

OFFICE OF
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BOARD OF ADJUSTMENT STAFF REPORT APPLICATION FOR PLAT

Date: July 20, 2026
From: Kevin Kuchenbecker
Planning, Zoning & Historic Preservation Officer
To: Board of Adjustment
RE: Application for Plat

APPLICANT: Chris Bergman

PURPOSE: Divide one (1) existing lots and create two (2) lots for the purpose of selling one (1) lot.

ADDRESS: 225 Cliff Street

LEGAL DESCRIPTION: Deadwood Gulch's of Fun Lot 1B and Lot 1C, being a portion of Deadwood Gulch Addition II. Formerly Deadwood Gulch's of Fun Tract 1, Lot AB10 in the US Highway 85 right-of-way in M.S. 107, lying adjacent to Deadwood Gulch's of Fun Tract 1, being a portion of Deadwood Gulch Addition II, and "lying adjacent to Deadwood Gulch's of Fun Tract 1" (Plat Doc #2017-4517 Surveyor's Affidavit of Correction Doc #2019-840), Lot AB1 in the US Highway 85 right-of-way. All located in the E ½ and SE ¼ of Section 27, T5N, R3E, B.H.M., City of Deadwood, Lawrence County, South Dakota.

STAFF FINDINGS:

Surrounding Zoning:

North: R1 - Residential
South: PF - Park Forest
East: PF - Park Forest
West: CH - Commercial Highway

Surrounding Land Uses:

Residences
Open Space
Open Space
Businesses

SUMMARY OF REQUEST

The purpose of this plat is to divide a single lot into two (2) lots for the purpose of selling the southernmost lot and developing it for future commercial use.

FACTUAL INFORMATION

1. The property is currently zoned CH – Commercial Highway.
2. Lot 1B will be comprised of 139,868 square feet $\pm$ which equates to 3.21 acres $\pm$.
3. Lot 1C will be comprised of 124,441 square feet $\pm$ which equates to 2.856 acres $\pm$.
3. The property is partially located within a 100-year floodplain and floodway.
4. Public facilities are available to serve the property.
5. The area is characterized by businesses along a highway setting.

STAFF DISCUSSION

The subject property is owned by Deadwood Land Company BHCI LLC.

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

ACTION REQUIRED:

1. Approval/Denial by Board of Adjustment (Approved by Planning and Zoning Commission July 15, 2026).