

OXFORD PLANNING COMMISSION

AGENDA

July 12, 2022 – 7:00 PM

Meeting Held at Oxford City Hall – 110 W. Clark Street, Oxford, GA

1. **Opening** – Jonathan Eady, Chair
2. **Welcome our new member Mr. Dave Huber**
3. ***Minutes** – Please consider for approval the June 21, 2022 Planning Commission Minutes.
4. ***107 Emory Way Street** – Development Permit Application for a shed and fence
5. **Other Business**
 - a. ***Amendments to Chapter 40 of the City’s zoning ordinances**
6. **Adjournment**

*** Attachments**

OXFORD PLANNING COMMISSION

Minutes – June 21, 2022

DRAFT

Meeting was held via Zoom

MEMBERS: Jonathan Eady, Chair; Juanita Carson, Secretary; Mary Glenn Landt, and Jeremy Baker.

STAFF: Bill Andrew, Zoning Administrator

GUESTS: Charles Willis (representing 908 Emory Street Renovations) and Hal Chitwood (representing Bureau Veritas for a discussion concerning the National Green Building Code)

OPENING: At 7:01 PM, Mr. Eady called the meeting to order and welcomed the guests.

MINUTES: The May 10, 2022 Planning Commission Minutes were reviewed. *Upon the motion to approve by Ms. Landt and seconded by Ms. Carson, the vote was 4 – 0 to approve the minutes as presented.*

Charles Willis, appeared before the Commission to discuss the rehabilitation of 908 Emory Street: Mr. Eady indicated the application was quite complete. There was some discussion that led to a determination that the existing home is almost 1,200 square feet and other than the addition of a bay window which will add a nominal square footage, there was no additional square footage or volume being added to the home with this renovation. Therefore, Section 40-575 (3) which does not allow for a nonconforming use to be expanded is not being violated.

Mr. Willis indicated the budget for the renovation will be \$65,000 and the cost to rebuild the 1,200 square foot home from scratch would be easily over \$200,000. Mr. Eady asked Mr. Chitwood to confirm if \$100 to \$150 per square foot is an accurate cost estimate. Mr. Chitwood agreed that considering the current construction market, closer to \$150/SF is a reasonable estimate. Therefore, Section 40-575 (4), which does not allow the repair cost to be over 50% of the replacement cost with an existing non-conforming use, was being adhered to with this project.

Mr. Chitwood indicated these plans would be sufficient for the building permits. Mr. Willis indicated the tin roof would be removed and replaced with asphalt shingles. Additionally, Mr. Willis stated he would be using hardiplank siding.

Upon the motion to grant the Development Permit Application by Ms. Landt and seconded by Ms. Carson, the vote was 4 – 0 to approve. Mr. Andrew was authorized to sign the application on behalf of the Planning Commission.

OTHER BUSINESS:

- a. **Update on the National Green Building Standards for the Oxford Building Code – Review by Mr. Hal Chitwood, CBO with Bureau Veritas:** Mr. Eady thanked Mr. Chitwood for being available for this meeting so as to advise the City on the advisability of adopting the National Green Building Standards into the Oxford Code.

Mr. Chitwood is of the opinion that the NGBS was originally assembled to address commercial construction. Mr. Eady asked if the quality of construction recently undertaken by Emory would likely need to be at a higher level to meet NGBS. Mr.

Chitwood did not feel this would be the case. It was agreed that residential construction would have a higher bar to meet.

Mr. Chitwood indicated the cost of inspections would be higher due to an increase in the number of inspections and the need for a higher level of residential plan review. Permit turnaround would go from what is currently one to two days for review, to likely over a week.

Mr. Chitwood stated the current code has a requirement for plumbing, insulation and other items that could be considered "green." Mr. Chitwood said Bureau Veritas has no other local government clients which have adopted the NGBS.

There was a consensus that it was too difficult, with the information at hand, to understand if the positive impact of the NGBS, such as energy savings in a residence, would balance out against the costs of following the NGBS.

There was a recommendation to bring in a NGBS expert to have a joint presentation with the Planning Commission and the City Council and to have Mr. Chitwood present, to better understand the full implications of the NGBS. Mr. Chitwood indicated he would try to get a list of similarly sized cities who have adopted it and how the building inspection staff in those cities had dealt with this.

