

MINUTES OF THE REGULAR MEETING
OF THE OXFORD PLANNING & ZONING BOARD

The Oxford City Planning and Zoning Board met in a regular meeting at the Oxford Public Works Building
Tuesday, June 1, 2021 at 5:30 pm

Members Present:

- Bill Newman, Chairman
- Lance Turner, Vice Chairman
- Charlotte Hubbard, Council Member
- Melissa Craven
- Danny Shears
- Fred Denney
- Jake Pollard

Members Absent

- Mayor Alton Craft
- Clyde Huckeba

Also, Present:

Mike Roberts, Chief Building Official

Visitors: John Hutchins, Patrick Miller, Nancy Day, Janice Burns, Kristi Durham and Captain Don Ridley

1. Noting that a quorum was present, the meeting was called to order by Chairman, Bill Newman. Following a review of the minutes of the regular meetings of April 6, 2021. Danny Shears made a motion to approve the minutes. Lance Turner seconded the motion. Upon vote on the motion, the following votes were recorded: Yeas: 7; Nays: 0; Abstained 0. Chairman, Bill Newman announced the motion passed.

Following a review of the minutes of the regular meetings of May 4, 2021. Charlotte Hubbard made a motion to approve the minutes. Melissa Craven seconded the motion. Upon vote on the motion, the following votes were recorded: Yeas: 7; Nays: 0; Abstained 0. Chairman, Bill Newman announced the motion passed.

2. Resolution approving the subdivision regulations. Mr. Newman stated we asked to have 30 days to read the regulations. Charlotte Hubbard stated just to let everyone know that this does not have to go the Council. Fred Denney stated he had a discussion with Mayor Craft and he desires that this goes to the Council. Lance Turner stated I thought all boards had to approve them. Mr. Denney stated I agree with Mayor Craft and I think it would be showing the Council respect. This is a pretty important deal. Mrs. Hubbard stated it is but they feel like we have the expertise. Mr. Newman stated we will go ahead and send it to Council. Mrs. Hubbard stated they do not have to have another public hearing. Mr. Newman stated no they didn't. Danny Shears stated there are still some areas where something may come up that we don't even visualize now. How much leeway do we have to go back and change it on some points? Mrs. Hubbard stated I think that is what we have learned from the zoning ordinance and we have amended several of those. Mike Roberts stated you can amend the subdivision regulations. You will find situations that are not going to work here that you will have to amend it for a different way. Mrs. Hubbard stated this is a major improvement over what we had. Mr. Newman stated this will keep everything uniform. Mrs. Hubbard stated this goes to everyone who comes in to start a subdivision. Mr. Roberts stated yes and it will be available online. Mr. Newman stated there are avenues that if someone has an issue, they can bring it to this board or Board of Adjustments and we can look at it. Mr. Shears stated once we start amending and changing it then that lets everyone know that we can amend and change it. I guess we can just take it one step at a time from here on out and see how it goes. It is definitely a change in the right direction. Mr. Newman stated it is a good thing as developers can get a copy of it before they purchase the property and see if it will work or not. I think in the past we have let people make the regulations fit the property and from here forward they will not be able to do that. Mr. Roberts stated your surveyors and engineers are going to be the ones who use it the most. After discussion, Fred Denney made a motion to

approve the subdivision regulations and send to the City Council for approval. Lance Turner seconded the motion. Upon vote on the motion, the following votes were recorded: Yeas: 7; Nays: 0; Abstained 0. Chairman Bill Newman announced the motion passed.

