



# Planning and Zoning Commission Regular Meeting Minutes

Wednesday, September 04, 2024 at 4:00 PM

City Hall, 102 Sherman Street, Deadwood, SD 57732

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## 1. Call to Order

The meeting of the Planning and Zoning Commission was called to order by Chairman Martinisko on Wednesday, September 4, 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 Blake Joseph

### STAFF PRESENT

Trent Mohr – Building Inspector  
Leah Blue-Jones – Zoning Coordinator

## 3. Approval of Minutes

- a. Approve the minutes from the August 21, 2024 Planning and Zoning Commission Meeting.

***It was moved by Commissioner Keehn and seconded by Commissioner Eagleson to approve the minutes from the August 21, 2024 Planning and Zoning Commission Meeting. Voting yea: Martinisko, Keehn, Bruce, Owens, Eagleson.***

## 4. Sign Review Commission

- a. Application for Sign Permit - 745 Main Street - The Station (E. Costopoulos). Applicant is requesting permission to replace existing temporary freestanding sign with new permanent freestanding sign. Sign requires two (2) variances for size and design. Location of sign is compliant with sign ordinance.

### Actions:

1. Approve/deny Application for Sign Permit.

Mr. Mohr introduced Application for Sign Permit - 745 Main Street - The Station (E. Costopoulos) and introduced Ms. Costopoulos to the Commission. Applicant has submitted a request to replace an existing temporary sign with a permanent sign. The sign requires two (2) variances; one to allow the sign to be greater than

ten (10) feet in size, and another to allow the bottom of the sign to sit lower than eight (8) feet above grade.

Commissioner Bruce asked if the sign would be located in an area with pedestrian traffic. Ms. Constopoulos confirmed it would not since it will be placed on the lawn.

***It was moved by Commissioner Owens and seconded by Commissioner Keehn to approve Application for Sign Permit - 745 Main Street - The Station (E. Costopoulos) with two (2) variances. Voting yea: Martinisko, Keehn, Bruce, Owens, Eagleson.***

## **5. Planning and Zoning Commission**

- a. Annual Review - Conditional Use Permit - Vacation Home Establishment - 36 Water Street - Deadwood Rentals (Trinity Conrad) 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 of Section 26 T5N, R3E, B.H.M., City of Deadwood, Lawrence County, South Dakota.

Actions:

1. Approve/Deny continued use of Conditional Use Permit

Ms. Blue-Jones discussed Annual Review - Conditional Use Permit - Vacation Home Establishment - 36 Water Street - Deadwood Rentals (T. Conrad) and reviewed the Staff Report. This property has been in the process of obtaining a Lodging License, but it has been on hold due to a request by the state to update windows in the historic property to provide an egress. Mr. Kuchenbecker, Historic Preservation Officer for the City of Deadwood, has been in communication with the property owner and the state to work on the issue.

Discussion occurred regarding differences between state and city building code requirements followed by further discussion about the way to proceed. It was agreed that the conversation should be continued at the next Planning and Zoning Commission meeting so Mr. Kuchenbecker could be part of the discussion.

***It was moved by Commissioner Keehn and seconded by Commissioner Bruce to continue the discussion of Annual Review - Conditional Use Permit - Vacation Home Establishment - 36 Water Street - Deadwood Rentals (T. Conrad) at the September 18, 2024 Planning and Zoning Commission meeting. Voting yea: Martinisko, Keehn, Bruce, Owens, Eagleson.***

- b. Annual Review - Conditional Use Permit - Vacation Home Establishment - 819 Main Street (Trinity Conrad) 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.

Actions:

1. Approve/Deny continued use of Conditional Use Permit

Ms. Blue-Jones introduced Annual Review - Conditional Use Permit - Vacation Home Establishment - 819 Main Street (T. Conrad) and reviewed the Staff Report. This property has been in the process of obtaining a Lodging License, but it has been on hold due to a request by the state to update windows in the historic property to provide an egress.

***It was moved by Commissioner Keehn and seconded by Commissioner Eagleson to continue the discussion of Annual Review - Conditional Use Permit - Vacation Home Establishment - 36 Water Street - Deadwood Rentals (T. Conrad) at the September 18, 2024 Planning and Zoning Commission meeting. Voting yea: Martinisko, Keehn, Bruce, Owens, Eagleson.***

- c. Application for Plat - Adjust Lot Lines and Subdivide - 15 Forest Avenue - Adrian Newkirk legally described as Plat of Lots 5A, 9A, and 9B Block P, Original Townsite, formerly Lots 5, 6, 7, 8 and a portion of Lot 9, Block P City of Deadwood, Lawrence County, South Dakota.

Actions:

1. Approve/Deny Application for Plat

Ms. Blue-Jones discussed Application for Plat - Adjust Lot Lines and Subdivide - 15 Forest Avenue - A. Newkirk and reviewed the Staff Report. The purpose of the plat is to adjust the lot line between Lot 5 and Lot 6 to provide space between the house and the lot line. In addition, four (4) neighboring lots will be combined and subdivided into two (2) new lots. Discussion occurred about the motivation behind moving lot lines and the viability of future development of the lots.

***It was moved by Commissioner Owens and seconded by Commissioner Bruce to approve Application for Plat - Adjust Lot Lines and Subdivide - 15 Forest Avenue - A. Newkirk. Voting yea: Martinisko, Keehn, Bruce, Owens, Eagleson.***

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

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

## **7. Items from Staff**

Mr. Mohr discussed the Whitewood Creek project and remarked that it should be completed within the next few weeks. The construction project behind City Hall continues. The Welcome Center Boardwalk project had its final walkthrough, and a ribbon cutting should occur in the near future.

Commissioner Eagleson discussed the Farmer's Market and the possibility of an indoor market event over the winter.

**8. Adjournment**

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

There being no further business, the Planning and Zoning Commission adjourned at 4:29 p.m.

ATTEST:

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Chairman, Planning & Zoning Commission

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Secretary, Planning & Zoning Commission

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