

MINUTES of the Wellsville City Planning Commission meeting held Wednesday, April 13, 2016, at the temporary Wellsville City Offices, 25 North 100 East in Wellsville. Commission members present were Chairwoman Ruth P. Maughan, Chris Clark, Marcene Parker, and Brian Pattee. Also present were City Manager/Recorder Don Hartle, City Planner Jay Nielson, and Councilman Carl Leatham. A copy of the Notice and Agenda was posted, faxed, and emailed to the Herald Journal, and mailed to the Planning Commission on April 8, 2016. The meeting was called to order at 6:00 p.m. by Chairwoman Ruth P. Maughan.

Others Present: Jennifer Leishman Doyle Wyatt Barbara Wyatt  
Deidre Wyatt Tenaya Garrett Kent Haddock  
Roger Cook Allison Cook John Cherry  
Mike Baldwin

Opening Ceremony: Chris Clark

Planning Commission member Paul Egbert was excused from this meeting.

Ruth P. Maughan reviewed the agenda with the Commission. After discussion, Brian Pattee made a motion, seconded by Chris Clark to approve the agenda as presented.

YEA 4 NAY 0  
Chris Clark  
Ruth P. Maughan  
Marcene Parker  
Brian Pattee

The Commission reviewed the minutes for the Commission meeting which was held March 23, 2016. After review, Marcene Parker made a motion, seconded by Brian Pattee, to approve the minutes of the March 23, 2016 meeting as presented.

YEA 4 NAY 0  
Chris Clark  
Ruth P. Maughan  
Marcene Parker  
Brian Pattee

At 6:05 p.m., conduct the following public hearing:

First, receive public input, then consider making a recommendation to the City Council on a request submitted by Doyle Wyatt that the zoning map and the code be amended to rezone the following parcels of property from RA-1 to RA-1/2. Said property is on the north side of 400 North from 725 East through 775 East. Tax I.D. numbers: 11-088-0030, 11-088-0005, 11-088-0007, 11-088-0011, 11-088-0012, 11-088-0013, 11-088-0004, 11-088-0027, 11-088-0008, and 11-088-0026. Barbara Wyatt stated that they are trying to come into compliance with the other property owners in the area. Ms. Wyatt stated that this will make it easier for her father to divide the property and leave it to her and her brother in his will. Don Hartle stated that this request follows the land use map. Mr. Hartle stated that all of the property owners have signed off. This property is contiguous with the property that is owned by the American West Heritage Center. Mr. Hartle stated that some of the parcels may be located in the county, but he included all of them so that they would not be missed.

At 6:08 p.m., the public hearing was closed.

After discussion, Brian Pattee made a motion, seconded by Chris Clark, to recommend to the City Council that the zoning map and the code be amended to rezone the following parcels of property from RA-1 to RA-1/2. Said property is on the north side of 400 North from 725 East through 775 East. Tax I.D. numbers: 11-088-0030, 11-088-0005, 11-088-0007, 11-088-0011, 11-088-0012, 11-088-0013, 11-088-0004,

11-088-0027, 11-088-0008, and 11-088-0026.

**YEA 4**

**NAY 0**

Chris Clark  
Ruth P. Maughan  
Marcene Parker  
Brian Pattee

At 6:09 p.m., conduct the following public hearing:

Second, receive public input, then consider for approval a request from Tenaya Garrett for a conditional use for a Level 1, Home Occupation, to provide daycare services out of her home at 331 North 100 West. Tenaya Garrett stated that she has provided daycare for a few children, and that more people are asking her to provide that service for their children. Ms. Garrett stated that she would like to become licensed through the State of Utah, and needs business license to do that.

At 6:10 p.m., the public hearing was closed.

Chris Clark asked if there would be any advertising. Ms. Garrett stated that the advertising would be by word of mouth. Marcene Parker stated that Ms. Garrett lives on a busy road, and asked about a fence. Ms. Garrett stated that the backyard is fenced, and they are working on the fence for the front yard. Ruth P. Maughan stated that the application states 4 to 8 children, all day. Ms. Maughan asked if it would be drop off in the morning and pick up in the evening. Ms. Garrett stated yes. After discussion, Marcene Parker made a motion, seconded by Brian Pattee, to approve a request from Tenaya Garrett for a conditional use for a Level 1, Home Occupation, to provide daycare services out of her home at 331 North 100 West.

**YEA 4**

**NAY 0**

Chris Clark  
Ruth P. Maughan  
Marcene Parker  
Brian Pattee

At 6:12 p.m., conduct the following public hearing:

Third, receive public input, then consider for approval a request from Kent Haddock for a conditional use for a Level 1, Home Occupation to operate a photography business out of his home at 133 East 400 North. Kent Haddock stated that he is retired and would like to operate a small photography business from his home. Mr. Haddock stated that most of his business would be completed outside and on the internet. Ruth P. Maughan asked if Mr. Haddock would conduct any business at his home. Mr. Haddock stated that he may if there is inclement weather.

At 6:13 p.m., the public hearing was closed.

After discussion, Chris Clark made a motion, seconded by Brian Pattee, to approve a request from Kent Haddock for a conditional use for a Level 1, Home Occupation to operate a photography business out of his home at 133 East 400 North.

