

MINUTES of the Wellsville City Planning Commission meeting held Wednesday, April 28, 2010 at the Wellsville City Offices, 75 East Main in Wellsville. Commission members present were Chairman Loyal Green, Russell Glenn, Jaye Colling, John Spence, and M. Kent Larsen. Also present were City Manager/Recorder Don Hartle, City Planner Jay Nielson and City Councilmen 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 23, 2010. The meeting was called to order at 6:00 p.m.

Others Present: Jennifer Leishman Jim Stopher
Kathi Stopher Zoe Stopher
Lynsey Tibbitts Alison Ewing

Opening Ceremony: Jaye Colling

Loyal Green reviewed the agenda with the Commission. Don Hartle added a discussion concerning a potential home occupation. After review, John Spence made a motion, seconded by Jaye Colling, that the agenda be approved with the addition.

Yea 5 Nav 0
Russell Glenn
Jaye Colling
Loyal Green
John Spence
M. Kent Larsen

At 6:05, the Planning Commission conducted the following public hearings:

First, the Planning Commission received public input and considered for approval a request from James Stopher for a conditional use for a 3-dog kennel at his home at 1547 South Aspen Way. Mr. Stopher stated that he owns 2 lots, 1 lot that his home is on, and the lot next to his home. Mr. Stopher stated that he has 3 dogs; a collie/beagle mix, a lab mix, and a border collie. Mr. Stopher stated that these dogs are just pets, and there is no breeding or selling of the dogs. Jaye Colling stated that his application says that all of the dogs are inside dogs. Mr. Stopher stated that is correct. Mr. Colling asked if Mr. Stopher has a big lot. Don Hartle stated that he owns several acres. Mr. Stopher stated that his backyard is fenced so the dogs can be let outside. After discussion, Russell Glenn made a motion, seconded by Jaye Colling, to approve a request from James Stopher for a conditional use for a 3-dog kennel at his home at 1547 South Aspen Way.

Yea 5 Nav 0
Russell Glenn
Jaye Colling
Loyal Green
John Spence
M. Kent Larsen

Second, the Planning Commission received public input and considered for approval a request from Lynsey Tibbitts for a conditional use for a Level 1 "Home Occupation" for daycare at her home at 588 North 800 East. Ms. Tibbitts stated that she provides daycare for her brothers' 2 children. Ms. Tibbitts would like to become licensed by the State of Utah, and the State of Utah requires her to have a business license. Ms. Tibbitts stated that she has 3 children of her own, and then provides daycare for her brothers' 2 children. M. Kent Larsen asked if there is any intent to provide daycare for more children. Ms. Tibbitts stated maybe 1 more. Mr. Larsen asked if Ms. Tibbitts lives in the SW Heritage Estates subdivision. Ms. Tibbitts stated yes. Alison Ewing stated that she has a concern with people driving too fast within the subdivision because there is no speed limit sign posted. Ms. Ewing stated that there are already 2 pre-schools located within the subdivision. Don Hartle stated that the code reads that the speed limit is 25 MPH if it is not posted. Mr. Hartle stated that a sign can be installed, but it doesn't mean that people will not speed. Mr. Green asked if Wellsville City would post a speed limit sign at the entrance of the

subdivision. Mr. Hartle stated that he will discuss the issue with the City Council, because he can't commit for the City Council. Mr. Larsen asked if the ordinance states a maximum number of children that can be at a daycare at one time. Mr. Hartle stated no. Russell Glenn stated that the Planning Commission can approve this based on what Ms. Tibbitts is saying. Ms. Tibbitts stated that the State of Utah says she can provide daycare for up to 8 children, but because 2 of her own children count as part of the 8, she is able to provide daycare for up to 6 children. John Spence stated that the State of Utah regulates it. Mr. Spence asked if Ms. Tibbitts has followed all of the States' guidelines, such as a fenced yard. Ms. Tibbitts stated yes, she has a fully-fenced yard, and is trying to comply with all of the States' regulations. Loyal Green asked how Ms. Tibbitts communicates with the State of Utah. Ms. Tibbitts stated that she was sent a packet of information, which she has to fill out and return to the State of Utah. Mr. Glenn suggests approving this based on receiving approval from the State of Utah. Jay Nielson stated that Wellsville City can't withhold a permit based on someone else's standards and regulations. After discussion, M. Kent Larsen made a motion, seconded by Jaye Colling, to approve a request from Lynsey Tibbitts for a conditional use for a Level 1 "Home Occupation" for daycare at her home at 588 North 800 East.

Yea 5

Russell Glenn
Jaye Colling
Loyal Green
John Spence
M. Kent Larsen

Nay 0

The Planning Commission discussed approval of a lot line adjustment for Brad White on property at approximately 450 North 150 East. Don Hartle handed out a map that shows the current deed lines in black, and the lot lines after boundary line adjustment in red. Mr. White would like to sell a lot. Mr. Hartle explained to him that he could go through the subdivision process, or add the balance of the property onto the property that his home currently resided on. Loyal Green asked if the new lot meets the length and width requirements. Mr. Hartle stated yes. Russell Glenn asked if this property is in the R1-12 zone. Mr. Hartle stated yes. After discussion, Russell Glenn made a motion, seconded by M. Kent Larsen, to approve the lot line adjustment for Brad White on property at approximately 450 North 150 East.

Yea 5

Russell Glenn
Jaye Colling
Loyal Green
John Spence
M. Kent Larsen

Nay 0

The Planning Commission continued review for considering recommending to the City Council that they adopt a resolution approving the revised/updated General Plan.

The Planning Commission continued the workshop on the revisions to the land use tables and code.

Don Hartle stated that a woman who currently lives in Montpelier, Idaho would like to purchase a home in Wellsville because she loves it here. She is a midwife, which assists with births, as well as training, making calls, and accounting from her home. She is wondering if this would qualify under the home occupation. Several questions were asked about people coming to her home, if a medical license is required, and so on. M. Kent Larsen suggested that the woman appear and respond to these questions because it doesn't sound like there is any urgency. Jay Nielson stated that midwife does qualify for a home occupation. Mr. Hartle stated that he will report back to the woman to make an application and proceed.

At 7:02 p.m., Jaye Colling made a motion, seconded by M. Kent Larsen, to adjourn the meeting.

YEA 5

Russell Glenn
Jaye Colling
Loyal Green
John Spence
M. Kent Larsen

NAY 0

Loyal Green
Chairman