

Greg and Cari Rothenhoefer  
21 Spring Street  
Deadwood, South Dakota

March 30, 2026

City of Deadwood  
City Commission Members and Deadwood City Mayor

We are writing to address the denial of our application for the Conditional Use Permit to obtain a Bed & Breakfast state license.

Initially, we would like you to know that we very much understand, respect and support the neighbors' written and voiced concerns presented at the Planning and Zoning meeting on February 18, 2026 regarding off street parking and preserving the quietness of our neighborhood. If we are issued the Conditional Use Permit and establish the B & B at our Spring Street residence, we will be residing at the home when guests are present and therefore will have the ability to directly monitor that our guests fully comply with parking and noise ordinance requirements. I have researched the social media sites for some of the other B & Bs operating within the Deadwood City limits. One of the attached documents provides an example of how they provide clear information on the historic and residential value of the neighborhood and the sites clearly state the parking guidelines and noise ordinances. We intend to provide the same information on booking sites with clear statements that off-street parking will not be permitted. Tentative guests that inquire about booking the property can be screened and hopefully respectful to choose another property if they need different parking options and would like "party house" accommodations. Please trust us that we also do not want our newly constructed home to be rented as a "party house." We also do not intend to have a full calendar of rentals, as we still intend to personally use the full residence.

Our garage can accommodate one vehicle or 4-5 motorcycles. Our driveway can accommodate 2-3 vehicles and 2 trucks comfortably. The photos submitted with this letter demonstrate that there is ample room to provide parking for our guests in the garage, the driveway, and the gravel area outside of the garage. Two of the photos also demonstrate that we would be able to park our vehicle off-street, against our front bank and not cause a constricting of the road when the guests would be using the property parking area. Ms. Morris' letter addressed to Planning and Zoning alleged that our Spring Street Road area is "too narrow for on street parking." Other than occasions during our home construction months, we do not park on the street and we commit to not allowing on-street parking to occur with any Bed & Breakfast guests. Mr. Kuchenbecker's Staff Report to the Planning and Zoning Commission 2-18-26, states "the subject property has access from Spring Street with off-street parking via a driveway and one (1) car garage." Stated as Factual Information, page 2 of 7. At this time, we will not be utilizing the neighboring property for any parking.

Additional photos submitted with this letter also demonstrate that the Morrises regularly constrict Dudley Road with a minimum of 4-5 vehicles or trailers parked into the street causing narrowing of this road. Does this parking situation meet the City of Deadwood's requirement of off-street parking? Again, according to Ms. Morris' statement about Spring Street being "too narrow for on street parking," the Morris's parking situation does cause a situation of constricting the road.

We purchased the Spring Street property in December 2011. We have respected and followed the City of Deadwood's ordinances and building requirements and addressed Ms. Morris' concerns when brought to Greg's attention, most of which were raised while construction projects were underway. During this time Brenda brought the following complaints to Greg's attention.

Concern	Resolution
A construction trailer which was present for approximately 2 weeks during construction was limiting the width of the road.	Greg instructed the subcontractor to move the trailer closer to the bottom of the bank of our property to improve the driving width of the road.
The only way to get past the trailer was to drive on the Morris' property.	The Morris' property line is 10-15 feet down over a steep bank which would make it impossible to drive on her property.
Ms. Morris stated in her letter that our construction caused damage to her property.	The only damage that Greg was made aware of was damage to the berm that is at the edge of the street well within the city right of way and 10-15 feet up the hill from the Morris property line. Greg did not state to Ms. Morris, "call the City of Deadwood because they have money."

Greg met with employees from the Public Works department several time to resolve the stated complaints. These issues have always been cooperatively and respectively resolved between Greg and the City officials, as well as determining the location of city right of way and property lines. Mr. Lornie Stalder stated this at the February 18 Planning and Zoning meeting.

