



PLANNING AND ZONING COMMISSION FINDINGS OF FACT AND CONCLUSION CONDITIONAL USE PERMIT

Date: April 15, 2026
From: Kevin Kuchenbecker
Planning, Zoning & Historic Preservation Officer
To: Planning and Zoning Commission
RE: Findings of Fact and Conclusion

APPLICANT(S): Greg and Cari Rothenhoefer
PURPOSE: Conditional Use Permit – Bed and Breakfast Establishment
ADDRESS: 21 Spring Street
LEGAL DESCRIPTION: Lots 1 and 2, Block 5, Howard’s Addition to the City of
Deadwood, Lawrence County, South Dakota.
FILE STATUS: All legal obligations have been completed.

WHEREAS the above application for a Conditional Use Permit for a Bed and Breakfast Establishment in the R2 – Multi-Family Residential zoning district came on review before the Deadwood Planning and Zoning Commission on Wednesday, February 18, 2026. The application was recommended for denial by the Deadwood Planning and Zoning Commission. The Deadwood Board of Adjustment denied the request for a Bed and Breakfast Establishment, as recommended by the Planning and Zoning Commission, on Monday, April 6, 2026.

WHEREAS, all present members of the Deadwood Planning and Zoning Commission and the Deadwood Board of Adjustment having reviewed the Conditional Use Permit request and having considered all comments offered and all the evidence and testimony presented for the application; and, after discussion and consideration of the application and being fully advised in the premises, the Deadwood Planning and Zoning Commission and Deadwood Board of Adjustment hereby enter their:

FINDINGS OF FACT AND CONCLUSION

- Staff provided public notice identifying the applicant, describing the project and its location, and giving the scheduled date of the public hearing. Notice was placed in the designated newspaper of the City of Deadwood, ten (10) days in advance of the hearing as required by Section 17.76.060.J.

- An official sign was posted on the property for which the Conditional Use would occur.
- Property owners within three hundred (300) feet of the boundaries of the subject land were notified by first class mail as required by Section 17.76.060.D.
- The subject area is zoned R2 – Multi-Family Residential. The area near the subject property consists of residences and open space.
- The use, as proposed, would result in a substantial or undue adverse effect on adjacent property or the character of the neighborhood and the use would alter the character of the area.
- The use would cause significant adverse impacts on parking, traffic and circulation.

Based on these findings, the Deadwood Planning and Zoning Commission recommended denial of the request for a Conditional Use Permit for a Bed and Breakfast Establishment. The Deadwood Board of Adjustment denied the request as recommended by the Planning and Zoning Commission.

ATTEST:

Jessicca McKeown, Finance Officer
City of Deadwood
April 20, 2026

Alea Struble, Mayor
City of Deadwood
April 20, 2026

John Martinisko, Chairman
Planning and Zoning Commission
April 15, 2026

Josh Keehn, Vice Chair
Planning and Zoning Commission
April 15, 2026