- b. Status of Amendments to Chapter 40 of the City's zoning ordinances:** Mr. Eady was reluctant to address this issue until we had a full contingent of the Planning Commission present.

ADJOURNMENT: Mr. Eady adjourned the meeting at 7:41 PM.

Submitted by:

Bill Andrew, Zoning Administrator



DEVELOPMENT PERMIT APPLICATION

This is **NOT** a Building Permit but, is a requirement for an application to the City of Oxford Building Inspector for the appropriate required Building Permit. All items must be completed, or marked N/A. See the attached Checklist. The completed form must be submitted 10 days before the next meeting of the Planning Commission.

GENERAL INFORMATION

Name of Applicant: Robin Horton Date of Application: 6/23/2022
 Address of Applicant: 107 Emory Way
 Telephone # (s) of Applicant: 770 634 5868
 Address / Subdivision / Lot# / Parcel#(s) where the proposed work will occur (list all): 107 Emory Way, Oxford Square
 Owner of above location(s): Robin Horton
 Name of General Contractor (if different from Applicant): No On Sales + unknown yet

Type of work: New building Addition Alteration Renovation Repair Moving
 Land Disturbance Demolition Other

Type of dwelling: Single Family Multi-family Included Apartment Number of units:

Briefly describe the proposed work: Install 12' x 20' shed
Replace existing fence with new, 6' version.

Does the proposed work change the footprint (ground outline) of any existing structures? YES NO

Does the proposed work add a structure(s)? YES NO

List additions to: Heated Sq.ft. Unheated Sq.ft. Garage Sq.ft. New Sq.ft. 240

Is the above lot in the Special Flood Hazard Area on FEMA's Flood Insurance Rate Map? Yes No
 (Map available from City Clerk)

ZONING DISTRICT (the setback requirements and the zoning map are available from the City Clerk)

Zoning District R-15
 Setback Requirements:
 Front setback NA ft. Side setback 10 ft. Rear setback 10 ft.
 Minimum required lot width at building line ft.

MECHANICAL INFORMATION (if utility work is included in the proposed work)

