



Staff Report for Western Weber County Planning Commission

Weber County Planning Division

Synopsis

Application Information

Application Request: Consideration and action on preliminary approval of Winslow Farr Jr. Farm Subdivision (81 lots) and an Access Exception AE 2015-01 for lot 100 and 101.

Agenda Date: Tuesday, February 10, 2015

Applicant: Bob Favero

File Number: LVW 1209-14 and AE 2015-01

Property Information

Approximate Address: 2269 South 3500 West

Project Area: 69.943 acres

Zoning: Agricultural (A-1)

Existing Land Use: Residential/ Agricultural

Proposed Land Use: Residential

Parcel ID: 15-078-011 to 0015, 15-078-0039 to 0040, 15-078-0046, and 15-078-0009

Township, Range, Section: T6N, R2W, Section 28

Adjacent Land Use

North: Residential	South: Agricultural
East: Agricultural	West: Residential

Staff Information

Report Presenter: Jim Gentry
jgentry@co.weber.ut.us
801-399-8767

Report Reviewer: JG

Applicable Land Use Codes

- Weber County Land Use Code Title 106 (Subdivisions)
- Weber County Land Use Code Title 104 (Zones) Chapter 5 (A-1 Zone)
- Weber County Land Use Code Title 108 (Zones) Chapter 3 (Cluster Subdivision)

Type of Decision

Administrative Decisions: When the Planning Commission is acting as a land use authority, it is acting in an administrative capacity and has much less discretion. Examples of administrative applications are design reviews, flag lots, and subdivisions. Administrative applications must be approved by the Planning Commission if the application demonstrates compliance with the approval criteria.

Background

The applicant is requesting preliminary approval of Winslow Farr Jr. Farm Subdivision (81 lots), located at approximately 3500 West 2269 South in the A-1 Zone. The minimum frontage in a cluster subdivision is 60 feet with the setbacks being 20 feet on the front and rears with the sides a minimum of 8 feet. Dwellings are allowed to be 40 feet in height.

Since this is a cluster subdivision, the applicant is asking for a 25 percent bonus, 10 percent for doing a cluster subdivision, and 15 percent for having a one acre community garden that is open to the public. The perimeter of the community garden will have a split rail fence. On half of the space, there will be ten 4' by 12' grow boxes with 5 foot paths in between each box for access. The remainder of that half of the parcel will be prepared for regular gardening plots. The developer will provide access to irrigation water (see applicant's open space narrative). The Planning Commission needs to consider for approval the bonus density that is being requested.

The proposed project will occupy 69.943 acres and consist of 81 lots, with 21.595 acres of open space which meets the requirement of 30 percent. The subdivision will be serviced by approximately 9.185 acres of public road improvements. The property has 60.758 acres of net developable area once the road is subtracted. Since the zoning requires 40,000 square feet

of area, 66.165 lots would be allowed on this property. The applicant is asking for 25 percent bonus for the items listed above which will give them the requested 81 lots (66.165 lots plus 25 percent bonus = 82 lots).

The lots range from 13,000 square feet to 25,000 square feet meeting lot area and frontage requirements of the cluster subdivision code. The cluster code requires the lots to be in a cluster with up to 20 units per cluster with an allowance of up to 5 additional units. The code further requires a separation of these clusters with a strip of open space at least 75 feet wide. Roads cannot be used as a separator. In order to meet this requirement, open space J was added so the kitty corners of Lots 401 and 412 will meet the 75 foot separation. This area will be maintained by a Home Owners Association.

There are 21.08 acres of open space, which meets the open space requirement of 30 percent. The proposal is to sell the open space to lot owners within the subdivision as well as the area for the community garden in order not to have to form a Home Owners Association. The open space J and D requires a Home Owners Association for the maintenance of that space. How will open space D be accessed?

Irrigation ditches or canals which carry five second feet or more of water is required to install a solid board, chain link, or other non-climbable fence not less than five feet in height. Therefore, a fence shall be installed on both sides of existing irrigation ditches. A large ditch runs through the property for which the applicant will have to install a non-climbable fence of not less than five feet on both sides of this irrigation ditch.

The Weber County Engineer's Office has reviewed the project and a copy of their review is attached as an exhibit. All items need to be addressed prior to submitting for final approval. The roadway cross section shows curb, gutter, and sidewalk are to be installed as part of this subdivision. There is curb, gutter, and sidewalk on the north side of 2200 South, and the subdivision to the west (Blue Acres Phase 4) proposed to install these improvements as part of their subdivision.

Taylor-West Weber Water gave preliminary approval with the condition that secondary water is provided by Hooper Irrigation and a Weber Basin contract for the water rights. A final approval letter from Taylor-West Weber Water is required prior to Planning Division final approval. A capacity Assessment letter on the water system is required from the state prior to final approval from the Planning Commission. A construct permit from the Utah State Department of Environmental Quality Division of Drinking Water for expansion of the water system and water lines serving the subdivision is required prior to the subdivision receiving final approval from the County Commission.

Central Weber Sewer will provide sewer services with the condition that the property is annexed into the sewer district and all plans are approved by the district. Annexation into the sewer district is required prior to final approval by the Planning Commission.

