

MINUTES of the Wellsville City Planning Commission meeting held Wednesday, September 22, 2010, at the Wellsville City Offices, 75 East Main in Wellsville. Commission members present were Chairman Loyal Green, Russell Glenn, John Spence, and M. Kent Larsen. Also present were City Manager/Recorder Don Hartle 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 September 17, 2010. The meeting was called to order at 6:00 p.m.

Others Present: Jennifer Leishman Robert Kurek  
Dave Kurek John Collins  
Terri Akers

Opening Ceremony: John Spence

Jaye Colling is excused from this meeting due to illness.

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

YEA 4 NAY 0  
Russell Glenn  
Loyal Green  
John Spence  
M. Kent Larsen

The Commission reviewed the minutes for the Commission meeting which was held September 8, 2010. There was a word change on line 40. After review, John Spence made a motion, seconded by M. Kent Larsen, that the minutes of the September 8, 2010 meeting be approved with the correction.

YEA 4 NAY 0  
Russell Glenn  
Loyal Green  
John Spence  
M. Kent Larsen

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

YEA 4 NAY 0  
Russell Glenn  
Loyal Green  
John Spence  
M. Kent Larsen

Receive public input and consider for approval a request from Robert Kurek for a conditional use for a 4 foot by 15 foot internal illuminated wall sign at 252 East 760 South. Mr. Kurek stated that he would like to put a box sign with fluorescent lighting on the side of the building that he is renting for his business. Loyal Green asked if it was a wall sign. Mr. Kurek stated yes. Mr. Kurek stated that according to the ordinance that he read, he is allowed 60 square feet of sign. Mr. Green stated that Mr. Kurek is applying for a conditional use permit for the sign. Mr. Green stated that according to Table C under 10-16-21, he is allowed 60 square feet. Russell Glenn stated that the 60 square feet limit shown in Table C pertains to free-standing signs. Mr. Glenn stated that he had calculated all 3 criteria of Table B for maximum total signage and the criteria of Table C for a wall sign, and that 60 square feet is within the limits of all 4 criteria. Mr. Glenn stated that the sign is within the limits that the ordinance allows. Mr. Green stated that this is a public hearing, and asked if there was any public input. M. Kent Larsen asked what the words and style of the sign would be. Mr. Kurek stated that he wanted the sign to look like his business card. Mr. Kurek showed the Planning Commission the business card. Mr. Glenn asked if the sign has fluorescent lighting. Mr. Kurek stated yes, and that the lights are behind the plastic sign. Don Hartle asked if the sign would

be flashing or blinking. Mr. Kurek stated no. Mr. Kurek asked if the sign had to turn off at a certain time, or if it could be lit all night long. Mr. Glenn stated that the code doesn't require that the sign be on any type of timer. Mr. Hartle stated that the sign could have no animation, blinking or flashing of any type.

At 6:10 p.m., John Spence made a motion, seconded by Russell Glenn, to close the public hearing.

<b><u>YEA 4</u></b>	<b><u>NAY 0</u></b>
Russell Glenn	
Loyal Green	
John Spence	
M. Kent Larsen	

After discussion, M. Kent Larsen made a motion, seconded by Russell Glenn, to approve a request from Robert Kurek for a conditional use for a 4 foot by 15 foot internal illuminated wall sign at 252 East 760 South with the condition that if there is a change in how the sign is illuminated, Mr. Kurek will have to come back to the Planning Commission and re-apply for the conditional use for a sign.

<b><u>YEA 4</u></b>	<b><u>NAY 0</u></b>
Russell Glenn	
Loyal Green	
John Spence	
M. Kent Larsen	

The Planning Commission considered a request from John Collins at 49 North 100 West that his home at said address be declared a single family dwelling rather than a duplex. Mr. Collins stated that he purchased the home 6 ½ years ago as a duplex, and is now getting married and needs to change it to a single family dwelling. Mr. Collins asked if he chooses to sell the property at a later date, could he change the property back to a duplex. Loyal Green stated that if the property meets the code at the future time, it could be changed back to a duplex. Russell Glenn asked if there were separate utility meters. Don Hartle stated that there are no separate water meters. Mr. Collins stated that he has double meters on the electrical. Mr. Hartle stated that Wellsville City bills double the utility rate. Mr. Collins stated that there are separate entrances. Mr. Glenn asked if Mr. Collins will be making any changes to the home. Mr. Collins stated no. Mr. Hartle stated that he explained to Mr. Collins that if he wants to turn the house back to a duplex, he will have to go through the process to do it. Mr. Hartle stated that with accessory buildings, Wellsville City looks at night for lights on in the building. Mr. Hartle stated that he hopes that Wellsville City deals with honest people. Mr. Glenn asked if there is a way to record the property as a single family dwelling so that it can't be sold as a duplex without prior approval of Wellsville City. Mr. Hartle stated that anyone could start renting, which is illegal whether it is filed or not. M. Kent Larsen asked why Mr. Collins doesn't leave the property as a duplex. Mr. Collins stated that he doesn't want to pay double utilities. After discussion, M. Kent Larsen made a motion, seconded by John Spence, to approve a request from John Collins at 49 North 100 West that his home at said address be declared a single family dwelling rather than a duplex.

<b><u>YEA 4</u></b>	<b><u>NAY 0</u></b>
Russell Glenn	
Loyal Green	
John Spence	
M. Kent Larsen	

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

At 7:05 p.m., John Spence made a motion, seconded by M. Kent Larsen, to adjourn the meeting.

YEA 4

Russell Glenn  
Loyal Green  
John Spence  
M. Kent Larsen

NAY 0

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Loyal Green  
Chairman