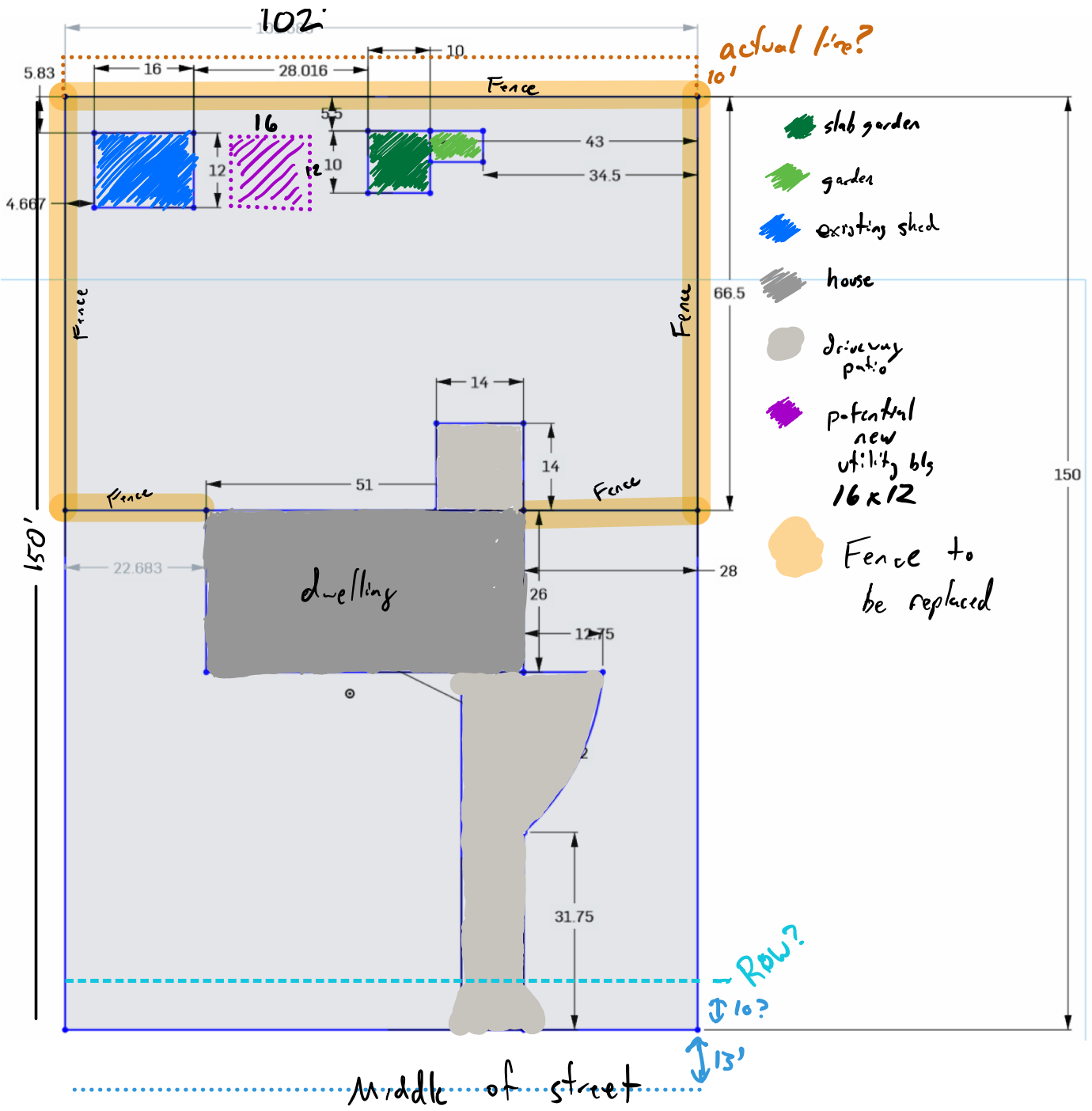
- A) Sewerage: Is there a change? Yes No City Sewer Septic If so, describe:
- B) Water Supply: Is there a change? Yes No City Water Well If so, describe:
- C) Number of Restrooms (Commercial): Is there a change? Yes No Full Half If so, describe:
- D) Number of Baths (Residential): Is there a change? Yes No Full Half If so, describe:
- E) Heating: Is there a change? Yes No Electric Gas Oil Propane Other If so, describe:
- F) Electrical: 0 number of outlets

CITY OF OXFORD

Checklist Applying for a Development Permit

1. Obtain a Development Permit Application from the City Clerk's office.
2. Complete the Application and attach a site plan (either drawn by a professional or sketched on graph paper) with dimensions showing:
 - Shape, size and location of the lot.
 - Shape, size, height, use and location of the buildings to be erected, constructed, altered or moved, as well as any building(s) already existing on this building lot.
 - Indicate how many dwelling units the building(s) are designed to accommodate.
 - Setback lines from adjoining streets and lots.
3. Submit the completed Application to the City Clerk's office.
4. All corners of the lot and any proposed building must be clearly staked out on the ground.
5. The City Clerk will give the application to the Zoning Administrator to review and to schedule a review by the Planning Commission.
6. The regular meetings of the Planning Commission are on the second Tuesday of each month at 7 PM. The applicant will be notified when the application is scheduled for review. The Planning Commission will not review the application unless the applicant or a representative is present at the meeting. A picture or diagram of what is proposed will help the Planning Commission review the request.
7. If the application is approved, an approved copy will be given to the applicant by the Planning Commission.
8. The City of Oxford is responsible for issuing the Building Permit and collecting any required fees. A copy of the approved Development Permit is required before a Building Permit can be issued. The applicant should contact the city's Zoning Administrator (770-786-7004) to determine if a building permit and inspections are required. If a building permit is required, the applicant should bring the approved Development Permit to City Hall to exchange for the necessary building permit(s), and to schedule the inspection.

The foregoing checklist is a brief summary and does not modify or amend the Oxford Zoning Ordinance. See Section 40-841 of the Oxford Zoning Ordinance for a detailed description of the process for applying for a development permit and building permit.



