



Planning and Zoning Commission Regular Meeting Agenda

Wednesday, June 18, 2025 at 4:00 PM

City Hall, 102 Sherman Street, Deadwood, SD 57732

1. **Call to Order**
2. **Roll Call**
3. **Approval of Minutes**
 - [a.](#) Approve the minutes of the June 4, 2025 Planning and Zoning Commission Meeting.
4. **Sign Review Commission**
5. **Planning and Zoning Commission**
 - [a.](#) Annual Review - Conditional Use Permit for Vacation Home Establishment – 596 Main Street – JVK-SD, LLC, 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 Hearing
 2. Approval/Denial of continued use 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**
8. **Adjournment**



Planning and Zoning Commission Regular Meeting Minutes

Wednesday, June 04, 2025 at 4:00 PM

City Hall, 102 Sherman Street, Deadwood, SD 57732

1. Call to Order

The Planning and Zoning Commission Meeting was called to order by Chairman Martinisko on Wednesday, June 4, 2025, at 4:00 p.m. in the Deadwood City Hall Meeting Room, located at 102 Sherman Street, Deadwood, SD 57732.

2. Roll Call

PRESENT

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

City Commissioner Blake Joseph

STAFF PRESENT

Trent Mohr, Building Official
 Leah Blue-Jones, Zoning Coordinator
 Cammie Schmidt, Administrative Assistant

STAFF ABSENT

Kevin Kuchenbecker, Planning, Zoning and Historic Preservation Officer

3. Approval of Minutes

- a. Approve the minutes from the May 21, 2025 Planning and Zoning Commission Meeting.

It was moved by Commissioner Owens and seconded by Commissioner Williams to approve the minutes from the May 21, 2025 Planning and Zoning Commission Meeting. Voting yea: Martinisko, Bruce, Keehn, Owens, Williams.

4. Sign Review Commission

- a. Application for Sign Permit - 250 US Hwy 14A - Mel's Horseback Rides. Applicant is requesting permission for two (2) new signs. The first sign will display business name and be attached to corral panels. The second sign will display "Open" and "Closed", and will be displayed alternately. Signs and locations are compliant with sign ordinance.

Actions:

1. Approve/deny Application for Sign Permit.

Mr. Mohr introduced Application for Sign Permit - 250 US Hwy 14A - Mel's Horseback Rides and reviewed the Staff Report.

It was moved by Commissioner Bruce and seconded by Commissioner Keehn to approve Application for Sign Permit - 250 US Hwy 14A - Mel's Horseback Rides. Voting yea: Martinisko, Bruce, Keehn, Owens, Williams.

- b. Application for Sign Permit - 531 Main Street - Tin Lizzies. Applicant is requesting permission to replace window signs on north side of building. Signs and locations are compliant with sign ordinance.

Actions:

1. Approve/deny Application for Sign Permit.

Mr. Mohr discussed Application for Sign Permit - 531 Main Street - Tin Lizzies and reviewed the Staff Report.

It was moved by Commissioner Owens and seconded by Commissioner Keehn to approve Application for Sign Permit - 531 Main Street - Tin Lizzies. Voting yea: Martinisko, Bruce, Keehn, Owens, Williams.

- c. Application for Sign Permit - 399 Cliff Street - Waters Hardware. Applicant is requesting permission to replace existing wall sign. Sign and location is compliant with sign ordinance.

Actions:

1. Approve/deny Application for Sign Permit.

Mr. Mohr discussed Application for Sign Permit - 399 Cliff Street - Waters Hardware and reviewed the Staff Report.

It was moved by Commissioner Williams and seconded by Commissioner Bruce to approve Application for Sign Permit - 399 Cliff Street - Waters Hardware. Voting yea: Martinisko, Bruce, Keehn, Owens, Williams.

5. 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

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

There being no further business, the Planning and Zoning Commission adjourned at 4:07 p.m.

ATTEST:

Chairman, Planning & Zoning Commission

Secretary, Planning & Zoning Commission

Minutes by Leah Blue-Jones, Zoning Coordinator

OFFICE OF
PLANNING, ZONING AND
HISTORIC PRESERVATION
108 Sherman Street
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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 18, 2025
From: Kevin Kuchenbecker
 Planning, Zoning & Historic Preservation Officer
To: Planning and Zoning Commission
RE: Annual Review - Conditional Use Permit – Vacation Home
 Establishment

APPLICANT(S): JVK-SD, LLC

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

ADDRESS: 596 Main Street
 Deadwood, Lawrence County, South Dakota

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

FILE STATUS: Legal obligations are being met.

