

**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, September 6, 2022 at 5:30 pm

Members Present:

- Mayor Alton Craft
- Bill Newman, Chairman
- Lance Turner, Vice Chairman
- Charlotte Hubbard, Council Member
- Melissa Craven
- Jane Cunningham
- Fred Denney
- Clyde Huckleba

Members Absent

- Jake Pollard

Also, Present:

Mike Roberts, Chief Building Official

Visitors: Kristi Durham and OPD

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 June 7, 2022. Mayor Craft made a motion to approve the minutes. Melissa Craven seconded the motion. Upon vote on the motion, the following votes were recorded: Yeas: 8; Nays: 0; Abstained 0. Chairman, Bill Newman announced the motion passed.
2. Public Hearing – Larry Stephens requesting to re-plat two lots at 562 Apple Blossom Way to one lot. Mike Roberts stated Mr. Stephens is not here. I spoke with Rusty Gann, City Engineer and what these people are doing is a lot of them are owning two and three lots in Cider Ridge. The developer is charging them a \$600.00 Homeowner's Association (HOA) fee per lot. So, instead of paying that they are asking to combine their two or three lots into one lot. Kristi Durham stated she spoke with Robert Holtakers, the developer on Friday and he was fine with what Mr. Stephens is wanting to do. Clyde Huckleba stated the HOA is the one wanting to charge that and not the developer. They are wanting to charge \$600.00 per lot. If you have one house and two lots that is \$1,200.00. Everyone is wanting to combine their lots. The dues are for the use of the swimming pool, the entrance way, and other items. It should only be per house, and they are trying to charge per lot. If you own two lots, you are required to keep everything up. Mr. Huckleba stated some of these lots they are wanting to combine are not geographically buildable anyway. Mr. Newman asked Mr. Huckleba if he was familiar with this lot and Mr. Huckleba stated it does have a steep drop off at the back. Mr. Huckleba stated there could be a house built on that lot, but it does have a significant drop off. Mr. Roberts stated I think we have two more that are coming to ask for the same thing. Lance Turner asked as far as you know he isn't wanting to put a pool or anything on it, it is for the HOA. Mr. Roberts stated it is for the HOA or that is what he explained to us. He was having it surveyed today to get that changed over. When I spoke with Rusty, he didn't have any issues with us doing it this way. If we wanted to approve it, then he would sign it later. He said they would have to meet all the other requirements to take it to the courthouse. There are some signatures that need to be done. Mr. Newman stated it is topo challenged and it would be easier to sell as one piece. Mr. Huckleba stated we are getting to the point now where there are a handful of lots that are not extensively challenging or expensive to build on. Mayor Craft stated we have let this happen across the city before. Mr. Roberts stated we have done this in certain spots. When there is land that is challenging like Mr. Newman was talking about then that is a variance instead of a special exception. Fred Denney stated my experience with the County is if the city doesn't

sign off on it, they will not do it. Mr. Huckleba stated once we do this, he will not be able to build on the lot as it is considered one piece of property unless it is divided into two lots. I don't think we would be okay with dividing it up again after combining the lots. Mr. Roberts stated Rusty said he was okay if we voted it in, but it needed to stipulate that all other requirements must be met. Mr. Turner stated I thought there might be some opposition to this but apparently everyone out there understands. After discussion, Fred Denney made a motion to approve as long as all other requirements are met. Melissa Craven seconded the motion. Upon vote on the motion, the following votes were recorded: Yeas: 8; Nays: 0; Abstained: 0. Chairman, Bill Newman announced the motion passed.

