

1 MINUTES of the Wellsville City Planning Commission meeting held Wednesday, February 11, 2009 at
2 the Wellsville City Offices, 75 East Main in Wellsville. Commission members present were Chairman
3 Loyal Green, Russell Glenn, Jaye Colling, and Carl Leatham. Also present were City Manager/Recorder
4 Don Hartle and City Councilman Ron Case. A copy of the Notice and Agenda was faxed to the Herald
5 Journal and mailed to the Planning Commission on February 6, 2009. The meeting was called to order at
6 6:00 p.m.
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8 Others Present: Jennifer Leishman Stephanie Strawn
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10 Opening Ceremony: Carl Leatham
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12 Loyal Green reviewed the agenda with the Commission. After review, Jaye Colling made a motion,
13 seconded by Carl Leatham, that the agenda be approved as presented.
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15 Yea 4 Nay 0
16 Russell Glenn
17 Jaye Colling
18 Loyal Green
19 Carl Leatham
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21 The Commission reviewed the minutes for the Commission meeting which was held on January 28, 2009.
22 There was a word correction on line 59. After review, Russell Glenn made a motion, seconded by Jaye
23 Colling, that the minutes of the January 28, 2009 meeting be approved with the correction.
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25 Yea 4 Nay 0
26 Russell Glenn
27 Jaye Colling
28 Loyal Green
29 Carl Leatham
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31 At 6:05 p.m., the Planning Commission conducted the following public hearing:
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33 The Planning Commission received public input and considered for approval a request from Stephanie
34 Strawn at 576 North 800 East for a conditional use for a Level 1 "Home Occupation" for a pre-school at
35 said address. Ms. Strawn stated that she would like to have a pre-school in 2 bedrooms in the basement
36 of her home. She will have 14 children and 2 adults present at all times. The time is from 9:30 a.m. to
37 11:30 a.m. In the information packet, she has stated that parents will have 10 minutes before and 10
38 minutes after school to pick up their children. Ms. Strawn stated that she has a triple-wide driveway so
39 parking should not be a problem. Loyal Green asked if there were any State regulations for this type of
40 business. Ms. Strawn stated that she is to have a business license through the city in which she is
41 operating in. Mr. Green asked to have the 2 bedrooms explained. Ms. Strawn stated that 1 room will be a
42 type of play area, and the other room will be a classroom which will have a table and chairs. Ms. Strawn
43 stated that the children will spread throughout her home, but the main part of pre-school will take place in
44 these 2 bedrooms. Mr. Green asked if there would be any outside activities. Ms. Strawn stated that the
45 yard is not finished yet, but they do have a plan to finish it this summer before pre-school starts in the fall.
46 Ms. Strawn stated that there will be no activities outside until her yard is fenced. Mr. Green stated that
47 the main concern of the Planning Commission is traffic, and Ms. Strawn has explained that part of her
48 application. Ms. Strawn stated that she would like to keep the traffic quick and have the neighborhood
49 still look like a residential area. Russell Glenn stated that a condition should be added to the motion that
50 no outside activities are to be held until the yard is fenced. After discussion, Jaye Colling made a motion,
51 seconds by Russell Glenn, to approve a request from Stephanie Strawn at 576 North 800 East for a
52 conditional use for a Level 1 "Home Occupation" for a pre-school at said address with the condition that
53 the outside yard is not to be used for pre-school activities until it is properly fenced.
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Yea 4

Nay 0

Russell Glenn
Jaye Colling
Loyal Green
Carl Leatham

The Planning Commission discussed the notice from Brigham City regarding their updating of their Annexation Policy Plan. Don Hartle stated that by law, Brigham City has to notify Wellsville City of any change to their Annexation Policy Plan because Brigham City and Wellsville City boarder each other in the area of Dry Lake. The parcel of land that is being annexed into Brigham City is the area that is next to the city of Corrine. Mr. Hartle stated that he doesn't see any need for concern, but just to be aware of what Brigham City is doing. Mr. Hartle showed on a map where Brigham City and Wellsville City boarder each other, and the area next to the city of Corrine that Brigham City is annexing.

Don Hartle discussed with the Planning Commission the property that is owned by Norman Leatham that is north of the 2 4-plexes on Center Street between Main Street and 100 North. An individual asked if the property could be zoned RM-4 for more 4-plexes. Mr. Hartle stated that he is not in support of this because the General Plan states that there will be no more than 2 4-plexes on each block, and to not concentrate them. Loyal Green stated that the zoning of the property is R-1-12. Russell Glenn stated that he remembers attending the Planning and Zoning meeting as a civilian when the existing 2 4-plexes were discussed, and they didn't turn out anything like the City was told they would be. Carl Leatham stated that Wellsville City is already over the limit for the block because of the old Gunnell Apartments on Main Street between Center Street and 100 East. Mr. Hartle stated that he will advise the individual that he is welcomed to submit an application.

Don Hartle handed out a copy of the letter that City Attorney Bruce Jorgensen wrote to Sherwin Seamons' attorney concerning the open space in the Mount Sterling subdivision that is still in Mr. Seamons' name.

The Planning Commission discussed the notice of accessory building restrictions. Don Hartle explained that he filed with Cache County Courthouse a restriction on the detached garage that Verlo Howell built where he lives in the Red Slide subdivision that it is not a multiple family dwelling. Mr. Hartle stated that he took the same approach with Tracy Bailey and the shop that is up for sale behind his home. Mr. Hartle wrote a letter, gave it to City Attorney Bruce Jorgensen, who made some corrections, and handed out a copy of the letter to the Planning Commission for their information. Mr. Hartle stated that the letter has been filed with the Cache County Courthouse as a restriction, and if someone tries to purchase the building, they will see the restriction. Jaye Colling asked about a large outbuilding/garage in Wellsville City that has an apartment over it that it looks like someone is living in it. Mr. Hartle stated that he had the individual come into Planning & Zoning meeting to discuss the issue. Mr. Hartle stated that City Planner Jay Nielson states that as a City, they can't stop this type of activity. Loyal Green stated that their first experience with this type of activity was with Ralph Degn, who wanted to build a detached garage to have the extra space when his children came home, but not used as living quarters. Mr. Green stated that he thought an accessory building could not be used as a dwelling. Mr. Hartle stated that City Planner Jay Nielson stated that Wellsville City can't stop family from living in accessory buildings. Mr. Colling asked how Wellsville City knows that it is family living in the accessory buildings. Mr. Hartle stated that that is were the problem comes in to enforcing the code. Mr. Green asked that this issue be put on the next agenda to discuss this with City Planner Jay Nielson.

Ron Case stated that the City Council approved the Baldwin subdivision. Mr. Case stated that the Wellsville City website has been launched, and to check it out.

At 6:25 p.m., Jaye Colling made a motion, seconded by Carl Leatham, to adjourn the meeting.

Yea 4

Nay 0

Russell Glenn
Jaye Colling

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Loyal Green
Carl Leatham

Loyal Green
Chairman