

MINUTES of the Wellsville City Planning Commission meeting held Wednesday, May 25, 2011, at the Wellsville City Offices, 75 East Main in Wellsville. Commission members present were Chairman Loyal Green, Russell Glenn, Paul Egbert, John Spence, and M. Kent Larsen. Also present were City Manager/Recorder Don Hartle 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 May 20, 2011. The meeting was called to order at 6:00 p.m.

Others Present: Jennifer Leishman                      Angela Jones                      Don Ewing  
Alison Ewing    Jill Hulse    Mark Phipps  
Louisa Phipps    Kent Bankhead

Opening Ceremony: Paul Egbert

Loyal Green reviewed the agenda with the Commission. After review, M. Kent Larsen made a motion, seconded by Russell Glenn, that the agenda be approved.

YEA 5    NAY 0  
Russell Glenn  
Paul Egbert  
Loyal Green  
John Spence  
M. Kent Larsen

The Commission reviewed the minutes for the Commission meeting which was held April 27, 2011. There were word changes on lines 59, 63, 77, and 99. After review, Russell Glenn made a motion, seconded by John Spence, that the minutes of the April 27, 2011 meeting be approved with the corrections.

YEA 5    NAY 0  
Russell Glenn  
Paul Egbert  
Loyal Green  
John Spence  
M. Kent Larsen

The Southwest Heritage Estates Subdivision HOA met with the Planning Commission to discuss a sign. Angie Jones stated that they would like to install a rock sign at the front entrance of the Southwest Heritage Estates subdivision indicating where the subdivision is located. Ms. Jones stated that they have put a deposit down on a rock and are waiting for a decision from the Planning Commission. Louisa Phipps stated that the sign codes states that there are different requirements for a residential sign versus an identification sign, and asked what category this sign would fall under. Loyal Green stated that in the previous discussion, the HOA was to find out who owned the open space and if they have permission to install a sign. Ms. Jones stated that they did find out who owns the property and she handed out a copy of an email that she received giving the HOA permission to install the sign. John Spence asked if there was a diagram of what the sign looks like. Ms. Jones stated that they were waiting on a decision from the Planning Commission as to the size so that a diagram could be drawn. Mr. Green stated that according to the current code, monument signs are not allowed in a residential zone. Mr. Green stated that the HOA would need to make a request to amend the current code to allow for monument signs in a residential zone. Ms. Jones thought that the request had been made during the previous discussion. Mr. Green stated that the request has to come from the HOA, and no paperwork has been submitted to amend the current code. Ms. Phipps stated that the sign will beautify the community. Several subdivisions have them. The sign looks nice and finishes off the subdivision. Russell Glenn read the definition of a monument sign from the current code. Jill Hulse asked how a request is made to amend the code. Mr. Green stated that they would need to get an application from Don Hartle, fill out the information, and submit it. A public notice will be posted and advertized in the Herald Journal, and a public hearing will be held. Don Hartle stated that the public hearing will be held, and the Planning Commission will make a recommendation to the City Council. The City Council will hold a public hearing and will either approve or deny the request. Mr. Spence asked

what words would be on the sign. Ms. Jones stated that whatever the Planning Commission approves is what will be on the sign. Mr. Spence stated that he is concerned with installing signs at the entrances of subdivisions. Ms. Phipps asked what his concerns were. Mr. Spence stated that Wellsville City is one unit, and that if each subdivision installs their own sign, there will be no unity in Wellsville City. Ms. Phipps stated that as new people move into Wellsville City, not everyone knows where each subdivision is. Progress is made, and Wellsville City needs to show that it is a nice place to live. Mr. Spence stated that if he had his way, each subdivision would be a number instead of a name. Mr. Spence doesn't want a sign at all. Ms. Phipps stated that the Wellsville City boundaries aren't defined well. M. Kent Larsen stated that he shares their feelings that the city boundaries aren't well defined. Mr. Hartle stated that Wellsville City is working on installing 2 signs that say "Wellsville City" at Sherwood Hills and by the AWHC. Mr. Hartle gave an application to Ms. Jones.

