Weber County Alternative Access Application  Application submittals will be accepted by appointment only. (801) 399-8791, 2380 Washington Blvd. Suite 240, Ogden, UT 84401						
Application Type						
Flag lot access strip  Access by Private Righ  Access at a location of	tht of Way other than across the front lot I	line				
Property Owner Contact In	ıformation					
Name of Property Owner(s) Robert E. Ferguson		Mailing Address of Property Owner(s) 5597 E Hwy 39 Huntsville Utah 84317				
Phone	Fax					
Email Address (required)		Preferred Method of Written Correspondence				
Rob.ferguson@gbsbenefits.com		Email Fax Mail				
Authorized Representative	Contact Information					
Name of Person Authorized to Repre Andy Hubbard P.L.S.	esent the Property Owner(s)	Mailing Address of Authorized Person 5746 S 1475 E Suite 200 Ogden Utah 84403				
Phone 801-392-7544	Fax					
Email Address (required) Andyh@greatbasineng.com		Preferred Method of Written Correspondence  Email Fax Mail				
Property Information						
Project Name Ferguson's Legacy		Total Acreage 21	Current Zoning FV-3			
Approximate Address 5597 E Hwy 39, Huntsville		Land Serial Number(s) 20-015-0013 & 20-015-0015				
Proposed Use Single Family Residential						
preparing a Subdivision plat to ens	2 parcels, owned by the same entity sure the lot is build able prior to the g an Existing 50' wide (16'+/- paved	ty and the Owner would like to sell o e Sale, d) access easement.	of the Northern Parcel and is			

# Basis for Issuance of Flag lot access strip

The land use authority shall determine whether or not it is feasible or desirable to extend a street to serve a parcel(s) or lot(s) at the current time, rather than approving a flag lot.

### Sec. 108-7-30. - Flag lots

- (a) Criteria to be used in determining feasibility or desirability of extending a street shall include, but not be limited to topography, boundaries, and whether or not extending a road would open an area of five acres or more in Western Weber County and ten acres or more in the Ogden Valley for development.
- (b) The lot area exclusive of the access strip shall be a minimum of three acres.
- (c) Each lot shall access a street by means of its own fee title access strip. Successive stacking of lots on the same access strip is not permitted.
- (d) No access strip shall exceed 800 feet in length.
- (e) A maximum of two flag lot access strips may be located adjacent to each other.
- (f) No flag lot shall be allowed which proposes to re-subdivide or include within it (including the access strip) any portion of an existing lot in a recorded subdivision. No subdivision shall be vacated, re-subdivided, or changed in order to meet the requirements of this section.

<u>Please provide information to support your request for a flag lot access strip outlining how the request meets the criteria listed</u> above.

# 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:

Sec. 108-7-31. - Access to a lot/parcel using a private right-of-way or access easement:

#### Criteria.

- 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. The lot/parcel is a bona fide agricultural parcel that is actively devoted to an agricultural use that is the main use and is the subject parcel of an approved agri-tourism operation; or
- c. 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.

## Conditions.

- a. It shall be demonstrated 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; and
- b. The landowner of record or authorized representative shall agree 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.

# <u>Please provide the following information to support your request for access to a lot/parcel using a private right-of-way or access easement:</u>

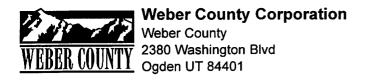
- Attach proof to this application that the agricultural parcel or other lot/parcel has appropriate and legal access due to historic use, court decree, or the execution of an easement, right-of-way, or other instrument capable of conveying or granting such right.
- The landowner of record or authorized 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 Issuan	ce of Access to	a lot/parcel at a	location other than	across the front lot line
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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:

Sec. 108-7-32. - Access to a lot/parcel at a location other than across the front lot line.

- (1) 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.
- (2) It shall be demonstrated 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.



**Customer Receipt** 

Receipt Number 116549

**Receipt Date** 

09/06/19

Received From:

Robert and Jill Ferg

Time:

12:23 Clerk: amorhy

			CIEIK.	aniorby
Description	<i>i</i> ,	Comment		Amount
ZONING FEES		Alternative Access		\$350.00
	Payment Type	Quantity	Ref	Amount
	CHECK		3188	
		AMT TENDERED:	\$350.00	
		AMT APPLIED:	\$350.00	
	,	CHANGE:	\$0.00	