



**DRAFT MINUTES OF THE OXFORD MAYOR AND COUNCIL
PUBLIC HEARING
MONDAY, July 6, 2020 – 7:00 PM
VIA TELECONFERENCE**

PRESENT: David Eady, Mayor; Councilmembers: Jim Windham, Jeff Wearing, Lynn Bohanan, Laura McCanless, Avis Williams, George Holt

Staff members present: City Manager Matt Pepper, City Clerk/Treasurer Marcia Brooks, Associate Clerk Melissa Pratt, Asst. Public Works Supervisor Scottie Croy, Police Chief Dave Harvey

OTHERS PRESENT: Art Vinson, Laurie Vinson, Alice McKnight, Mike Ready, Laura Gafnea (Oxford College), Joseph Budd, Cheryl Budd, Tom Spigolon (Covington News)

The hearing was called to order at 7:00 PM by the Hon. David Eady, Mayor to hear a request for a variance at 903 Asbury Street. The request has been made by Art and Laurie Vinson to allow a variance to the minimum side setback requirements as they relate to an accessory building on their property to allow them to make improvements to that building.

Art Vinson stated that they have been trying for several years to figure out what to do with the historic shed on their lot to get it into compliance but they have not been able to come up with anything. The building is four to five feet from the property line, but the minimum setback requirement in City of Oxford ordinance Section # 40-524(b) is ten feet. Section 40-714 of the City of Oxford municipal code provides applicable criteria for a variance request. Of these, Mr. Vinson feels that subsection (6) is most relevant to his circumstances, as explained in his supporting documents.

Mr. Vinson's submitted documents also include a letter of support from Dr. and Mrs. Budd, the adjacent property owners.

Mayor Eady asked if any City Council members have questions for Mr. Vinson. James Windham asked what Mr. Vinson plans to do with the building. Mr. Vinson stated they plan to put electricity in it. Mr. Windham stated his property should be grandfathered and questioned if this action is necessary. Mr. Vinson stated that the Planning Commission advised them they cannot make any changes/ improvements to it. Mr.

Windham stated as long as he is not changing the footprint of the building, he does not have a problem with it, and stated the City Council may need to look at some of those requirements.

No other questions were posed by the City Councilmembers. Several expressed support for the Vinsons' request.

Mayor Eady opened the floor to questions/comments from the audience. Joseph Budd spoke in favor of the request. He and his wife are neighbors of Mr. Vinson and has written a letter in support of the request. He wanted to reiterate his support in the meeting.

Respectfully Submitted,



Marcia Brooks
City Clerk/Treasurer

**Arthur M. Vinson and Laurie T. Vinson
903 Asbury St.,
Oxford, Georgia 30054**

May 27, 2020

**Application for Variance
To Waive Side Setback requirements on an Existing Non-Conforming Structure**

Summary – In 1995 a quaint and architecturally appropriate 14' X 18' timber frame accessory building was constructed on what is now our property. This structure was situated between 4 and 5 feet from the side boundary on the north edge of our property. We seek a waiver of the 10' setback requirement so that the building is considered "conforming."

Application requirements per Sec. 40-711, Oxford Code of Ordinances:

1. Application Fee – N/A
2. Application Form- N/A
3. Metes and bounds legal description of the property; See Appendix A
4. Boundary survey plat of the property; in the case where a building or structure was already constructed and requires a setback variance, the boundary survey shall include as-built placement of the building or structure for which the setback is requested to be varied. See Appendix B
5. Letter of intent describing the regulations to be varied (specific sections and the amount of numerical variation sought), and including analysis of how the proposed development compares favorably with one or more of the criteria for granting variances as established in this section; See Appendix C
6. If pertaining to future development, a site plan of the property and proposed development shall be submitted at an appropriate engineering scale showing the proposed use and relevant information regarding the variance request. Site plans must show information as reasonably required by the Zoning Administrator. – N / A

Additional Items:

1. Letter of Support from adjoining property owners - See Appendix D
2. Development Permit Application – Submitted under separate cover

Appendix A

Metes and bounds legal description of 903 Asbury Street

All that tract or parcel of land lying and being in the Town of Oxford, Newton County, Georgia, being described as follows: Beginning at a point at the northwest intersection of George Street and Asbury Street; thence running due west 139.9 feet to an iron pin and property now or formerly belonging to J. Williams; thence running north 09 degrees 28 minutes west along property now or formerly belonging to J. Williams, a distance of 198 feet to the property now or formerly belonging to Cline; thence running due east 210 feet along property now or formerly belonging to Cline to the west side of Asbury Street; thence running south 09 degrees 28 minutes west a distance of 198 feet to the point of beginning.

