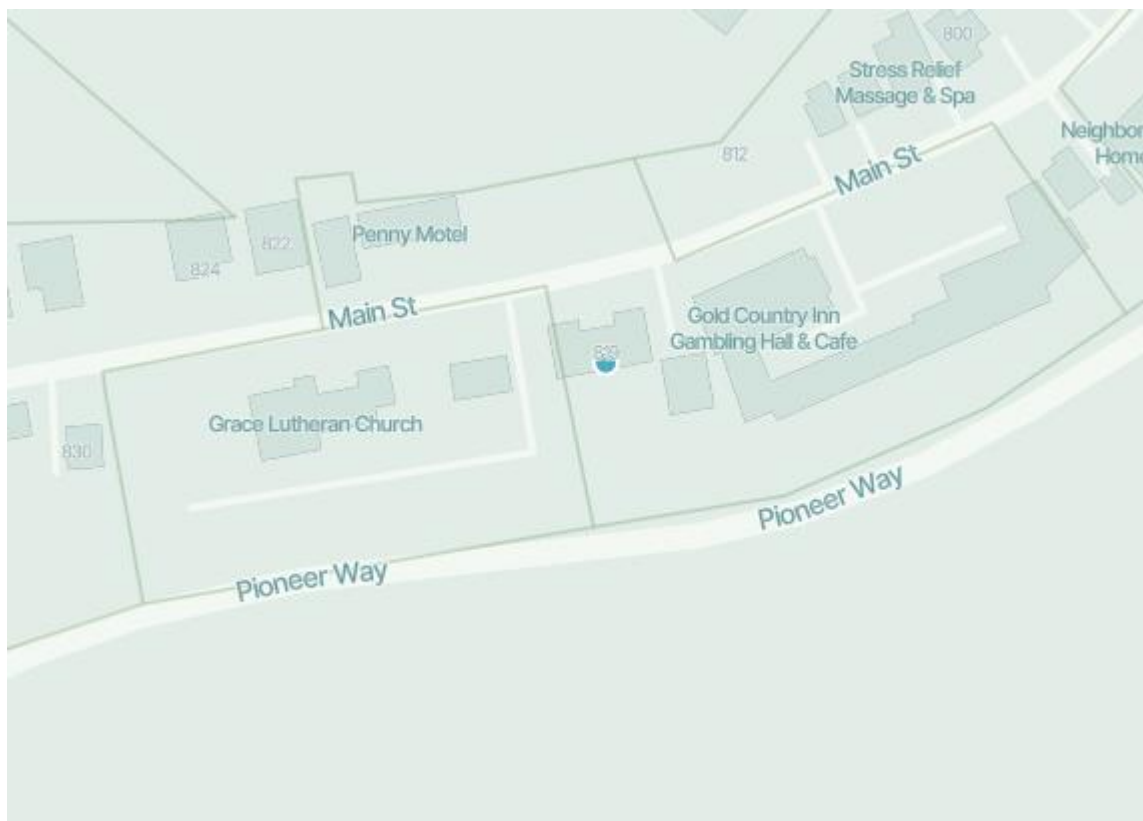
Location map of 819 Main Street



Zoning map showing 819 Main Street

Zoning Legend

- C1 - COMMERCIAL
- CE - COMMERCIAL ENTERPRISE DISTRICT
- CH - COMMERCIAL HIGHWAY
- PF - PARK FOREST
- PU - PUBLIC USE
- PUD - PLANNED UNIT DEVELOPMENT
- R1 - RESIDENTIAL
- R2 - MULTI-FAMILY RESIDENTIAL



Map showing locations of nearby Short-Term Rentals to 819 Main Street.

Rare Hideaway on Main, Retro unit

Share Save



Entire rental unit in Deadwood, South Dakota
6 guests · 2 bedrooms · 3 beds · 2 baths

Guest favorite

4.82
★★★★★

134
Reviews

Hosted by Trinity
Superhost · 10 years hosting

Add dates for prices

CHECK-IN Add date	CHECKOUT Add date
GUESTS 1 guest	

In Deadwood's Upper Main neighborhood
About a 5-min walk to Naked Winery and the start of Main Street's casinos and restaurants

Retro kitchen and outdoor space
A fully equipped kitchen with a retro 50s theme, plus a front deck and shared backyard

Walkable, with a responsive host
Guests consistently praise how walkable the location is and how responsive Trinity is

Report this listing

Charming 50s-Themed Main Street Apartment in Deadwood

Located just blocks from downtown, this unique Main Street apartment is the perfect choice for a weekend getaway with friends, a family vacation, or a couples' retreat. We are proud new owners of this historic 1920s building and have lovingly remodeled it to offer a blend of vintage charm and modern comfort, with a fun 50s theme throughout. Guests are also welcome to enjoy the ...

