

STAFF REPORT  
November 21, 2007

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**No. 07VE042 - Vacation of Non-Access Easement**

**ITEM 15**

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GENERAL INFORMATION:

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|-------------------------------|---|
| APPLICANT                     | Land and Marine Development, Inc.   |
| AGENT                         | Jared Tordsen   |
| PROPERTY OWNER                | Land & Marine Developmnets, Inc.  |
| REQUEST                       | <b>No. 07VE042 - Vacation of Non-Access Easement</b>  |
| EXISTING<br>LEGAL DESCRIPTION | Lot 32, Rockinon Ranch Estates, located in the N1/2<br>NE1/4 SE1/4, Section 23, T2N, R7E, BHM, Rapid City,<br>Pennington County, South Dakota |
| PARCEL ACREAGE                | Approximately 0.2158 3 acres  |
| LOCATION                      | At the southeast corner of the intersection of Abbey<br>Road (Hovering Heights Court) and Antler Ridge Road                                   |
| EXISTING ZONING               | Low Density Residential District  |
| SURROUNDING ZONING            |   |
| North:                        | Low Density Residential District  |
| South:                        | Low Density Residential District  |
| East:                         | Low Density Residential District  |
| West:                         | Low Density Residential District  |
| PUBLIC UTILITIES              | Public  |
| DATE OF APPLICATION           | 10/12/2007  |
| REVIEWED BY                   | Jonathan Smith / Mary Bosworth  |

RECOMMENDATION:

**Staff recommends that the Vacation of Non-Access Easement be continued to the December 6, 2007 Planning Commission Meeting.**

GENERAL COMMENTS:

**(Updated November 13, 2007. All revised text is shown in bold.) As of this writing staff has not received the revised exhibit or the required Exception Request. Staff recommends that this item be continued to the December 6, 2007 Planning Commission meeting to allow the applicant time to submit a revised exhibit, and an associated Exception Request.**

The applicant has submitted a Vacation of Non-Access Easement request. The property is Lot 32 of Rockinon Ranch Estates. The property is located at the southeast intersection of Abbey Road and Antler Ridge Road. A Planned Residential Development- Initial and Final Plan (#07PD088) has been filed in conjunction with this request. A Road Name Change request

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(#07RD005) to change Abbey Road to Lennon Lane has also been filed in conjunction with this request. The property was platted (#07PL007) on January 24, 2007. The property is currently void of any structural development. The property is currently zoned Low Density Residential District.

STAFF REVIEW:

Staff has reviewed the applicant's Vacation of Non-Access Easement request and noted the following considerations:

The applicant has submitted an exhibit known as "Exhibit A" identifying the portion of Non-Access Easement to be vacated. The applicant's exhibit identifies 30 feet of the Non-Access Easement along "Hendrix Lane" as being proposed for vacation. Staff has noted that the plat document identifies "Hendrix Lane" as Antler Ridge Road. On October 29, 2007 the applicant met with staff to discuss revising the exhibit. Staff recommends that the applicant revise the exhibit to identify the proposed Non-Access Easement vacation in the area where a proposed driveway will actually be constructed rather than a 30 foot portion of Non-Access Easement to be vacated along Antler Ridge Road. In addition staff notified the applicant that an Exception Request must be filed in conjunction with the Non-Access Easement request to allow for corner clearance of less than 50 feet as per Section 8.2.3 of the Street Design Criteria Manual, and the street names shall be revised on the exhibit accordingly.

Staff recommends that this item be continued to the November 21, 2007 Planning Commission meeting to allow the applicant time to submit a revised exhibit and an associated Exception Request.