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BOARD OF ADJUSTMENT STAFF REPORT APPLICATION FOR PLAT

Date: April 7, 2025
From: Kevin Kuchenbecker
Planning, Zoning & Historic Preservation Officer
To: Board of Adjustment
RE: Application for Plat – 171 Charles Street

APPLICANT: City of Deadwood

PURPOSE: Create three parcels from multiple parcels. Transfer of property between the City of Deadwood and Southside Service Inc. will occur after the approval of this plat.

ADDRESS: 171 Charles Street

LEGAL DESCRIPTION: Plat of Tract 1, Tract 2 and dedicated Public Right of Way of Mollman Subdivision formerly Tracts A1, C-1, C-2 of M.S. 207 and a portion of M.S. 207; Lots MK8 and MK9 of the Mickelson Trail and School Lot 23, City of Deadwood, Lawrence County, South Dakota located in the NE ¼ of Section 27, T5N, R3E, B.H.M.

STAFF FINDINGS:

Surrounding Zoning:

North: PF - Park Forest
South: CH – Commercial Highway
PU – Public Use
East: CH – Commercial Highway
West: PU - Public Use

Surrounding Land Uses:

Open Space
Business and Residences
Mickelson Trail
Residences
Open Space/Mickelson Trail

SUMMARY OF REQUEST

The purpose of this plat is to combine six (6) parcels and create two (2) parcels and a public right of way.

The first parcel, renamed Tract 1 and owned by Southside Service Inc., is being combined into a single large lot to prevent future delays in building permits. In the past, building permits have been unable to be issued due to conflicts with interior lot lines. In addition, a small parcel of land at the entrance of 171 Charles Street will be transferred from the City of Deadwood to Southside Service Inc.

The second parcel renamed Tract 2 will be transferred to the City of Deadwood by the current owner, Southside Service Inc., for the purpose of viewshed protection.

The third parcel is a dedicated public right of way. It will be transferred to the City of Deadwood by the current owner, Southside Service Inc., for the purpose of future maintenance of the public right of way.

FACTUAL INFORMATION

1. The property currently sits within three (3) zoning districts: CH – Commercial Highway, R1 – Residential, and PU – Public Use.
2. Tract 1 will be comprised of 2.282 acres \pm . Tract 2 will be comprised of 0.9 acres \pm in addition to 0.282 acres of dedicated public right-of-way. The combined acreage of both lots will be 3.182 acres \pm .
3. Tract 1 is located within the 500-year floodplain. Tract 2 is not located within the floodplain.
4. Public facilities are available to serve Tract 1.
5. The area is currently characterized by a mixture of commercial, residential and public uses and is accessible from both Charles Street and McGovern Hill Road.

STAFF DISCUSSION

The subject property is owned by Southside Service Inc.

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. The Surveyor Certificate is shown with the name of the surveyor and their 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. Areas taken out of the mineral survey and the remaining acreage is indicated on the plat.

ACTION REQUIRED:

1. Approval/Denial by Deadwood Board of Adjustment (Approved by Planning and Zoning Commission April 2, 2025)