

---

---

Minutes  
Workshop Meeting  
June 7, 2016

Present: Mayor Kenneth Neilson, Council Members Troy Belliston, Kolene Granger, Garth Nisson, City Attorney Jeff Starkey, Deputy Recorder Tara Pentz, City Recorder Danice Bulloch, Public Works Director Mike Shaw, Community Development Director Drew Ellerman, Administrative Services Manager Kimberly Ruesch, Police Chief Jim Keith, Audience: Jared Lindquist, Teresa Lindquist, Bill Hudson, Kelly Buchanan

Excused: Council Members Thad Seegmiller and Jeff Turek

Meeting commenced at 6:00 P.M.

**1. Approval of the Agenda.**

*Council Member Granger made a motion to approve the agenda. Council Member Nisson seconded the motion; which passed with the following roll call vote:*

*Council Member Belliston Aye  
Council Member Granger Aye  
Council Member Nisson Aye*

**2. Review of the board audit report.**

Administrative Services Manager Kimberly Ruesch reviewed the Board Audit Report.

**3. Discussion and review of a request for a variance to increase the width of an existing drive approach which is not allowed by the Access Management Plan and is inconsistent with the approval for Country Way Estates, property is located at 889 S. Country Way, Country Way Estates Lot 10. Applicant: Jared and Teresa Lindquist**

Jared Lindquist reviewed the map showing his existing driveway. He stated he would like to have a wider than normal drive approach.

Council Member Belliston asked if Mr. Lindquist was the first home built in the area.

Mr. Lindquist stated he was the second home.

Mr. Lindquist stated he was not made aware of the drive approach issue until he went to Public Works for his encroachment permit.

Council Member Belliston asked for some history on the subdivision plat.

Public Works Director Mike Shaw stated when he met with the developer it was made aware Country Way would be a busy road, and there would be limited access on to the main road. When the subdivision was designed, it was designed to have shared accesses at the points located on the subdivision plat. Country Way was going to be an 80 foot road, and they want to limit access as much as possible.

Council Member Nisson asked under what law would allow leniencies from the Council.

Public Works Director Shaw explained there are no allowances for access under the law. However, this was not caught at the grading permit, and was missed during the building plan check. Public Works would prefer regardless, there to be no backing on to the road.

Council Member Belliston stated where we have some blame to the issue, there may need to be an exception.

Council Member Granger commented we need to make sure no other homes being built are missed.

Public Works Director Shaw stated Public Works has started a second review process so not to have these type of issue again in his department. He then asked the Council to not allow for more than a 32 foot encroachment cut regardless, as it would would not be allowed beyond our maximum allowed.

Council Members discussed the options for the curb cut.

Council Member Belliston stated the proposal made by the landowner would be much longer than the 32 foot maximum if they plan to keep the small access, which has already been built.

Council Member Nisson asked if this would be considered a variance under the law.

City Attorney Jeff Starkey stated Utah Law covers variance very well. The Law states even if an inspector misses something required by the code, it is still the responsibility of the developer to make sure something is built as it is required. However, the Council does have the ability to waive a law.

Council Member Belliston asked if the Access Management Plan is an Ordinance.

Public Works Director Shaw stated the Plan was adopted by Ordinance.

City Attorney Starkey read the requirements of a variance. This particular item does not fall under the variance, because it was a self imposed hardship.

Public Works Director Shaw reviewed the Access Management Plan. They are not necessarily opposed to the driveway, but they want the rest of the access to meet the design standard.

Mr. Lindquist expressed concern as he wants to think of his family's safety.

Council Member Granger stated they can make an exception, within the approved guidelines.

Council Member Nisson asked if Staff expects a problem on any of the other lots, if the change were to be granted.

Public Works Director Shaw stated all plan reviews go through a two person in order to avoid any future issues. He does not anticipate any additional problems within this development.

Brent Bassett clarified on the subdivision map, there are triangles indicating where the access points can be, but on Country Way, there are no triangles.

Public Works Director Shaw stated there are not triangles, but there is clearly shared accesses.

Teresa Lindquist stated she feels like they are being penalized by where they built their house. She feels they did what they were supposed to do, and this was missed. They are asking for what is fair to them.

Council Member Belliston stated he does not feel anyone is trying to penalize them. However, Staff is only allowed to go to a certain level, and they are now at Council.

Council Member Granger stated this item is on the agenda for a consideration at the Regular Meeting tomorrow.

City Attorney Starkey stated he appreciates Public Works for accepting an error was made.

Council Member Granger stated in considering this issue, there are only so many law she would be willing to change.

**4. Adjournment**

*Council Member Belliston made a motion to adjourn the meeting. Council Member Granger seconded the motion; which passed with the following roll call vote:*

*Council Member Belliston     Aye  
Council Member Granger     Aye  
Council Member Nisson     Aye*

Meeting adjourned at 6:50 P.M.

Passed and approved this 22nd day of June, 2016.



Attest by:

Danice B. Bulloch  
Danice B. Bulloch, CMC  
City Recorder

Washington City

Kenneth F. Neilson  
Kenneth F. Neilson, Mayor

