



Planning and Zoning Commission Regular Meeting Agenda

Wednesday, March 20, 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 March 6, 2024 Planning & Zoning Commission meeting.
4. **Sign Review Commission**
5. **Planning and Zoning Commission**
 - a. Planning and Zoning Commission Conditional Use Permit – 81 Charles Street – Lorann Berg (on behalf of BNS Properties, LLC)

LOT 7 IN BLOCK 74 OF THE ORIGINAL TOWN OF DEADWOOD, LAWRENCE COUNTY, SOUTH DAKOTA, A SHOWN ON THE P.L. ROGERS MAP OF THE TOWN OF DEADWOOD.

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**
8. **Adjournment**

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



Planning and Zoning Commission Regular Meeting Minutes

Wednesday, March 06, 2024 at 4:00 PM

City Hall, 102 Sherman Street, Deadwood, SD 57732

1. Call to Order

The meeting of the Deadwood Planning and Zoning Commission was called to order by Chairman Martinisko on Wednesday, March 6, 2024 at 4:00 p.m. in the Deadwood City Hall Meeting Room, located at 102 Sherman Street, Deadwood, SD 57732.

2. Roll Call

PRESENT

Commissioner (Chair) John Martinisko
 Commissioner (Vice-Chair) Josh Keehn
 Commissioner (Secretary) Dave Bruce
 Commissioner Charles Eagleson
 Commissioner Ken Owens
 City Commissioner Michael Johnson

STAFF PRESENT

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

3. Approval of Minutes

a. Approval of the Minutes from the February 21, 2024 Planning and Zoning Commission Meeting.

a. Approval of the February 21, 2024 Minutes

It was moved by Commissioner Keehn and seconded by Commissioner Owens to approve the February 21, 2024 minutes. Voting yea: Martinisko, Bruce, Owens, Keehn, Eagleson.

4. Sign Review Commission

5. Planning and Zoning Commission

a. Final Plat - Combination of two (2) lots - 171 Charles St. - Patrick L. Mollman

PLAT OF TRACT A1 OF M.S. 207 FORMERLY TRACT A OF M.S. 207 FORMERLY TRACT A OF M.S. 207 AND LOT MK5 OF THE MICKELSON TRAIL CITY OF DEADWOOD, LAWRENCE COUNTY, SOUTH DAKOTA LOCATED IN THE NE ¼ OF SECTION 27, T5N, R3E, B.H.M.

Action Required:

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

Mr. Kuchenbecker shared the Final Plat - Combination of two (2) lots - 171 Charles St. - City of Deadwood. Mr. Kuchenbecker stated that this is a plat that will take two (2) parcels and make then one (1) parcel. The combined acreage of the two (2) parcels is 0.497 +/- acres and they are zoned Commercial Highway. The combination of the two (2) parcels will allow a future garage to be constructed on the site. The lots are located at the intersection of McGovern Hill Road and Charles Street. The combination of the plats will create Tract A1 of Mineral Survey 207. The plats are located in the 500-year flood plain, but not in the 100-year flood plain. Public facilities serve the property. The final plat does include the water line. Thanks to Mr. Mohr and Mr. Percy, we were able to have the surveyor include the water line and it is part of an easement.

Commissioner Owens asked for clarification on the location of the site. Mr. Kuchenbecker verified the location and explained that combining the lots would change the setbacks for a future garage, if the property owner chooses to build.

It was moved by Commissioner Bruce and seconded by Commissioner Owens to approve the Final Plat - Combination of two (2) lots - 171 Charles St. - Patrick L. Mollman. Voting Yea: Martinisko, Bruce, Owens, Keehn, Eagleson.

- b. Approve and acknowledge subscription agreement in the amount of \$3,000.00 with Deckard Technologies for third-party monitoring service of short-term rentals. Target date for transfer of monitoring services from Harmari to Deckard is projected by or before May 1, 2024. Projected cost savings will be \$2,000.00 per year.