Show more

Where you'll sleep



Bedroom 1
1 king bed, 1 air mattress



Bedroom 2
1 queen bed

What this place offers



Kitchen



Wifi



Free parking on premises



Pets allowed



TV with standard cable



Central air conditioning



Bathtub



Patio or balcony



Backyard

Show all 50 amenities

Select check-in date

Add your travel dates for exact pricing

<

August 2026

September 2026

S	M	T	W	T	F	S	S	M	T	W	Th
						1			1	2	3
4	5	6	7	8	9	10	11	12	13	14	15
16	17	18	19	20	21	22	23	24	25	26	27
28	29	30	31				28	29	30	31	

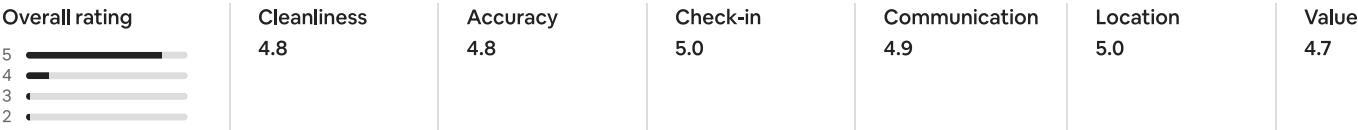


4.82

Guest favorite

This home is a guest favorite based on ratings, reviews, and reliability

[How reviews work](#)



Guest reviews mention

Walkability 53

Location 76

Backyard 8

Pets 12

Cleanliness 40

Nearby 16

Candice
Devils Lake, North Dakota

★★★★★ · 1 week ago · Stayed with a pet

We always enjoy deadwood! Great location to walk to the downtown shops/ restaurants.

Kenna
Hobbs, New Mexico

★★★★★ · July 2026 · Group trip

This was a perfect spot for exploring Main Street! Just a 7 min walk to all the shops and restaurants.

Cam
Salt Lake City, Utah

★★★★★ · June 2026 · Stayed a few nights

Great location. Walkable to downtown. Thin walls was the only complaint we had, but regardless we had a great stay!

Jason
5 years on Airbnb

★★★★★ · July 2026 · Stayed a few nights

good location, easy access to shops and casinos in Deadwood

Jason
7 months on Airbnb

★★★★★ · June 2026 · Stayed a few nights

perfect location. the café next door is now permanently closed however do you really need it when you have a cool 50s kitchenette?
nearest casino was a 5 minute walk which works great for us even though we lost our butts. nice fenced in backyard if u have a dog or kids.

Show more

Stephanie
Edmond, Oklahoma

★★★★★ · May 2026 · Stayed with kids

Close to the main strip. Had everything we needed. Would stay again. Communication with Trinity was easy and super responsive. My sons and I felt at home here.

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: September 2, 2026
From: Kevin Kuchenbecker
 Planning, Zoning & Historic Preservation Officer
To: Planning and Zoning Commission
RE: Annual Review - Conditional Use Permit – Vacation Home
 Establishment

APPLICANT(S): Deadwood Rentals - Creekside

PURPOSE: Annual Review – Conditional Use Permit – Vacation
Home Establishment

ADDRESS: 36 Water Street
Deadwood, Lawrence County, South Dakota

LEGAL DESCRIPTION: Tract A, an 8’ platted alley and a portion of Lot R-1 of
the City of Deadwood railroad property all located in
the Hillsdale Addition to the City of Deadwood, in the
NW ¼ of Section 26, T5N, R3E, B.H.M., City of
Deadwood, Lawrence County, South Dakota.

And

Tract B-1, McGovern Hill Addition of the City of
Deadwood, located in the NW ¼ NW ¼ of Section 26
T5N, R3E, B.H.M., City of Deadwood, Lawrence
County, South Dakota.

FILE STATUS: Legal obligations are being met.

ZONE: C1 – Commercial

STAFF FINDINGS:

Surrounding Zoning:

North: R1 – Residential
 South: PU – Public Use
 East: C1 – Commercial

Surrounding Land Uses:

Residential
 Open Space/Trail
 Businesses

Conditional Use Permit Review – Vacation Home Establishment
36 Water Street
September 2, 2026

West: C1 - Commercial

Open Space

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 applicant was issued a Conditional Use Permit on August 21, 2023, to operate a Vacation Home Establishment at 36 Water Street.

The subject property is located on Water Street and is surrounded by a variety of zoning districts.

FACTUAL INFORMATION

1. The property is currently zoned C1 - Commercial District.
2. The subject property has access from Water Street.
3. The subject property is located within a zone where certain commercial uses and gaming are permitted.
4. The property is in a floodway and flood zone.
5. Adequate public facilities are available to serve the property.
6. The area is characterized by a mixture of residences, open space, and other commercial businesses.

STAFF DISCUSSION

The applicant was granted a Conditional Use Permit for a Vacation Home Establishment and City regulations permit Vacation Home Establishments in C1 - Commercial Districts with an approved Conditional Use Permit. The subject property is a three (3) bedroom, two (2) bath home. Renters can park in the driveway on the property.

“Vacation Home Establishment” means:

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

COMPLIANCE:

This Vacation Home Establishment has been in continual use over the last 12 months.

According to Deckard – Rentalscape the property was booked 122 nights in the past 12 months and has excellent reviews.

No complaints are on record for this establishment.

GENERAL USE STANDARDS FOR CONDITIONAL USE PERMITS:

In reviewing any application under the authority of Chapter 17.76.040 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 Conditional 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 have not significantly affected the neighborhood since the applicant abides by the parking requirements associated with Short-Term Rentals.

- B. Whether or not a community need exists for the Conditional Use at the 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 Conditional Use in the location has not resulted in either a detrimental over concentration of a particular use from previously permitted uses within the city or within the immediate area of the Conditional Use.

The subject area is zoned C1– Commercial District and is intended to provide locations coinciding with the Downtown Core Commercial Zone where certain commercial uses and gaming are permitted.

- C. The Conditional Use at this location has not resulted 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 Conditional Use has not resulted 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.

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

Conditional Use Permit Review – Vacation Home Establishment
36 Water Street
September 2, 2026

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 of 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 area has been adequately served by and will not impose an undue burden on any of the improvements, facilities, utilities, and services specified in city ordinance.

