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## BOARD OF ADJUSTMENT STAFF REPORT APPLICATION FOR PLAT

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**Date:** September 8, 2026  
**From:** Kevin Kuchenbecker  
Planning, Zoning & Historic Preservation Officer  
**To:** Board of Adjustment  
**RE:** Application for Plat

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**APPLICANT:** Bret Wilkins and Aaron Marxen

**PROPERTY OWNERS:** Jon and Kimberly O'Shaughnessy

**PURPOSE:** Revise lot lines

**ADDRESS:** 25 and 29 Terrace Street

**LEGAL DESCRIPTION:** Plat of Lot 11AR, Block 64 and Lot 1AR, Block 65 formerly Lot 11A, Block 64 and Lot 1A, Block 65 and a portion of Lot 9, Block 64 Original Townsite, City of Deadwood, Lawrence County, South Dakota.

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### STAFF FINDINGS:

Surrounding Zoning:

North: R1 - Residential

South: R1 - Residential

East: R1 - Residential

West: R1 - Residential

Surrounding Land Uses:

Residential

Residential

Open Space

Residential

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### SUMMARY OF REQUEST

The applicant is under contract to purchase 29 Terrace Street in addition to Lots 9, 10 and 11 of Block 67, which is a vacant lot that sits at the corner of Terrace and Stewart Streets.

The current owners of the property have offered to include a portion of land in the sale that currently belongs to 25 Terrace Street. The reason for including this piece of land is so, in the future, both 29 Terrace Street and the vacant lot on Block 67 can be combined into one lot.

The future combination of these two (2) lots into a single lot can only take place after a vacation of a portion of Terrace Street, which was originally platted on the P.L. Rogers map in 1891, but was never actually developed. This undeveloped portion of Terrace Street runs behind the vacant lot that sits on Block 67. It is the intention of the applicant to petition the city to vacate that portion of Terrace Street once they own the adjacent properties.

In addition to the above, the proposed lot line adjustment will result in the lot of 25 Terrace Street to measure smaller than the 5,000 square feet required by city ordinance. The newly named Lot 11AR shows an extension of the lot past the current lot line (marked as “former lot line” on the plat) to maintain compliance with city ordinance.

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### **FACTUAL INFORMATION**

1. The property is currently zoned R1 – Residential.
2. Lot 11AR will be comprised of 5,050 square feet  $\pm$  which equates to 0.12 acres  $\pm$ .
2. Lot 1AR will be comprised of 12,062.37 square feet  $\pm$  which equates to 0.28 acres  $\pm$ .
3. The property is not located within a floodplain.
4. Public facilities are available to serve the property.
5. The area is currently characterized by residential dwellings and open space in the hills above.

### **STAFF DISCUSSION**

The subject property is owned by Jon and Kimberly O’Shaughnessy.

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 taken out of the mineral survey and remaining acreage is indicated on the plat.

**ACTION REQUIRED:**

1. Approval by Board of Adjustment (approved by Planning and Zoning Commission August 19, 2026).