The Fire District stated that the fire hydrant spacing is incorrect and corrections need to be made and resubmitted to the fire district. As phases of this development are done, a second access is required when the number of homes reach 30.

As part of this subdivision application, the applicant is also requesting approval of Access Exception 2015-1 (AE 2015-1) for lots 100 and 101 to be accessed by a 30 foot easement from 3600 West. Lot 101 has a home located on the property and is currently being accessed on a 16.5 foot right of way easement from 3500 West. There is an out building located on the property line that will have to be removed. The existing easement will be vacated from 3500 West to what is being shown as 3600 West. Since one new lot is being accessed by this right of way easement, approval needs to be granted for an access exception.

Summary of Planning Commission Considerations

- Does this subdivision meet the requirements of the Land Use Code including the Cluster Subdivision Ordinance?
- Should a 25 percent bonus be granted?
- How will open space D be accessed?

Conformance to the General Plan

Subdivisions that meet the requirements of applicable County Ordinances conform to the General Plan. This subdivision addresses water, wastewater, roads, and other issues which are discussed in the General Plan.

Conditions of Approval

- Requirements of the Weber County Engineering Division.
- Requirements of the Central Weber Sewer District.
 - Annexation into the sewer district
 - District impact fees

- Requirements of Taylor West Weber Water.
 - Connect to Hooper Irrigation
 - Irrigation plans need to be approved by Hooper Irrigation.
 - Impact fees
- Requirements of the Weber Fire District.
 - Fire District Impact fees
- Fencing of the irrigation ditch.
- A construct permit from the Utah State Department of Environmental Quality Division of Drinking Water for expansion of the water system and water lines.
- Capacity Assessment letter on the water system.
- All improvements need to be either installed or escrowed for prior to recording of the subdivision.
- An Access Exception application and approval for Lot 100 and Lot 101. The building that is on those two property lines needs to be removed or moved.
- The open space distance between Lot 503 and lot 100 needs to be 75 feet. Please check and show distance.
- Curb, gutter, and sidewalk are to be installed as part of this subdivision.
- If the open space is to be sold, will structures be allowed in the open space? If so, those locations shall be shown on the subdivision plat. A open space plan is required and needs to be submitted.
- Home Owners Association for the maintenance for open space J and D. Provide access to open space D

