

# OXFORD PLANNING COMMISSION

Minutes – August 11, 2020

**MEMBERS:** Jonathan Eady, Chair; Zach May, Vice Chair; Juanita Carson, Secretary; Mike Ready, Mike McQuaide, and Kibbie Hatfield.

**STAFF:** Matthew Pepper, City Manager and Zoning Administrator.

**GUESTS:** Troy and Brenda Willis; Stuart McCanless; Helen Griffin.

**OPENING:** At 7:02 PM, Mr. Eady called the meeting to order and welcomed the guests.

**MINUTES:** Upon motion of Mr. Ready, seconded by Mr. McQuaide, the minutes for the meeting of July 13, 2020 were adopted. The vote was 6-0.

**TROY AND BRENDA WILLIS DEVELOPMENT PERMIT APPLICATION (1306 Emory Street):** The Commission reviewed the development permit application to construct a home on the property located at 1306 Emory Street. During the discussion, the Commission confirmed that the location and type of fencing that will be installed is in accordance with the city's fence ordinance. In addition, Mr. Willis confirmed that a section of an existing wood privacy fence near the back-property line would be removed as part of the project.

The Commission also discussed the proposed garage apartment located behind the home. The Commission confirmed that the apartment would contain two bedrooms, a bathroom, and a small kitchen area. The Commission concluded that the apartment fits the definition of a separate dwelling unit as outlined in the city's code. The Commission recommended that Mr. and Mrs. Willis consider enclosing the breezeway connecting the two structures to ensure that it meets the city's permissible dwelling unit requirements. Further, the Commission explained that the city's building inspector may specify a distance requirement between the home and garage apartment.

*Upon motion of Mr. Ready, seconded by Mr. McQuaide, the Planning Commission approved the development permit application to construct a home and install a new driveway and fencing on the property located at 1306 Emory Street. The vote was 6-0.*

**STUART MCCANLESS DEVELOPMENT PERMIT APPLICATION (1106 Wesley Street):** The Commission reviewed the development permit application to replace an existing storage shed on the property located at 1106 Wesley Street. During the discussion, the Commission confirmed the distance of the proposed shed from the existing house and the side and rear setbacks. In addition, the Commission stated that the city's building inspector may require that Mr. McCanless bury the power line running from the house to the proposed shed.

*Upon motion of Ms. Hatfield, seconded by Mr. May, the Planning Commission approved the development permit application to replace an existing shed located at 1106 Wesley Street. The vote was 6-0.*

**HELEN GRIFFIN DEVELOPMENT PERMIT APPLICATION (103 E. Watson Street):** The Commission reviewed the development permit application to complete interior and exterior renovations to the existing dwelling located at 103 E. Watson Street. During the discussion, the Commission reviewed the survey of the lot depicting the location of the existing house. The Commission explained that, based on the survey, the house encroaches on the front setback. The setback encroachment triggers the city's nonconforming use provisions of the city's ordinance. The Commission further explained that the house

was built in conformance with the ordinances in place at that time, making it a permitted non-conforming use.

In addition, the Commission explained that, according to the city code, the structure is considered a non-conforming building, situation, and use. The Commission also reviewed the Discontinuance or Abandonment and Repair provisions listed under Section 40-575. The Commission explained that the Service Assessment Inspection Report stated that the amount of repair work necessary to bring the house into a livable condition is above the 50 percent threshold stated in the Repairs provision of Section 40-575. The Commission further explained that the Discontinuance or Abandonment provision precludes individuals from re-establishing a non-conforming use after one year.

During the discussion, the Commission explained the variance process. Given the criteria for a variance and the condition of the house, the Commission explained that it would be difficult for them to recommend a variance to the City Council given the amount of money that would need to be invested in the non-conforming structure. Based on their analysis, the Commission concluded that Ms. Griffin should consider demolishing the existing house and build a new home within the setbacks. They also stated that the building theoretically could be moved to a location on the lot that meets the setbacks but did not recommend it.

The Commission also reviewed the lot size and width and minimum floor area requirements for the R-15 zoning designation. They also explained the documentation required to build a new home. The Commission took no action on the development permit application.

**CONVERSATION WITH KELLY ELLIS (814 Emory Street):** Mr. Ellis was not able to attend the meeting to discuss in person the development options that are permissible under the Town Center zoning designation. Consequently, the Commission deferred discussion on this item.

**OTHER BUSINESS:** Mr. Pepper reported that the City Council reviewed the Commission's proposed Minor Variance amendment. He explained that the City Council is in favor of giving authority to the Commission to make reasonable accommodations in a variety of contexts (e.g. – flexibility in permitted non-conforming uses, minor variances, etc.). In addition, Mr. Pepper shared that the city is supportive of the Commission making policy recommendations on amendments to the city's zoning code. The city will explore hiring a third-party to draft modifications to the ordinance under the Commission's direction.

In addition, the Commission discussed the reasoning and implications of assigning the Town Center zoning designation to six properties located on the east side of Emory Street. The Commission will make a recommendation to the City Council to rezone those properties.

The Commission will plan to hold a special called meeting to discuss the zoning code amendment and the rezoning recommendation.

**ADJOURNMENT:** Mr. Eady adjourned the meeting at 8:12 PM.

Submitted by:

Juanita Carson, Secretary