

MINUTES of the Wellsville City Planning Commission meeting held Wednesday, January 13, 2010 at the Wellsville City Offices, 75 East Main in Wellsville. Commission members present were Chairman Loyal Green, Russell Glenn, Jaye Colling, Carl Leatham, and John Spence. Also present were City Manager/Recorder Don Hartle, City Planner Jay Nielson, City Councilmen Ron Case, and Mayor Thomas G. Bailey. A copy of the Notice and Agenda was faxed and emailed to the Herald Journal and mailed to the Planning Commission on January 8, 2010. The meeting was called to order at 6:00 p.m.

Others Present: Jennifer Leishman

Opening Ceremony: Jaye Colling

Loyal Green reviewed the agenda with the Commission. After review, John Spence made a motion, seconded by Carl Leatham, that the agenda be approved as presented.

Yea 5

Nay 0

Russell Glenn
Jaye Colling
Loyal Green
Carl Leatham
John Spence

The Commission reviewed the minutes for the last Commission meeting which was held on October 28, 2009. After review, John Spence made a motion, seconded by Jaye Colling, that the minutes of the October 28, 2009 meeting be approved as presented.

Yea 5

Nay 0

Russell Glenn
Jaye Colling
Loyal Green
Carl Leatham
John Spence

Newly elected Mayor Thomas G. Bailey met with the Planning Commission. Mayor Bailey stated that he wanted to thank the Planning Commission for all of the service that they give to Wellsville City. The Planning Commission is an important part of the community. The gentlemen that serve on the Planning Commission are not thanked enough. Mayor Bailey stated that their time and effort spent in the service of the citizens of Wellsville City is appreciated.

The home at 232 East 300 South was approved as a multiple family dwelling on December 12, 2001. Don Hartle stated that the home is now under new ownership and that the owner has requested that the home be approved as a single family dwelling only. The new owner claims that he is the only person living there. He did have a divorced lady living in the upstairs, but she is no longer living at this address. The new owner is always complaining about the Wellsville City utility bill being doubled because of the multiple family dwelling, yet no one else is living at the address. The new owner would like to declare the home at this address as a single family dwelling. Mr. Hartle stated that he informed the new owner that he would present it at the Planning Commission meeting and would let him know the outcome. Mr. Hartle stated that he recommends that the home at 232 East 300 South be declared as a single family dwelling, but if there is evidence that the upstairs apartment is being rented out, Wellsville City will back bill the owner from today's date. Mr. Hartle stated that he is going to file an occupancy restriction on the home. John Spence asked if each apartment has its own separate entrance. Mr. Hartle stated that the home was built as a duplex. Russell Glenn stated that if the home was built as a duplex, how hard it is going to be to police the home. Mr. Hartle stated that if the lights are on upstairs, there is a likelihood that it is being rented out. Mr. Hartle stated that all he can do is keep an eye on the home. Carl Leatham asked if the home had to stay as a single family dwelling. Mr. Hartle stated that the new owner can reapply, and then it can be considered by the Planning Commission. Mr. Spence asked if there was anything in the code concerning rentals. Mr. Hartle stated that there is a section on multiple family

dwelling. Mr. Glenn asked if there were 2 utility meters for gas and electricity. Mr. Hartle stated that he didn't know. Mr. Hartle stated that there is a single water meter for the home, but the utility bill was charged double. Mr. Hartle stated that he will watch this home very closely. After discussion, Russell Glenn made a motion, seconded by John Spence, to approve the home at 232 East 300 South as a single family dwelling only and can't be used as a multiple family dwelling without receiving approval from the Planning Commission first, and if the apartment is being rented out at some time in the future without prior approval of a conditional use by the Planning Commission, Wellsville City will back charge the utility bill from today's date, and Mr. Hartle will file an occupancy restriction on the home.

Yea 5

Russell Glenn
Jaye Colling
Loyal Green
Carl Leatham
John Spence

Nay 0

The Planning Commission continued the workshop on the Land Use Tables.

At 6:38 p.m., Jaye Colling made a motion, seconded by Russell Glenn, to adjourn the meeting.

Yea 5

Russell Glenn
Jaye Colling
Loyal Green
Carl Leatham
John Spence

Nay 0

Loyal Green
Chairman