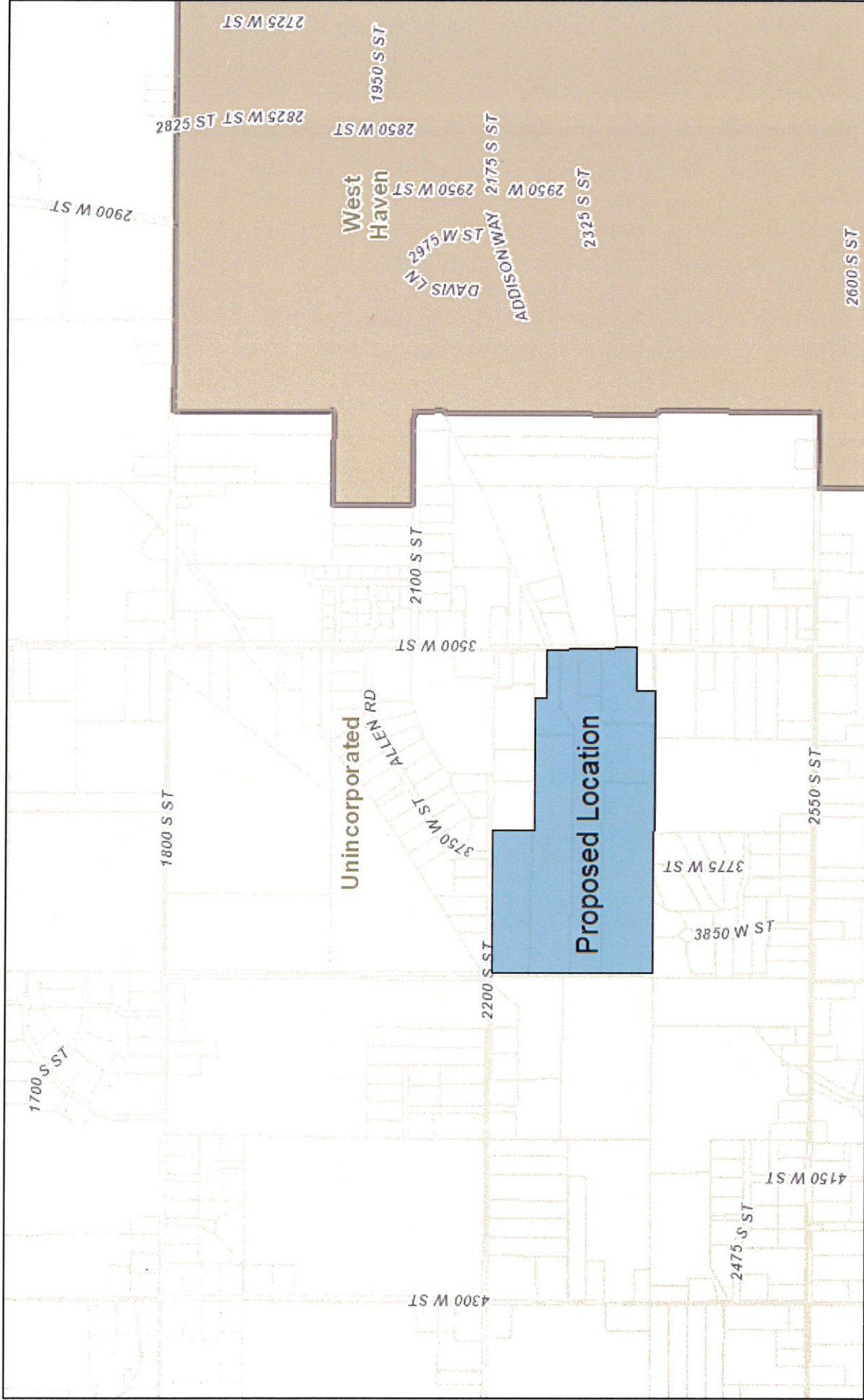
Staff Recommendation

Staff recommends that the Planning Commission grants preliminary approval of Winslow Farr Jr. Farm Subdivision (81 lots plus 9 open space parcels), subject to staff and other agency comments. Staff recommendation includes the approval of Access Exception (AE 2015-1) for lots 100 and 101 to be accessed by a 30 foot easement from 3600 West.

Exhibits

- A. Location map
- B. Subdivision plat
- C. Engineering review letter
- D. Map with the open space highlighted
- E. Open Space Preservation Narratives
- F. Drawings on the community gardens
- G. Access exception application
- H. Access exception drawing

Proposed Location



January 27, 2015

Street Labels

City Labels

1:18,056



Preliminary Review

Project: [Winslow Farr Jr. Farm Subdivision](#)
User: [Dana Shuler](#)
Department: [Weber County Engineering Division](#)
Created: 2014-12-19 17:02:46
Modified: 2014-12-19 17:02:46

Notes

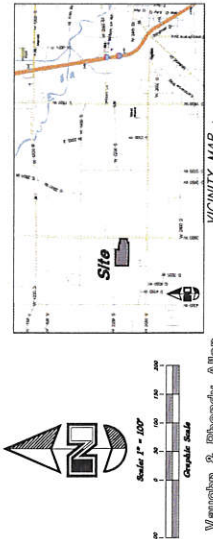
I have had a chance to review the preliminary plan and have the following comment(s): **Written responses to the following comments are required.**

1. Per the County subdivision ordinance, a preliminary plan is required to be submitted with the subdivision application.
 1. The preliminary plan shall be prepared in conformance with the requirements of this ordinance and all other County codes and regulations regulating the subdivision of land.
 1. The registered land surveyor of the subdivision and the owners of the land immediately adjoining the land to be subdivided.
 2. Existing and proposed sanitary sewers, storm drains, water supply mains, water wells, land drains, and culverts within the tract and immediately adjacent thereto.
 3. The location, widths and other dimensions of proposed public streets, private streets, or private access rights-of-way, alleys, utility easements, parks, other open spaces and lots with proper labeling of spaces to be dedicated to the public or designated as private streets or private access rights-of-way.
 2. Open space and common area improvements shall be submitted including but not limited to landscaping, structures, signs, parking, and other amenities.
 3. The ditch in the front of the property will need to be piped with a properly sized culvert. If the curb, gutter, and sidewalk are deferred, then the grade will need to be brought up to a foot below the edge of asphalt.
 4. There will need to be an easement given for the existing ditches in the subdivision.
 5. Because soil conditions vary throughout the county, it is now necessary to provide an engineered pavement design showing required sub-base, road base, fabric, and asphalt thickness, as needed for soil type. The County Engineer is now requiring:
 1. Minimum asphalt thickness of 3 inches.
 2. Minimum untreated base course thickness of 6 inches.
 3. Minimum 4"-minus sub-base thickness of 8 inches.
 4. Compaction tests on all layers are required.
 6. An excavation permit is required for all work done within the existing right-of-way.
 7. All improvements need to be either installed or escrowed for prior to recording of the subdivision.
 8. A Storm Water Construction Activity Permit is required for any construction that:
 1. disturbs more than 5000 square feet of land surface area,
 2. consists of the excavation and/or fill of more than 200 cubic yards of material, or
 3. requires a building permit for which excavation or fill is a part of the construction.
 9. A Storm Water Pollution Prevention Plan (SWPPP) is required to be submitted for all new development where construction is required. The State now requires that a Utah Discharge Pollution Elimination Systems (UPDES) permit be acquired for all new development. A copy of the permit needs to be submitted to the County before final approval. Permits can now be obtained online thru the Utah State Department of Environmental Quality at the following web site: <https://secure.utah.gov/swp/client>.
10. Will CWSID allow laterals on the trunk line? Or are you paralleling it on Farr Parkway? Please clarify sewer layout.
11. Existing or proposed sewer easement needs to be shown.
12. Are lots 100 and 101 served by sewer or septic? What about water?
13. Will all buildings on parcel E be removed?
14. Lot 307 has no sewer service.
15. Provide phasing plan for utilities and/or road if different from subdivision phasing.
16. If phased, roads will need temporary cul-de-sacs.
17. Road in front of lot 308 needs to be included in phase 3, if phase 4 is not concurrent with phase 3.
18. Asphalt width mislabeled in roadway section.
19. Road pavement section does not meet County minimum standards. Geotech recommended section is also acceptable upon County Engineer's approval.
20. Need storm water calculations including detention/retention.
21. What is the radius of the cul-de-sac on Favero Circle?

