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## BOARD OF ADJUSTMENT FINAL PLAT

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### Staff Report

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

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**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 Utility Lot 1 and Lots 3-14 of Block 1B of the Ridge Development. Formerly a Portion of Preacher Smith Tract Located in Gov't Lots 10 and 12 of Section 11, T5N., R3E., B.H.M., City of Deadwood Lawrence County, South Dakota.  
**ZONE:** Currently PUD – R2 – Residential Multi-Family  
PUD amendment changes from R2 to CH – Commercial Highway

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### STAFF FINDINGS:

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Surrounding Zoning:	Surrounding Land Uses:
North: Planned Unit Development	Apartment Complex
South: Planned Unit Development	Vacant Land
East: Planned Unit Development	Vacant Land
West: Planned Unit Development	Vacant Land

## **SUMMARY OF REQUEST**

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The purpose of this plat is to create property lines. These lots are proposed to be CH – CH Commercial Highway lots to be allowed as townhomes. Part of the intended use has been stated as vacation home establishments. The developer understands a conditional use permit would be required to operate the townhomes as vacation home establishments.

## **FACTUAL INFORMATION**

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1. The property is currently zoned PUD R2 – Residential Multi-Family.
2. The proposed lots are comprised as follows: Utility Lot 1 = 0.396 Acres<sub>±</sub>, Lot 3 = 0.643 Acres<sub>±</sub>, Lot 4 = 0.313 Acres<sub>±</sub>, Lot 5 = 0.348 Acres<sub>±</sub>, Lot 6 = 0.385 Acres<sub>±</sub>, Lot 7 = 0.419 Acres<sub>±</sub>, Lot 8 = 0.418 Acres<sub>±</sub>, Lot 9 = 0.385 Acres<sub>±</sub>, Lot 10 = 0.351 Acres<sub>±</sub>, Lot 11 = 0.392 Acres<sub>±</sub>, Lot 12 = 0.449 Acres<sub>±</sub>, Lot 13 = 0.482 Acres<sub>±</sub>, and Lot 14 = 0.487 Acres<sub>±</sub>
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**

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Attached is a plat of Lots 1 and Lots 3-14 in The Ridge Development. The street and infrastructure have not been accepted by the City of Deadwood as of this date. The plat meets the requirements for bulk area as required by Deadwood City Ordinance. The developer has submitted a variance from other City requirements for this development.

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**

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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.

1. Approve / Deny / Approve with Conditions by Deadwood Board of Adjustment.