Action Required:

1. Approval/Acknowledgement by the Deadwood Planning and Zoning Commission.

Mr. Kuchenbecker began the discussion by requesting a recommendation to change vendors for third-party monitoring of short-term rentals. Mr. Kuchenbecker explained that for the last 3 years, the city has used Harmari. A recent presentation from Deckard Technologies showed it was user friendly and mined data from more sources. In addition, it would result in a \$2,000/year savings.

Commissioner Bruce commented that Deckard seemed to mine data in real time. Mr. Kuchenbecker agreed.

Commissioner Eagleson inquired about the length of the required contract. Mr. Kuchenbecker stated that the contract would be on a year-to-year basis.

It was moved by Commissioner Keehn and seconded by Commissioner Eagleson to recommend a change in vendors for third party short-term rental monitoring be made from Harmari to Deckard Technologies. Voting yea: Martinisko, Bruce, Owens, Keehn, Eagleson.

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

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

7. Items from Staff

a. Mr. Kuchenbecker stated the Planning & Zoning office has now been assisting the Finance office with collecting BID 7 taxes. The city is now one hundred percent (100%) compliant with the Short-Term Rentals that have been identified. A meeting with the Department of Health was held and our office received information to compare their active Short-Term Rental list with ours.

The Planning & Zoning office is expecting some Conditional Use Permit applications soon. One is due to a change of ownership on Lee Street. The new owners will have a short-term rental upstairs and retail on the ground floor. The others are 140 Timm Lane and 81 Charles Street. Certificates have been created so that owners of Short-Term Rentals can hang them on the wall. It was found that 65 Sherman Street was previously misclassified as a Specialty Resort instead of a Bed and Breakfast. A correction was made, and that property is currently in compliance.

b. Mr. Kuchenbecker shared that a progress meeting regarding the FEMA project was held Wednesday, March 6, 2024. The next couple of weeks will result in final utilities being switched over and six (6) poles will be gone. The excavation will continue and blocks will be placed from Taco John's to the Mickelson Trail bridge. The yards along Charles Street and the Sherman Street parking lot are being brought to final grade. Next week, the carpenters will be up, and rail fencing will be placed there. It will be similar to what is at the Welcome Center. On Monday, March 4, 2024, we went to bid for the sidewalk, fence, and lighting along Water Street. Coordination meetings will occur with Water Street property owners.

c. Mr. Kuchenbecker stated that on Monday, March 4, 2024, the city went to bid on approximately five (5) miles of trails for both the Fuller Brothers and White Rocks trails. The White Rocks Trail will allow access from the Welcome Center to White Rocks. Another trail, completed in November, connects from the White Rocks Trail to the Presidential Trail. The Fuller Brother property has 16,000+ linear feet of trails.

d. Commissioner Bruce asked if the monitoring and compliance requirements of Short-Term Rentals is having an impact on home ownership. Mr. Kuchenbecker stated that it is not truly known, but a couple of homes may have been sold because of the ordinances. Mr. Mohr shared his knowledge of a local residence that was once purchased with the intention of it being a Vacation Home Establishment and it was sold when they discovered that type of use was not permitted. Ms. Blue-Jones stated that her own residence had once been purchased as a Vacation Home Establishment and subsequently sold when it was found that type use was not permitted.

Mr. Kuchenbecker stated that one of the compliance challenges with Short-Term Rentals is during the Sturgis Motorcycle Rally when property owners do not make it apparent in their advertising that the property is only available for the two-week period of the Rally. A notice has been put in the March newsletter to notify property owners about the process of renting their homes during the Rally.

e. Mr. Kuchenbecker shared he nominated the Planning & Zoning Commission to the Western Planners Association (WPA) for the Rural Innovation award for their work in Short-Term Rental compliance. The WPA will meet in Cheyenne, WY in August.