The Conditional 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 Commission for its original approval.
- B. Conditional Use Permits, once granted, can be revoked by the Board of Adjustment 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. Any use permitted under the terms of any Conditional Use Permit shall be established and conducted in conformity with the terms of such a permit and of any conditions designated in connection therewith.
- E. If the permitted use under the terms of a Conditional Use Permit ceases, for whatever reason, for a period of twelve (12) months, said permit shall

Conditional Use Permit Review – Vacation Home Establishment
36 Water Street
September 2, 2026

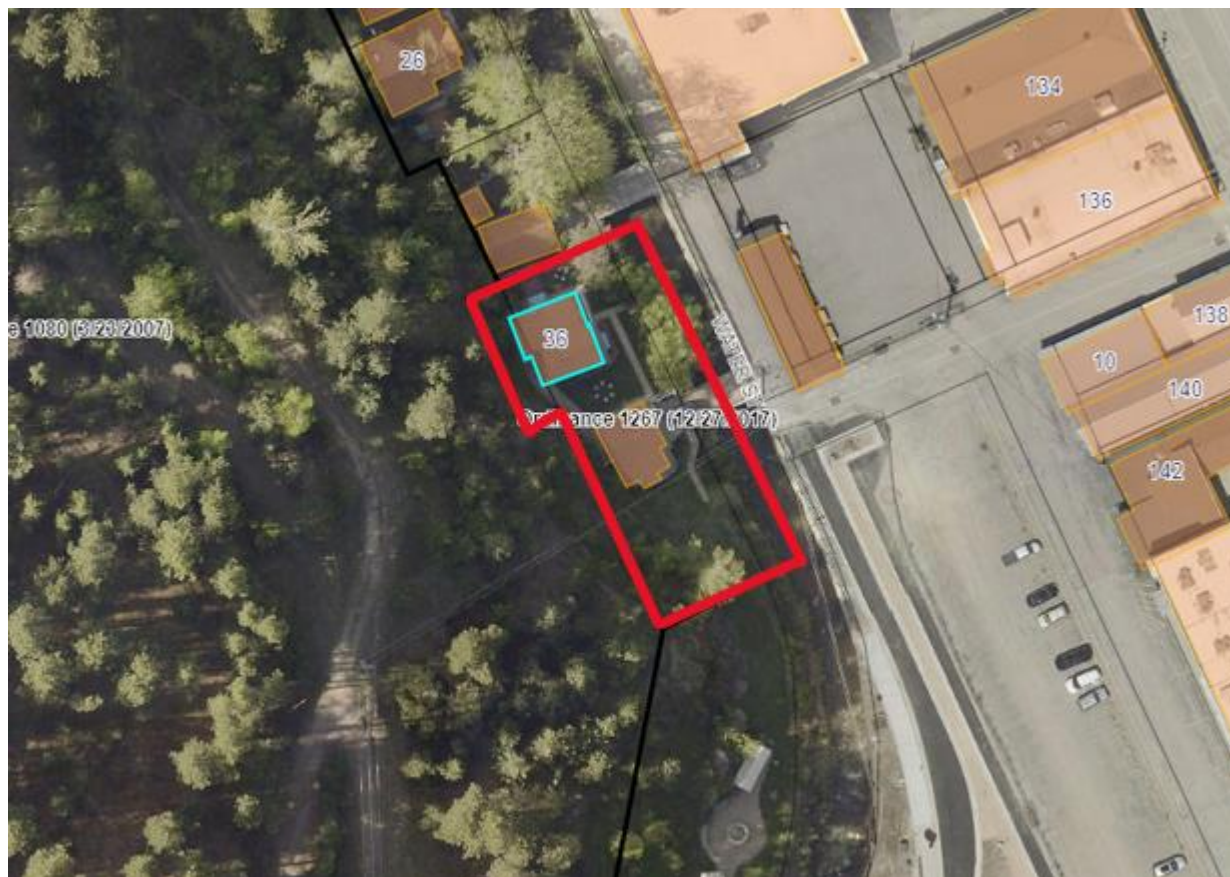
expire and be canceled by the City Planning Department. Written notice thereof shall be given to the person(s) affected, together with notice that further use or work as described in the canceled permit shall not proceed, unless and until a new Conditional Use Permit has been obtained.

If approved for continued use, staff recommend the following conditions be met:

