

OXFORD PLANNING COMMISSION

MINUTES

APRIL 4, 2017

The regular monthly meeting of the Oxford Planning Commission was called to order by the chairman, David Baker, on Tuesday, April 4, 2017, at 6:00 p.m., in the Oxford Community Services Building.

Other commission members in attendance were Stephen Mroczek, James Reed, Bruce Beglin, and Edwin Miller.

The minutes of February 7, 2017 were approved and accepted as distributed.

The following building permits were reviewed by the Planning Commission:

Permit #17-35, Mr. and Mrs. Donald Gibson, 209 Tilghman Street, demolish existing house; construct new two-story house with 7' elevation for first floor and pervious decks as indicated. Both Mr. and Mrs. Gibson and their architect, Philip Logan, were present to discuss the application. Mr. Logan explained that the Gibsons are requesting to demolish their existing house and replace it with a new, two-story home. The new home will be elevated to meet the floodplain requirements and the proposed coverage on the lot will be slightly under the 40% coverage allowed. In going over the permit, Mr. Baker noted that all Planning Commission decisions are made by following the Oxford Zoning Ordinance. The house that currently exists on the property, that the owners want to demolish, can be rebuilt in the same location as it would be grandfathered. However, any extension beyond that grandfathered footprint would have to meet the setbacks as governed by the Oxford Zoning Ordinance. In this case, the area where a proposed deck is to be placed, on the east side, does not meet the sideyard setback requirement. The house as it extends along the west side also does not meet the sideyard setback requirement. Mr. Baker expressed his concern over the failure to meet the setbacks on the west side as it would affect the property next door, which consists of a very small and narrow lot. Mr. Baker also pointed out that Mr. Logan had noted on the building plans that the new deck would be pervious but by putting fill under it, it would need to be counted as impervious. In order for it to be treated as pervious it would need to have only dirt under it. It was also noted that when Mr. Logan met with the Planning Commission back in June of 2016, in a consultation about this property, he had presented a plan in which he showed a conforming foundation which would fit onto the lot. Mr. Logan responded that the plan he was presenting tonight had been approved by the Oxford HDC and that the layout of the house was necessary into order to meet the interior layouts, in particular, a staircase, as the homeowners did not want a spiral staircase in their home. Mr. Reed made a motion to decline the permit as applied for and to make a recommendation to the Board of Appeals that they grant the origin of the layout as presented. The motion was seconded by Mr. Beglin and a carried with all in favor except for Mr. Baker who abstained from the vote. Mr. Reed made a second motion that the Planning Commission

approve the request for demolition along with the grandfathered setback. The motion was seconded by Mr. Mroczek and unanimously carried with all in favor.

Permit #17-26, Charlotte Roberts, 104 Willows Avenue, demolition of accessory building dependent on maintaining existing footprint. In looking over the application, Mr. Baker noted that there was nothing preventing the Oxford Planning Commission from not approving this request and made a motion that the request to demolish the existing accessory building, dependent on maintain the existing footprint, be approved. The motion was seconded by Mr. Mroczek and unanimously carried with all in favor. When questioned by the applicant about the ability to maintain the existing footprint of the accessory building should she decide to sell the property, Mr. Baker verified that the decision of maintaining that existing footprint would follow with the sale of property (to the next owner).

This concluded the review of building permits.

SITE PLAN REVIEWS

The Planning Commission met with Philip Dietz and his wife, perspective buyers of a vacant lot on Bayview Avenue, currently owned by David Thompson of Park Neighbors, LLC, to look over their site plans for a new home, garage, and guesthouse. Their plan was to build a house facing onto Bayview with a garage and dog kennel along the right side of the property, which faces the Bachelor Pt. Road, with a guesthouse in the back. Access into the property would be at Bayview and Rhonda Avenues. It was pointed out that this was an unusual lot and that no other type of lot like this could be found in town except for maybe at the end of the Strand. Mr. Baker pointed out that the locations of the house, garage, and guesthouse were all within the zoning ordinance and that the 4' setback of the guesthouse was appropriate to fit the overall height of 17' proposed for the building. Mr. Mroczek made a motion to approve the site plan in consultation. Administrator Lewis spoke, prior to the vote on the motion, questioning the placement of the guesthouse and the setback of it from the street. Her thought was that it would need a 25' setback. Mr. Mroczek responded that he thought they had decided that the front of the property was facing Bayview and that was where they would need the 25' setback. Administrator Lewis spoke and questioned the placement of the guesthouse. Mr. Thompson responded that the original thought for his property was that the Bayview side would be the front yard and the Rhonda side would be the rear yard. There was never any talk about accessory setbacks though he did note that with accessory buildings one looks to placing them in the rear or side yards. Administrator Lewis responded that her real question was why this property was not being treated as a through lot as Rhonda Avenue did touch onto the rear of the property. Mr. Beglin agreed that it was hard to argue that it was not a through road though Mr. Baker noted one could not actually drive into this parcel off of Rhonda Avenue. Administrator Lewis referred the commission to Section 32.18 of the Oxford Zoning Ordinance entitled "Accessory Structures on Through Lots." She explained that her concern was that if one looked down Rhonda Avenue one would see a series of buildings all lined up together. Her thought was that the line of sight of this accessory structure should be in line with what is there and should be at least identified on the site plan. If the guesthouse were to be moved up, it would no longer be an issue. In looking over the site plan, Administrator Lewis suggested that if a 25' arch were to be made off the

point where Rhonda Avenue stops, it would open up the setback for this lot and still put the guesthouse within the correct setbacks for an accessory structure on a through lot. Everyone agreed that would solve the problem. Mr. Dietz agreed to having the site plan corrected to incorporate that change. A motion was made by Mr. Mroczek to approve the site plan pending the change to the presentation to show the 25' setback from the end of the pavement at Rhonda Avenue, not as illustrated on this drawing. The motion was seconded by Mr. Beglin and unanimously carried with all in favor.

A site plan review was held with Mr. Lawrence Biraldi and his engineer, Sean Callahan, with regards to Mr. Biraldi's lot at 101A Riverview Avenue. Mr. Biraraldi explained that he was in the process of putting together a building permit to build a two-story modular home on his property with parking to be made available under the house. Mr. Biraldi raised some questions about floodplain issues to which Administrator Lewis responded she would discuss in detail with him later, at his convenience. The commission briefly went over the zoning ordinance with Mr. Biraldi as it pertained to setbacks, overhangs, floodplain, stormwater run-off, etc. Overall the commission was agreeable to what was shown on Mr. Biraldi's plan.

There being no further business, the meeting was adjourned.

Respectfully submitted,

Lisa Willoughby
Assistant Clerk