- f. Commissioner Johnson inquired as to how many hotel rooms were currently available in the city. Mr. Kuchenbecker answered that there were approximately 1,350 rooms in 23 hotels, not including Bed and Breakfasts and Vacation Home Establishments.
- g. Commissioner Eagleson inquired if the liquor license passed state legislation. Mr. Kuchenbecker confirmed that it did pass and would allow for 5 additional hotel convention liquor licenses. The legislation is currently awaiting Governor approval.
- h. Commissioner Martinisko inquired about 227 Williams Street. Mr. Kuchenbecker stated the property has been approved for a septic system by the State. This was an exception to city ordinances since the city is unable to provide a sewer connection to the property. Mr. Mohr clarified the ordinance stating that a property requires connection to a sewer main if a property is on or near one.
- i. Commissioner Keehn asked about the status of 824 Main Street. Mr. Kuchenbecker stated that it has a new roof and is currently in the hands of legal counsel.
- j. Commissioner Eagleson gave a reminder of the Volunteer Fire Department's Pancake Feed, which will be held on Sunday, March 10 from 9:00 a.m. to 1:00 p.m. Eagleson also commended the city on the new fire truck.

8. Adjournment

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

There being no further business, the Planning and Zoning Commission adjourned at 4:22 p.m.

ATTEST:

Chairman, Planning & Zoning Commission

Secretary, Planning & Zoning Commission

Leah Blue-Jones, Zoning Coordinator

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



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

**PLANNING AND ZONING COMMISSION
STAFF REPORT
CONDITIONAL USE PERMIT**

Staff Report

Date: March 20, 2024
From: Kevin Kuchenbecker
Planning, Zoning & Historic Preservation Officer
RE: Conditional Use Permit – Vacation Home Establishment

APPLICANT(S): Lorann Berg (on behalf of BNS Properties, LLC)

PURPOSE: Application for CUP – Vacation Home Establishment

ADDRESS: 81 Charles Street

LEGAL DESCRIPTION: LOT 7 IN BLOCK 74 OF THE ORIGINAL TOWN OF DEADWOOD, LAWRENCE COUNTY, SOUTH DAKOTA, A SHOWN ON THE P.L. ROGERS MAP OF THE TOWN OF DEADWOOD.

FILE STATUS: All legal obligations have been completed.

ZONE: C1 – Commercial

STAFF FINDINGS:

Surrounding Zoning:

North: C1 – Commercial
South: R1 – Residential
East: C1 – Commercial
West: C1 – Commercial

Surrounding Land Uses:

Businesses
Residences
Businesses
Businesses

SUMMARY OF REQUEST

The applicants have submitted a request for a Conditional Use Permit to operate a Vacation Home Establishment located at 81 Charles Street. Since 2015, 81

Conditional Use Permit – Vacation Home Establishment
81 Charles Street
March 20, 2024

Charles Street has been utilized as a Vacation Home establishment. It is rented as a long-term rental occasionally during the winter months. This property is seeking to become compliant with Municipal Code 17.76.

FACTUAL INFORMATION

1. The property is currently zoned C1 – Commercial.
2. The property has operated in the past as a vacation home establishment for several years.
3. The subject property has access from Charles Street with off-street parking for two (2) vehicles.
4. The subject property is located within a C1 - Commercial zoning location on 3 sides, and an R1 – Residential zoning on the south side.
5. The property is not located within a flood zone.
6. Adequate public facilities are available to serve the property.
7. The area is characterized by a mixture of both business and residential uses.

STAFF DISCUSSION

The applicants have submitted a request for a Conditional Use Permit for a Vacation Home establishment and City regulations permit Vacation Home establishments in C1- Commercial zoning districts with an approved Conditional Use Permit. The subject property has been operating as a Vacation Home establishment since 2015. According to their application, they have adequate off-street parking and a driveway providing ingress/egress onto Charles Street.