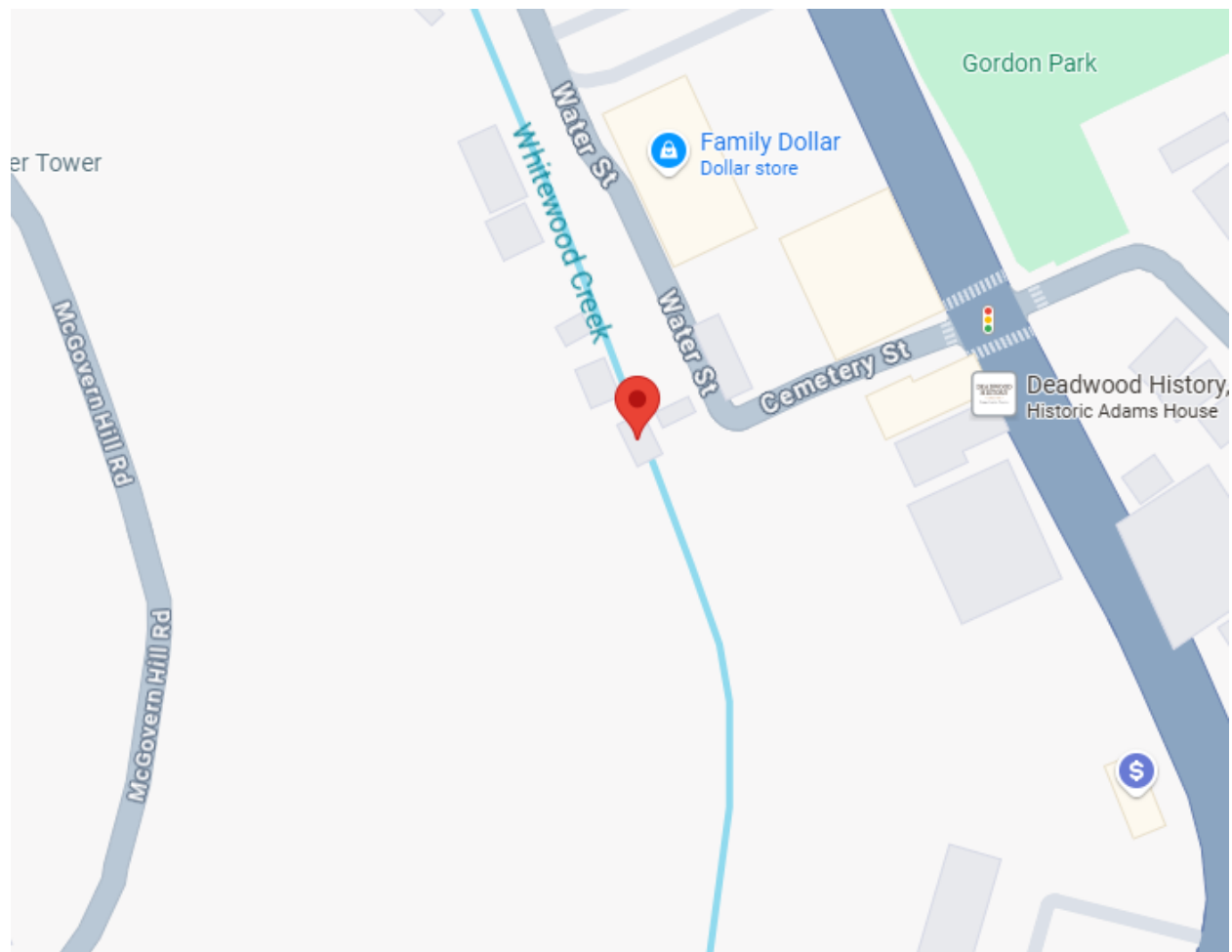
1. The Conditional Use Permit runs with the applicant and not the land; therefore, should the property be sold, the Conditional Use Permit is null and void.
2. Proof of a state sales tax number has been provided to the Planning and Zoning Office for their files.
3. The Building Inspector has inspected the building, and it meets all the building codes.
4. City water and sewer rates have changed from residential to commercial rates.
5. Proper paperwork has been filed with the City of Deadwood Finance Office for Business Improvement District (BID) taxes.
6. City of Deadwood Business and Short-Term Rental Licenses have been maintained.
7. A Lodging License from the South Dakota Department of Health has been maintained.
8. All parking shall be off street.
9. Burn permits will not be issued for this address.

ACTION REQUIRED FOR CONDITIONAL USE PERMIT:

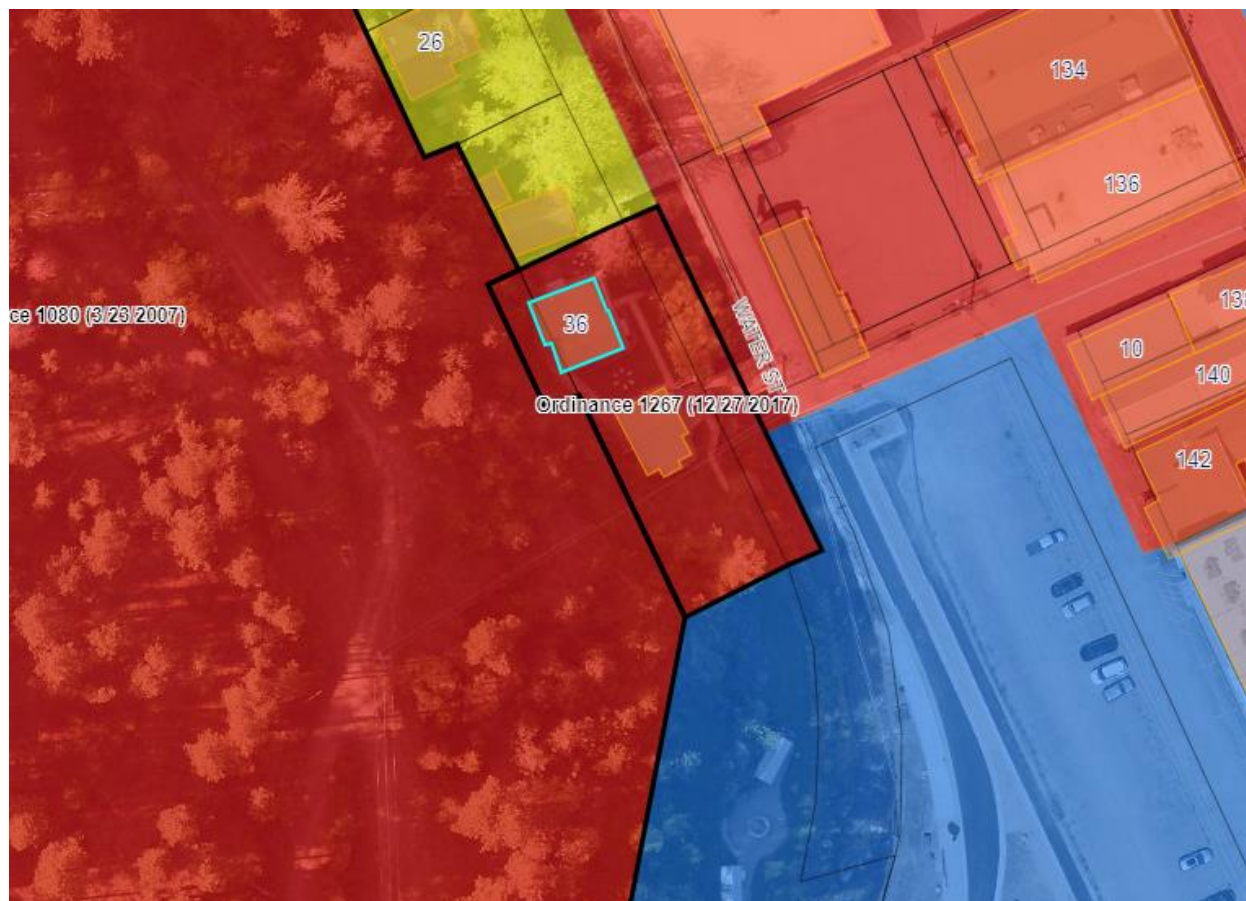
1. Approval/Denial by Deadwood Planning and Zoning Commission