At the recent Planning and Zoning meeting, Ms. Morris stated that she had been asking the City of Deadwood for 18 years to provide curb and gutter on her property to remediate her complaints about rain, mud and erosion coming from our road hillside. This indicates that the issue has been occurring long before we built our home. It is not accurate that our construction and driveway have caused this problem. Ms. Morris has no way of knowing "added traffic on that driveway more will sluff off onto the street." Her other driveway statement about vehicle failures and vehicles sliding into neighboring properties is hypothetical. Snow and ice provide a slippery driving challenge in many of Deadwood's neighborhood streets. It is a very easy remedy to park at the bottom of our driveway and be off of the street in order to be cautious about this winter road condition. We have done it many times.

Mr. Stalder's letter provided at the Planning and Zoning meeting provides information on what will be done to implement permanent erosion control measures. Our driveway was designed by Al Shrier, Structural Engineer, and based on professional topography and 2 soil survey assessments conducted prior to the beginning of construction.

We completed the following construction requirements from the city to address the soil and ground slope concerns.

- \*June 2012 Kalos, Inc., Lance Rom – archeological survey
- \*January 2014 American Technical Services – soil survey, subsurface exploration, geotechnical evaluation.
- \*October 2014 Albertson Engineering–Structural Engineer, conducted an engineering survey to provide direction on the foundation and site plan.
- \*November 2019 Dennis Forgey, General Contractor, provided the sewer installation. This plan was approved by the city and jointly paid for by the land owners and the City of Deadwood.
- \*October 2020 Al Shrier, Structural Engineer, developed the house/driveway site plan based on the topography and slope stability assessed by Northern Technologies, LLC
- \*October 2020 Northern Technologies, LLC – Earl Severn conducted Geotechnical Services and soil survey for the development of the site plan.

We chose to provide this written response to Ms. Morris' letter to Planning and Zoning Commission because Ms. Morris did not distribute her letter during the meeting as the other neighbors did. Leah Blue-Jones informed me the following day that Brenda had provided her letter after the meeting concluded so we did not have an opportunity to address her false allegations during the Planning and Zoning meeting.

We allowed friends to stay at our Spring Street home for a weekend in March 2026. I gave the friends directions to park at the bottom of our driveway and walk up to the garage entrance because the driveway had not been graveled yet and it was very muddy. When Ms. Morris sent me a text message informing me that they had parked at her home area, I replied that I would direct my friends that they needed to park at my driveway. Brenda kindly stated in her text that they could park there during their weekend stay. So, it turns out that while she told me my friends had her permission to park at her home area off the street, she had simultaneously "reported this to Leah Blue-Jones" as some type of violation, as she wrote in her letter to Planning and Zoning Commission.

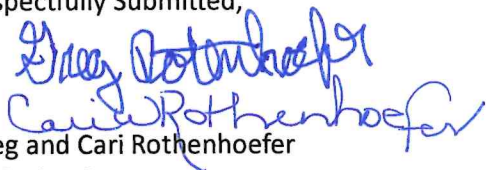
At the 2-18-26 Planning and Zoning meeting, Mr. Kevin Kuchenbecker reviewed the City conditions to operate a licensed Bed and Breakfast. He stated that our Spring St residence meets these requirements. Mr. Kuchenbecker's Staff Report also addresses the presented concerns of neighbors regarding increased traffic to the area. Specifically, in this report Mr. Kuchenbecker stated his assessment of this concern on page 3-section A, page 4-sections C and D, and page 5-section E. Mr. Kuchenbecker determined that the proposed use of our Spring Street property will not cause significant adverse impacts on adjacent properties, the character of the property, on water supply, fire protection, waste disposal, schools, traffic and circulation, or alter the character of the district.

We are not 'just trying to get around the short-term rental ordinance' as Mr. Keehn accused during the Planning and Zoning meeting. We are retiring and planning this new business venture, as well as having a personal desire to spend more time in the Black Hills during our retirement. We will provide the 'spirit of the B & B' cooked food/meal offerings with the completion of an efficiency kitchen in our mechanical room area upon the approval of the Conditional Use Permit. Mr. Kuchenbecker also clarified that being a full time, SD resident is not a requirement to operate the B & B. The requirement is to be present on the property when renting guests are present.

