

OFFICE OF  
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**PLANNING AND ZONING MEETING**  
**BOARD OF ADJUSTMENT**  
**STAFF REPORT**  
June 26, 2023

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**APPLICANT:** Kevin Schilling

**PURPOSE:** Adjusting Property Lines

**GENERAL LOCATION:** 30 Burnham Avenue

**LEGAL DESCRIPTION:** PLAT OF LOT 1A, BLOCK 9 1/2 OF HIGHLAND PARK ADDITION FORMERLY LOTS 1, 2 AND 3, BLOCK 9 1/2 OF HIGHLAND PARK ADDITION AND A PORTION OF TRACT 2 OF PALISADE STONE PLACER, M.S. 794, LOCATED IN THE NW1/4 OF SECTION 23, T5N, R3E, B.H.M., CITY OF DEADWOOD, LAWRENCE COUNTY, SOUTH DAKOTA

**FILE STATUS:** All legal obligations have been completed.

**ZONE:** R1 – Residential District

**STAFF FINDINGS:**

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Surrounding Zoning:

North: R1 – Residential

South: R1 - Residential

East: R1- Residential

West: R1 - Residential

Surrounding Land Uses:

Residential Dwellings

Residential Dwellings

Residential Dwellings

Residential Dwellings

**SUMMARY OF REQUEST**

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The purpose of this plat is to facilitate adjusting the lot lines for Lot 1A for the purpose to sale. This plat combines Lots 1, 2 and 3 as well as Part of Tract 2.

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## **FACTUAL INFORMATION**

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1. The property is currently zoned R1 - Residential.
2. Lot 1A is comprised of 0.135 Acres  $\pm$ .
3. The subject property is located within a R1- Residential Zoning designation.
4. The property is not located within a flood zone or flood hazard zone.
5. Public facilities are available to serve the property.
6. The area is currently characterized by residential homes.

## **STAFF DISCUSSION**

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There was a boundary conflict between the Kevin Schilling and the owner of Tract 2 – Bonnie Fosso. Mr. Schilling is purchasing Part of Tract 2 to and is combining it with Lots 1, 2 and 3 in to one plat for the purpose to sale the property.

1. The North Arrow is shown on the plat with a direct reference to the coordinate mapping system.
2. Land is identified with a new legal description for the transfer of the land.
3. Surveyor's Certificate is shown with the name of the surveyor and his registered land surveyor number.
4. A date is shown on the plat and serves to "fix in time" the data represented on the plat.
5. The street bounding the lot is shown and named.
6. All certifications are indicated and correct on the plat.
7. Dimensions, angles and bearings are shown along the lot lines.
8. Scale of the plat is shown and accompanied with a bar scale.
9. Area's taken out of the mineral survey and remaining acreage is indicated on the plat.

## **ACTION REQUIRED:**

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