Aerial photo of 36 Water Street



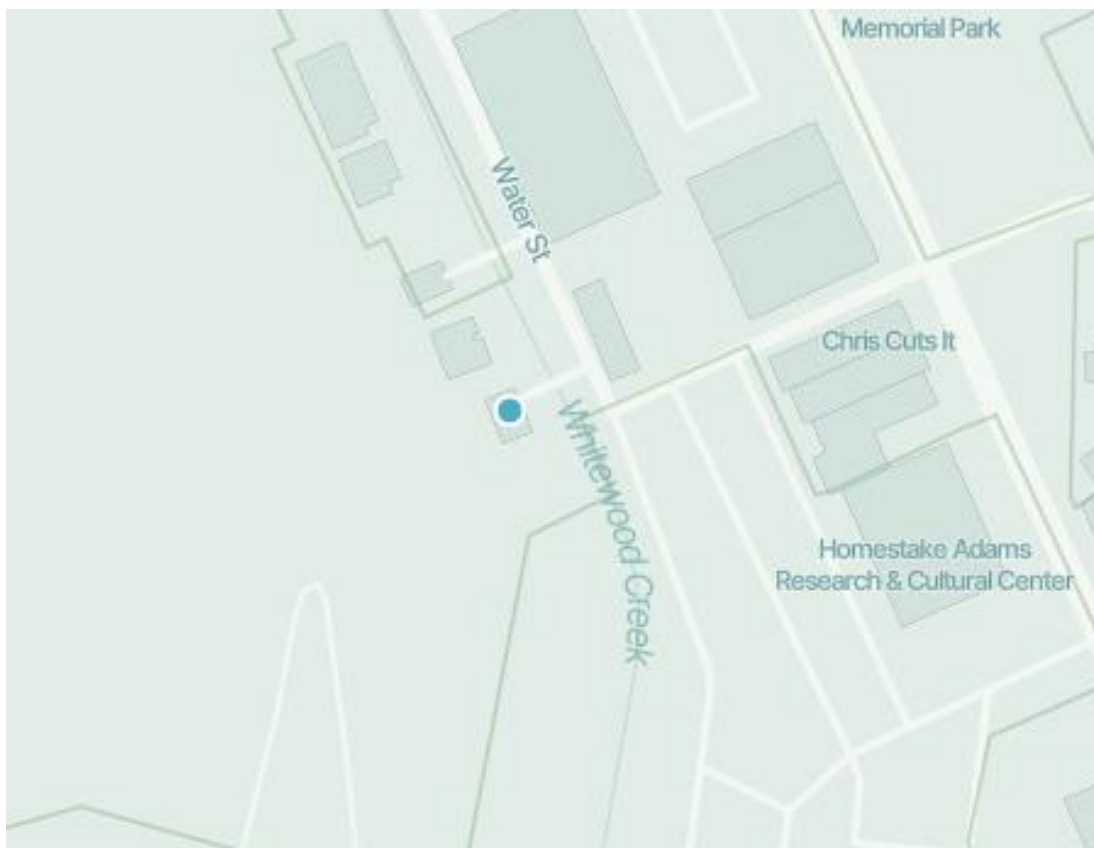
Location map of 36 Water Street



Zoning map showing 36 Water Street

Zoning Legend

- C1 - COMMERCIAL
- CE - COMMERCIAL ENTERPRISE DISTRICT
- CH - COMMERCIAL HIGHWAY
- PF - PARK FOREST
- PU - PUBLIC USE
- PUD - PLANNED UNIT DEVELOPMENT
- R1 - RESIDENTIAL
- R2 - MULTI-FAMILY RESIDENTIAL



Map showing locations of nearby Short-Term Rentals to 36 Water Street.