Appendix B



Appendix C

Letter of Intent

1. Regulations to be varied (specific sections and the amount of numerical variation sought),
 - a. Section 40-524(b): *Setback*. Accessory buildings, unless otherwise specifically provided, shall be located a minimum of ten feet from any side or rear property line.
 - i. **We seek a variance to a. above as the existing setback is between 4 and 5 feet and relocation of the structure is not practical.**
2. Analysis of how the proposed development compares favorably with one or more of the criteria for granting variances as established in this section.
 - a. Section 40-714; Applicable Criteria for Variance Request. One or more of the following criteria may be considered applicable or potentially applicable:
 - (1) There are extraordinary and exceptional conditions or practical difficulties pertaining to the particular piece of property in question because of its size, shape or topography that are not applicable to other lands or structures in the same district. **There are practical difficulties associated with moving the structure 6 feet further away from the property line; a mature pecan tree would be sacrificed, and the heavy equipment required to move the structure would severely damage the landscaping and hardscaping.**
 - (2) A literal interpretation of the provisions of this chapter would effectively deprive the applicant of rights commonly enjoyed by other properties of the district in which the property is located.
 - (3) Granting the variance requested will not confer upon the property of the applicant any special privileges that are denied to other properties of the district in which the applicant's property is located. **Granting this variance does not hinder a similar request by any other property owner faced with the same dilemma.**
 - (4) The requested variance will be in harmony with the purpose and intent of this chapter and will not be injurious to the neighborhood or to the general welfare. **This variance will be in harmony with the neighborhood as the subject structure has been part of the neighborhood for 25 years and is stylistically compatible with the main structure on our property.**
 - (5) The special circumstances are not the result of the actions of the applicant. **This non-compliance existed when we purchased the property in 2017.**
 - (6) The variance requested is the minimum variance that will make possible the proposed use of the land, building, or structure in the zoning district in which the development is located. **We have considered a number of alternate approaches to bringing the structure into compliance and they all have significant disadvantages – potential loss of tree cover, creating imbalance of the symmetry of the lot and its topography, high cost, and potential damage to the building through moving.**

We respectfully request your favorable consideration of this variance.

Thank you,

s/ Arthur M Vinson

s/ Laurie T Vinson

Appendix D

To Whom It May Concern

I am writing in support of the request by Art Vinson for a setback variance for the outbuilding behind his home at 903 Asbury St, which adjoins my now owned property at 203 W Clark St, Oxford. I have just purchased this property (May 14, 2020) from the estate of my mother, Grace Dearing Budd, who passed away last year. She had that home built ca 1989, and I am in the process of moving into the home.

I also write as one long familiar with the properties in question as I was a regular visitor in my mother's home, was born (1941 in Huson Hospital), and grew up in Oxford and attended Oxford College, as did my father and grandfather. I was actually in Mr Vinson's outbuilding in question (or it's predecessor) on occasion in the 1950s. At various points over the years, I personally knew occupants of nearly all homes in that entire block encompassing Wesley St, West Clark St, Asbury St, and bordered on the south by Emory College. That would include Pierce and Marie Cline, Mary Bates, the Williams family who once owned Mr Vinson's home, the "Jiggs" Williams family who lived on Wesley St behind the now Vinson home, the home most recently occupied by Peggy Cobb, and the home replaced by the new cafeteria that housed a number of Emory professors. I have visited in every one of those houses except what I recall as the Mitchell house, now torn down, directly across Asbury from Allen Memorial.

I have respect for history and tradition, and decided to return to my roots in Oxford largely for that reason. Notably, the structure in question literally affects no property boundary other than the one my wife and I now own. And I accept and support the history of the property, and therefore endorse the request by Art Vinson for a variance. My wife Cheryl L Budd is in agreement.