I have tried to address all items of concern from the Engineering Department. However, this review does not forego other items of concern that may come to this department's attention during additional reviews or during construction of improvements. If you have any comments or questions concerning this review, feel free to contact me.

ZONING INFORMATION
 This property is Zoned A-1 (Agricultural) and has the following building setbacks:
 Front Yard = 30 feet
 Side Yard = 10 feet (Swelling)
 Other Main Building (20 feet)
 Side Fencing Street on Corner Lot (20 feet)
 Back Yard = 30 feet
 Building Height = 1 Story building (35 feet maximum)

Preliminary Plan for Winslow Farr Jr. Farm
 A part of Section 28, T6N, R2W, SLB&M, U.S. Survey
 Weber County, Utah
 January 2015



NO.	DESCRIPTION	DATE	BY
1	PRELIMINARY PLAN	01/15/15	W.F.F.

GREAT BASIN ENGINEERING INC.
 546 S. GREAT BASIN BLVD. SUITE 100
 W. WARRIOR, UTAH 84091
 PHONE: (435) 734-1111
 FAX: (435) 734-1112
 WWW.GREATBASINENGINEERING.COM

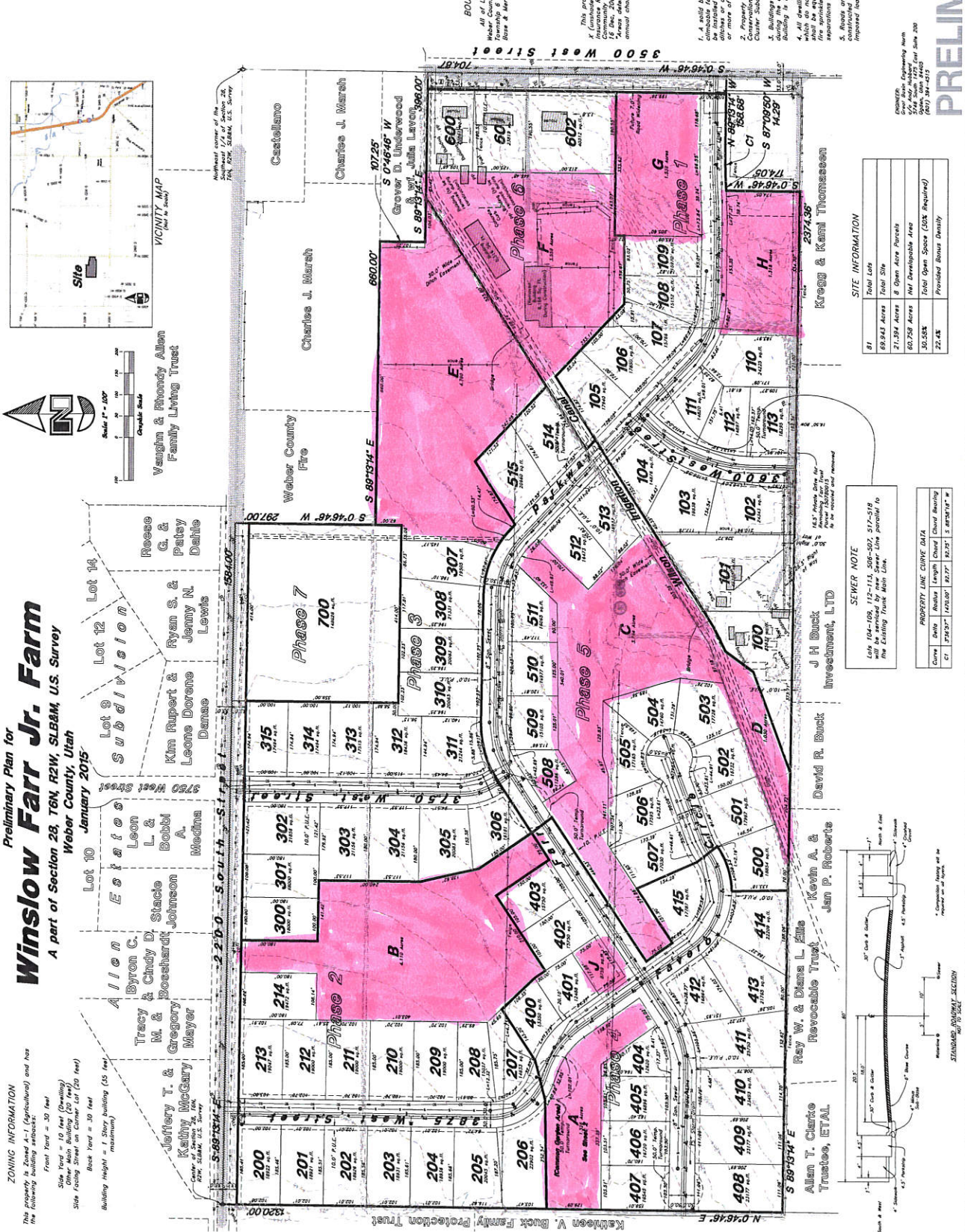
Winslow Farr Jr. Farm Preliminary Plan
 23 Jan 2015
 SHEET NO. 1

- LEGEND**
- 1. Survey
 - 2. Utility
 - 3. Easement
 - 4. Right of Way
 - 5. Easement
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BOUNDARY DESCRIPTION
 All of Lot 1, Winslow Farr Jr. Subdivision, Weber County, Utah, located in Section 28, Township 6 North, Range 2 West, Soil Lake 2 East of Meridian.

