

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, October 5, 2021 at 5:30 pm

Members Present:

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

Members Absent

- Mayor Alton Craft
- Clyde Huckleba

Also, Present:

Mike Roberts, Chief Building Official

Visitors: Pamela English, John Morgan, Sandy Kilgore, Gary Gordon, Seth Gordon, Ed Turner, Wendy Turner, Richard Hodges, Gary Sparks, Kristi Durham and Josh Miller

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 September 7, 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: 6; Nays: 0; Abstained 0. Chairman, Bill Newman announced the motion passed.
2. Public Hearing – Laricus and Pamela English requesting to zone for annexation the property at 1021 County Line Road West to Agriculture (AG-1). Pamela English stated we purchased the property at 971 County Line Road West which is next to this in 2019 and we are planning to build on that property. We got lucky to be able to purchase the property at 1021 County Line Road West earlier this year. The property at 971 County Line Road West is already annexed into the City by the prior owners. We do want this property to match and be the same as the other property. Mrs. English stated it does have a mobile home on it now but we do not plan to live in the mobile home and we are not planning to rent the mobile home out. We actually plan to if we go over there right now before we build, if we are working on the property or anything like that we can go in and use the restroom or cool off/warm up. It isn't in the best condition and we may eventually tear it down or move it. Mrs. English stated that 971 County Lind Road West is roughly 13 to 14 acres and 1021 County Line Road West is roughly 6.5 acres. Fred Denney stated if we bring it in with the mobile home on it are we doing what we want. I know what she says she is going to do and things can change. Mrs. English stated on the property at 971 County Line Road West is where we are planning to build our home and that property is completely wooded. Lance Turner arrived to the meeting. Mrs. English stated we currently live in a home that is roughly 2500 to 2600 square foot. So, we do not plan to move into a mobile home that is 500 square feet. The home that we have plans for right now is about 4000 square feet. As for renting it out, the actual quality of the mobile home, it is not in a condition for anyone to live in. It would have to be completely demolished but we don't plan on doing anything like that to it. Mrs. English stated that as for what needs to be worked on, we do not plan on doing anything other than making sure the restrooms are working and the sink in the kitchen is working. That is all we plan to do. Mr. Denney stated I understand but plans can change. Mr. Denney stated we don't allow mobile homes to be on property like this, so if we accept a property like this with a mobile home on it, we are going against what we do. I understand her reasoning and I believe she will do what she says she is going to do but I do understand things can change that she doesn't have any control over. Then we are stuck with that property zoned like this with a mobile home on it and we can't do anything about it. Mr. Roberts stated wouldn't that be

a question the City Council would need to answer. She is asking for it to be zoned Agriculture if they accept them to come into the City. We are actually not telling her she can or cannot do this. Mr. Denney stated if we tell the council, it should be zoned that then I think we are misleading them. Mrs. Hubbard stated what we have been trying to do it designate zones for mobile homes so that other properties are protected. Mr. Newman stated he did not have an issue with it since no one would be living in the mobile home. Mr. Roberts asked Mrs. English if after their home was built would they remove the mobile home. Mrs. English stated yes and if we needed to do it before then we would not have a problem with that as long as it isn't tomorrow. If we have a deadline to get it done that is fine as long as it isn't tomorrow. After discussion, Danny Shears made a motion to recommend to Council to zone the property to Agriculture. Jake Pollard seconded the motion. Upon vote on the motion, the following votes were recorded: Yeas: 6; Nays: 1; Abstained: 0. Chairman, Bill Newman announced the motion passed.

