

## Memo

Bright Acres Subdivision alternative access

**Date:** February 15, 2021

**Regarding:** Request for alternative access to one parcel in a proposed 4 lot subdivision at approximately 5638 N 3100 E Liberty, Utah 84310

**Applicant:** Scott and Rachel Hale, 983 E Bella Vista Dr Fruit Heights, Utah 84307, 801-792-4065, [Scottchale@gmail.com](mailto:Scottchale@gmail.com)

**To:** Weber County Planning Department, 2380 Washington Boulevard, Suite 240, Ogden Utah, 84410

## Request

Mr. and Mrs. Hale would like approval from Weber County for a private driveway access to one residential lot in a proposed four residential lot subdivision on an approximately 14 acre parcel in Liberty. Access to this lot would be accomplished by using an alternative private driveway connecting to 3100 East. The intent is to allow construction of a single family home to be built on this lot in the future. A formal application for the four lot residential subdivision will be submitted this spring. The private access is planned to be a 15 to 20 ft wide all weather surface driveway for fire truck (up to 75,000 pounds) and vehicular access, centered in a 20 to 30 ft easement, terminating in a fire truck turnaround.

## Reason for the Request

Sec §108-7-31 of the Weber County Code notes that 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, subject to approval based on certain conditions being met including:

*(a)(3) 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.*

The property boundary conditions around the proposed lot we are seeking alternative access for make it impractical to extend a street to serve this one lot. The lot sits in the middle of a triangle of land between 5750 N to the North, 3100 E to the East, and North Fork Road to the West. There does **not** appear to be a path for a new road through this triangle of land that would not cut through a developed property enroute to another connecting road and/or that would be beneficial for providing convenient access to owners of surrounding properties.

We own the property to the East of this lot with frontage on 3100 E and therefore have the ability to provide the access easement needed for the private drive. Refer to the included concept plan map that shows the access easement and private drive has been designed to provide safe and consistent access to this lot in accordance with the requirements of Sec 108-7-29.