



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: _____ Time: _____

- **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

Fees (Office Use)

Receipt Number (Office Use)

File Number (Office Use)

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)

Mailing Address of Property Owner(s)

Phone

Fax

Email Address (required)

Preferred Method of Written Correspondence

Email Fax Mail

Authorized Representative Contact Information

Name of Person Authorized to Represent the Property Owner(s)

Mailing Address of Authorized Person

Phone

Fax

Email Address (required)

Preferred Method of Written Correspondence

Email Fax Mail

Property Information

Project Name

Total Acreage

Current Zoning

Approximate Address

Land Serial Number(s)

Proposed Use

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:

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.

