



**JEFFERSON COUNTY**  
**DEPARTMENT OF COMMUNITY DEVELOPMENT**

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**Unified Development Code Interpretation**

This interpretation is made according to Section 8.6 of the Unified Development Code (UDC). An interpretation of the provisions of the UDC is intended to clarify conflicting or ambiguous wording, interpret proper classification of a use, or interpret scope or intent. The "Factors for Consideration" listed in UDC 8.6.2.c were considered in making this UDC interpretation, including applicable policies of the Jefferson County *Comprehensive Plan*.

Date: August 7, 2002  
Case: MLA02-379  
Applicant: Hugh Winn

UDC Section: 2.3 (Definitions)

**Driveway**

A strip of land which provides vehicular access to one or two lots.

**Road, Access**

A road that functions solely to provide access to two or more lots.

Summary of code interpretation request:

1. Clarify the distinction between "Driveway" and "Access Road."
2. Is the intent of Section 6, Table 6-1 front or road setback something else other than it says?

Language subject to interpretation:

1. Distinction between "Driveway" and "Access Road."
2. Table 6-1, Bulk and Dimensional setback requirements for residential parcels as it relates to ingress/egress easements.

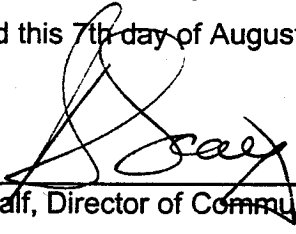
Interpretation:

1. The definition for a driveway is interpreted to include access that is typically not shown on any manner of county recorded documents including recorded subdivisions and recorded surveys. Driveways must serve no more than two lots. Driveways are not required to meet specific width or construction requirements. Ingress/egress easements that are recorded on acreage parcels or recorded on the face of a plat or survey serving two or more lots are subject to the setback standards contained in Table 6-1.
2. The intent of Section 6 is to provide safe and legal access. The definition of "Road" under the UDC is identified as "An improved and maintained public or private right-of-way which provides vehicular access to abutting properties, and which may also include provision for public utilities, pedestrian access, cut and fill slopes, and drainage." Section 6.8.1.m requires that easements established through the subdivision process meet a minimum 40-foot right-of-way width upon finding that the public health, safety, and welfare be protected and that the easement width is adequate for the construction and maintenance of roads and utilities.

3. Review of the UDC in its entirety, it is the intent that ingress/egress easements are viewed as a private road or a local access road and have a minimum 20 foot setback from the edge of the right-of-way which is consistent with Table 6-1.

Appeal: As outlined in UDC 8.6.5, the applicant requesting a code interpretation may appeal the decision to the Hearing Examiner within fourteen (14) calendar days of the decision using the process for appeals of Type II permit decisions as set forth in UDC 8.5.1. Appeals must be received at the Department of Community Development with the applicable fee by 4:00 PM on the last business day of the appeal period.

Dated this 7<sup>th</sup> day of August 2002.

 8/7/02

Al Scaff, Director of Community Development