3. Public Hearing –Amending Article 3, Section 3.10 Accessory Structures #5 all (private – below ground and above ground) swimming pools on residential lots are required to be in the rear yard. Mr. Roberts stated that all pools are supposed to be in the backyard. It just does not say that in our zoning ordinance. Therefore, we would like to include it. Mr. Turner asked if there have been some complaints. Mr. Roberts stated yes. Mayor Craft asked if we have some pools in front yards. Mr. Roberts stated yes, and they do not put their fencing around the pool with a self-closing gate, so a kid can't walk in to use the swimming pool. It is a danger. In ground pools are all backyards. Charlotte Hubbard asked if they have fences around them. Mr. Roberts stated they are supposed to with a self-closing gate. If your insurance agent goes out there and there is no fence your insurance is cancelled. Jane Cunningham stated trampolines now must have a fence around them. Mrs. Hubbard asked what happens if they don't have a fence. Mr. Roberts stated it is mainly cancel your insurance. We tell them they must put it in. Mr. Huckleba asked how do you enforce it? I know below ground you must get a permit. Mr. Roberts stated anything over \$5,000.00 you have to get a permit. Surprisingly enough, how much was the above ground pool the other day. Ms. Durham stated \$25,000.00. Mayor Craft stated I know I will get a phone call, 311 will get calls and the Building Department will get calls about these blow-up pools. So, we are using \$5,000.00 as the mark. Mr. Roberts stated under 4 feet. Now, you can go to Walmart and buy one that you can blow the top rim up, put the hose pipe in it and it lifts. However, it does not go above 4 feet. Mr. Newman stated all we are doing is changing the wording to include above ground. Mr. Turner asked if we need to put anything in there about the size. Mr. Roberts stated below 4 feet, we do not bother with those. Mr. Turner asked if there were any blow ups above 4 feet? Mr. Roberts stated they are rare. When they get above 4 feet they are usually a standup pool with the locking stuff on the outside. After discussion, Fred Denney made a motion to recommend to Council. Mayor Craft seconded the motion. Upon vote on the motion, the following votes were recorded: Yeas: 8; Nays: 0; Abstained: 0. Chairman, Bill Newman announced the motion passed.

Mr. Newman asked for any new business.

Mrs. Hubbard asked Mayor Craft where we were at on the overlay or design review that Jason Fondren, KPS Group is working on. Mayor Craft stated it is ready to go to the Council, right? Mr. Roberts stated Mr. Fondren asked for an October date. Mrs. Hubbard asked if he was coming to the Planning Board first? Mr. Roberts stated if you would like. Mayor Craft stated I think we are going to explain to the Council first because the Council has a lot of versions running to them. They think we are cancelling a lot of stuff but that is not the intent. Mrs. Hubbard asked if Mr. Fondren could come to the Planning Board first. Mayor Craft stated I would like for you all to look at it. Mr. Roberts stated Mr. Fondren said it would be ready for review in October. Mrs. Hubbard asked if we were re-doing the strategic plan? Mayor Craft stated no, we have not done anything on the strategic plan. Mr. Newman asked where we were at with our five-year plan, are we at the end of that? Mrs. Hubbard stated no, we have not really brought that back out.

Mrs. Hubbard asked about properties in a residential zone who do not have electricity? Mayor Craft stated he didn't have any water and had to get water, correct. Mr. Roberts stated he had to get water. Mayor Craft stated he didn't have electricity. Is that on the corner? Mr. Roberts asked behind you? Mrs. Hubbard stated it looks really bad. Mr. Newman asked where they were talking about. Mrs. Hubbard stated the corner of McPherson and Oak Street. Mr. Roberts stated we made him get water for sanitary reasons. Mrs. Hubbard stated so, you don't have to have electricity. Mr. Roberts stated in the wintertime you have to maintain 68 degrees. If you can maintain 68 degrees with a fireplace you are okay. If not, you will need a heater. Summertime doesn't call for anything. Mrs. Hubbard stated if you look at the yard, that old SUV. Mr. Roberts stated we have cleaned that yard.

Mr. Newman stated I would like to compliment the enforcement division because I think you do a really good job on getting a lot of yards cut, cleaned up and houses looking better. Mr. Newman asked if there was an ordinance regarding parking in your front yard on the grass? Mr. Roberts stated no, unless you are in a Homeowner's Association.

Mayor Craft stated the house next to the Gaslight Apartments is being advertised on Airbnb as letting people stay there and having ghost tours. Mrs. Hubbard asked if anyone has been in that house? Mayor Craft stated it has no floors in it. Mr. Roberts asked what do you want us to do? Mayor Craft stated we need to get the Fire Department and the Building Department to look at it and shut it down before someone gets hurt. Mrs. Hubbard stated they can't go in that house it is dangerous. The floors are open.

Mr. Newman asked for any other business. There was none.

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

Respectfully,

Secretary