Joseph D. Budd 304-445-5337 681-368-7598 850-615-1234 (best number until about June 10)

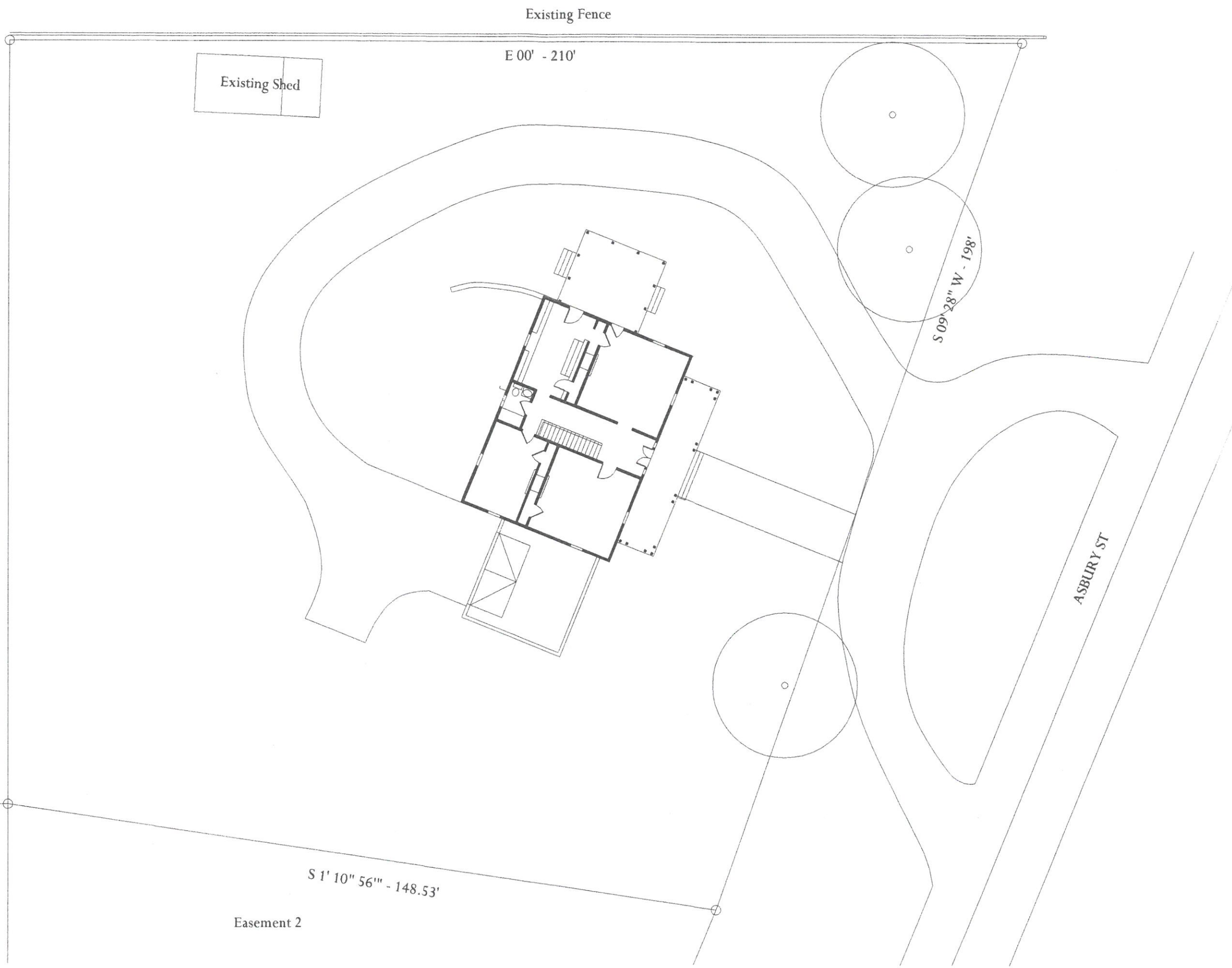
Cheryl L. Budd

903 Asbury St., Oxford, Georgia
Site Plan for Art & Laurie Vinson

February 12, 2020
Randy Vinson

Scale: 1" = 20'