3. Public Hearing – John Morgan requesting to rezone the property at 1110 Jones Road from Planned Development (PD) to Light Manufacturing (M-1). John Morgan stated the property is currently zoned Planned Development and I am trying to build a new warehouse for a young lady who has started a new business in Oxford. I am going to lease warehouse space to her. She sells home décor and wants to expand into furniture sales. Mr. Morgan stated going to the zoning of Light Manufacturing (M-1) gives me a more relaxed setback that will allow me to build the building. Mr. Morgan stated if he can't get the zoning changed, he will not be able to build the building. Ed Turner stated that he lives behind Mr. Morgan's property and wants to know what Light Manufacturing is and if he builds a warehouse for her to come in and build furniture but then this falls through whose to say someone else goes in there building something else. Mr. Morgan stated it is strictly going to be warehouses. What she does is all retail. Wendy Turner asked what is Light Manufacturing. Mr. Roberts stated in the zoning ordinance there is a chart that will show you the types of businesses that are allowed in M-1. Richard Hodges asked if Mr. Morgan gets this zoning and, in the future, he sells the building with it zoned light manufacturing then anyone can come in and do what they want to do. Mr. Turner stated it shows you can have a club in M-1. Mr. Hodges stated that he is not sure that Mr. Morgan is aware of it or not but from my back porch we can see clearly over to the parking lot to see the drug deals, transactions and fights. By the time we call the police department they are all gone. Mr. Hodges stated that Jones Road is busy enough, it is also a narrow road and with all the trucks it makes it difficult. One of the things that bothers me the most is when we bought into the subdivision it was highly restricted. We could have one cat, one dog, two vehicles and no outside water features, etc. We are still stuck with these restrictions and Mr. Morgan is asking for the opportunity to change his. Mr. Hodges stated I don't know that we are interested in M-1 zoning. Mr. Turner stated my concern is a club and I understand he is wanting to rent it out to this lady to do light construction but who is to say a year from now it falls through and someone comes to him with a better deal. Mr. Roberts stated the City of Oxford does not allow night clubs. They can have a restaurant and sell alcohol but there has to be 51 percent food sales. Mrs. Hubbard asked if it stayed Planned Development what could you do. Mr. Morgan stated the setback restrictions will not allow me to build another building on my property. In order to have the relaxed setbacks I need to build the size building I need to have the property rezoned. I do lease out warehouse space to them now and she quietly occupies it. I also lease out space to Alabama Power and I run my construction company there. We just mind our own business and I can't help what happens on Friday and Saturday nights. Mr. Morgan stated I am not aware of that. Mrs. Turner asked if there was a zoning that was in between that we could compromise on. What can we do to protect ourselves down the road? Mrs. Turner asked if there was some type of exception that could be made to the setbacks on your particular property. Mr. Morgan stated I can't answer that, that would have to come from the city officials. Mrs. Turner stated you are wanting to build over toward the road, right? Mr. Morgan stated on the west side of the parking lot, my property goes 70 something feet to the west of the parking lot where you see the concrete. Lance Turner asked if Mr. Morgan couldn't build behind the existing building. Mr. Morgan stated I do have a lot of property behind the current building but it goes straight up the hill and it would be a challenging site to build on. Mr. Shears stated the current building is 9,100 square feet and you are wanting to add about 5,000 square feet, right? Mr. Morgan stated 4,800 square feet. Mrs. Hubbard asked what the setback requirements are for M-1. Mr. Roberts stated front yard is 0 feet, rear yard 0 feet, rear yard along an alley is 0 feet, side yard is 0 feet or 10 feet and no maximum height. Mr. Shears asked what the setback requirements are for PD? Mrs. Hubbard asked if he could build up to the property line if it was rezoned? Mr. Roberts stated he can except on the side yard and you either go on the line or 10 feet. Mr. Roberts stated some of the setbacks are going to be the same and it

would be best to sit down with the plans to see what the setbacks would be. Mrs. Turner stated I wish there was a way to figure something out as we don't want to stop the lady who is doing so well but we want to protect our investment. Mrs. Hubbard asked to table this for more research. Mr. Shears stated I agree. It is refreshing to have a difference of opinion but yet respect each other's opinion. Mr. Newman asked if it could go before the Board of Adjustments for the setback issues. Mr. Roberts stated yes. He can still build the building but he will need to go to the Board of Adjustments. He will still have to come back to the Planning Board because it has planned in front of it so that means it has to come to you before it is approved. Mr. Newman asked Mr. Morgan if he would like to do that. Mr. Morgan stated yes if it is an option. After discussion, Chairman Newman stated this is tabled due to Mr. Morgan applying to the Board of Adjustments.