ZONE: C1 - Commercial

STAFF FINDINGS:

Surrounding Zoning:	Surrounding Land Uses:
North: C1 – Commercial	Businesses
South: C1 – Commercial	Businesses
East: C1 – Commercial	Businesses
West: C1 - Commercial	Businesses

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 June 17, 2024, to operate a Vacation Home Establishment at 596 Main Street.

Conditional Use Permit Review – Vacation Home Establishment
596 Main Street
June 18, 2025

The subject property is located on Main Street and sits within the historic downtown core. It is surrounded by Commercially zoned properties on all sides.

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 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 one (1) reserved parking space on Main Street. Additional parking needs can be met by utilizing nearby public parking lots.

“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 140 nights in the past 12 months and is listed as a guest favorite on AirBnB with 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 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 District and is intended to provide locations coinciding with the Downtown Core Commercial Zone where certain commercial uses and gaming are permitted. Use as a Short-Term Rental in this location has not resulted in a detrimental over-concentration of such uses.

- 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 Conditional Use has not resulted in a substantial or undue adverse effect on adjacent property, or the character of the neighborhood and the use has not altered the character of the neighborhood.

- 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

Conditional Use Permit Review – Vacation Home Establishment
596 Main Street
June 18, 2025

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 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.

Conditional Use Permit Review – Vacation Home Establishment
596 Main Street
June 18, 2025

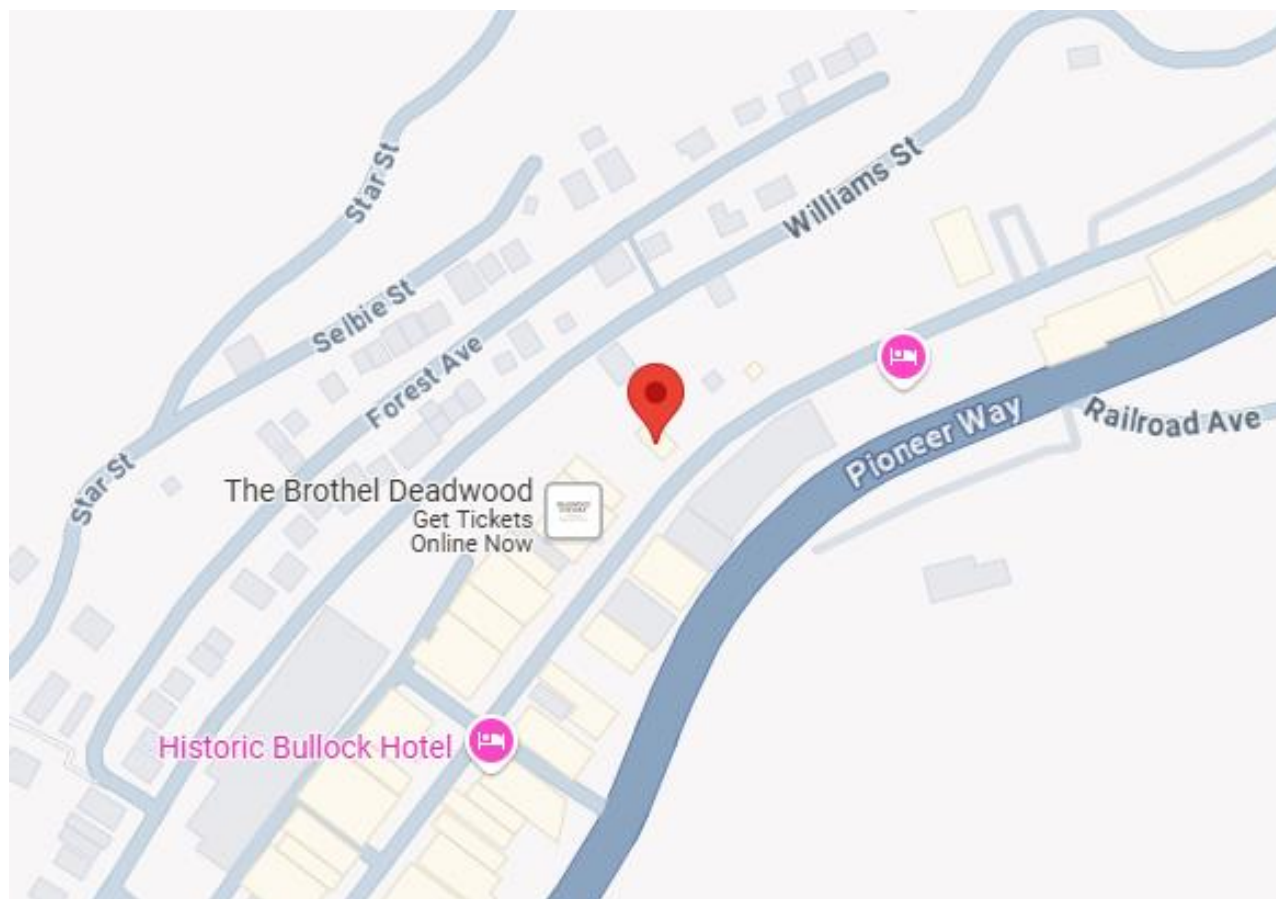
- E. If the permitted use under the terms of a Conditional Use Permit ceases, for whatever reason, for a period of twelve (12) months, said permit shall expire and be canceled by the City Planning Department. Written notice thereof shall be given to the person(s) affected, together with notice that further 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 recommends 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 from the South Dakota Department of Labor 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 are being charged 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, with the exception of one (1) reserved space located on Main Street.
9. Burn permits will not be issued for this address.