Historic Creekside Home Dwtn Deadwood w/ Hot Tub

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



Entire home in Deadwood, South Dakota

14 guests · 3 bedrooms · 9 beds · 2 baths

 Guest favorite

4.87
★★★★★

318
Reviews



Hosted by Trinity
Superhost · 10 years hosting



In historic Deadwood, one block from Main St
About a 5-min walk to Main Street casinos, restaurants, and shops, with the Mickelson Trail right outside



Private hot tub out back
A private 7-person hot tub tucked behind the home for unwinding after a day in the Black Hills



Walkable yet private, with a great host
Guests highlight the walkable location and creekside privacy, and many mention Trinity as a responsive host

Add dates for prices

CHECK-IN Add date	CHECKOUT Add date
GUESTS 1 guest	

 [Report this listing](#)

Stay in the heart of historic Deadwood at this beautifully restored 1902 home just one block from Main Street and Deadwood Mountain Grand. Walk to casinos, restaurants, nightlife, and the Mickelson Trail, then relax in your private 7-person hot tub after a day exploring the Black Hills. With space for large groups, creekside privacy, flexible sleeping arrangements, and convenient parking options, this home offers the perfect mix of location, comfort, and convenience....

Show more

Where you'll sleep



Bedroom 1
1 king bed, 1 double bed, 1 single bed



Bedroom 2
1 queen bed

>

What this place offers

-  Mountain view
-  Kitchen
-  Wifi
-  Free parking on premises
-  Private hot tub
-  Pets allowed
-  TV with standard cable
-  Free washer – In unit

 Free dryer – In unit

 Exterior security cameras on property

Show all 66 amenities

Select check-in date

Add your travel dates for exact pricing

<

August 2026

September 2026

S	M	T	W	T	F	S	S	M	T	W	T	F	S
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4.87

Guest favorite

This home is a guest favorite based on ratings, reviews, and reliability

[How reviews work](#)

8/18/26, 4:37 PM

Historic Creekside Home Dwtn Deadwood w/ Hot Tub - Houses for Rent in Deadwood, South Dakota, United States

Section 5 Item b.

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Guest reviews mention

- Location 197
- Hot tub 57
- Walkability 108
- Hospitality 91
- Cleanliness 71
- Indoor spaces >

Matt

Ontario, California

★★★★★ · 1 week ago · Group trip

Would stay there again, location was great!

Mary

4 years on Airbnb

★★★★★ · July 2026 · Group trip

Would stay here again! Trinity was very helpful!!!

Jordan

5 months on Airbnb

★★★★★ · June 2026 · Group trip

Would stay again

Lidija

Marietta, Georgia

★★★★★ · July 2026 · Stayed with a pet

Place is in a perfect location. I really liked the privacy it offered (fenced around for dog to run around offleash) considering it is less than a 5 minute walk to the main street of Deadwood. Place is older, and there is a little slant, but nothing what some of the other comments said. Honestly, this place was great, host was awesome and very responsive. Only reason I gave it 4 instead of 5 stars is th...

Show more

Garrett

1 year on Airbnb

★★★★★ · May 2026 · Stayed with kids

Great spot, perfect for a large party.

Amy

3 years on Airbnb

★★★★★ · May 2026 · Group trip

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
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kevin@cityofdeadwood.com

PLANNING AND ZONING COMMISSION CONDITIONAL USE PERMIT – ANNUAL REVIEW

Staff Report

Date: September 2, 2026
From: Kevin Kuchenbecker
 Planning, Zoning & Historic Preservation Officer
To: Planning and Zoning Commission
RE: Annual Review - Conditional Use Permit – Laundromat

APPLICANT(S): Deadwood Laundry Company
PURPOSE: Annual Review – Conditional Use Permit – Laundromat
ADDRESS: 138 Sherman Street
LEGAL DESCRIPTION: Lot Twenty-Two (22) in Block Forty (40), Original Town of the City of Deadwood, Lawrence County, South Dakota, according to the P.L. Rogers Map of said City of Deadwood.
FILE STATUS: Conditions still need to be met
ZONE: C1 - Commercial

STAFF FINDINGS:

Surrounding Zoning:	Surrounding Land Uses:
North: C1 – Commercial	Businesses
South: R1 – Residential	Residences
East: C1 – Commercial	Parking Lot
West: PU – Public Use	Parking Lot

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 applicant was issued a Conditional Use Permit on September 2, 2025, to operate a Laundromat at 138 Sherman Street.

The subject property is located on Charles Street and is surrounded by Commercial zoned properties and public parking.

FACTUAL INFORMATION

1. The property is currently zoned C1 - Commercial District.
2. The subject property has access from Sherman Street.
3. The subject property is located within a zone where certain commercial uses and gaming are permitted.
4. The property is located in a 100-year flood zone.
5. Adequate public facilities are available to serve the property.
6. The area is characterized by business uses and public parking.

STAFF DISCUSSION

The applicant was granted a Conditional Use Permit for a Laundromat and City regulations permit Laundromats in C1 - Commercial Districts with an approved Conditional Use Permit. The Building Inspector issued a Certificate of Occupancy on June 29, 2026 and the Planning & Zoning Commission recently approved a sign permit for the business; however, the business is not open to the public as of yet. Several conditions set forth in the CUP will need to be resolved prior to opening to the public as shown below.

COMPLIANCE:

A Certificate of Occupancy has been issued on June 29, 2026.

The Laundromat has not yet opened to the public.

The Laundromat requires a City of Deadwood business license which has not yet been issued.

A sales tax number issued by the Department of Revenue has not been provided to the Planning and Zoning Office for their files.

Copies of licenses for coin operated machines issued by the Department of Revenue have not been provided to the Planning and Zoning Office for their files.

GENERAL USE STANDARDS FOR CONDITIONAL USE PERMITS:

In reviewing any application under the authority of Chapter 17.76.040 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 Conditional 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 has not significantly affected the

neighborhood since the applicant abides by the parking requirements associated with Short-Term Rentals.