Dotted line represents property line if Easement or R.O.V. affects where property actually starts. No survey since 1960s means I am confused by some of this.

~Robin

These two slides were prepared by Bill Andrew to further illustrate the site.



These flags are set one foot off the existing shed and indicate ample room for the shed which will be 12 feet deep and 20 feet wide.



The arrow indicates the fence location.

The photo to the left illustrates that the rear property line is a few feet above this ditch line and so while the shed appears too close to the fence in the previous page, it is actually set back beyond the 10-foot requirement.

This is illustrated with the map provided by the applicant and confirmed by the site visit.

Sec. 40-575. Nonconforming use.

A nonconforming use may be continued even though such use does not conform with the use provisions of the zoning district in which the use is located, except as otherwise provided in this section.

- (1) *Change of use.* A nonconforming use shall not be changed to another nonconforming use. A change in tenancy or ownership shall not be considered a change to another nonconforming use, provided that the use itself remains unchanged.
- (2) *Discontinuance or abandonment.* A nonconforming use shall not be re-established after discontinuance or abandonment for one year. Vacancy or non-use of the building, regardless of the intent of the owner or tenant, shall constitute discontinuance or abandonment under this subsection. If a business registration is required for the nonconforming use and the business registration pertaining to the use has lapsed for more than six months, the lapse of business registration shall constitute discontinuance.
- (3) *Expansion.* A nonconforming use shall not be expanded, enlarged or extended, in land area or in floor space or volume of space in a building or structure, ~~except for a~~unless such use ~~which complies is made to substantially comply~~ with the zoning district in which the use is located.
- (4) *Repair*~~Major repair or reconstruction following a casualty event.~~ A nonconforming ~~use~~structure shall not be rebuilt, altered or repaired ~~after damage exceeding 50~~following a casualty event (such as fire, tornado, storm, or fallen tree) if the cost of repairing the damage to the structure exceeds fifty percent (50%) of ~~its~~the total replacement cost for such structure at the time of damage as such cost is determined by the Building Inspector, ~~except when following a casualty event or for a~~unless (i) the use ~~which~~ conforms with the zoning district in which the use is located, ~~and provided such (ii) the~~ rebuilding, ~~alteration or~~ and repair of the nonconforming structure is completed within one year ~~of following such damage. Minor improvements to and repair of a nonconforming structure, as determined by the Zoning Administrator, are permitted. Refer to § 40-841 for minor improvement requirements and considerations.~~ casualty event, and (iii) such structure is not altered in any material manner from the condition existing prior to such casualty event.
- (5) *Significant modification or improvement.* ~~When~~A nonconforming structure shall not be modified, altered or improved if the cost of such modifications, alterations and/or improvements ~~and/or modifications~~ to asuch nonconforming structure within ~~made during~~ a consecutive 12-month period ~~will exceed~~ exceeds fifty percent (50%) of the fair market value of ~~the~~such existing structure as of the beginning of such period, unless the entire structure shall be brought into conformance. ~~The 12-month period and cost thresholds shall be determined by the Zoning Administrator. Refer to § 40-578 for permitted exceptions.~~ with all applicable ordinances, rules and requirements.

Sec. 40-841. Development permit.

- (a) *Required.* A development permit shall be required for any proposed use of lands or buildings (including, but are not limited to, clearing and grubbing, grading or land disturbance, and the construction of such improvements as streets, surface parking areas and drives, stormwater drainage facilities, sidewalks, or other structures permanently placed on or in the property), and before any improvement, grading or alteration of lands or buildings commences to indicate and ensure compliance with all provisions of this chapter and other applicable regulations in this Code, except for minor improvements described herein. For purposes hereof "minor improvements" include the following and similar routine maintenance and repair items: interior and exterior painting; replacing or installing new floor coverings; repairing or replacing existing windows with new windows; roof shingle repair or replacement; landscaping, including sprinkler system installation or the clearing of trees and brush in connection with normal yard maintenance (not for the purpose of construction or development activities); replacing or installing new cabinets or countertops; replacing or installing new appliances; existing driveway repair or resurfacing; installation or repair of backyard sheds located at least two (2) feet inside the applicable setback line; rear-yard fencing that complies with the fencing requirements of City ordinances; temporary sign installation that complies with the signage requirements of City ordinances; and the repair or replacement of existing HVAC, plumbing, gas, or electric utility systems.

