

OXFORD PLANNING COMMISSION

Minutes – October 8, 2019

MEMBERS: Jonathan Eady, Chair; Zach May, Vice-Chair; Juanita Carson, Secretary; Kibbie Hatfield, and Mike McQuaide. Avis Williams was absent.

STAFF: Matthew Pepper, city manager and zoning administrator.

GUESTS: Scott Gaither; Debbie Ball.

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

MINUTES: Upon motion of Mr. McQuaide, seconded by Mr. May, the minutes for the meeting of September 10, 2019 were adopted as amended. The vote was 5-0.

DEBBIE BALL CONVERSATION: Ms. Ball explained to the Commission that she plans to renovate the structure located at 503B Emory Street with the intent to rent it to a prospective tenant. Given that 503B is located on a lot with another existing dwelling (503A), she has requested a conversation with the Commission to discuss her plan before moving forward with the renovation. Ms. Ball stated that both dwellings (503A & 503B) were occupied until June 2019. The Commission explained that the city's zoning code does not allow for two principal dwelling units on a single residential lot. The Commission shared that an accessory dwelling unit is permissible in lots zoned R-20 (Table 4.1 and 40-525) if the owner occupies either the principal or accessory dwelling unit. Given that Ms. Ball's plan is to rent both dwellings, the Commission discussed the city's non-conforming use ordinance (40-575). During the discussion, the Commission determined the following: both structures pre-date the city's zoning ordinances; Ms. Ball's plan to renovate 503 B will benefit the neighboring area; Ms. Ball's intention to rent both properties is consistent with a prior use. In addition, the Commission discussed the threshold of permissible repairs for a non-conforming use (40-575 #4).

The Commission stated that they would approve a development permit request for the proposed renovations under the theory that it is a continuing non-conforming use. The Commission recommended that Ms. Ball submit a development permit application detailing her proposed renovations. With the application, Ms. Ball will submit a site plan showing the location of the house relative to the property lines and a visual depiction of the nature of the proposed renovations. After receiving the development permit, Ms. Ball will provide the city's building inspector with the requisite construction documents to receive the building permit. Mr. Pepper will send a development permit application to Ms. Ball and Mr. Gaither.

RESIDENT SUBDIVISION CONVERSATION: The Commission reviewed the lot information including its acreage and location from a summary document prepared by the Newton County Tax Assessor's Office. The Commission determined that the lot, if subdivided, would meet the minimum acreage requirements for residential lots in the R-15 zoning district as contained in Table 4.2. In addition, the Commission determined that the lot would meet the street frontage requirement as outlined in the code. Without a survey of the lot, the Commission could not determine how the location of the existing house would affect the location of the rear property line if the lot was to be subdivided.

REVIEW MINOR VARIANCE ORDINANCE: The Commission briefly reviewed the city's former minor variance ordinance. The Commission agreed that each member will review the former ordinance prior to the meeting on November 12th. At the November 12th meeting, the Commission will begin editing the former ordinance. The Commission will present their final draft to the Mayor and Council for consideration.

REQUIREMENTS FOR THE PLANNING COMMISSION: The Commission reviewed the proposed amendment to Sec. 40-611 to include language that states each member is required to attend at least 2/3 of the meetings in a calendar year. In addition, the Commission reviewed the proposed amendment to Sec. 2-190 to include language that states all elected and appointed officials and employees representing the city will adhere to the city's code of conduct. The Commission recommended edits to items #9 and #10 under Sec. 2-190. For item #9, the Commission recommended adding the language "excluding public elections for elected roles" to the end of the sentence. For item #10, the Commission recommended using the language "Engaging in the strict and faithful adherence to the highest ideals of public service while carrying out official city business." Mr. Pepper will share the recommendations with the City Council.

OTHER BUSINESS: Mr. Pepper informed the Commission that the City Council had the first reading of a new ordinance to regulate the deployment of small cell technology within the city's right-of-way. Per the ordinance, the Commission will provide the initial permit review and then make a recommendation to City Council to grant the permit.

ADJOURNMENT: Mr. Eady adjourned the meeting at 8:15 PM.

Approved by:

Juanita Carson, Secretary