The Deadwood Zoning Code 17.08 and South Dakota Codified Law defines a Vacation Home Establishment as the following:

“Vacation home establishment” means:

Any home, cabin, or similar building that is rented, leased, or furnished in its entirety to the public on a daily or weekly basis for more than 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 this Title. This term does not include a bed and breakfast establishment as defined in this Title.

Conditional Use Permit – Vacation Home Establishment
81 Charles Street
March 20, 2024

1. Vacation Home Establishments are strictly prohibited in R1 and R2 zoning districts with the exceptions under 17.53.040;

In this instance the property is in a C1 – Commercial zoning district. Lorann Berg plans to continue to operate the Vacation Home Establishment as it has been run since 2015.

2. Vacation Home Establishments shall be located in upper floors of commercial structures only within the local historic district.

This property is not located in a commercial structure within the local historic district. Therefore, first floor use is permissible in this instance.

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 10.10.B.
2. A sign was posted on the property for which the requests were filed.
3. Notice of the time and place was published in the designated newspaper of the City of Deadwood.

GENERAL USE STANDARDS FOR 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. Preserve the existing stock of historic structures by working with the individuals and guiding the uses is an acceptable means. Traffic and parking have not significantly affected the neighborhood. This area has a mixture of businesses and single-family dwellings.

- 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

Conditional Use Permit – Vacation Home Establishment
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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 C1 – Commercial and is intended to provide locations for commercial uses, which require access to roads and highways, and substantial amounts of parking.

- 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.

If the applicant only uses off street parking and prevents any public nuisance issues that are often associated with Vacation Home Establishments, the proposed use may not result in a substantial or undue adverse effect on adjacent properties, or the character of the property and the use would not alter the character of the district. There will be no change in the size of the dwelling. To support a 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. To date, the City has not received any complaints about the operation of this establishment; however, the adjacent property owner has expressed concern over this Conditional Use Permit and while not contacting the City, has voiced some challenges with this office over noise and guests over the years this past week.

- D. Whether or not the proposed use increases the proliferation of non-conforming 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 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 proposed use would not increase the proliferation of non-conforming uses. The appearance of the structure will not change; therefore, the character and

Conditional Use Permit – Vacation Home Establishment
81 Charles Street
March 20, 2024

use of the buildings and structures adjoining the subject property will not be adversely affected.

- E. Whether or not the proposed use in the proposed area will be 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 will not cause 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 issuance 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. 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.

Conditional Use Permit – Vacation Home Establishment
81 Charles Street
March 20, 2024

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. Proof of a state sales tax number shall be provided to the Planning and Zoning Office for their files.
3. Proof that the Building Inspector has inspected the building and it meets all the building codes.
4. City water and sewer rates to be 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. Proof of City of Deadwood Business License.
7. Obtain lodging license after inspection from the South Dakota Department of Health.
8. All parking shall be off street.

ACTION REQUIRED:

1. Approval/Denial by Deadwood Planning and Zoning Commission
2. Approval/Denial by Deadwood Board of Adjustment

Return Completed Form To:
Planning and Zoning
108 Sherman Street
Deadwood, SD 57732



Questions Contact:
Kevin Kuchenbecker
(605) 578-2082 or
kevin@cityofdeadwood.com

Application No. _____

APPLICATION FOR CONDITIONAL USE PERMIT

Application Fee: \$500.00

Applicants: Please read thoroughly prior to completing this form. Only complete applications will be considered for review.

Name of Proposed Development: _____

Street Location of Property: 81 Charles St Deadwood SD

Legal Description of Property: Original Town of Deadwood Lot 7 Blk 74

Zoning Classification of Property: Commercial

Name of Property Owner: BNS Properties LLC Telephone: (605) 545-1009

Address: 3942 Fairway Hills Dr Rapid City SD 57702
Street City State Zip

Name of Applicant: Lorann Berg, Manager Telephone: (605) 545-1009

Address: 3942 Fairway Hills Dr Rapid City SD 57702
Street City State Zip

1. The following documents shall be submitted:

- a. An improvement survey, including all easements,
- b. Development plan, including site plan with location of buildings, usable open space, off-street parking, loading areas, refuse area, ingress/egress, screening, proposed or existing signage, existing streets, and
- c. A written statement addressing the criteria for approval.