- B. Whether or not a community need exists for the Conditional Use at the 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 Conditional Use in the location has not resulted in either a detrimental over concentration of a particular use from previously permitted uses within the city or within the immediate area of the Conditional Use.

The subject area is zoned C1 – Commercial and is intended to provide locations for commercial uses, which require access to roads and highways, and substantial amounts of parking. This area is of business use and the proposed use will not result in an overconcentration of Laundromats within the neighborhood.

- C. The Conditional Use at this location has not resulted 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 proposed use has not resulted in a substantial or undue adverse effect on adjacent properties, or the character of the property, and the use has not altered the character of the district. There has been no change to the size of the building. To support the denial of a Conditional Use Permit on the grounds that it will cause increased traffic problems, there must be a high degree of probability that the increase would pose a substantial threat to the health and safety of the community.

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

For any Conditional Use, lot and performance standards shall be the same as similar type of 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 appearance of the structure has not changed; therefore, the character and use of the buildings and structures adjoining the subject property have not been adversely affected.

- E. Whether or not the current use in the area has been adequately served by and will not impose an undue burden on any of the improvements, facilities, utilities, and services specified in city ordinance.

The Conditional 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.

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 Commission for its original approval.
- B. Conditional Use Permits, once granted, can be revoked by the Board of Adjustment for cause after a hearing is held before them. Complaints seeking the revocation of such permit shall be filled 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. Any use permitted under the terms of any Conditional Use Permit shall be established and conducted in conformity with the terms of such a permit and of any conditions designated in connection therewith.
- E. If the permitted use under the terms of a Conditional Use Permit ceases, for whatever reason, for a period of twelve (12) months, said permit shall expire and be canceled by the City Planning Department. Written notice thereof shall be given to the person(s) affected, together with notice that further use or work as described in the canceled permit shall not proceed, unless and until a new Conditional Use Permit has been obtained.

Conditional Use Permit Review – Laundromat
138 Sherman Street
September 2, 2026

If approved for continued use, staff recommends the following conditions be met:

1. Official notification be sent reaffirming the conditions set forth in the original Conditional Use Permit and said conditions be met prior to opening to the public.
2. 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.
3. The Building Inspector shall inspect the building to ensure it meets applicable building codes.
4. A City of Deadwood Business License shall be obtained and maintained.
5. Verification of a sales tax number issued by the South Dakota Department of Revenue shall be provided to the Planning and Zoning Office for their files.
6. Each coin operated machine designed for washing, cleaning or drying any material must be licensed with the South Dakota Department of Revenue. Verification of such license(s) shall be provided to the Planning and Zoning Office for their files.
7. The Conditional Use Permit be reviewed in six months if the above conditions are not met to determine any additional conditions or action.

ACTION REQUIRED FOR CONDITIONAL USE PERMIT:

1. Approval/Denial by Deadwood Planning and Zoning Commission



Aerial photo of 138 Sherman Street, Deadwood, SD 57732



OFFICE OF
PLANNING, ZONING AND
HISTORIC
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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 2, 2026
From: Kevin Kuchenbecker
Planning, Zoning & Historic Preservation Officer
RE: Request for Variance

APPLICANT(S): Danika McFarland

PURPOSE: Request for Variance

ADDRESS: 37 Lincoln Avenue

LEGAL DESCRIPTION: The East twenty feet (20') of Lot Three (3) and all of Lot Four (4), Block 43, Deadwood, as shown on the P.L. Rogers Map of the City of Deadwood, Lawrence County, South Dakota.

FILE STATUS: All legal obligations have been completed.

ZONE: R1 - Residential

STAFF FINDINGS:

Surrounding Zoning:

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

Surrounding Land Uses:

Residences
Residences
Residences
Residences

Request for Variance
37 Lincoln Avenue
September 2, 2026

SUMMARY OF REQUEST

The applicant has applied for a variance to Ordinance Chapter 17.24.040 (D) – Rear Yard Requirements (minimum rear yard for accessory buildings and uses: ten (10) feet).

FACTUAL INFORMATION

1. The property is currently zoned R1 - Residential.
2. The property is not located within a flood zone.
3. The area is characterized by residential dwelling units.

STAFF DISCUSSION

The applicant has submitted a Request for a Variance to Ordinance 17.24.040 (D) – Area and Bulk Requirements (minimum rear yard for accessory buildings and uses: ten (10) feet). According to their application, the garage will be placed 1.25 feet from the rear property line. A variance from the required ten-foot setback is being requested. The property owner will install a driveway in accordance with Deadwood's requirements behind the property and will enter into an easement with the City of Deadwood for the driveway, driveway approach and retaining wall extension; all of which will be built behind the property line and in the right-of-way.

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 11-4-4.4.
2. A sign was posted on the property for which the request was filed.
3. Notice of the time and place of the public hearing 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 based 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
37 Lincoln Avenue
September 2, 2026

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

The 37 Lincoln Avenue lot measures approximately 24.77 feet wide at the rear (along Taylor Street) and over 110 feet in length. The property was excavated in the rear of the lot in anticipation of repairing the foundation and constructing a garage on the rear of the property. The excavation process has resulted in the need to construct a high retaining wall along the northwest and southeast property lines. The intent is for the walls of the tandem style garage to act as the retaining walls along the length of the site and to provide off-street parking which is otherwise unavailable in association with this lot.

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

The subject property is in zoning district R1 – Residential, and accessory buildings, such as garages, 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 garage will measure over 18 feet wide and 40 feet deep. This is meant to allow a roof top patio above the garage to be utilized as green space and outdoor living area with the sides of the garage retaining the hillside cuts. The configuration of the garage will place it within 1.25 feet of the rear property line, prompting the Variance Request.

