

Mendon Planning & Zoning Board Meeting
October 10, 2018
Mendon City Library – 15 N Main

Administration Meeting began at 7pm

In Attendance: Paul Taylor, Bob Jepson

Chairman: Joni Endicott

Commissioners: Kevin Wright,
Ron Campbell
Phil Zobell
Nancy Tolman
John Davidson
Jeremy Martin

Secretary: Gail Taylor

Excused:

Public Attendance: Brian Myers
Jonathan Bingham & Stacey Bingham

Administration Meeting:

Joni welcomes everyone. She welcomes Ron Zobell back to the board. Begin discussion about having next month's meeting early. City Council is voting tomorrow and may change their time from 7pm to 6pm as their meeting goes to length. PZB not interested in changing their times. Joni to Bob Jepson: PZB members couldn't change their schedule. It would eliminate too many people with schedule restrictions.

City Council tomorrow possibly lifting the moratorium. Expected to give numbers on well or extend. Go see what happens.

Joni to Ron: Updating the ordinance for changes. Adding shipping containers & trailer courts. Nothing in. Need to add or establish guidelines. Joni trying to decide to implement new changes piece by piece? John Davidson curious if you need a meeting each time you implement piece by piece. Ron Campbell: Ask for a copy of draft. Jill and Joni have reviewed the new draft.

Board asked for a digital link of the new implements before next month meeting.

No changes from the work Ron Campbell made have been implemented. Board stopped because it was summer. Now it's time to revisit. Do they want or need to make everything conditional? Perhaps conditional is too difficult. Come up with other solutions to spell it out.

Ordinance changes / review update: Joni calls for thoughts.

Ron Campbell curious what's been done. Bob Jepson was the liaison with the city.

Bob – Well & budget: limited funding. Doesn't want to overstep on the CC announcement for lifting the moratorium. Bob hasn't seen the data. Doesn't want to give false hope. Everything depends on the data. People are anxious. Those that want to get going, need to prepare. Mendon City will have other plans to get bids on the water connection. About 8 people getting ready to come present build options. Paul Taylor worried everyone will come at once.

Bob Jepson welcomes Ron Campbell back.

Bob Jepson would like to revisit the driveway conversation from last month. It should be between the property owners, not PZ. Agreed

City matched funds on some road work on streets. Acknowledged.

Trailer parked on the main road. It's verified the trailer is just parked. No one is living there. Determined to be a nonissue per Kevin.

Kevin wrote up a letter about **Nancy Tolman's old place**. Copy presented to the PZB and PZ secretary. Letter prepared for Gary & Tamara Anderson but not yet submitted. Part of the issue is the concrete forms, cluttered material is in close proximity to the road. This is noncompliant of Mendon City ordinances. Property has no business license. Kevin Wright proposes a cease and desist letter. Does this need a Board vote? Joni solicits feedback. Joni wants letter retyped in a formal manner. Ron Campbell thinks it needs formal signatures etc. Joni gives Bob Jepson copy of letter. The city needs the uniformity, and this isn't. Kevin Wright recommends the Andersons should come before the committee and discuss the issue of commercial storage on a residential lot.

Public Meeting

Public meeting began at 7:30 PM
Joni welcomes everyone.

Pledge of Allegiance: John Davidson

Prayer: Phil Zobel

Previous Minutes reviewed:

Joni calls for Motion, Jeremy, Phil, Approved

Building Licenses

PZ secretary presents a business license modification for WLS Enterprises. License previously approved as WS Enterprises but now needs modified due to a name similarity with another company. Joni calls motion, John Davidson, Nancy Tolman, Approved

Conditional Use Permits –

Slide Ridge Honey conditional use permit expired September 2018. They have not renewed. Do they need to come before the board, or submit a letter or renewal? PZB suggest Colton provide

circumstances of current situation. PZB requests previous conditions and determine if they are still applicable in this time. Joni and John Davidson agree they need to come in to request a new permit. Bob Jepson expresses concern that conditional use permits need to be reviewed regularly. Jeremy thinks review is applicable for liability. John Davidson believes the business has expanded and so let's review. Again, request to have them come in for a meeting. Find the previous conditions and present to the board next month. Acknowledged that Conditional Use permits renews every 2 years and the business has grown too much now to just renew past the expiration deadline. Company now makes more products than before. Kevin and Bob Jepson proposed that Conditional Use permits come due at the same time as the business license. This tracking would work better for the business and the board. Joni: PZB hasn't done this in previous years but was willing to entertain.

Plagmann / Mendon Trailer Court Discussion – revisit

Joni reviewed minutes from last month. At the time, PZB thought RV's were ok to be in the park but said to see Paul Taylor for inspection etc. Paul Taylor thinks that PZB perhaps made a wrong decision. John Davidson thinks a trailer needs to be secured. Paul Taylor speaks: He reads and reviews trailer park nonconforming use. Non-conforming use approvals must maintain the original use as the time of original purpose. In this case, a mobile home park. Paul Taylor reads definition of mobile home per code: Transportable homes built prior to 1976. [See minutes to recap.](#)

Mobile Homes had a different standard at the time of the conditional use permit. After 1976, most mobile homes converted to manufactured. Plagmanns want to add manufactured homes not mobile homes. Paul ask: Does the city really want to do that? A tiny home was added to the park. Paul ask: Does the city want to allow RVs that are design for camping not long term residences? He has liability concerns. RV parks are setup as a plug and go system with a mobile sewer. Manufactured homes are plumbed direct to sewer. RV uses 50 amp breaker service. Manufactured homes have 100 amp or more. Upon review of Non Conform use and reviewing code, Paul Taylor feels the Plagmanns are changing from mobile home park to manufactured park and now to a RV park. Paul reads from [Mendon Ordinance 3.3 definitions](#) to discuss the meaning of a trailer, mobile home, manufactured home and camper. PZB discusses the differences. Joni took the definitions to mean the same thing. Paul Taylor disagrees. John Davidson proposes we redefine these definitions. Joni does not think this addresses things to be different than nonconforming. Kevin: if current code doesn't prohibit, it's nonconforming. Kevin: If code doesn't say you can, you can't.

