



# Staff Report to North Ogden City Council

## SYNOPSIS / APPLICATION INFORMATION

Application Request: Consideration and action on an application requesting an access easement to a city owned property located at approximately 2992 North 300 East.

Agenda Date: April 28, 2015

Applicant: Robert Marcott

File Number: CPP 2015-01

## PROPERTY INFORMATION

Address: 2992 North 300 East.

Zoning: Single Family Residential Zone (R-1-8)

Existing Land Use: Vacant

Proposed Land Use: Right of Access

Parcel ID: 170450029

## ADJACENT LAND USE

North: Residential

East: Agriculture/ Open Space

South: Residential

West: Residential

## STAFF INFORMATION

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(801) 737-2216

## APPLICABLE ORDINANCES

11-2-1: Definition of Words and Terms

3-1-9: Disposal of City Property

## BACKGROUND

The applicant is requesting the City grant a right of way access on city owned property, from 300 East to allow him better access to allow him better access to his garage.

The property is currently not paved. The applicant's current driveway is narrow and difficult to access his garage. The applicant would like to build an approach to his cement pad that fronts onto the city owned land. The applicant has offered and proposes to maintain the right of way up until his driveway on his property.

The applicant plans on replacing the old existing chain link fence with vinyl, to match their vinyl gates. The gate will be a swing or roll gate and the size of the gate and access would be 6 feet by 22 feet.

## ZONING ORDINANCE COMPLIANCE

### 12-2-2: Definitions

EASEMENT: That portion of a lot or lots reserved for present or future use by a person or agency other than the legal owner or owners of the property or properties. The easement may be for use under, on or above the lot or lots.

### **3-1-9-E: DISPOSAL OF CITY PROPERTY**

E. Alternative Disposition: In accordance with the terms of Utah Code Annotated section 10-8-2, the city may make a finding that a use or disposition of certain city property provides for the safety, health, prosperity, moral well-being, peace, order, comfort or convenience of the inhabitants of the city, in which case the city council may authorize the purchase, receipt, holding, selling, leasing, conveying and other disposition of real and personal property for the benefit of the city, whether the property is within or without the city's corporate boundaries and under the terms of such a finding is not obligated to sell such property at bid but may improve, protect, and do any other thing in relation to this property that an individual could do.

#### **CITY COUNCIL CONSIDERATIONS**

- Does the proposed use meet the requirements of the applicable City Ordinances?
- Are there any potentially detrimental effects that need to be mitigated by imposing conditions of approval; and if so, what are the appropriate conditions?

#### **CONDITIONS OF APPROVAL**

- -Applicant responsible for installing road grade fill in order to access the property
- -Applicant to obtain appropriate permits
- Applicant to maintain the right of way
- The City may revoke the easement at any time

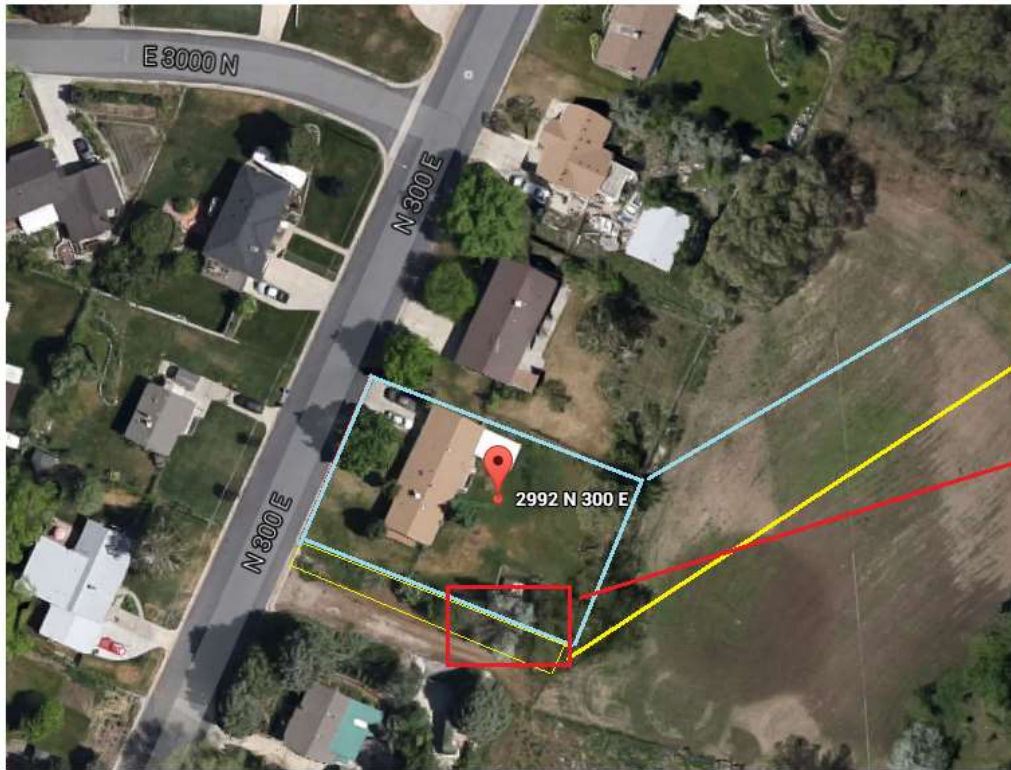
#### **STAFF RECOMMENDATION**

This is a policy decision. If the City Council determines that granting an easement is appropriate with the recommended conditions; then the easement can be granted.