**YEA 4**

**NAY 0**

Chris Clark  
Ruth P. Maughan  
Marcene Parker  
Brian Pattee

The Planning Commission discussed amending the conditional use for the "Snow Barn" to relocate from 75 East Main to 50 South 50 East. Don Hartle stated that there is a problem. There was never a conditional use permit approved. Mr. Hartle stated that Mr. Cook will need to go through the process of obtaining

a conditional use permit. Mr. Hartle asked that Mr. Cook call him tomorrow to make arrangements to move the “Snow Barn” buildings and to begin the process of obtaining a conditional use permit. Roger Cook stated that he will call Mr. Hartle tomorrow.

The Planning Commission reviewed for approval the Final Plat for the 2-lot Cherry Subdivision at 165 South 300 East. John Cherry stated that he is seeking approval of the Final Plat of the Cherry Subdivision. The Planning Commission reviewed the Final Plat. After discussion, Marcene Parker made a motion, seconded by Brian Pattee, to approve the Final Plat for the 2-lot Cherry Subdivision at 165 South 300 East.

**YEA 4**

Chris Clark  
Ruth P. Maughan  
Marcene Parker  
Brian Pattee

**NAY 0**

The Planning Commission considered for approval amending the Final Plat for the Maverik Subdivision, reducing the number of lots from 3 to 2. Mike Baldwin, representing Maverik, met with the Planning Commission to discuss this issue. Don Hartle stated that the application for the scales stated that it was a 3-lot subdivision. Mr. Hartle stated that after discussing the issue with City Planner Jay Nielson, it was determined that if the scales were located on the same lot, the conditional use permit could be amended. Mr. Hartle stated that he met with City Attorney Bruce Jorgensen to pick up the Final Plat, and there are 4 corrections that still need to be made. City Planner Jay Nielson stated that his concern with the scales is that it is a primary use on a single lot. By amending the conditional use permit, it is now a secondary use which is what it should be. Mr. Nielson submitted a Planning Consultant’s Report dated April 6, 2016 in which page 1 and 2 reference this issue. Ruth P. Maughan stated that the conditions of the Planning Consultant’s Report need to be met. Mr. Baldwin agreed. After discussion, Marcene Parker made a motion, seconded by Chris Clark, to approve amending the Final Plat for the Maverik Subdivision, reducing the number of lots from 3 to 2 with reference to City Planner Jay Nielson submitting a Planning Consultant’s Report dated April 6, 2106.

**YEA 4**

Chris Clark  
Ruth P. Maughan  
Marcene Parker  
Brian Pattee

**NAY 0**

The Planning Commission considered amending the conditional use for Maverik, Inc. to allow the construction of “scales” and signs on their property at 748 East Main. Ruth P. Maughan asked where the scales will be located. Mike Baldwin, representing Maverik, Inc. referenced a map to show the Planning Commission where the scales will be located on the property. Ms. Maughan asked if there is room for a truck to turn around. Mr. Baldwin stated yes. City Planner Jay Nielson stated that the sign that was submitted is unacceptable. Mr. Nielson stated that he listed 3 options in the Planning Consultant’s Report dated April 6, 2016. Mr. Nielson stated that the sign has to meet the sign code. Mr. Nielson stated that Maverik is allowed 2 monument signs, and that another monument sign could be added on the east side. Mr. Nielson stated that the height of the sign is what is of concern. The highest sign is 8 feet, and the sign that was submitted is almost 21 feet. Mr. Baldwin stated that he understood, and would make some modifications. Marcene Parker asked if Mr. Baldwin would need to return to the Planning Commission. Brian Pattee stated that they will need a sign permit. Mr. Nielson stated that Maverik, Inc. will need to resubmit a conforming application for a sign permit for scales. After discussion, Chris Clark made a motion, seconded by Brian Pattee, to approve amending the conditional use for Maverik, Inc. to allow the construction of “scales” on their property as an accessory use to the Maverik Store at 748 East Main and to reference the Planning Consultant’s Report dated April 6, 2016 submitted by City Planner Jay Nielson.

**YEA 4**

Chris Clark  
Ruth P. Maughan

**NAY 0**

Marcene Parker  
Brain Pattee

The Planning Commission reviewed the conditions of the Sharp Transportation expansion. City Planner Jay Nielson stated that condition #9 has not been resolved. Mr. Nielson stated that the expansion is more than 10% of the property, and that the Planning Commission could require additional landscaping. Mr. Nielson stated that road improvements from the northern boundary going east should be included as a conditional when the property is either developed or sold. Brian Pattee stated that he understood that the road would be asphalted. Mr. Nielson stated that it is, but that this is to include the road from the existing east property line to the future east boundary line. Mr. Pattee stated that he thought that it was already a condition. Ruth P. Maughan stated that she also thought that it was already a condition. Mr. Nielson explained where the existing property line is, and that Zan Sharp owns additional property to the east of this existing property. After discussion, Brian Pattee made a motion, seconded by Chris Clark, to amend the conditions of the conditional use permit for the Sharp Transportation expansion to when 400 North develops to the east of Sharp Transportation, that Zan Sharp will be responsible for half of the road improvements to the east boundary property line.

**YEA 4**

Chris Clark  
Ruth P. Maughan  
Marcene Parker  
Brian Pattee

**NAY 0**

City Planner/Zoning Consultant Jay Nielson conducted a workshop and presentation to the Planning Commission on the 2<sup>nd</sup> revision to the Land Use Code.

At 7:45 p.m., Chris Clark made a motion, seconded by Brian Pattee, to adjourn the meeting.

**YEA 4**

Chris Clark  
Ruth P. Maughan  
Marcene Parker  
Brian Pattee

**NAY 0**

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Ruth P Maughan  
Chairperson