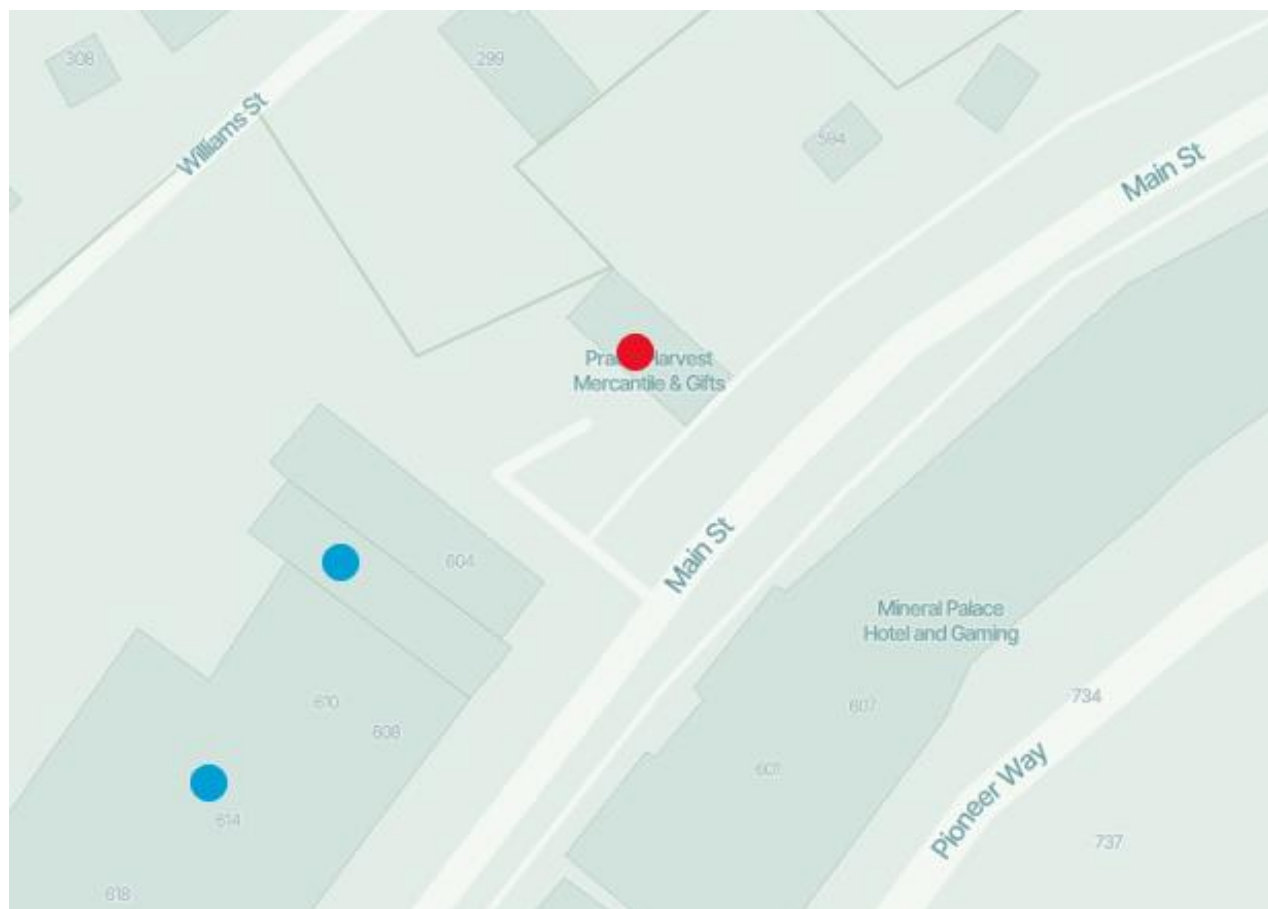
ACTION REQUIRED FOR CONDITIONAL USE PERMIT:

1. Approval/Denial by Deadwood Planning and Zoning Commission



Map showing location of 596 Main Street





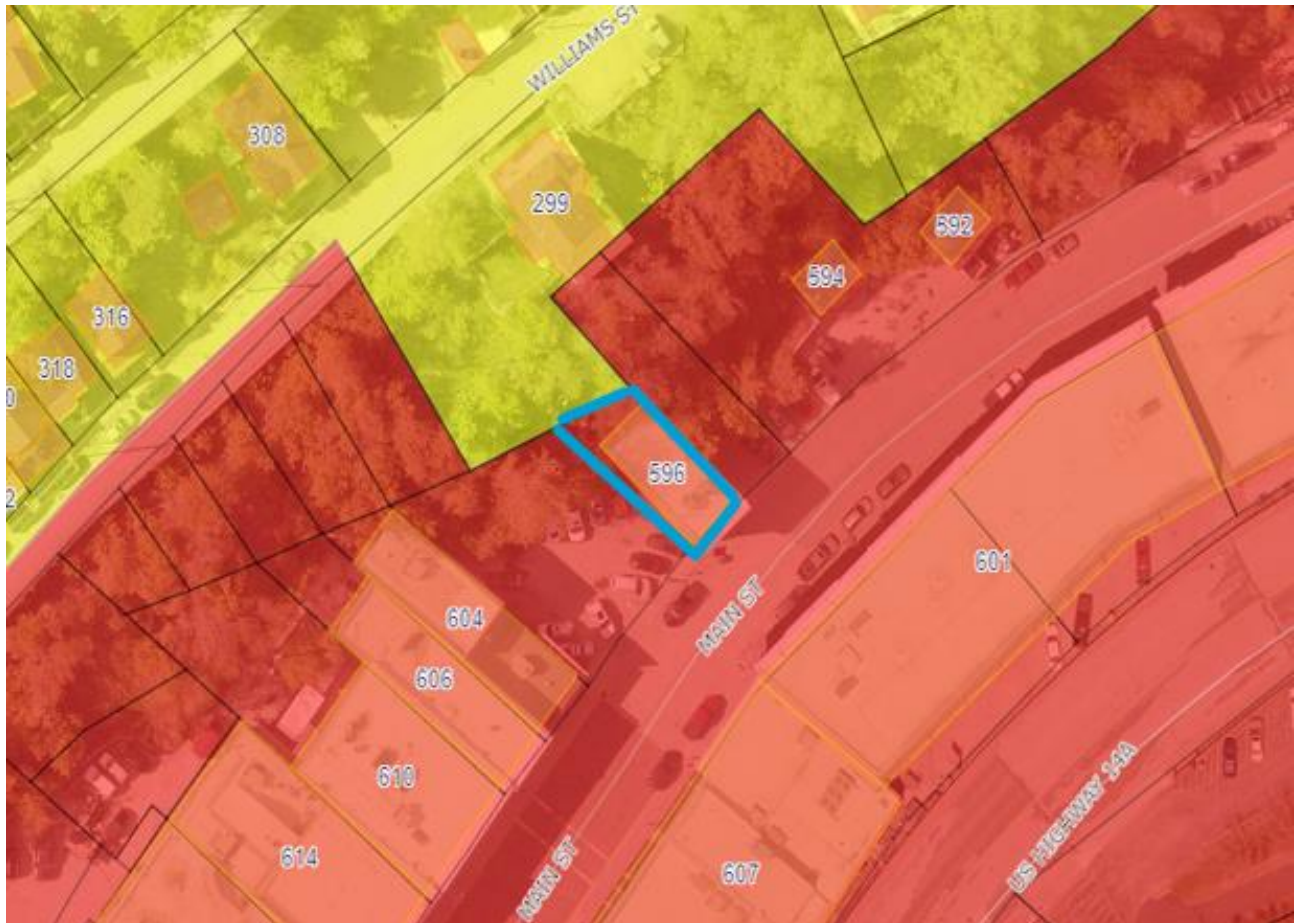
Map showing locations of nearby Short-Term Rentals to 596 Main Street.