3. Public Hearing – request from John and Michelle Hutchins to rezone the property at 1823 US Highway 78 East from Central Business District (CBD) to General Business (GB). John Hutchins stated he is the owner of the Hutch Tough II. We initially built the building in the front to suit us in 2001 or 2002. It is currently zoned Central Business District (CBD) which is retail and wanted to see about getting it zoned to General Business (GB). Mr. Shears asked how that would benefit Mr. Hutchins. Mr. Hutchins stated the way it is set up we are limited to who the audience is. To rent the building as retail there are not a lot of retail businesses who have a bay door with no glass for viewing. It is just not suitable for retail. Mr. Shears asked if Mr. Hutchins was still occupying the building. Mr. Hutchins stated no. We rented it to Mike Morris. We built a building in the back and moved in it in 2016. We outgrew the building we were in. If I would have had all of the property when we first built, I would have done things differently. Mr. Turner stated the tenant that is there now is not retail. Mr. Hutchins he is not considered retail. We had a meeting here a few weeks ago and they gave him permission to go in the building. He is a contractor. Mr. Roberts stated he is an electrical contractor out of Pell City. He is basically using it for an office and storage in the back, I believe. Mr. Newman stated so according to Mr. Roberts he had to come before the Board of Adjustments to get permission for the electrical contractor to rent that space. That is what has prompted the request for a zoning change. He is okay because the Board of Adjustments approved the request to allow him to locate there. Mr. Newman stated as I understand it CBD is pretty much the downtown area and that whole corridor may need to be changed. Mr. Shears stated are you referring to Benton Nissan and Lowe's. If so, what is it zoned now. Mr. Roberts stated CBD. From Target center all the way down US Highway 78 on both sides to where Snow Street splits off and to the right off Snow Street is all Central Business District. Central Business District is normally your downtown area. Every restaurant that goes in CBD with a drive thru has to go before the Board of Adjustments to get an approval to have a drive thru. You can't have a drive thru in CBD. Jake Pollard stated for General Business it states that 10 acres are required. Does it meet the 10 acres? Mrs. Hubbard stated that is if you are establishing a General Business zone. Mr. Roberts stated if you bring in some land and want to zone it General Business, if that is the minimum then that is what you would have to follow. Mr. Pollard asked if we were talking about that whole area. Mr. Roberts stated we are just talking about his property as we can't rezone someone else's property. Mr. Hutchins stated most people who inquired about the building have not been retail. We are hoping we can keep that building so we will have a little bit of income when we retire. I don't like clutter, so we will keep that to a minimum. The tenant feels the same way. If that is of a concern, please know we will be keeping that under control. Mr. Turner asked if we were talking about the building in front or the entire property. Mr. Hutchins I would like the entire property rezoned. Mr. Turner asked if Mr. Hutchins planned to put any more buildings on the property. Mr. Hutchins stated no, there is not enough room. After discussion, Fred Denney made a motion to approve the rezoning and send to Council. Danny Shears seconded the motion. Upon vote on the motion, the following votes were recorded: Yeas: 6; Nays: 0; Abstained 1. Chairman Bill Newman announced the motion passed.
4. Public Hearing – request from Patrick Miller to rezone the property at 301, 309 and 321 West Oak Street, 300 Ross Street and 304 McKibbin Street (Dogwood Trails Cemetery) from Residential (R-1) to Institutional (INST). Patrick Miller stated we want to change it to Institutional so it will match up with Oxford Memorial Gardens. The other properties that I am requesting to change is where the Connelly's old two-story home was that we tore down. We would like to expand the cemetery into that area and put up a small mausoleum for our family and would have 6 available plots around for other families if they want to do a 4-crypt mausoleum. Nothing on a big scale like Forestlawn or Anniston Memorial. While we were at it, I simply wanted to see about getting those properties on Oak Street changed because sometime in the future but not anytime soon to expand over to those properties. In the original cemetery I have probably 800 grave spaces left to sell before I start expanding over to Oak Street. I just want to go ahead and include those in the cemetery. Mr. Turner stated all of these properties listed you own all of them. Mr. Miller stated yes. Mr. Shears asked if the properties were contiguous to the cemetery. Mr. Miller stated they are connected to the cemetery. Nancy Day asked if by rezoning the property would that lower the property values on that street? I don't have any objection to the cemetery. I would object to apartments. Say Patrick does build on each side of me would a fence be required. Mr. Newman stated as for the property values I couldn't answer on that. I think Mr. Miller would be a good neighbor and he