Uses of Building or Land: Short term and long term rental

Signature of Applicant: Lorann Berg Date: 02/16/24

Signature of Property Owner: _____ Date: _____

Fee: \$ 500 Paid On 2/23/24 Receipt Number 00191879


Legal Notice Published _____ Date: _____ Hearing Date: _____

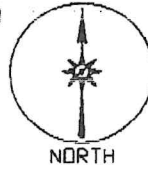
PLANNING AND ZONING ADMINISTRATOR:			
Approved/P&Z Administrator:	Yes	No	Signature: _____ Date: _____
PLANNING AND ZONING COMMISSION:			
Approved/P&Z Commission:	Yes	No	Date: _____
DEADWOOD BOARD OF ADJUSTMENT:			
Approved/City Commission:	Yes	No	Date: _____

Reason for Denial (if necessary): _____

12/19/2014 FRI 10:04 FAX

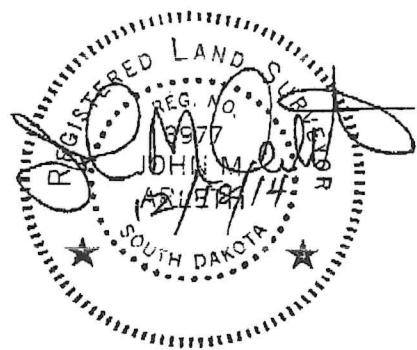
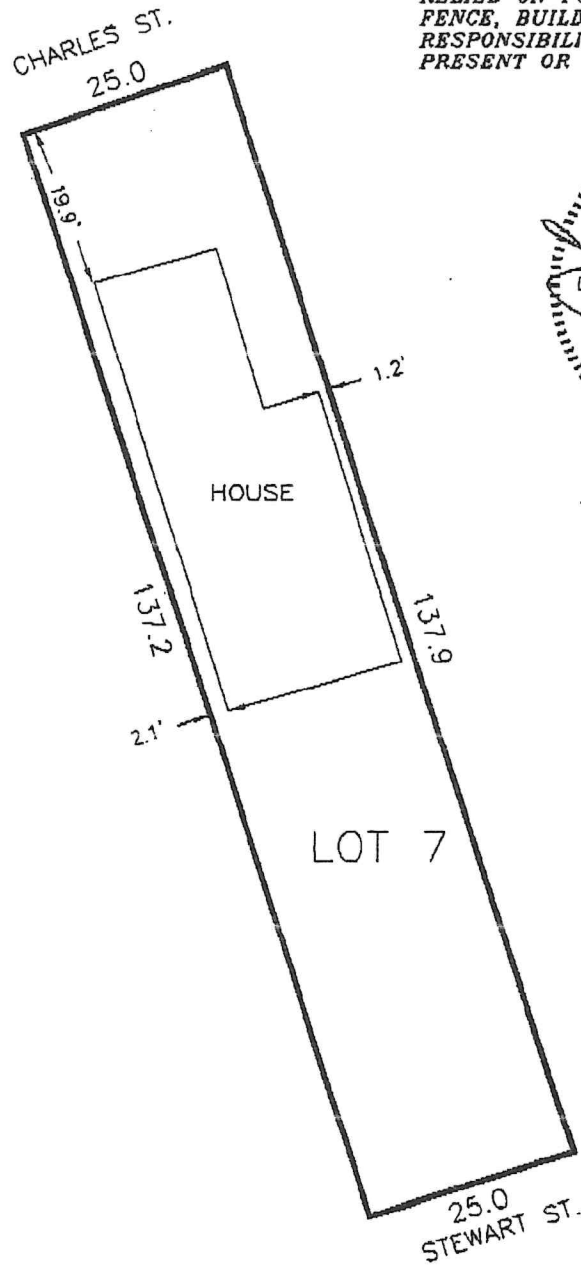
003/003

