

OXFORD PLANNING COMMISSION

MINUTES

JANUARY 3, 2017

The regular monthly meeting of the Oxford Planning Commission was called to order by the chairman, David Baker, on Tuesday, January 3, 2017, at 6:15 p.m., in the meeting room of the Oxford Community Services Building.

Other commission members in attendance were James Reed, Bruce Beglin, Stephen Mroczek, and Edwin Miller. Also in attendance was Town Attorney Brynja Booth.

The minutes of the meeting of October 24, 2016 were approved and accepted as distributed.

Attorney Booth announced that prior to tonight's meeting, the Planning Commission met with council from approximately 5:45 p.m. to 6:10 p.m. for legal advice downstairs in the Oxford Community Services Building.

The following building permit was reviewed by the Planning Commission:

- Permit #16-67, Carol Safir, 311 S. Morris Street, build a storage garage with living space on the lot. The applicant was not in attendance to present the application. Mr. Baker explained to the members that the applicant owns two (2) lots at 311 and 313 S. Morris Street and that this property has a history to it. These had been separate lots when the building ordinance was written in 1953. For the past 10 years it has been owned by one owner. In 2005, the owner at the time approached the Planning Commission to build on Parcel 2. The request went to the Board of Appeals with the question as to whether or not it was a separate parcel. No decision was reached as to whether or not 311 S. Morris Street was or wasn't a buildable lot. The current zoning ordinance does not allow for two dwelling units to be on one parcel so Planning Commission needs to know if Mrs. Safir actually owns two separate parcels and that question is still open.

Mr. Mroczek spoke stating that in going over the files he saw that this property had gone before the Court of Special Appeals who sent it back on the Oxford Board of Appeals. His thought was that it should go back to the Oxford Board of Appeals for them to complete the action of a decade ago that was never finished and make the decision as to whether or not there are two separate building parcels. His thought was that the Planning Commission cannot proceed until this has been resolved.

Mr. Miller commented that the property was going to need a special exception and that the Planning Commission's action should be to send it to the Board of Appeals (if the applicant so desires) with or without a recommendation.

Mr. Baker commented that the Planning Commission would have to deny the application in any case, regardless of whether it's one lot or two, because the property is zoned C-3 which requires a special exception in order to build one residence for the property or business owner or full-time marine employee. He asked the commission members that if the applicant were to

chooseto take the application before the Board of Appeals, what position would the Planning Commission like to take. Mr. Reed responded by making a recommendation that the Planning Commission deny the building permits and if it should go to appeals, that the Planning Commission not make a recommendation. The motion was seconded by Mr. Miller and unanimously carried with all in favor.

This concluded the review of building permits.

LOT SUBDIVISION REQUEST

The commission reviewed a lot subdivision for Park Neighbors, LLC, located along Bayview and Rhonda Avenues. Attorney Booth gave the members the history behind this request. The property owned by Parks Neighbors, LLC, was annexed back in 2005/2006 and at the time the Commissioners requested a pedestrian access way. A plat was prepared that outlined that, and in doing so, it appeared to be two separate parcels. It was reviewed by the Commissioners and Planning Commission and was approved. Since that time, the property owner has been paying two separate tax bills and two separate water/sewer bills. The owner now has someone who wants to purchase one of those properties. In researching the matter, Attorney Booth discovered with Administrator Cheryl Lewis, that though the Planning Commission had approved the lot configuration in 2005 or 2006, a technical subdivision plat was never prepared. This has resulted in the Planning Commission receiving an official subdivision plat at this night's meeting of something that has already happened before. Attorney Booth noted that the commission could approve it subject to Administrator Lewis and her confirming that all the requirements of the subdivision ordinance have been met. Mr. Mroczek made a motion to approve the subdivision plat subject to the attorney and town clerk making sure all the requirements have been met. The motion was seconded and unanimously carried with all in favor.

NEW BUSINESS

At the request of the Town Commissioners, the Planning Commission was asked to review and comment on Ordinance 1619 - **AN ORDINANCE OF THE TOWN OF OXFORD TO AMEND SECTION 32 OF THE OXFORD ZONING ORDINANCE BY ADDING SECTION 32.21 TO REGULATE THE CONSTRUCTION AND PLACEMENT OF SATELLITE ANTENNAS AND TOWERS, POLES, ANTENNAS AND/OR OTHER STRUCTURES INTENDED FOR USE IN CONNECTION WITH TELECOMMUNICATIONS FACILITIES OR SMALL CELL TELECOMMUNICATIONS FACILITIES.** Attorney Booth gave an overview of the ordinance explaining that the Town of Oxford does not have any regulations in place to regulate telecommunication facilities. In the past, the only ways to have telecommunication facilities were via big cell towers. The technology is now out there for smaller utilities and both she and Administrator Lewis thought it best to have guidelines in place for these facilities such as recommending that large structures be limited to EGS or commercial industrial zones and that in the historic areas any type of telecommunication facility be designed in such a manner so as not to be highly visible in order to protect the aesthetics of the downtown area. A public hearing for the ordinance has been scheduled for January 24, 2017. Mr. Miller made a motion that the Planning Commission give a favorable recommendation to the Commissioners on this ordinance. The motion was seconded and unanimously carried with all in favor.

There being no further business, the meeting was adjourned.

Respectfully submitted,

Lisa Willoughby
Assistant Clerk