would construct something, if she still owned her property could you build something. Mr. Miller stated yes, if for some reason we got to that point and we needed to expand we would most definitely put up a privacy fence around that part of the property. Mrs. Day stated before the Millers owned it the Connelly's owned it and it was a requirement about the fence. Mr. Miller stated on average I sell anywhere from 12 to 20 grave spaces a year. If you divide that out you are looking at 50 plus years before I would need any more property. It is a cemetery that is full of tragedy, full of heartache. You walk through there and it is mainly young to middle age people that didn't have property. A lot of kids who have been killed in car wrecks, a lot of kids who had cancer and it is one of those things that takes a long time for a cemetery to develop because that is usually how they start. Mrs. Hubbard stated we have condemned several homes in that area due to people not taking care of them. It is my hope that we can get some type of overlay district in that area to help protect the property values. I think Mr. Miller's plan is a good one and they will be good neighbors. Mayor Craft has Hunter Gentry, Main Street Director working on an overlay district for some of the homes in the downtown area. After discussion, Danny Shears made a motion to approve the rezoning and send to Council. Melissa Craven seconded the motion. Upon vote on the motion, the following votes were recorded: Yeas: 7; Nays: 0; Abstained 0. Chairman Bill Newman announced the motion passed.

5. Public Hearing – request from City of Oxford to rezone the property at 0 and 401 West Oak Street, 323 and 400 McKibbin Street, 204, 226 and 230 Ross Street, 210 McPherson Street and 0 Indian Street from Residential (R-1) to Institutional (INST). Mr. Roberts stated when Mr. Miller came to us and wanted to know what it needed to be zoned. It is residential and after looking into the zoning Institutional was a right for cemeteries. So, we decided to go ahead and rezone the cemetery along with Mr. Millers at the same time. After discussion, Fred Denney made a motion to approve the rezoning and send to Council. Melissa Craven seconded the motion. Upon vote on the motion, the following votes were recorded: Yeas: 7; Nays: 0; Abstained 0. Chairman Bill Newman announced the motion passed.

Chairman Newman stated there is a discussion of rezoning properties on US Highway 78 West. Mr. Roberts stated this is what you brought up a couple of meetings ago and we wanted to get input from what you wanted to do. Mr. Shears stated I believe Mrs. Hubbard is the one who brought that up. Mrs. Hubbard stated it was an area that was annexed in and there wasn't a lot of thought brought into the zoning. I don't know specifics but I would be in favor of us rezoning the area. This way we don't have these people coming back to us for every house that is there. Mr. Denney stated we can't rezone without the owner's permission. Mr. Roberts stated we have in the past when we found Locke Drive was zoned General Manufacturing so I went door to door and got them to sign the application. If you will draw me out a line of where you want it to stay General Business or Neighborhood Shopping Center. Mr. Denney stated we need more time to study it. Mr. Newman stated I think we need to take a map and ride around to look at it. Mr. Roberts stated ride by and look at these properties. Take a map home with you and draw me some lines. Bring this back next month and we will discuss it again. It isn't something we can do in a week's time. Mrs. Hubbard asked if it was mostly north of Highway 78. Mr. Roberts stated there is some at Beck Road, when you turn left onto Beck Road some of that is General Business. Mr. Denney stated East Alabama Regional Planning and Development Commission needed something and they were just told to zone it. Mr. Shears stated they looked where Highway 78 was and went from there. Mrs. Hubbard stated the area around Coldwater Church and down to Digby Road. Mr. Roberts stated the lines represent lot lines. Mrs. Hubbard asked if this would change the property tax. Mr. Roberts stated it should lower it.

Chairman Newman called for any new business or old business. There was none.

There being no further business, Melissa Craven made a motion to adjourn the meeting. Danny Shears seconded the motion.

Respectfully,

Secretary