FLOOD PLAIN
 This property lies entirely within flood zone X. This property is being developed under the National Flood Insurance Program (NFIP) and is subject to the National Flood Insurance Act of 1968. The Flood Insurance Rate Map for Weber County, Utah, shows that the property is located in Flood Zone X. Areas determined to be outside the 0.2% annual chance flood plain (no housing).

- NOTES**
1. All utility boards, both above and below ground, shall be installed on both sides of existing irrigation or more of water.
 2. Property is being developed under the National Flood Insurance Program (NFIP) and is subject to the National Flood Insurance Act of 1968. The Flood Insurance Rate Map for Weber County, Utah, shows that the property is located in Flood Zone X. Areas determined to be outside the 0.2% annual chance flood plain (no housing).
 3. All existing structures over 5,000 sq. ft. shall be equipped with an NFPA 13D compliant fire sprinkler system or be provided with one.
 4. All existing structures over 5,000 sq. ft. shall be equipped with an NFPA 13D compliant fire sprinkler system or be provided with one.
 5. Flood proofing shall be required for all structures over 5,000 sq. ft. located in Flood Zone X.
 6. Flood proofing shall be required for all structures over 5,000 sq. ft. located in Flood Zone X.
 7. Flood proofing shall be required for all structures over 5,000 sq. ft. located in Flood Zone X.
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 9. Flood proofing shall be required for all structures over 5,000 sq. ft. located in Flood Zone X.
 10. Flood proofing shall be required for all structures over 5,000 sq. ft. located in Flood Zone X.



SITE INFORMATION

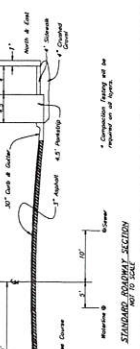
Item	Value
Phase 1	69.942 Acres
Phase 2	21.394 Acres
Phase 3	60.758 Acres
Phase 4	30.558 Acres
Phase 5	22.148 Acres

SEWER NOTE

Lot 104-109, 112-113, 506-507, 517-518
 are served by the existing sewer line.

PROPERTY LINE CURVE DATA

Curve	Delta	Radius	Length	Chord	Chord Bearing
C1	73.5237°	1474.00'	88.27'	18.22'	S. 89.514° W



PRELIMINARY

WINSTRAW ENGINEERING
 2300 South 500 West
 Salt Lake City, UT 84119
 (801) 444-1200

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 Salt Lake City, UT 84119
 (801) 444-1200

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 (801) 444-1200

Open Space Preservation Plan for Winslow Farr Jr. Farm Subdivision:

The Winslow Farr Jr. Farm subdivision consists of 68 acres and is in an A-1 zone, which allows for a minimum 40,000 square foot lot and one lot per acre. It would be expected that the owners could, under the current zoning of the land, develop approximately 57 to 59 lots on this property considering land configuration and required street improvements. This property is served by all utilities including sewer and secondary water, which is not common in western Weber County. The owners of the property have determined that a more efficient use of the land would be to develop it into a cluster subdivision, as allowed in an A-1 zone. The advantages of this type of development include:

- Open spaces surrounding residential lots. (In this subdivision they will be used for agricultural uses.)
- Open spaces will be preserved in perpetuity by deed restriction and CC&Rs
- Lot sizes will encourage better maintained residential lots, less weed patches
- Continued compatibility with the rural nature of the surrounding land in the area
- Open spaces could be more easily maintained and more productive with properly sized equipment
- Reduced amount of infrastructure to be maintained by government entities going forward
- This subdivision has been designed giving consideration to the rural nature of the land around it by sizing the lot from 25000 square feet to no less than 15,000 square feet. Open spaces have been designed to separate clusters of no more than 20 residential lots and are sized so that an owner of an open space can effectively and efficiently use farm machinery to maintain the space. The subdivision has been designed to meet or exceed the requirements set forth in the Cluster Subdivision Ordinance

The Cluster Subdivision Ordinance provides an incentive of bonus density or an increase of the number of residential lots if it is determined that the subdivision meets some or all of the criteria set forth in the ordinance. We request a bonus density of 10% based on the criteria that the subdivision meets the purpose and intent of the ordinance. We also request an additional bonus density of 15% based on the criteria that amenities are provided to the general public such as a community garden. The developer will construct a Community Garden that will be available to the general public (see details below). This will be a total of 25% bonus density.

1. OPEN SPACE PLAN:

- a. This subdivision provides Open Spaces of ___ acres (approximately ___ % of the total acres) interspersed with residential lots in an effort to preserve the rural nature of the area around it. The Subdivision provides lot sizes that most home owners can responsibly care for without looking like a high density small lot development. It also

accommodates the individuals that would like to own a larger tract of land close to their home that is part of a well developed subdivision. Open Spaces of ___ to ___ acres divide clusters of residential lots in a way that maintains the rural feel of the area. This approach should encourage substantial homes of a high quality. The Open Spaces are sized to allow an owner to equip the property for good maintenance.