 ARLETH LAND SURVEYING, LLC 24 CLIFF ST. DEADWOOD, SD 57732 605-578-1637	IMPROVEMENT SURVEY	DATE: DECEMBER 18, 2014 SCALE: 1" = 20' DRAWN BY: FD JOB NO: 9153
	CERTIFIED TO: OMNI HOME FINANCING OWNER: GARRY MILLER	



LEGAL: LOT 7, 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.

SURVEYOR'S CERTIFICATE
 I, JOHN M. ARLETH, DO HEREBY CERTIFY THAT THIS MORTGAGE LOAN INSPECTION SHOWS THE DWELLING AS LOCATED ON THE PREMISES DESCRIBED IN THIS REPORT AND THAT THIS REPORT WAS PREPARED ONLY IN CONNECTION WITH A NEW MORTGAGE AND IS NOT INTENDED OR REPRESENTED TO BE A LAND OR PROPERTY LINE SURVEY; THAT NO CORNERS WERE SET AND THAT THIS REPORT IS NOT TO BE USED OR RELIED ON FOR THE ESTABLISHMENT OF ANY FENCE, BUILDING OR OTHER IMPROVEMENTS. NO RESPONSIBILITY IS EXTENDED HEREON TO THE PRESENT OR FUTURE LANDOWNERS.



RECEIVED: 2014-12-19 09:21:48 (GMT -07:00)


BNS Properties LLC
81 Charles Street

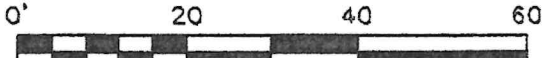
Item B of CUP application, Development Plan

Attached is a copy of the survey with notes describing the rooms and outside areas of the house. As far as development plans, we want to remodel the kitchen in the spring, but no other plans for change.

12/19/2014 FRI 10:04 FAX

003/003

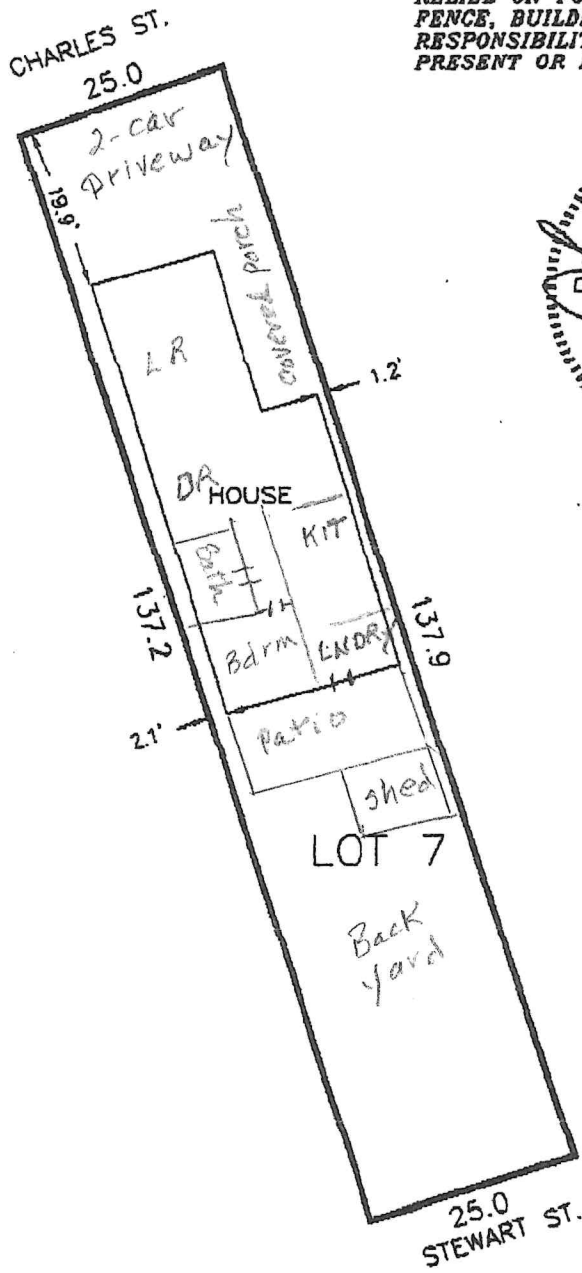
 ARLETH LAND SURVEYING, LLC 24 CLIFF ST. DEADWOOD, SD 57732 605-578-1637	IMPROVEMENT SURVEY	DATE: DECEMBER 18, 2014
	CERTIFIED TO: OMNI HOME FINANCING	OWNER: GARRY MILLER



