

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 5, 2023, at 5:30 pm

Members Present:

- Bill Newman, Chairman
- Lance Turner, Vice Chairman
- Charlotte Hubbard, Council Member
- Clyde Huckleba
- Fred Denney
- Jake Pollard
- Jane Cunningham

Members Absent

- Melissa Craven
- Mayor Alton Craft

Also, Present:

Mike Roberts, Chief Building Official

Visitors: See sign in sheet, Gary Sparks with the Oxford Fire Department, Josh Miller with the Oxford Police Department and Kristi Durham

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 August 1, 2023. Charlotte Hubbard made a motion to approve the minutes. Fred Denney 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. Tabled: Street Family Properties requesting to rezone 4 parcels (# 05-03-05-0-003126.000, # 05-03-05-0-003-125.000, # 05-03-05-0-003-0120.000 and # 05-03-05-0-003-119.000) on Southmoor Circle from Residential (R-1) to Residential 2 (R-2). Chip Street stated I am looking to put a nicer product than what I would be able to put as a single family due to the terrain. There is a 40-foot rise and a 30-foot setback. If I sell it like it is someone could put a minimum house on it with a common driveway that serves two properties. Mr. Street stated the minimum square feet for a house in the Southern Building Code is 350 square feet. I don't want to do that and would like to put something nicer. We have owned it for 46 years, no one has come forward during that time and I would like to sell it. Clyde Huckleba asked if there would be 2 of these or just 1. Mr. Street stated 2, one on each lot. Lance Turner asked if there would be one driveway. Mr. Street stated there are actually 4 lots with one driveway for each set. In 1977 when the subdivision was built there was in the covenants an option for duplexes. The city doesn't allow it due to the property being zone Residential (R-1). Jane Cunningham asked Mr. Street if he was going to keep the duplexes or if he was going to sell them. Mr. Street stated I am probably going to sell them. Justin Shinn at 116 Southmoor Circle stated there are other duplexes in the area and have not been kept up. We do have a narrow road and how will we be affected when it rains. David Kelley stated I live at 59 Southmoor Court on the corner, that area is very dangerous. The bus drivers hate going up and down that road. A few months ago, the Fire Department had to come out due to someone being in the door of their car. When construction starts the road will be blocked with vehicles. Brandi Russell of 413 Southmoor Circle stated my husband and I are against this as well. The traffic hazards that already exist, the maintenance on the duplexes that are already there is non-existent, the police are there all of the time and I hate that it will go against someone's investment but we do not know what will end up there. Linda Hinkle of 411 Southmoor Circle stated people go racing up and down the hills in the neighborhood. What is going to happen when you put 4 more houses with the possibility of 10 more people with 10 more cars on that hill every day. You can't have your kids

go up and down those hills because you will kill them. My grandchildren were out riding their bicycles and almost got hit one time. I am against 12 more people and more houses. Dale Hinkle of 411 Southmoor Circle stated my biggest problem is the traffic and congestion. I understand that and it is a problem but if you add more to it, you will make it worse. There are 3 existing duplexes there now and if we get anything that looks like that, we do not want it. There is no guarantee that who purchases them will sell them or who builds them will sell them. Mark Young of 409 Southmoor Circle stated I agree with all my neighbors. I have been on that hill in a snowstorm and could not get up it. People came to get me on four wheelers. Pat Traywick of 117 Southmoor Circle stated I have lived there for 40 years and the hill he was talking about is right by me. It was a disaster when some of those houses were built as I got flooded with mud. The kids do not slow down going up those hills and they run the stop sign every time they come through it. Every time I go to stop at the stop sign and there is a car coming, I don't know if they are going to stop. There have been a few times where they didn't stop. I am against it because those duplexes on Patricia are owned by 3 different people, and they do not keep them up. I do not want another place like that in my neighborhood. Connie Morgan of 613 Patricia Lane stated that is the only way in and out of the neighborhood is at Patricia Lane. They run the stop sign on Douglas Street and Patricia Lane continuously. I have been in my home for 47 years and I can confirm how ugly and nasty those duplexes on Patricia Lane are. I keep my yard up so why can't whoever own those duplexes keep them up. The rental properties in the neighborhood are terrible. Martha Allen of 405 Southmoor Circle stated who is to say that when they start grading that they will not flood all of these houses. Mr. Street stated I have the same concerns that you do and that is why I am here. We didn't like those duplexes when we built the subdivision. Ms. Allen stated her question is about flooding. Mr. Street stated that the same water that is there now, we will have to have silt fences up and you will not have any more water than you do now. Ms. Allen stated whoever built my house built it in a hole. Sara Cunningham of 217 Southmoor Circle stated that I am directly across the street. I am sorry but when it rains you literally have to swim in my front door. If you do anything to add more water I will have to move. I do not know the gentleman who was in the wreck, my husband was the first one on the scene after it happened and I had to put my baby in the car to go around to stop someone else from flying down the hill to keep him from getting hit again because the entire road was blocked. It scares me and my daughter is 14. Anything else that comes along we are done. Mr. Street stated I appreciate all of your concerns and I understand what you are talking about. I am actually trying to make it better because I am putting 2 driveways instead of 4. I am trying to put less driveways in other than what will be there. I am actually on your side and am trying to help you here but if you leave this to what it is now, it is 4 houses with steep driveways. A resident stated 4 houses is still better than 12 people coming down that road versus 4 people. You have to go and see how narrow that road is. If a school bus and a car are going through one has to stop because you cannot go together. Casey Daffron stated Mr. Street you mentioned last time about potentially selling the lots to the City of Oxford and making a park out of them. Mr. Street stated that is up to any of you. I just need to get my sister out of this and \$12,000.00 will buy you all 4 lots. Charlotte Hubbard stated I am against rezoning this property as it goes against what we are trying to do in the City, having R-1 consistent in the subdivision. Sorry, that this board was not in place when someone built the existing duplexes. After discussion, Charlotte Hubbard made a motion to recommend not to rezone to the Council. Lance Turner seconded the motion. Jake Pollard arrived at 5:39 pm. Upon vote on the motion, the following votes were recorded: Yeas: 6; Nays: 0; Abstained: 0. Chairman, Bill Newman announced the motion passed.