OXFORD PLANNING COMMISSION

Minutes – June 21, 2022

DRAFT

Meeting was held via Zoom

MEMBERS: Jonathan Eady, Chair; Juanita Carson, Secretary; Mary Glenn Landt, and Jeremy Baker.

STAFF: Bill Andrew, Zoning Administrator

GUESTS: Charles Willis (representing 908 Emory Street Renovations) and Hal Chitwood (representing Bureau Veritas for a discussion concerning the National Green Building Code)

OPENING: At 7:01 PM, Mr. Eady called the meeting to order and welcomed the guests.

MINUTES: The May 10, 2022 Planning Commission Minutes were reviewed. *Upon the motion to approve by Ms. Landt and seconded by Ms. Carson, the vote was 4 – 0 to approve the minutes as presented.*

Charles Willis, appeared before the Commission to discuss the rehabilitation of 908 Emory Street: Mr. Eady indicated the application was quite complete. There was some discussion that led to a determination that the existing home is almost 1,200 square feet and other than the addition of a bay window which will add a nominal square footage, there was no additional square footage or volume being added to the home with this renovation. Therefore, Section 40-575 (3) which does not allow for a nonconforming use to be expanded is not being violated.

Mr. Willis indicated the budget for the renovation will be \$65,000 and the cost to rebuild the 1,200 square foot home from scratch would be easily over \$200,000. Mr. Eady asked Mr. Chitwood to confirm if \$100 to \$150 per square foot is an accurate cost estimate. Mr. Chitwood agreed that considering the current construction market, closer to \$150/SF is a reasonable estimate. Therefore, Section 40-575 (4), which does not allow the repair cost to be over 50% of the replacement cost with an existing non-conforming use, was being adhered to with this project.

Mr. Chitwood indicated these plans would be sufficient for the building permits. Mr. Willis indicated the tin roof would be removed and replaced with asphalt shingles. Additionally, Mr. Willis stated he would be using hardiplank siding.

Upon the motion to grant the Development Permit Application by Ms. Landt and seconded by Ms. Carson, the vote was 4 – 0 to approve. Mr. Andrew was authorized to sign the application on behalf of the Planning Commission.

OTHER BUSINESS:

- a. **Update on the National Green Building Standards for the Oxford Building Code – Review by Mr. Hal Chitwood, CBO with Bureau Veritas:** Mr. Eady thanked Mr. Chitwood for being available for this meeting so as to advise the City on the advisability of adopting the National Green Building Standards into the Oxford Code.

Mr. Chitwood is of the opinion that the NGBS was originally assembled to address commercial construction. Mr. Eady asked if the quality of construction recently undertaken by Emory would likely need to be at a higher level to meet NGBS. Mr.

Chitwood did not feel this would be the case. It was agreed that residential construction would have a higher bar to meet.

Mr. Chitwood indicated the cost of inspections would be higher due to an increase in the number of inspections and the need for a higher level of residential plan review. Permit turnaround would go from what is currently one to two days for review, to likely over a week.

Mr. Chitwood stated the current code has a requirement for plumbing, insulation and other items that could be considered "green." Mr. Chitwood said Bureau Veritas has no other local government clients which have adopted the NGBS.

There was a consensus that it was too difficult, with the information at hand, to understand if the positive impact of the NGBS, such as energy savings in a residence, would balance out against the costs of following the NGBS.

There was a recommendation to bring in a NGBS expert to have a joint presentation with the Planning Commission and the City Council and to have Mr. Chitwood present, to better understand the full implications of the NGBS. Mr. Chitwood indicated he would try to get a list of similarly sized cities who have adopted it and how the building inspection staff in those cities had dealt with this.

- b. Status of Amendments to Chapter 40 of the City's zoning ordinances:** Mr. Eady was reluctant to address this issue until we had a full contingent of the Planning Commission present.

ADJOURNMENT: Mr. Eady adjourned the meeting at 7:41 PM.

Submitted by:

Bill Andrew, Zoning Administrator