They define how an ordinance works: [see minutes for examples](#)

What are definitions: Define what IS in code.

Jeremy: Does this go against reason? [Banter...see minutes](#)

Paul Taylor believes ordinances tell you what is allowed. Kevin, Jeremy and Nancy see it the other way around. Paul Taylor asks: Are you going to allow a RV where it's disallowed?

Kevin: He is going to allow as long as it is not prohibited. Paul Taylor: This park is existing but has been modified over the years. Kevin ask Paul Taylor: If it's disallowed, show the board.

Paul Taylor ask: **Create an ordinance to allow; as the board can't show where a rv park doesn't exist.** Paul believes that age and code have modified the mobile home park vs manufactured building circumstances. Jeremy interprets code as “things are or shall be” not “as they shall not be”.

Bob Jepson inquiries about the RV park in Logan by the river.

Kevin Wright reviews the map of zoning for the mobile park. Zoning shows multifamily R-2 for the current trailer park. Paul Taylor doesn't have issue with manufactured park. He does have issue with tiny homes and rv homes. 2021 Code will modify next year. Paul Taylor proposes the city should define codes to match definitions. Joni said tiny homes were being built in the mobile home park but not lived in or used for rental. Jeremy, if they build and sell in the park, they need permits and licenses. Paul Taylor is concerned that these buildings haven't been inspected, aren't UL listed or compliant. PT: if city says it's ok, he'll inspect them, otherwise, he's not comfortable. This conversation issue is on the City Council for tomorrow.

Kevin Wright is concerned that PZB said the board gave ok/approval. If City Council disagrees with the PZB decision, the Plagmann needs to revisit and review with PZB. The PZB agrees the long term needs of the park need to be revisited. City Council should review and then propose back to PZB. The overall consent is PZB didn't have issue with the circumstances as presented last month so they are waiting for City Council to direct further.

Jeremy believes that building and selling tiny homes in the mobile home park is a non conforming use of the current permit. Kevin Wright believes it's an outright violation. John Davidson has concerns that a tiny home is different and doesn't have inspections. Jeremy said PZB addressed the idea of the park having long term leases last month. The idea is to assist something that was already there, help it be profitable as long as it's getting better in Mendon.

Bob Jepson believes the language in code is too vague. He recommends Paul Taylor come to City Council tomorrow night to discuss. Kevin Wright: An official from the State desires Mendon to have more affordable houses. PZB thought the tiny houses in the park would help with that recommendation. Bob Jepson: What's the effect of affordable housing vs sewer system on Mendon? Mendon has limited capacity.

Kevin: Believes the park is nonconforming. Non conforming use permits should not change hands by sale, trade or transfer of property. When Plagmanns bought the park, the NCU permits should have ended upon Plagmanns purchase. He suggested Mendon review this process.

City Council has tried to phase out the trailer park years ago. Things have improved but still has issues that need to be revisited.

Bob Jepson said other parks allow stuff to become permanent with insulation and skirting. He suggested Mendon City discuss and then present back to PZB.

Open Public Inquiry:

1. **Brian Myers:** grew up in Mendon. Gone 24 years with employment. Bought property. Moratorium lifted. Eager to build. Wants PZB to look at his proposals to see if he's ready to go. He owns the lot at 2nd N 2nd W. S of Galen & Judy Baker. Old meter on lot. Old meters have been turned off. Meter considered inactive. Pioneer families. Friends & neighbors. Get his ducks in line. John Davidson is willing to see what he needs. Brian shows soft sketch of house plans, site maps, warranty deed with secondary water. 1 acre foot of canal water. Plat map with surround properties. Wellsville Mendon Irrigation water. Joni: call Teena and talk about water requirements. More water may be needed. Document water delivery system and water shares. Hydrant on the property = shares. Documentation showing who owns the shares. Does he have enough info to come before the PZB after moratorium lifted. Board believes, yes.

Bob Jepson reads language from code on water per acre. 1.25 lot. Needs 2 shares. Bob Jepson recommends the Brian Myers see John Hardman for clarification.

2. **Jonathan & Stacey Bingham:** Planning on building. Lot 98 E Center. Home removed. Shop remains. Wants to connect water and add a bathroom during construction to eliminate a portable potty. Wants to connect water prior to building plan submittal. Bob Jepson said this requires review. Jeremy, refers issue of living in a trailer during construction to Paul Taylor. The issue: the shop is the Quasi Hut. Paul Taylor sees the Quasi shop as an accessory structure. Phil expresses concern the Quasi hut meet energy code, electrical code, egress, smoke detectors. John Davidson believes the Bingham's need to get a permit. Bingham's: What's the process to reconnect? Bob Jepson has concerns about gas and combustion. Refer to Paul Taylor. PZB confirms residential zoning but need for new permit & plan approval. Bob Jepson suggested to run 2 services: Quasi hut and to house. Review. Come to City Council tomorrow night about the moratorium. When asked about the water: Bob Jepson reads water report on test well.

Ron Campbell inquiries: Where is the new well? New well is on Dennis Jensen's property.

Requests for November Agenda:

Brian Myers – Plan review

Joni & Gail meeting to review transition.

Adjourn:

Call Kevin, Jeremy, Joni, Adjourned

Next Meeting 2nd Wed of November 7pm.