Our living quarters will be in the basement and will be a fully completed one bedroom apartment. This will include a 10' x 13' bedroom, a 6' x 9' three-quarter bathroom, and the efficiency kitchen with a small sitting room space. The building permit for the bedroom was issued March 30, 2026. The bathroom was previously approved by Trent Mohr with the Final Occupancy Permit issued February 18, 2026. We will apply for the efficiency kitchen building permit upon the approval of the Conditional Use Permit.

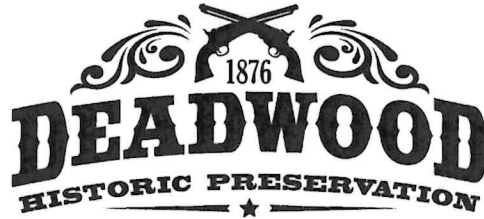
Our construction and residential history on Spring Street demonstrates that we have fully complied with the City of Deadwood's laws and building codes. We have been respectful residents of the historic and peaceful value of the neighborhood. We are asking the City Commission for the opportunity to demonstrate we would continue to do so when operating a Bed and Breakfast at our Spring Street residence. The Planning and Zoning Commission members denied our application for the Conditional Use Permit without giving us an explanation for the denial. We continue to appeal for the opportunity to demonstrate that we are committing to a high standard of property management that preserves the aesthetic of the neighborhood while contributing to the local tourism economy in a controlled, low impact manner as assessed in Mr. Kuchenbecker's Staff Report.

Respectfully Submitted,



Greg and Cari Rothenhoefer  
21 Spring Street  
Deadwood, South Dakota

OFFICE OF  
PLANNING, ZONING AND HISTORIC  
PRESERVATION  
108 Sherman Street  
Telephone (605) 578-2082  
Fax (605) 578-2084



Kevin Kuchenbecker  
Historic Preservation Officer  
Telephone (605) 578-2082  
Kevin@cityofdeadwood.com

December 26, 2019

Greg & Cari Rothenhoefer  
2805 Croydon Drive  
Casper, WY 82609

RE: Case No. H190380 21 Spring Street

Dear Mr. & Mrs. Rothenhoefer;

On Monday, December 23, 2019, the Deadwood Historic Preservation Commission reviewed your application for Project Approval for work at 21 Spring Street, a non-contributing structure located in the Spruce Gulch Planning Unit in the City of Deadwood. The application was for permission to construct a new structure on the lot.

The Deadwood Historic Preservation Commission has determined the proposed work and changes do not encroach upon, damage, or destroy a historic resource nor do they have an adverse effect on the historic character of the building listed as a contributing resource(s) in the State and National Register of Historic Places and therefore granted project approval for your application.

A building permit must be issued prior to commencement of work on the resource. To request a building permit and pay the fees due regarding this project, please contact the City Building Inspector, Trent Mohr, at the Public Works Dept. at (605) 578-2082. Any changes to the scope of work must be approved by the Historic Preservation Commission.

Thank you for your support in preserving, protecting and promoting the rich and unique heritage of Deadwood – A National Historic Landmark Community. If you have any questions or need further information, please do not hesitate to contact our office at your convenience.

