

MINUTES of the Wellsville City Planning Commission meeting held Wednesday, July 14, 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, Mayor Thomas G. Bailey and City 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 July 9, 2010. The meeting was called to order at 6:00 p.m.

Others Present: Jennifer Leishman Debra Leishman  
Erik Barney Mindi Barney  
John Bostock Warren Rowsell

Opening Ceremony: John Spence

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

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

The Commission reviewed the minutes for the Commission meeting which was held on June 23, 2010. There were word changes on line 101. After review, Jaye Colling made a motion, seconded by John Spence, that the minutes of the June 23, 2010 meeting be approved with the correction.

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

At 6:05 p.m., John Spence made a motion, seconded by Russell Glenn, to go into public hearings.

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

First, receive public input and consider for approval a request from Debra Leishman for a conditional use for a Level 2 "Home Occupation" for daycare at her home at 745 East 400 North. Debra Leishman stated that she would like to move her business to a Level 2 "Home Occupation" so that she is able to hire individuals outside of her family members. Russell Glenn asked if she increased providing daycare services to 16 children. Ms. Leishman stated yes. John Spence asked if she had received the information from the State of Utah to increase providing daycare services to 16 children. Ms. Leishman stated that she is licensed with the State of Utah to provide daycare services to 16 children. After discussion, M. Kent Larsen made a motion, seconded by Jaye Colling, to approve the request from Debra Leishman for a conditional use for a Level 2 "Home Occupation" for daycare at her home at 745 East 400 North.

Yea 5

Russell Glenn

Jaye Colling

Loyal Green

John Spence

M. Kent Larsen

Nay 0

Second, receive public input and consider for approval a request from Erik Barney for a conditional use for a Level 2 “Home Occupation” for a Retail and Custom Meat Shop at approximately 33 South 300 East. Erik Barney stated that he would like to build a small building behind his home for meat cutting. He would process farm kill. He lives at 290 East Main Street, and the building would sit on the property to the south of him, which is behind his home. He doesn’t own this property yet, but is waiting to see if he is approved for a Level 2 “Home Occupation” before he purchases the property. Mr. Barney stated that retail would be sold out of the building. He would process wild game for meat. He would also have a smoker from jerky. In the back of the building would be a cooler for beef, and a separate cooler for wild game, which are FDA standards. John Spence asked about the smell. Mr. Barney stated that the smoker is vented, but he would like use the smoker every day. Mr. Barney stated that it doesn’t produce a lot of smoke. To the neighbors, it would be similar to a neighbor barbequing. Mr. Barney stated that he would hire out the farm kill. Mr. Spence asked how he would dispose of the carcass. Mr. Barney stated that he would have bone barrels that he would slide into the cooler, and then have someone come pick it up. Mr. Barney stated that would be nothing stored or left outside. Loyal Green stated that his concern is that this type of business doesn’t fit in a Level 1 or a Level 2 “Home Occupation”. Jaye Colling asked if there would be any selling. Mr. Barney stated yes. Mr. Colling stated that this type of business belongs in the commercial zone. Mr. Green stated that a “Home Occupation” is to be conducted in a manner so that the neighbors don’t know there is a business next door. Mr. Green stated that the job of the Planning Commission is to protect the residential zone. Mr. Green reviewed the permitted uses. In order to apply for a Level 2, all of the requirements for a Level 1 have to be met also. A Level 2 allows the use of an accessory building, but the building is for storage, not for killing animals. Mr. Spence asked if the property could be rezoned for this type of business. Don Hartle stated that this doesn’t qualify for a “Home Occupation” because the property is a separate tax identification number than the property that his home sits on. Mr. Green stated that can be changed, but this type of business doesn’t fit in the “Home Occupation”. Mr. Spence asked where a business like this could be located. Jay Nielson stated that it would need to be in the commercial zones. Mr. Nielson stated that the Planning Commission wouldn’t want to rezone a piece of property in the middle of a residential zone. Mr. Hartle suggested converting the old Wellsville Market building. Mr. Green stated that it was a possibility. Mr. Barney stated that he has looked at buildings, which works for retail, but not for custom. Mr. Spence asked if Mr. Barney would hire any employees. Mr. Barney stated yes. Mr. Hartle suggested the old Sharp Transportation building on 400 North that is zoned commercial. Mr. Spence asked about the old auto repair shop building that Ted Ricks owns. Mr. Hartle stated that it has been zoned residential. Mr. Barney stated that he would go and look at the different locations that have been suggested, but he would like to build his own building. Mr. Nielson suggested getting a copy of all of the commercial zones, and then look at all the properties. After discussion, Russell Glenn made a motion, seconded by John Spence, to disapprove the request from Erik Barney for a conditional use for a Level 2 “Home Occupation” for a Retail and Custom Meat Shop at approximately 33 South 300 East based on the code, which doesn’t allow this type of business in a residential area, the property is not with the home, it is not compatible with zones, and is not compatible with the neighborhood.

Yea 5

Russell Glenn

Jaye Colling

Loyal Green

John Spence

M. Kent Larsen

Nay 0

At 6:30 p.m., Jaye Colling made a motion, seconded by M. Kent Larsen, to go out of public hearings.

Yea 5

Nay 0

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

The Planning Commission reviewed for approval the concept plan for the Reynolds subdivision at 39 East 300 South consisting of a total of 3 lots (2 additional building lots). John Bostock stated that the current home resides on lot #1. Mr. and Mrs. Reynolds would like to build another home on lot #2. Lot #3 is an available lot, but Mr. and Mrs. Reynolds state that it will not be sold until they are dead. Mr. Bostock stated that they understand the garage would have to be removed. John Spence asked why there is a jog in the property lines. Mr. Bostock stated that it is because of the code that requires 10 feet on each side. Jaye Colling asked what the largest portion of Lot #2 would be used for. Mr. Bostock stated that it would be an open pasture for horses. After discussion, M. Kent Larsen made a motion, seconded by Russell Glenn, to approve the concept plan for the Reynolds subdivision at 39 East 300 South consisting of a total of 3 lots (2 additional building lots).

Yea 5

Nay 0

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

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

Don Hartle stated that Scott and Tammy Anderson live in the last home on the north side of 600 South. Their lot is 204.26 feet wide. They would like to rezone their property to R-1-12, divide off a lot so that they have 82 ½ feet of frontage, and build a home kind of in the middle of the block, but with the required frontage on 600 South. Mr. Hartle asked if there is anything illegal about it. Jay Nielson asked if there is anything that would prevent the rezone of the property. Mr. Hartle stated that the land use map shows the property could be rezoned to R-1-12. Mr. Nielson stated that it makes sense. After the rezone, they would have the frontage to build a home. Mr. Hartle stated that he will proceed in that manner.

At 6:53 p.m., John Spence made a motion, seconded by Jaye Colling, to adjourn the meeting.

Yea 5

Nay 0

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

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Loyal Green  
Chairman