

MINUTES of the Wellsville City Planning Commission meeting held Wednesday, June 22, 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 June 17, 2011. The meeting was called to order at 6:00 p.m.

Others Present: Jennifer Leishman Jared Gunnell Shari Young  
Valorie Hall Jean Parker Jerry Storrer  
Donna Storrer Marion Fielding Louisa Phipps  
Anne Bell

Opening Ceremony: Russell Glenn

Loyal Green reviewed the agenda with the Commission. Don Hartle stated that he needed to discuss swales with the Planning Commission. After review, John Spence made a motion, seconded by Paul Egbert, that the agenda be approved with the addition.

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 June 8, 2011. There was a word changed on line 42. After review, Russell Glenn made a motion, seconded by John Spence, that the minutes of the June 8, 2011 meeting be approved with the change.

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

At 6:05 p.m., John Spence made a motion, seconded by M. Kent Larsen, to go into a public hearing.

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

Receive public input and consider for approval a request from Jared Gunnell agent for Lynn and Karin Gunnell for a conditional use for a Level 2 "Home Occupation" for park rentals at 65 South 300 East. Jared Gunnell stated that they have rented the parcel of property as a park for the past 15 years. His father, Lynn Gunnell, would like to turn it into a LLC, which requires insurance, and the insurance requires a business license. Mr. Gunnell stated that they have rented the park out for family reunions, weddings, and ward parties. M. Kent Larsen asked if Mr. Gunnell would do anything different than they have in past. Mr. Gunnell stated no. John Spence asked what the property was zoned. Don Hartle stated that it is in the RA-1 zone. Mr. Larsen asked if people camped overnight at the park. Mr. Gunnell stated yes, that some families have the park rented for a weekend and can camp. Loyal Green asked about parking. Mr. Gunnell stated that the parking is all on the inside of the park, unless there is a big wedding, which cars are parked along the street. Mr. Spence asked if this type of business falls under conditional uses. Russell Glenn stated

that there is nothing concerning this type of business under conditional uses. Mr. Green read from section 10-11-18 of the Wellsville City code. Mr. Green stated that because of the location, zoning, and have been operating for such a long period of time, he couldn't see any problem with this. Mr. Glenn stated that in his opinion, because it has been in existence for so long, it is difficult not to approve this. However, if someone new came into Wellsville City and wanted to do something similar, Wellsville City would be in a bind. Mr. Glenn suggested that the Planning Commission review the code and modify it if needs be. Mr. Glenn stated that this type of business is not listed under permitted uses. Mr. Hartle stated that all home occupations are by conditional use, so there would be no permitted use. Paul Egbert read from the code concerning not using more than 25% of the property for business purposes. Mr. Green asked how many acres are owned. Mr. Gunnell stated approximately 4 acres. Mr. Spence asked if the property was all under 1 tax identification number. Mr. Gunnell stated that he believes it is split into 2 or 3 tax identification numbers. Shari Young stated that she thought the park was a separate parcel from the home. Mr. Spence stated that it puts Wellsville City in a bind because the home and business have to be under the same tax identification number. Mr. Larsen stated that Lynn Gunnell provides a service for the residents of Wellsville City. Mr. Gunnell stated that they are not making money on this park, just enough to cover expenses. Mr. Glenn stated that there is no impact on the neighbors, or they would have been in attendance. Mr. Gunnell stated that he, his brother, and his sister are the neighbors. Mr. Larsen stated that he certainly supports this conditional use.

At 6:15 p.m., John Spence made a motion, seconded by Paul Egbert, to go out of public hearing.

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

After discussion, M. Kent Larsen made a motion, seconded by Paul Egbert, to approve a request from Jared Gunnell agent for Lynn and Karin Gunnell for a conditional use for a Level 2 "Home Occupation" for park rentals at 65 South 300 East with the condition that they continue to operate the park as they have in the past, and that the Planning Commission review the code and modify it if necessary.

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

The Planning Commission reviewed for approval a lot line adjustment for property owned by Heber Parker and Jean B. Parker at 711 South Center. Marion Fielding represented Heber and Jean B. Parker. Mr. and Mrs. Parker own both parcels of property, and are hoping to sell 1 parcel this week. The corner parcel of property is 99' X 99', and they would like to move the property line to the south about 20 feet. Russell Glenn stated that the corner parcel is currently a non-conforming lot and by allowing the lot line adjustment, the corner parcel will come into compliance. John Spence stated that he didn't see any problem with this. After discussion, John Spence made a motion, seconded by Russell Glenn, to approve a lot line adjustment for property owned by Heber Parker and Jean B. Parker at 711 South Center.

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

Louisa Phipps met with the Planning Commission concerning the sign at the SW Heritage Estates subdivision. Ms. Phipps stated after their last conversation, she understands that a monument sign is not allowed, but a wood sign is allowed because it is not a permanent sign. Ms. Phipps stated that the HOA of the SW Heritage Estates subdivision would like to put in a 5' X 6' wood sign. It would be on concrete footings, but they would be above ground so the sign can be moved. This type of sign fits the code, so that the code doesn't have to be amended. The sign code is under section 10-16-21. Loyal Green stated that table C discusses individual signs, and what is currently allowed is 6 square feet, which means the sign can be 2' X 3'. Paul Egbert asked who would own the sign. Ms. Phipps stated that the HOA would own the sign. Mr. Green stated that the sign can't be over 5 feet high, and the setback is 10 feet. Ms. Phipps stated that she would discuss this issue with the HOA. Don Hartle asked if the Planning Commission would allow Ms. Phipps to post a piece of cardboard on a post the size of the sign and install it on a certain day so that the homeowners and the Planning Commission could review it. Mr. Phipps stated that she will discuss the options with the HOA and then contact Don Hartle.

Don Hartle discussed swales with the Planning Commission. Mr. Hartle asked what the Planning Commission would require in swales on a new development. Mr. Hartle stated that some people take care of swales, and others don't. Russell Glenn asked if the code addresses swales. Mr. Hartle asked that the Planning Commission would review the code and then discuss this issue at a future meeting.

John Spence asked what the status was of the Randy Wall property at 60 East 300 South. Don Hartle stated that he and Mayor Thomas G. Bailey met with City Attorney Bruce Jorgensen last week and they are working on this issue.

John Spence asked what the status was of the Tracy Bailey property. Don Hartle stated that he and Mayor Thomas G. Bailey met with City Attorney Bruce Jorgensen last week and they are working on this issue.

At 6:48 p.m., John Spence made a motion, seconded by Russell Glenn, 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