Robert Kurek was scheduled to meet with the Planning Commission concerning property at 252 East 760 South. Mr. Kurek was not in attendance to this meeting. Don Hartle stated that Mr. Kurek has been working with Lance Gunnell to obtain more property. Mr. Hartle handed out a map of the property. This property is in the RA-1 zone. There is a lot that is 87/100 of an acre in a 1-acre zone. It is because of widening Highway 89/91, so the lot is non-conforming. Mr. Hartle stated that Mr. Kurek could rezone the property. Mr. Kurek spoke with Ray Bankhead and Mr. Wagstaff. Mr. Bankhead is not interested in rezoning his property. Mr. Wagstaff's property is further south than Mr. Bankhead's. Mr. Hartle suggested rezoning the property to R-1-12, divide off the lot that the duplex is on, obtain the rest of the property, and rezone the property to CH, Highway Commercial. Mr. Hartle stated that the land use map would have to be amended first. Loyal Green asked if Mr. Wagstaff approved of this suggestion. Mr. Hartle stated that Mr. Wagstaff would be required to sign the application. M. Kent Larsen asked if Mr. Kurek's wish is to expand his business. Mr. Hartle stated that he needs more property to park trailers on. Mr. Green stated that his concern is what the neighbors think and how it affects them. Mr. Hartle stated that he will inform Mr. Kurek to submit an application to amend the land use map.

The Planning Commission discussed the need for conditional uses and business licenses. Don Hartle stated that he sometimes brings issues to the Planning Commission for support so that it is not his word against someone else's. Mr. Hartle explained that when he used the word "body", he was referring to a body associated with Wellsville City whether it is the Planning Commission, Board of Adjustments, or City Council. Mr. Hartle stated that over a year ago, he observed a building being built. Mr. Hartle wrote the individual a letter because the building exceeded 200 feet and the individual didn't have a building permit. Mr. Hartle stated that he received a call for the individual stating that he had spoke to a member of a body, and because he was parking his tractor under the building, it was considered an agriculture building and he didn't need a building license. Mr. Hartle stated that it is only the case if the property is in the agriculture zone. Mr. Hartle stated that the individual never did get a building permit, yet the building is finished and being used. Mr. Hartle stated that some months ago, the same individual asked him about getting a business license. Mr. Hartle stated that he told the individual his feelings and that if he is operating a business, he needs a business license. Mr. Hartle stated that the individual stated that he spoke to the member of a body, and because he has been operating the business for several years, he didn't need a business license. Mr. Hartle stated that the individual does indeed need a business license. Mr. Hartle stated that if there are issues that the Planning Commission feels that Mr. Hartle is out of line, then he needs to be told so that Mr. Hartle knows. Mr. Hartle stated that if anyone is operating a business in Wellsville City, they need a business license. If the citizens don't need a business license, then business licenses shouldn't be issued. Mr. Hartle wanted the Planning Commission to be aware because it is not a pleasant position to be in. Mr. Hartle stated that people have no idea how much time is spent administering the Wellsville City code. Mr. Hartle stated that issues with Randy Wall and Tracy Bailey need to be given a deadline to have the issues completed. Russell Glenn stated that this should be a lesson for the Planning Commission in that if they are approached as an individual, that they don't offer opinions, but bring the issue to the body. Mr. Hartle stated that he appreciates the help and everything the Planning Commission does for Wellsville City.

City Planner Jay Nielson is working on the land use code. He is making progress. The Planning Commission never assigned him a time table.

City Planner Jay Nielson is working with Southwest Heritage Estates concerning the water issue.

At 6:55 p.m., John Spence made a motion, seconded by Paul Egbert, to adjourn the meeting.

YEA 5

Russell Glenn  
Paul Egbert  
Loyal Green  
John Spence  
M. Kent Larsen

NAY 0

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Loyal Green  
Chairman