LEGAL: LOT 7, 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.



SURVEYOR'S CERTIFICATE
 I, JOHN M. ARLETH, DO HEREBY CERTIFY THAT THIS MORTGAGE LOAN INSPECTION SHOWS THE DWELLING AS LOCATED ON THE PREMISES DESCRIBED IN THIS REPORT AND THAT THIS REPORT WAS PREPARED ONLY IN CONNECTION WITH A NEW MORTGAGE AND IS NOT INTENDED OR REPRESENTED TO BE A LAND OR PROPERTY LINE SURVEY; THAT NO CORNERS WERE SET AND THAT THIS REPORT IS NOT TO BE USED OR RELIED ON FOR THE ESTABLISHMENT OF ANY FENCE, BUILDING OR OTHER IMPROVEMENTS. NO RESPONSIBILITY IS EXTENDED HEREON TO THE PRESENT OR FUTURE LANDOWNERS.



RECEIVED: 2014-12-19 09:21:48 (GMT -07:00)

BNS Properties LLC
3942 Fairway Hills Drive
Rapid City SD 57702

February 27, 2024

Deadwood Planning and Zoning
108 Sherman St
Deadwood SD 5773

Re: 81 Charles Street

Dear Sirs,

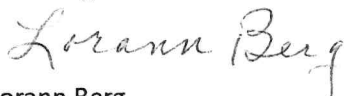
81 Charles Street is a one-bedroom house with a large living-dining area, a full kitchen and bathroom, and a back porch laundry room which leads out to a patio. The back yard is fenced all around and contains a garden shed. There is a private paved driveway in front of the house with space for two vehicles.

It has been a vacation rental since 2015, while also being rented long term through a few winters. We allow up to 4 guests to stay, but most bookings are for two. We provide some kitchen and bathroom supplies for our guests such as coffee, creamer, shampoo, and the like.

The house has been very popular on Airbnb with high ratings for comfort and cleanliness, and we intend to keep up the good work.

Thank you for your attention to this application for a Conditional Use Permit.

Sincerely,



Lorann Berg
Manager

OFFICE OF
PLANNING, ZONING AND
HISTORIC PRESERVATION
108 Sherman Street
Telephone (605) 578-2082
Fax (605) 722-0786



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

Public Notification

Date: March 1, 2024
To: Deadwood Property Owner / Resident
From: Kevin Kuchenbecker
Planning, Zoning & Historic Preservation Officer
RE: Request for Conditional Use Permit for Vacation Home
Establishment

NOTICE IS HEREBY GIVEN, that the following person(s) has applied to the City of Deadwood Planning and Zoning Office for a Conditional Use Permit for the operations of a Vacation Home Establishment as allowed under Section 17.32.030 Conditional Uses under Vacation Home Establishment.