4. Extermco requesting site plan approval at 7 Snow Street for an exterminating business. Seth Gordon stated we recently sold the building we were currently occupying in the City limits on Edmar Street. Half of the building we rented to the Agency for Substance Abuse Prevention (ASAP) and we occupy the other half of the building. ASAP recently approached us to purchase the entire building. We agreed to do that and we are looking to occupy the building on Snow Street. Mr. Gordon stated it is the size that we would need and it is already laid out for offices. We would like to remodel the outside and make it look better. Mr. Newman asked if they have already purchased the building? Mr. Gordon stated we were in the process of everything when this came up. Mr. Newman asked are you planning on using this strictly for office space? Mr. Gordon stated yes and we actually do not have that many employees running out of this office. We will have one full time person that will be in the front office to answer the phones and the other gentlemen come in to drop off their paperwork. Mr. Newman stated so we are not talking about any chemicals. Mr. Gordon stated there will be chemicals stored on the property. Mrs. Hubbard stated I think I can speak for Mayor Craft as I had a conversation with him, I am glad you haven't purchased it as I would not be in favor of this because this is a walkable district and there are children that play in the park at the Boy Scouts and Girl Scouts building. Our plan for the downtown area is for people to be able to walk. I would not be in favor of this just because of that. Mr. Gordon stated the Department of Agriculture holds us to a standard for the chemicals. Mr. Shears asked if they would be parking company truck there at night? Mr. Gordon stated no, that our employees drive them home. There will be one vehicle there during the day that Sandy Kilgore will be in. Mr. Turner asked if they have any other locations? Mr. Gordon stated we have an office in Cedar Bluff and in Fort Payne. Mr. Turner asked if they have another location in Oxford. Mr. Gordon stated they only location in Oxford they have they just sold. The Fort Payne office is on their Main Street as well. Mr. Shears asked if you were to purchase this property and I see the sign that is on the Fort Payne location, then I see a picture of another large sign, do you plan to use that sign out in front of this building? Mr. Gordon stated that large sign is at the Edmar Street location and is to be taken down and no we do not plan on using that sign on the location on Snow Street. Someone went and looked at the signage for that building and there is a pole for a sign but there is overgrown landscaping around the pole. We will follow the sign guidelines. Mr. Turner stated the City has spent so much money to renovate and make downtown Oxford a pedestrian friendly location. To me, it doesn't fit with what the City is trying to do. Mr. Gordon stated I understand that and the reason we looked at that property is we are trying to stay in the City limits as we handle the pest control for the City and part of the criteria to bid on the pest control was that you have a location in the City. This location was in our price range that we can go in to remodel and update that was in the City limits. Right now, all that is available to purchase are buildings that are too large or doesn't fit what we need. After discussion, Chairman Newman stated this item is tabled.

Chairman Newman called for any new business or old business. Mr. Roberts stated concerning the discussion we have been having about the rezoning on Highway 78 West, we have put together a date of November 8, 2021 at the Bynum Community Center and we are sending out letters to those who own property in that area. We will meet there at 6:30 pm. We will have tables set up and if they wish to rezone at that time Kristi Durham and Lexi Smith will be there ready to assist in taking their information. Mr. Roberts stated if you are good with it, we will get the letters mailed out next week and we will put up a couple of signs on Taylors Chapel Road and Grogan Road. Mr. Newman stated everyone is good with this.

Mr. Turner asked what if anything happened with the property on Highway 78 East across from Gander? Mr. Newman stated they withdrew their request.

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

Respectfully,

Secretary