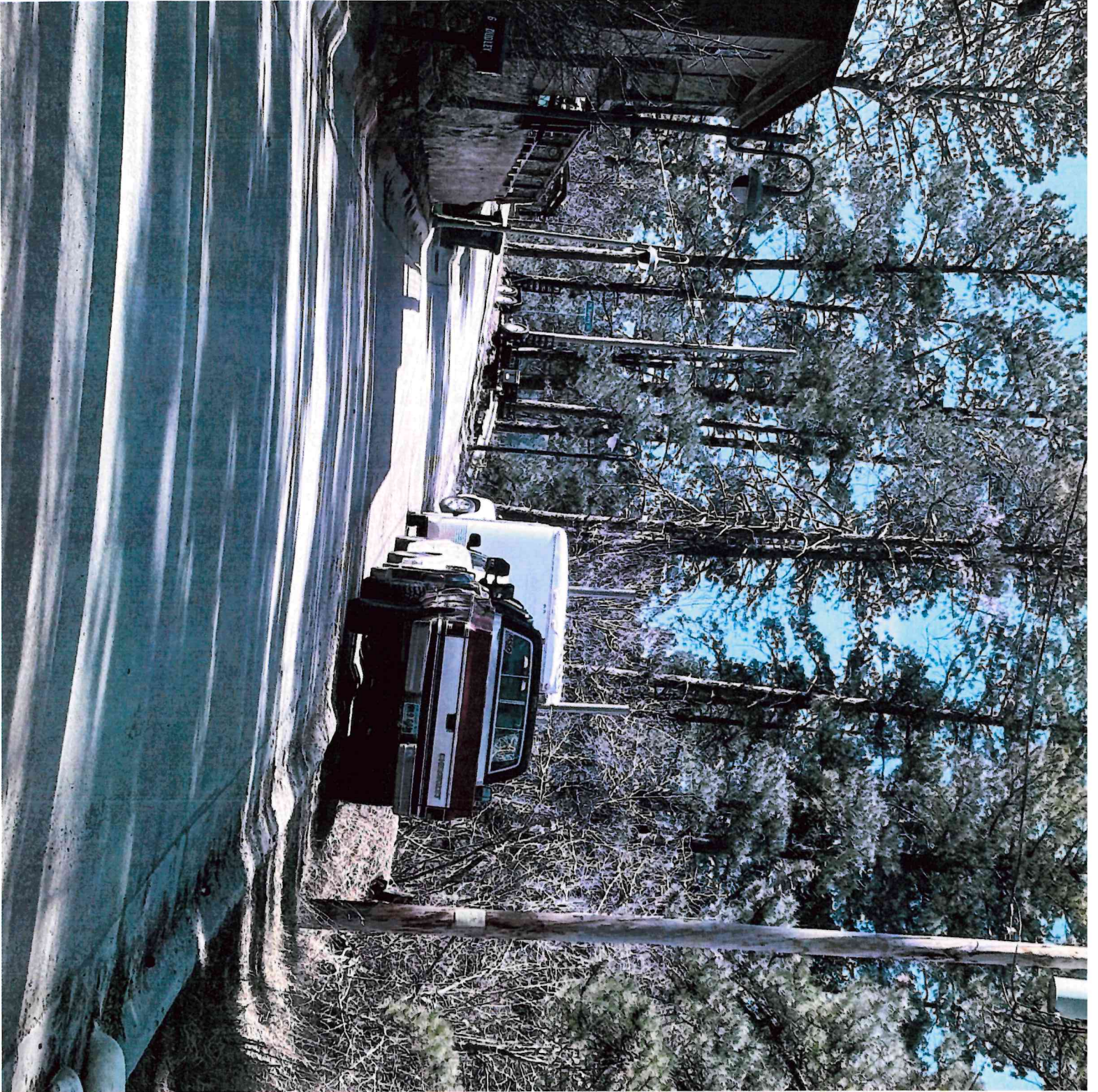
Sincerely,

A handwritten signature in black ink, appearing to read 'Kevin Kuchenbecker', written over a horizontal line.

Kevin Kuchenbecker  
Historic Preservation Officer

cc: Trent Mohr, City Building Inspector  
File

Morris  
Bradley St





Morris Shindler St







21

CAUTION  
NO PARKING  
OR STOPPING  
HERE  
OR IN THE  
ADJACENT  
ALLEYWAY  
OR DRIVEWAY  
OR ON THE  
CROSSWALK  
OR IN THE  
CROSSWALK  
OR IN THE  
CROSSWALK



RAJ - Location of Sam's car

Rotherhoefel  
21 Springs



Rothenshoefstr  
21 Springst