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

The granting of this variance is not anticipated to be injurious and/or detrimental to the public welfare. The owner received Project Approval from the Historic Preservation Office on May 28, 2025, to construct a vaulted garage and conservatory at the rear of the resource. Until recent site plans were submitted in association with the retaining wall and garage, it was unknown the variance was required.

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

Request for Variance
37 Lincoln Avenue
September 2, 2026

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 excavation of the site has created practical difficulty as it pertains to hill side stabilization and retaining walls. The construction and the lengthening of the garage will assist in stabilizing the site by acting as retaining walls as well as providing off-street parking.

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. In fact, the off-street parking may relieve some on-street parking congestion.

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

Request for Variance
37 Lincoln Avenue
September 2, 2026

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. Any changes or alteration to the plan submitted be subject to Project Approval by the Historic Preservation Commission prior to the start of the project.
2. Obtain building permit and complete required inspections.
3. Enter into easement agreement with the City of Deadwood for improvements made within the right of way.

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: _____ Telephone: _____

Address: _____
 Street City State Zip

Legal Description of Property: _____

Property Address: Same as ^
 Street City State Zip

Description of Request: Variance to build w/o 10' set back and
encroach on public right of way

Appeal from Section: _____

Signature of Applicant: _____ Date: Aug 11, 2026

Signature of Property Owner: _____ Date: Aug 11, 2026

Fee: \$ 200.- Paid On 8/11/26 Receipt Number 210064

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): _____



August 25, 2026

Danika McFarland
37 Lincoln Ave
Deadwood, SD 57732

Re: Recommendation of Variance for Proposed Structure
37 Lincoln Ave
Deadwood, SD 57732
I.E. Project #: SD26-04-144

To whom it may concern,

Interstate Engineering has been retained by Danika McFarland (Owner) to provide engineering design services for a home renovation project located at 37 Lincoln Avenue, Deadwood, SD 57732. Interstate Engineering's scope of work includes the design of a garage and retaining wall system that will support a rooftop patio/green roof while retaining a significant volume of soil along the northeast portion of the property.

Currently, the residence does not have any off-street parking. At times, the owner is unable to park adjacent to the property because available on-street parking has already been occupied. As a result, the proposed garage serves two primary purposes:

1. To provide safe and secure off-street parking for the owner.
2. To provide an efficient and structurally sound system for retaining the surrounding soils.

The primary entrance fronts Lincoln Avenue, while garage access will be provided from Taylor Street. Due to the significant grade change between these two streets and the neighboring properties, approximately 14 feet of soil must be retained for approximately 40 feet before tapering down to Taylor Street.

Our proposed design utilizes precast concrete planks to support the rooftop patio/green roof at the existing first-floor elevation, along with a 6-inch reinforced concrete slab on grade spanning between the garage walls. In addition, the northeast garage wall is designed to function as a restrained retaining wall supporting approximately 14 feet of retained soil between the owner's property and the neighboring property to the northeast.

In this configuration, the lateral support provided by both the concrete slab and the precast plank system allows for a significantly more efficient retaining wall design. Preliminary structural analyses indicate that, without this lateral support, a standalone retaining wall would require substantially larger footings and increased reinforcement to adequately resist the soil pressures.

It is our understanding that the owner's property line extends approximately 41.5 feet northwest of the existing structure. This places the property line just beyond the high point of the neighboring ground surface. However, if the garage were limited to the required 10-foot setback, approximately 10 feet of the 14-foot retained soil height would need to be supported by a standalone retaining wall.

Based on our professional engineering judgment, extending the garage approximately 40 feet beyond the existing structure creates a more effective and efficient structural system for supporting and protecting the neighboring property. The proposed design provides a more efficient use of materials and available space than a standalone retaining wall while providing a safer and more practical long-term solution for the property and its neighbors.

For these reasons, Interstate Engineering respectfully recommends that the City of Deadwood grant a variance allowing the proposed garage to extend beyond the standard 10-foot setback, as shown on the attached site plan.

If you have any questions or require additional information, please feel free to contact one of us at garrett.jankord@interstateeng.com or 605-443-8057 or alex.schwarzhoff@interstateeng.com or 218-739-5545.

Sincerely,
INTERSTATE ENGINEERING, INC.

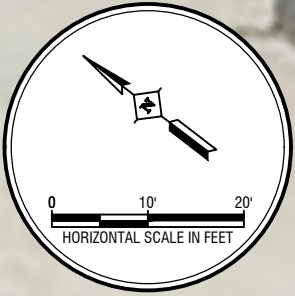


Alex Schwarzhoff, P.E.

AS:as



Garrett Jankord, EI



Section 5 Item d.

REV	NO	DATE	BY	DESCRIPTION

MCFARLAND STRUCTURAL INSPECTION

DANIKA MCFARLAND

37 LINCOLN AVE DEADWOOD, SD 57732

PROJECT NO:

SD26-04-144

DATE:

8/19/2026

SITE PLAN

DRAWN BY:

JM

CHECKED BY:

SM

SURVEYED BY:

JP

DESIGNED BY:

REGISTERED LANDSCAPE ARCHITECT

REG. NO. 8395

EIRIK A. HEIKES

SOUTH DAKOTA

8/19/2026

Interstate Engineering

1635 Deadwood Avenue

Rapid City, SD 57702

(605) 791-1736

www.interstateeng.com

INTERSTATE ENGINEERING

Professionals You Need, People You Trust.

SECTION

CS

1.01

SHEET NO.

54



Aerial photo of 37 Lincoln Avenue

