

Weber County Alternative Access Application

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

Date Submitted /Completed	Application Fee: \$350.00	Receipt Number (Office Use)	File Number (Office Use)
---------------------------	-------------------------------------	-----------------------------	--------------------------

Application Type

- Flag lot access strip
 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) Wadman Investments		Mailing Address of Property Owner(s) 2920 S 925 W Ogden, UT 84401	
Phone 801-621-4185	Fax	Preferred Method of Written Correspondence <input checked="" type="checkbox"/> Email <input type="checkbox"/> Fax <input type="checkbox"/> Mail	
Email Address (required) sbradley@wadman.com			

Authorized Representative Contact Information

Name of Person Authorized to Represent the Property Owner(s) Spencer Bradley		Mailing Address of Authorized Person 2920 S 925 W Ogden, UT 84401	
Phone 801-791-6187	Fax	Preferred Method of Written Correspondence <input checked="" type="checkbox"/> Email <input type="checkbox"/> Fax <input type="checkbox"/> Mail	
Email Address (required) sbradley@wadman.com			

Property Information

Project Name Pole Patch Phase 3	Total Acreage 29	Current Zoning A-1
Approximate Address 5122 N Jessie Creek Drive - Ogden, UT 84414	Land Serial Number(s) 160040005	

Proposed Use New three lot residential subdivision
--

Project Narrative <p>This development is located in unincorporated Weber County on the North boundary of Pleasant View City. The development is accessed through the private Roadway know as Jessie Creek Drive in the Gated Pole Patch Development within Pleasant View City. The topography of the Development North of the Turnaround shown on the proposed subdivision plat exceed the maximum 12% slope for a public road in Weber County. This development extends to the Weber County – Box Elder County line eliminating any further development within Weber County. Due to the elevation of this development no lots beyond the 3 lots in this proposed development will have the ability to access a public cullinary water system. This development has received a will serve letter from Pleasant View City to serve drinking water to the 3 lots in this development on the condition that no additional lots will be allowed on the Pleasant View City system.</p>

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.

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

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

- 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 to a lot/parcel 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:

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.

Please provide the following information to support your request for Access to a lot/parcel at a location other than across the front lot line:

- 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.
- 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.

Property Owner Affidavit

I (We), David Wadman, 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. I (We) understand that an approval of an alternative access application does not grant a legal right to access property that I(we) currently do not own.

David Wadman Property Owner _____ Property Owner

Subscribed and sworn to me this 26 day of November, 20 19.

Jerilyn Martin Notary



Authorized Representative Affidavit

I (We), David Wadman, the owner(s) of the real property described in the attached application, do authorized as my (our) representative(s), Spencer Bradley, 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.

David Wadman Property Owner _____ Property Owner

Dated this 26 day of November, 20 19, personally appeared before me David Wadman, the signer(s) of the Representative Authorization Affidavit who duly acknowledged to me that they executed the same.

Jerilyn Martin Notary





Weber County Corporation
Weber County Planning
2380 Washington Blvd, Ste 240

Customer Receipt	
Receipt Number	122673

Receipt Date
11/26/19

Received From:
Spencer Bradley

Time: 14:07:4
Clerk: amorby

Description	Comment	Amount
ZONING FEES	Alternative Access	\$350.00

Payment Type	Quantity	Ref	Amount
CREDIT CARD			

AMT TENDERED: \$350.00
AMT APPLIED: \$350.00
CHANGE: \$0.00