3. Public Hearing – Victor Perez requesting to zone for annexation the property at 304 Buckhorn Road to Residential (R-1). Brenda Perez stated we want to be a part of Oxford as we have been a part of Oxford. Our kids have been enrolled in the Oxford School System and we do not want that to change. Mrs. Hubbard stated you are currently in Talladega County but not in the Oxford School District. After discussion, Charlotte Hubbard made a motion to approve and send to Council. Jake Pollard 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.
4. Public Hearing – Karen Jones-Moradian requesting to rezone the property at 1700 Clark Avenue from Residential (R-1) to Mobile Home (MH). Karen Jones-Moradian stated I purchased this property for back taxes and I thought it would be a great place to grow vegetables but that has not happened. I put 70 fruit trees and got 4 pieces of fruit this year. As I get older, it is getting harder to try to figure out what to do with my dependents. I thought if I could get the piece rezoned, I could sell it, I could actually put a trailer on it to put my dependents in it or I

could rent it out. This way they could afford to stay in my house when I am gone. There are 3 pipelines on this property which deters what you can and can't do as well. Fred Denney stated there are several other mobile homes along that road. Some look like a real house. Jane Cunningham stated when I was on the Board of Adjustments, we turned down a \$150,000.00 mobile home that was in the City on that road because it was a mobile home. Mike Roberts stated if you will look on the last sheet in your packets there is a map and if it is in color, it is in the City. If it is in white it is in the County. Across the street is 3 mobile homes and they are in the County. There was one brought in the other day and put it in the County. There are no mobile homes in Residential (R-1). Ms. Jones-Moradian stated there is no way to build on the property, right? Mr. Roberts stated you have the issue of the pipeline coming through the property. So, building a permanent structure on the property, I don't think Colonial Pipeline will let her do that. Ms. Jones-Moradian stated it would be impossible to build anything with the offsets of the roads and take in the right of way of the pipelines. At the time I didn't mind because I was going to make a garden. Last year the trees were full but the fruit was ping pong ball size and this year I think I got 2 plums and 2 peaches. Mr. Roberts asked Ms. Jones-Moradian if she lives next to this property, and she stated no. Mr. Denney asked if she lived in the area and Ms. Jones-Moradian stated she lives on Douglas Drive. Mr. Denney asked if the mobile homes that are there now are in the County. Mr. Roberts stated yes. Ms. Jones-Moradian asked what makes this piece of property special. Mr. Newman stated normally our stance on this if it is in the City and it is R-1 is not to change the zoning to mobile home is because of property values and trying to encourage in the City more mobile home parks instead of single mobile homes. Mrs. Hubbard stated based on the stances we have taken it wouldn't be fair when we have turned other people down. Mr. Newman stated we have denied some recently in that area. Ms. Jones-Moradian asked what makes that so special and it gets to be City of Oxford when everything else along that road is County. Mr. Roberts stated the person that owned it when it came into the City wanted to be within the City limits. Ms. Jones-Moradian stated so I can go to the County and see if they want it back in the County. Mr. Roberts stated you can go to the City Clerk and see if they will take it out of the City. Mr. Denney stated the Council will have to do that. After discussion, Charlotte Hubbard made a motion to recommend not to rezone to the Council. Jane Cunningham 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.

Ms. Jones-Moradian asked what is the minimum requirement for a house in R-1? Mr. Roberts stated 350 square feet. Ms. Jones-Moradian asked so I can buy a 10 foot by 12-foot storage shed. Mr. Roberts stated no, it must be built to the same standards as a home. Mr. Newman stated we can get you a copy of the R-1 requirements. Jane Cunningham asked if it was on City sewer? Ms. Jones-Moradian stated mine is not. Ms. Cunningham stated she didn't know if Ms. Jones-Moradian would be able to get a septic tank in there with the pipelines. Ms. Jones-Moradian stated you probably couldn't, but you could connect to sewer. Mr. Roberts stated you have to have 15,000 square feet for the County Health Department for a septic tank.

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

There being no further business, Charlotte Hubbard made a motion to adjourn the meeting. Lance Turner seconded the motion.

Respectfully,

Kristi Durham, Secretary