Aerial photo of 596 Main Street





Zoning map showing 771 Main Street, Deadwood, SD 57732

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

Aggies 1895 Saloon & Brothel Deadwood Main Street

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







Entire rental unit in Deadwood, South Dakota
6 guests · 3 bedrooms · 3 beds · 1.5 baths


Guest favorite

4.98
★★★★★

262
Reviews

 Hosted by Robyn
Superhost · 9 years hosting

-  **Top 1% of homes**
This home is one of the highest ranked based on ratings, reviews, and reliability.
-  **Great check-in experience**
Recent guests loved the smooth start to this stay.
-  **Lots to do nearby**
Guests say this area has plenty to explore.

 Prices include all fees

Add dates for prices

CHECK-IN Add date	CHECKOUT Add date
GUESTS 1 guest	

Check availability











 [Report this listing](#)

The former Ayres Hardware (founded 1876) Store, loaded with history and charm! One of the few merchants who would not sell or convert to a casino when the gambling boom began in Deadwood. Walking distance to Saloon #10, Kevin Costner's Midnight Star, Franklin Hotel and many other historic Deadwood attractions. You'll love the location and coziness. Perfect for couples, solo adventurers, business travelers, and families (with kids). Aggies is a restored 2 1/2 bed apt/brothel all inclusive .

...

Show more

What this place offers

-  Kitchen
-  Wifi
-  Free parking on premises
-  TV with standard cable
-  Washer
-  Dryer
-  Air conditioning
-  Indoor fireplace
-  Hair dryer
-  Carbon monoxide alarm

Show all 18 amenities

Select check-in date

Add your travel dates for exact pricing

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May 2025

June 2025

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4.98

Guest favorite

This home is in the **top 1%** of eligible listings based on ratings, reviews, and reliability

Overall rating	Cleanliness	Accuracy	Check-in	Communication	Location	Value
5 4 3 2 1	4.9	5.0	5.0	5.0	5.0	4.9

Tina
Park City, Montana

★★★★★ · 2 weeks ago · Group trip

A great little place to stay right downtown. Was able to walk everywhere with in a few minutes. Host was great from the start and friendly with instructions. Made the process very easy for a first time user of an AirBnB

Show more

Lindsay
Littleton, Colorado

★★★★★ · 3 weeks ago · Group trip

Great place to stay with a lot to do all within walking distance! The place was so cozy and just as described. Perfect for a quick weekend away to celebrate milestone birthdays. Robyn was so helpful and responsive!

Show more

Jodi
North Platte, Nebraska

★★★★★ · April 2025 · Stayed a few nights

This was my second stay here in the last month. The location is perfect for hanging out downtown Deadwood. Clean and comfortable. Look forward to our next stay.

Gunnar
Gering, Nebraska

★★★★★ · March 2025 · Group trip

Robyn is a very responsive host and the check in was super easy. The location is perfect if you are looking to be in walking distance of anything down town. We are looking forward to staying again!

[Show more](#)

Jennifer

Alliance, Nebraska

★★★★★ · July 2024 · Stayed a few nights

This apartment was clean and had everything we needed. It truly felt like a home away from home. The location was great, allowing my family to walk everywhere. While the fridge initially didn't work, the renters accommodated and solved the issue for us. They were kind and responsive, making it a great place to rent.

[Show more](#)

Diane

Chicago, Illinois

★★★★★ · June 2024 · Stayed with kids

We absolutely loved our stay! The apartment had everything we needed and more for a family with young kiddos. The decor matched the vibe of Deadwood and the apartment was clean, well-stocked and in the most perfect location to enjoy all the offerings of Main St. Scott and Robyn were very communicative and easy to work with. 10/10!

[Show more](#)

Show all 262 reviews

[Learn how reviews work](#)

Where you'll be


Deadwood, South Dakota, United States

Neighborhood highlights

You are on Deadwood Main St.

[Show more](#) >

Meet your host



262

Reviews

4.98★

Rating

9

Years hosting

 Lives in Deadwood, South Dakota

Hi my wife Robyn and I have lived in Lead/deadwood for 63 yrs this winter and we love it ,I can point you to local places you probably wouldn't hear about . I also live 2 miles out of town and have room to accommodate most any size trailer. We want you to enjoy deadwood you will be right on main st, but in a nice quiet 2 1/2 bed fully furnished home with everything you need to have some fun and save some money on the home cooked meals you can enjoy or a great place to eat some takeout .

Robyn is a Superhost

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

Host details

Response rate: 100%
Responds within an hour

Message host

 To help protect your payment, always use Airbnb to send money and communicate with hosts.

Things to know