#### **EXHIBITS**

- A. Area Map
- B. Applicant letter of request
- C. Site plan
- D. Hales Subdivision Dedication Map
- E. Plat Map
- F. Site Photo

**Area Map:**



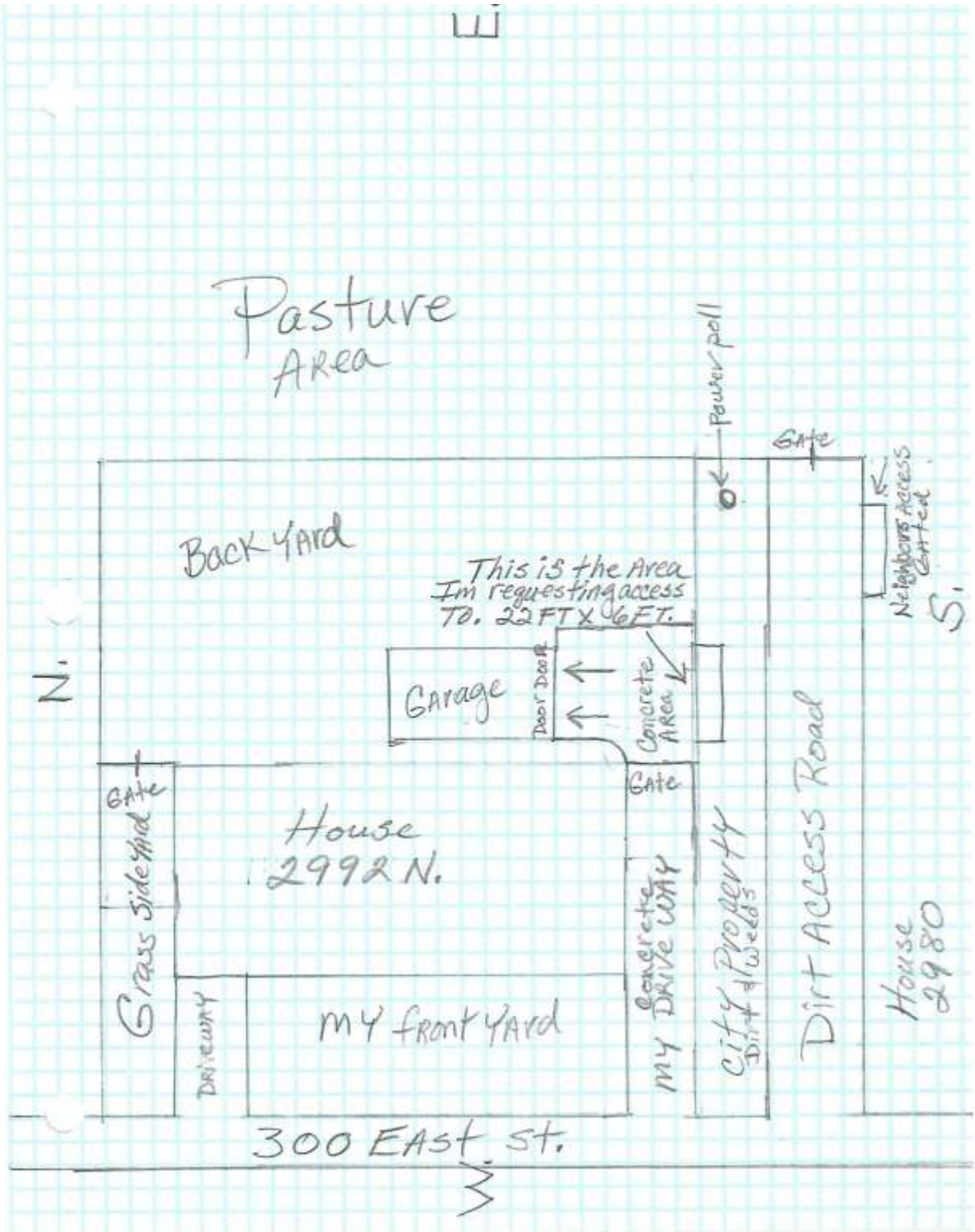
Subject Property 2992 N. 300 E.

North Ogden City Property

Power Pole

Applicant is requesting access on  
owned property

SITE PLAN



## SITE PHOTO