N 09' 28" W - 198'





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: Arthur & Laurie Vinson Date of Application: 6/2/2018
 Address of Applicant: 903 Asbury St Oxford
 Telephone # (s) of Applicant: 404 312 9048
 Address / Subdivision / Lot# / Parcel#(s) where the proposed work will occur (list all): 903 Asbury St Rear accessory building
 Owner of above location(s): Arthur & Laurie Vinson
 Name of General Contractor (if different from Applicant): _____

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: Accessory structure

Briefly describe the proposed work: install electrical service in accessory building

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. 0 Unheated Sq.ft. 0 Garage Sq.ft. 0 New Sq.ft. 0

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 30

Setback Requirements:

Front setback 10 ft. Side setback 10 ft. Rear setback 10 ft.

Minimum required lot width at building line 100 ft.

** Variance request pending*

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: number of outlets TBD

STRUCTURAL INFORMATION

Type of Foundation: Moveable Pier & Footer Slab on grade Basement Other

Type of Construction: Frame Masonry Structural Insulated Panel Insulated Concrete Form
 Panelized Industrialized Manufactured *Timber Frame*

SITE PLAN DRAWINGS (required for changes to the footprint of existing structures)

- A) Attach an accurate scale drawing or copy of official plat showing shape, size, dimensions, and location of the lot. Note the Zoning District on all drawings.
- B) Show the applicable minimum setback lines on all drawings, and the dimensions from the existing and proposed structure(s) to the lot lines.
- C) Attach a dimensioned drawing, showing the location of any proposed work that changes, or adds to the footprint of any structure(s) on the site.
- D) The following dimensions below **MUST** be included on the drawings:
 - Width of lot at proposed work location ___ feet Width of new work ___ feet
 - Depth of lot at proposed work location ___ feet Length of new work ___ feet
 - Height of new work ___ feet (the maximum habitable area is 35' above grade for R districts; 45' in PI districts)

I HEREBY CERTIFY THAT I HAVE READ AND EXAMINED THIS DOCUMENT AND KNOW IT TO BE TRUE AND CORRECT. ALL PROVISIONS OF LAWS AND ORDINANCES GOVERNING THE TYPE OF WORK WILL BE FOLLOWED. GRANTING OF PLANNING APPROVAL DOES NOT PRESUME TO GIVE AUTHORITY TO VIOLATE OR CANCEL THE PROVISIONS OF ANY OTHER STATE OR LOCAL ORDINANCE OR REGULATION REGARDING CONSTRUCTION, OR THE PERFORMANCE OF CONSTRUCTION.



 Signature of Applicant *6/2/2020*

----- OFFICIAL USE ONLY -----
DEVELOPMENT PERMIT

Date Received by Zoning Administrator: _____
 Date Reviewed by the Planning Commission: _____

The proposed work contemplated by this application meets the appropriate development standards for the Zoning District noted above. **This is not a building permit in Oxford.**

Approved by: _____ Date: _____
 Planning Commission

Development approval is hereby issued, and the applicant is authorized to apply for a building permit with the City of Oxford Building Inspector. **This Development Approval expires six months from the date issued.**

Issued by: _____ Date: _____
 Zoning Administrator

NOTE: This document must be accompanied by all supporting documentation, also signed by the Planning Commission, for consideration by the City of Oxford Building Inspector for a building permit. (Form October, 2018)

CITY OF OXFORD PUBLIC HEARING REQUEST FOR VARIANCE

The City Council of the City of Oxford will conduct a public hearing on Monday, July 6th at 7:00 PM. The purpose is to consider a request for a zoning variance from Art and Laurie Vinson on the 10-foot minimum side setback requirement to allow for improvements to an existing non-conforming 14' x 18' accessory building located at 903 Asbury Street.

The public hearing will be held via teleconference. A link will be posted on the city's website for those interested in joining the via the internet. To join via telephone, please call 1-646-558-8656. The meeting ID is 825 460 3975.

For additional information, please contact the City Clerk at 770-786-7004.