



BOARD OF ADJUSTMENT FINAL PLAT

Staff Report

Date: August 3, 2023
From: Kevin Kuchenbecker
Planning, Zoning & Historic Preservation Officer
RE: Final Plat – Creating Property Lines

APPLICANT(S): Randy & Cheri Horner
PURPOSE: Creating Property Lines for Transfer of Property
ADDRESS: The RIDGE at Deadwood development
Deadwood, Lawrence County, South Dakota

LEGAL DESCRIPTION: Plat of Lots 90 Thru 94 of Block 1 of The Ridge Development. Formerly a Portion of Block 1 of The Ridge Development.

AND

Lot 1 of Block 2 of the Ridge Development and Lot 15 of Block 1B of The Ridge Development. Formerly a Portion of Preacher Smith Tract.

AND

The Dedicated Public Right-of-Way of Wild Canyon Drive and Gold Spike Drive all located in Gov't Lot 5 in Section 12 and Gov't Lots 10 & 12 in Section 11 of Township 5 North, Range 3 East, Black Hills Meridian, City of Deadwood, Lawrence County, South Dakota.

ZONE: Currently PUD - R1 – Residential
R2 – Residential Multi-Family
CH – Commercial Highway
PUD proposed amendment – Changes all proposed lots to CH – Commercial Highway

STAFF FINDINGS:

Surrounding Zoning:	Surrounding Land Uses:
North: Planned Unit Development	PUD – [R1-Residential]
South: Planned Unit Development	PUD – [R2-Multi-Famiy]
East: Planned Unit Development	PUD – [R1-Residential]
West: Planned Unit Development	PUD – [R2-Multi-Family]

SUMMARY OF REQUEST

The purpose of this plat is to create proposed property lines to establish lots for sale. These lots are proposed to be allowed as a future storage facility (Lot 1) as well as vacation home establishment lots (Lots 15 & 90-94) through the draft covenants dated 07/25/2023. The developer understands the lots sold for use of a vacation home establishment would need to have a conditional use permit.

The preliminary plat also includes platted portions of Gold Spike Drive (0.430+ Acres) and Wild Canyon Drive (1.203+ Acres). This represents the dedicated 66' wide public right-of-way not yet accepted by the City of Deadwood.

FACTUAL INFORMATION

1. The property is currently zoned Planned Unit Development.
2. The proposed lots are comprised as follows:
 - Lot 1 = 3.697 Acres±
 - Lot 15 = 0.567 Acres±
 - Lot 90 = 0.867 Acres±
 - Lot 91 = 0.568 Acres±
 - Lot 92 = 0.707 Acres±
 - Lot 93 = 0.478 Acres±
 - Lot 94 = 0.751 Acres±
3. The property is not located within a flood zone or flood hazard zone.
4. Public facilities are currently being installed to serve the property but has not been accepted by the City of Deadwood at this time.

STAFF DISCUSSION

Attached is the plat of Lots 90-94 of Block 1; Lot 1 of Block 2; Lot 15 of Block 1B and public right-of-way for Wild Canyon Drive and Gold Spike Drive of The RIDGE development. The developer is desiring to start the process of selling these lots to potential buyers. All lots are compliant with the requirements for bulk area as required by Deadwood City Ordinance. Through the proposed Planned Unit Development any use outside the use by right for Commercial Highway Zoning such as vacation home establishments would require conditional use permit through the City of Deadwood.

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.

ACTION REQUIRED

The plat was approved on August 2, 2023, by the Deadwood Planning and Zoning Commission with the following condition:

- No building permits shall be issued by the city until the plat thereof has been recorded in the office of the Register of Deeds of Lawrence County and any public improvements required for the service of that lot have been completed per City Ordinances including Chapter 16.08.010.

Approve / Deny / Approve with Conditions by Deadwood Board of Adjustments.