- b. The subdivision will be developed in phases. Each phase will, when approved, identify the Open Space that will be associated with a particular phase of the overall project. The preliminary plan will show all Open Spaces and the phase to which they will correspond.
- c. The Open Space will be individually owned and preserved by a recorded preservation easement on each parcel identifying it perpetually as an Open Space Parcel. Deed restrictions to this effect will be placed in each Open Space Parcel deed.
- d. Individual owners will be responsible for the ongoing maintenance of their part of the Open Space.
- e. The Final Plat for each phase will show a proposed building envelope for each Open Space parcel, or subdivision of an Open Space parcel, which will not exceed 5% of the total size of the parcel. These are non residential building. Building built inside of these designated envelopes will be used for agricultural purposes, storage of equipment, shelter for animal and commodities. All buildings will be built with new materials and completed within 12 months from the time they are started. These requirements will be regulated by the CC&Rs that will be recorded with each phase.

2. OWNERSHIP:

- a. Open space in this subdivision will be sold to and owned in the future by individuals who own a lot in the subdivision.
- b. A one acre plot will be designated as a COMMUNITY GARDEN. This plot will be owned by one who is an owner of a lot in the subdivision.
- c. A note on the final recorded plats will describe the ownership standard for all lots in each phase of the subdivision, along with restriction on each deed.

3. MAINTENANCE:

- a. The preferred approach will be to sell the Open Space in parcels of 3 acres or more, so an owner would have sufficient land to justify the acquisition of a small amount of equipment to maintain his land.
- b. The developer will record with each phase, Covenants, Conditions and Restriction on all lots and Open Spaces in the subdivision that will require a high standard of maintenance for items such as weed control, upkeep and repair of all improvements and abandoned vehicles and equipment removal. This will provide other property owners the ability to resolve maintenance concerns.
- c. Owners are required to manage and maintain the Open Space in a manner that is consistent with the Open Space Preservation Plan.

4. PRESERVATION:

- a. An approved preservation easement will be recorded on each Open Space parcel, identifying each as an Open Space along with deed restrictions.

- b. Purchaser and subsequent purchasers will be required to use these Open Space parcels and associated building for agricultural uses only as restricted by the easement.
5. Community Garden Parcel:
- a. In Open Space _____, as shown on the subdivision preliminary plan, the developer will create a community garden parcel of one acre. This garden parcel will be open to the general public. The developer will fence the perimeter of the one acre parcel. On half of the space it will build ten 4' by 12' grow boxes with 5 foot paths in between each box for access. The remainder of that half of the parcel will be prepared for regular gardening plots. The developer will provide access to irrigation water. The balance of the acre parcel would be set aside for future development by an Association of Users and their management (see below) according to their desires.
 - b. An Association of Users will be created by the developer to oversee the management and future development of the parcel. The association would consist of and be managed by a president and two board members. All shall be owners of lots in the subdivision. Each would serve for a period of two years in their appointed position. Then the two board members, in turn, would move to be president, at the end of the first president's term. Each two years, a new board member would be called to serve on the board and ultimately become president. Their responsibilities would include insuring that the parcel is well maintained, leasing out of the undeveloped portion, receiving, depositing and safeguarding performance deposits and rents, if any, as appropriate and paying for assessments, liability coverage and future development of the parcel.
 - c. This parcel will be open to the community for production of vegetables, fruits and other food stuffs for personal use only.
 - d. The developer will create an appropriate marker and entryway that will set the community garden parcel apart from the other Open Spaces of the subdivision.

Reasons for creating a Community Garden:

Community workers, public health officials and urban planners are increasingly concerned about declining levels of physical and psychological health of the public.

The reasons behind this alarming trend are complex.

Research found that community gardens have resulted in a broad range of positive physical and psychological well-being outcomes for the public. These included providing opportunities for individuals to relax, undertake physical activity, socialize and mix with neighbors, sharing across culturally different backgrounds and religions. The gardens also afforded opportunities to learn about horticulture and sustainable environmental practices, such as composting and recycling, as well as being an important source of low-cost fresh produce for a healthy diet.

Research confirms that community gardens can play a significant role in enhancing the physical, emotional and spiritual well-being necessary to build healthy and socially sustainable communities. The importance of community gardens to the public is likely to grow as the trend for consolidated and densely populated urban areas increases.

Not only is a community garden a safe place for active children's play, it is where many families grow fresh fruit and vegetables, as well as ornamental flowers while they grow closer together. Gardening involves regular and enjoyable physical activity and when the work is done, the area is an ideal place for recreation with friends and relatives.