APPLICANT(S): Lorann Berg (on behalf of BNS Properties, LLC)

LEGAL DESCRIPTION: LOT 7 IN BLOCK 74 OF THE ORIGINAL TOWN OF DEADWOOD, LAWRENCE COUNTY, SOUTH DAKOTA, A SHOWN ON THE P.L. ROGERS MAP OF THE TOWN OF DEADWOOD.

ADDRESS: 81 Charles Street

NOTICE IS FURTHER GIVEN that said application will be heard by the Planning and Zoning Commission within and for the City of Deadwood, State of South Dakota, at a regular meeting to be held Wednesday, March 20, 2024, in the Commission Room at 102 Sherman Street, Deadwood, South Dakota, will at 4:00 p.m. or soon thereafter as the matter at which time and place any such person interested may appear and show cause if there be any, why such special exception should not be granted. A public hearing will also be heard by the Deadwood City Commission at 5:00 p.m. on Monday, April 1, 2024, at the same location.

NOTICE IS FURTHER GIVEN, that the proposed request for a Vacation Home Establishment is on file and available for public examination at the Deadwood Zoning Office located at 108 Sherman Street, Deadwood, South Dakota.

ANY interested person or his/her agent is invited to submit oral or written comments or suggestions regarding the request to the Commissions or their agent prior to or at the public hearing.

The purpose of this mailed notice is to reasonably inform the surrounding property owners of the applications for a Conditional Use Permit and to inform you of the type of use being requested.

If you have any questions, please feel free to contact our office at 605-578-2082.

**NOTICE OF PUBLIC HEARING
BEFORE THE PLANNING AND ZONING COMMISSION**

City of Deadwood
Planning and Zoning Commission
Deadwood, South Dakota 57732

NOTICE IS HEREBY GIVEN, that the following person(s) has applied to the City of Deadwood Planning and Zoning Office for a Conditional Use Permit for the operations for a single unit Vacation Home Establishment as allowed under Section 17.32.030 Conditional Uses.

APPLICANTS: Lorann Berg (on behalf of BNS Properties, LLC)

LEGAL DESCRIPTION: LOT 7 IN BLOCK 74 OF THE ORIGINAL TOWN OF DEADWOOD, LAWRENCE COUNTY, SOUTH DAKOTA, A SHOWN ON THE P.L. ROGERS MAP OF THE TOWN OF DEADWOOD.

ADDRESS: 81 Charles Street

ZONE: C1 Commercial District

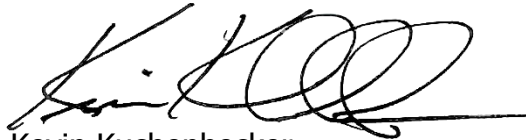
NOTICE IS FURTHER GIVEN that said application will be heard by the Planning and Zoning Commission within and for the City of Deadwood, State of South Dakota, at a regular meeting to be held Wednesday, March 20, 2024 in the Commission Room at 102 Sherman Street, Deadwood, South Dakota, will at 4:00 p.m. or soon thereafter as the matter at which time and place any such person interested may appear and show cause if there be any, why such special exception should not be granted.

NOTICE IS FURTHER GIVEN, that the proposed request for a Vacation Home Establishment is on file and available for public examination at the Deadwood Zoning Office located at 108 Sherman Street, Deadwood, South Dakota.

ANY interested person or his/her agent is invited to submit oral or written comments or suggestions regarding the request to the Commissions or their agent prior to or at the public hearing.

Dated this 1st of March 2024

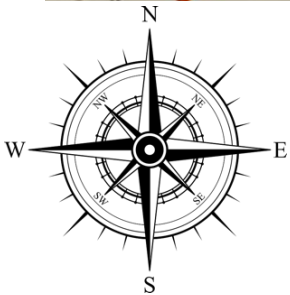
City of Deadwood, Lawrence County, South Dakota



Kevin Kuchenbecker
Planning, Zoning and Historic Preservation Officer

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**CONDITIONAL USE PERMIT
VACATION HOME ESTABLISHMENT
18 CHARLES STREET**

