



Weber County

Weber County Planning Division
www.co.weber.ut.us/planning
2380 Washington Blvd., Suite 240
Ogden, Utah 84401-1473
Voice: (801) 399-8791
Fax: (801) 399-8862

Access Exception Permit Application

The Planning Division staff reviews applications for access exceptions (access by private right of way and access at a location other than across the front lot line) as outlined below.

A pre-application meeting is required prior to application submittal; please call (801) 399-8791 to make an appointment. Date of pre-application review meeting: 9/19 Time: 8:00 AM

- Staff member assigned to process application: _____

The Planning Division Director can approve, at his discretion, these types of applications administratively or he can forward the application to the Planning Commission. His decision can be appealed to the Planning Commission within 15 days of the date of the decision.

Application Submittal Checklist

The Planning Division will only accept complete applications with supporting documents as outlined below. Submitting an application does not guarantee that your application will be administratively approved.

The following is required as part of the application form submittal:

- Complete Application Form
- A non-refundable fee made payable to Weber County (see *Fee Schedule* below)
- Obtain signature of the owner(s) on the application and any authorized representatives
- For Access by Private Right of Way applications, proof 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 shall be submitted.
- 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.
- For Access at a location other than across the front lot line applications, 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 shall be submitted.
- A narrative explaining your request. If your request is for a variance please explain how the request meets the requirements for: (see *Review Criteria*).

Fee Schedule

Property Zoning _____ Fee Required _____

- Access Exception Application \$225

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 9/19/2013	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) DOUGLAS AND JAN CARDON		Mailing Address of Property Owner(s) 7948 E 100 S HUNTSVILLE, UT 84317	
Phone (602) 318-4447	Fax	Preferred Method of Written Correspondence <input type="checkbox"/> Email <input type="checkbox"/> Fax <input type="checkbox"/> Mail	
Email Address (required) NAMBEMAN@AOL.COM			

Authorized Representative Contact Information

Name of Person Authorized to Represent the Property Owner(s) MATT CARDON		Mailing Address of Authorized Person 7948 E 100 S HUNTSVILLE, UT 84317	
Phone (801) 580 1034	Fax	Preferred Method of Written Correspondence <input type="checkbox"/> Email <input type="checkbox"/> Fax <input type="checkbox"/> Mail	
Email Address (required) MATTCARDON@GMAIL.COM			

Property Information

Project Name CARDON SUBDIVISION	Total Acreage 34.	Current Zoning
Approximate Address 7948 E 100 S. HUNTSVILLE UT	Land Serial Number(s)	
Proposed Use LANE FOR SINGLE FAMILY DWELLING		
Project Narrative		

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:

- THE PROPOSED LANE WILL BE SERVING ONE SINGLE FAMILY DWELLING. THERE ARE NO PLANS, LONG TERM OR OTHERWISE, FOR ANY OTHER HOMES TO BE SERVED BY THIS LANE.
- THE HOME AND SURROUNDING LANDS SURROUNDING ARE FAMILY OWNED. THERE IS NO PLAN TO FURTHER DEVELOP THE IMMEDIATE AREA.
- ANY FUTURE DEVELOPMENT TO THE EAST OR NORTH WOULD BE SERVED BY EITHER THE ACCESS ROAD IMMEDIATELY TO THE NORTH, OR FRONTAGE ACCESS TO THE 39 TO THE SOUTH
- IT IS UNCLEAR, AND UNLIKELY THAT UDOT WOULD APPROVE A ROAD IN THAT AREA
- THE LAND OWNERS DO NOT WANT A COUNTY ROAD RUNNING THE LENGTH OF PROPERTY WHERE THEIR HOME IS LOCATED FOR A NUMBER OF REASONS:
 - THE LAND WHERE THE LANE WILL BE LOCATED IS UNDER ACTIVE AGRICULTURAL USE. A COUNTY ROAD WOULD UNNECESSARILY REDUCE THE LAND AREA AVAILABLE FOR THIS USE.
 - AS THERE ARE NO PLANS TO DEVELOP THE AREA ACCESSIBLE, THEY DON'T WANT A PUBLIC ROAD (IDENTIFIED) ON THE PROPERTY.
 - THE LANE WILL BE AN EXTENSION OF THEIR OWN, HISTORICALLY USED PRIVATE LANE. THEY DON'T WISH TO HAVE AN PART OF THEIR PRIVATE LANE USED FOR PUBLIC ACCESS
- THE LANE WILL BE CROSSING THROUGH A DELINEATED WETLAND. A PRIVATE LANE WILL DISTURB MUCH LESS OF IT THAN A FULL SIZED COUNTY ROAD

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.

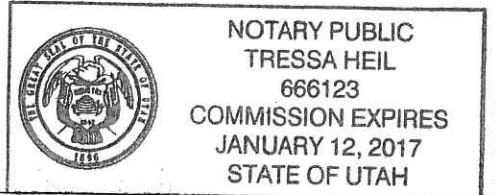
Property Owner Affidavit

I (We), DOUGLAS J. & JANINE G. CARDON TTE, 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.

Douglas J. Cardon TTE Property Owner Janine G. Cardon TTE Property Owner

Subscribed and sworn to me this 25 day of September, 2013

Tressa Heil Notary



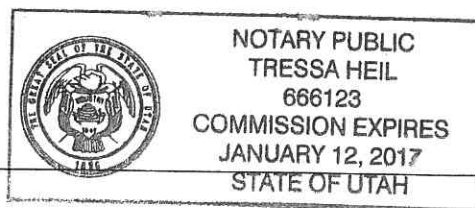
Authorized Representative Affidavit

I (We), DOUGLAS J. AND JANINE G. CARDON TTE, the owner(s) of the real property described in the attached application, do authorized as my (our) representative(s), MATTHEW CARDON, 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.

Douglas J. Cardon TTE Property Owner Janine G. Cardon Property Owner

Dated this 25 day of September, 2013, personally appeared before me Douglas & Janine Cardon, the signer(s) of the Representative Authorization Affidavit who duly acknowledged to me that they executed the same.

Tressa Heil Notary



Douglas and Janine Cardon
7948 E 100 S
Huntsville, UT 84317

To whom it may concern,

This document is written to formally acknowledge our intention to grant Matthew and Ashley Cardon an Easement for access for a single family home they will be building next year.

Due to the nature of the project, we have not yet begun the formal process of granting said easement, but will begin doing so once the private lane they are now requesting has been approved.

The access will be granted on the following parcel #s:

1. 210070001
2. 210100027
3. 210260054
4. 210100028

DOUGLAS CARDON
Name

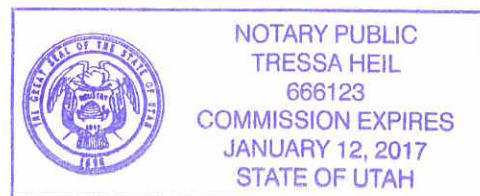
[Signature]
Signature

9/25/13
Date

JAN CARDON
Name

[Signature]
Signature

9/25/13
Date



[Signature]