- There are many in the larger community that would like to have the advantage of raising their own vegetables in a clean rural environment, but lack the space to do so.
- Community gardens increase a sense of community ownership and stewardship.
- Community gardens foster the development of a community identity and spirit.
- Community gardens bring people together from a wide variety of backgrounds (age, race, culture, social class).
- Community gardens build community leaders.
- Community gardens offer a focal point for community involvement, and can lead to community-based efforts to deal with other social concerns.
- Community gardens provide opportunities to meet neighbors.
- Community gardens increase eyes on the street.
- Community gardens produce traditional crops otherwise unavailable locally,
- Community gardens take advantage of the experience of older community members to produce a significant amount of food for the household,
- **Youth**
- Community gardens offer unique opportunities to teach youth about:
 - Where food comes from
 - Practical math skills
 - Basic business principles
 - The importance of community and stewardship
 - Issues of environmental sustainability
 - Job and life skills
- Community gardens allow families and individuals without land of their own the opportunity to produce food.
- Community gardens provide access to nutritionally rich foods that may otherwise be unavailable to low-income families and individuals.
- Urban agriculture is 3-5 times more productive per acre than traditional large-scale farming!
- Community gardens donate thousands of pounds of fresh produce to food pantries and involve people in processes that provide food security and alleviate hunger.
- Studies have shown that community gardeners and their children eat healthier diets than do non-gardening families.
- Eating locally produced food reduces asthma rates, because children are able to consume manageable amounts of local pollen and develop immunities.
- Exposure to green space reduces stress and increases a sense of wellness and belonging.
- The benefits of Horticulture Therapy can be and are used to great advantage in community gardens.
- Community gardens provide a place to retreat from the noise and commotion of urban environments.
- Development and maintenance of garden space is less expensive than that of parkland.





Weber County Access Exception Permit Application

Application submittals will be accepted by appointment only. (801) 399-8791, 2380 Washington Blvd. Suite 240, Ogden, UT 84401

Date Submitted /Completed	Fees (Office Use)	Receipt Number (Office Use)	File Number (Office Use)
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Application Type

Access by Private Right of Way
 Access at a location other than across the front lot line

Property Owner Contact Information

Name of Property Owner(s) Glenn Farr and Inez C. Farr Trust	Mailing Address of Property Owner(s) 2361 South 3500 West Ogden, Utah 84401
Phone 801-731-1964	Fax

Email Address (required) ggfarr@q.com	Preferred Method of Written Correspondence <input checked="" type="checkbox"/> Email <input type="checkbox"/> Fax <input type="checkbox"/> Mail
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Authorized Representative Contact Information

Name of Person Authorized to Represent the Property Owner(s) Robert Favero	Mailing Address of Authorized Person 2049 Bluff Ridge Dr. Syracuse, Utah 84075
Phone 801 644-3706	Fax

Email Address (required) robertfavero@hotmail.com	Preferred Method of Written Correspondence <input checked="" type="checkbox"/> Email <input type="checkbox"/> Fax <input type="checkbox"/> Mail
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Property Information

Project Name Winslow Farr Jr. Farm	Total Acreage 71 acres (total acres)	Current Zoning A-1
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Approximate Address 2361 South 3500 West	Land Serial Number(s) 1507800015 (15.54 acre parcel)
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Proposed Use
The site of an existing home and future residential lot.

Project Narrative
The existing house has historically been accessed by a lane easement from 3500 West. The proposed subdivision will provide better access to a county street and utilities by shortening the distance from the street, to the property. In addition, the location of the existing house, irrigation canal, other existing building and the amount of land that is to the west of the property makes it very difficult to provide access and driveway space in any other way, except by private easement. The Access Easement will burden lot 102 with a 30' width and benefit lots 101 and 100. The same Access Easement will reduce to 20' and burden lot 102 and also the open space between lot 100 and 101 to the benefit of lot 100.

Basis for Issuance of Access by Private Right of Way

Lots/parcels which do not have frontage on a street, but which have access by a private right-of-way or access easement may, under certain circumstances, use a private right-of-way or access easement as the primary access. Approval is subject to the applicant demonstrating compliance with the following criteria and conditions:

- a. The lot/parcel is a bona-fide agricultural parcel that is actively devoted to an agricultural use that is the main use; or
- b. Based on substantial evidence, it shall be shown that it is unfeasible or impractical to extend a street to serve such lot/parcel. Financial adversity shall not be considered; however, circumstances that may support an approval of a private right-of-way/access easement as access to a lot/parcel may include but not be limited to unusual soil, topographic, or property boundary conditions.

Please explain the substantial evidence:

Ownership of the parcel will not change and access to the property as it is now configured, has always been from a lane easement in the same location as the Private Right of Way that is being requested. Ownership boundary to the east and the location of the Wilson Irrigation canal and the desire to retain the configuration of the current improvements and access makes the current and proposed access the best solution.

Attach proof to this application that the agricultural parcel or other lot/parcel has appropriate and legal access due to historic use, court decree, or the execution of an easement, right-of-way, or other instrument capable of conveying or granting such right.

The landowner of record or authorized representative agrees to pay a proportionate amount of the costs associated with developing a street if, at any time in the future, the County deems it necessary to have the landowner replace the private right-of-way/easement with a street that would serve as a required access to additional lots. The agreement shall be in the form considered appropriate and acceptable to the office of the Weber County Recorder and shall recite and explain all matters of fact, including a lot/parcel boundary description, which are necessary to make the agreement intelligible and show its successive nature.

Basis for Issuance of Access at a location other than across the front lot line

Access to lots/parcels at a location other than across the front lot line may be approved as the primary access, subject to the following criteria:

The applicant demonstrates that special or unique boundary, topographic, or other physical conditions exist which would cause an undesirable or dangerous condition to be created for property access across the front lot line as follows:



Attach proof that appropriate and legal access exists due to historic use, court decree, or the execution of an easement, right-of-way, or other instrument capable of conveying or granting such right. See attached survey and plat.

Property Owner Affidavit

I (We), Gary G. Farr Trustee, depose and say that I (we) am (are) the owner(s) of the property identified in this application and that the statements herein contained, the information provided in the attached plans and other exhibits are in all respects true and correct to the best of my (our) knowledge.

Gary G. Farr - TRUSTEE Property Owner _____ Property Owner

Subscribed and sworn to me this 14th day of 22, 2015

Laura Hall Notary



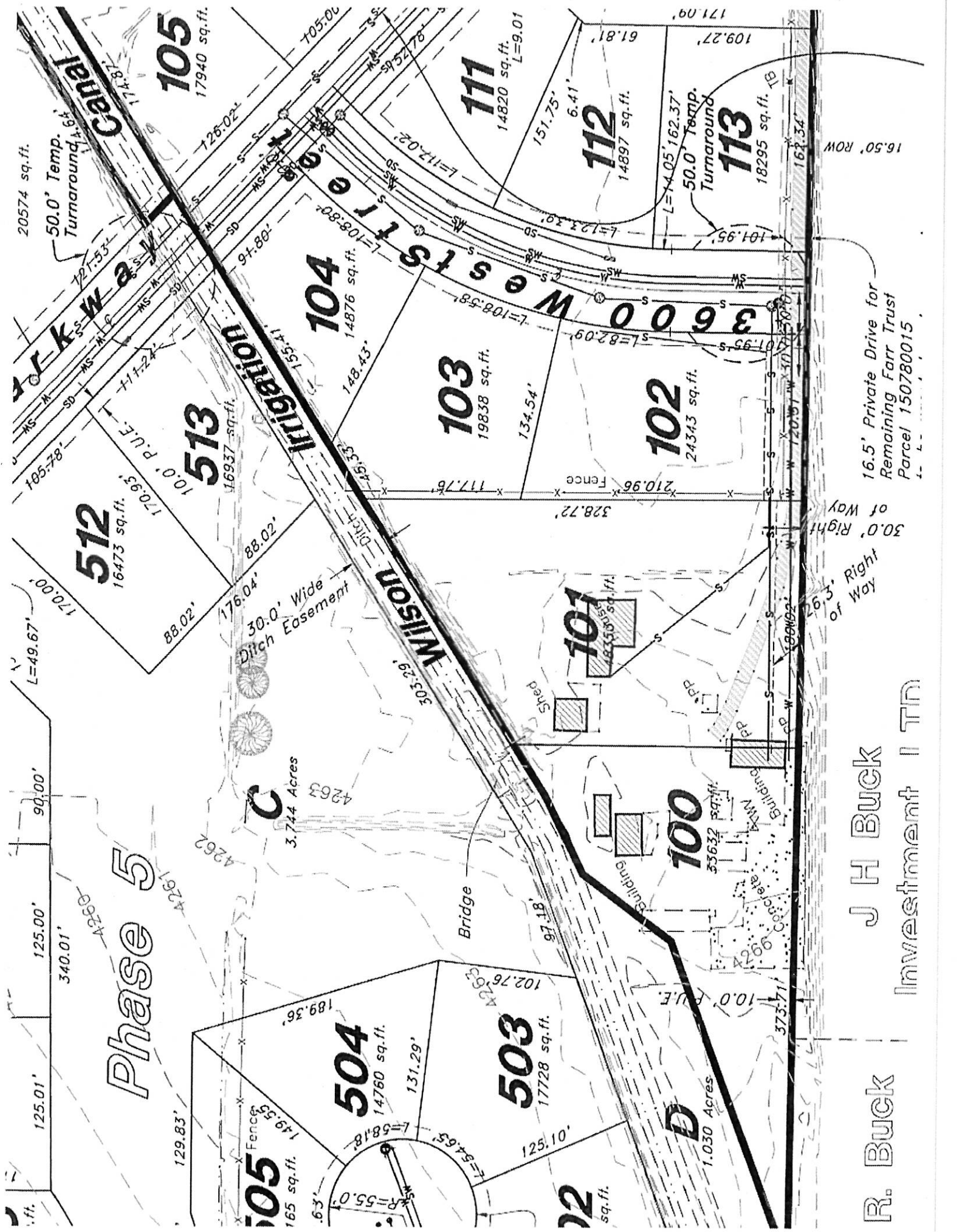
Authorized Representative Affidavit

I (We), _____, the owner(s) of the real property described in the attached application, do authorized as my (our) representative(s), _____, to represent me (us) regarding the attached application and to appear on my (our) behalf before any administrative or legislative body in the County considering this application and to act in all respects as our agent in matters pertaining to the attached application.

_____ Property Owner _____ Property Owner

Dated this ____ day of _____, 20 __, personally appeared before me _____, the signer(s) of the Representative Authorization Affidavit who duly acknowledged to me that they executed the same.

_____ Notary



Phase 5

R. Buck Investment LTD

16.5' Private Drive for Remaining Farr Trust Parcel 150780015

30.0' Right of Way

16.50' ROW