

OXFORD PLANNING COMMISSION

MINUTES

OCTOBER 1, 2019

The regular monthly meeting of the Oxford Planning Commission was called to order by the chairman, David Baker, on Tuesday, October 1, 2019 at 6:00 p.m., in the meeting room of the Oxford Community Service Building.

Other commission members in attendance were Steve Mroczek, James Reed, and Bruce Beglin. Also in attendance was Town Administrator, Cheryl Lewis.

The minutes of the meeting of September 3, 2019 were approved and accepted as distributed.

The following building permit was reviewed by the commission:

Permit #19-61, Janice Gruber, 200 South Street, construct foundation for custom modular home by Excel Homes; butt up and perform all electric/plumbing and HVAC work to connect home; stick build front porch and install sidewalk and driveway. Mrs. Gruber was in attendance along with real estate agent Henry Hale. Mr. Hale reminded the commission members when last they met on September 3 that the proposed building height of the house was discussed. As a result of that meeting, the pitch of the roof has been changed from 12/12 to 12/9 thus bringing the house height down to 29' and meeting the Oxford Zoning Ordinance requirements. Mr. Mroczek made a motion to approve the application as resubmitted. The motion was seconded by Mr. Reed and unanimously carried with all in favor.

CONSULTATION REQUESTS

A consultation was held with Lucas de Beaufort, new owner of the property at 100 Myrtle Avenue, who wanted to go over some answers to questions the commission had at their last meeting with Mr. de Beaufort at their September 3, 2019 meeting. Mr. de Beaufort reminded the members that at their last meeting with him a question was raised as to whether or not two lots could actually be created on his property and have access. Mr. de Beaufort confirmed that both lots had been reworked to as to allow access to the street now. Chairman Baker reminded Mr. de Beaufort that some questions may arise due to the possibility of an easement in this area. Administrator Lewis spoke stating that there is a paper street in the vicinity but, depending on what survey one reviews, that easement floats on every different survey. In going over the various plats that she had found, Administrator Lewis stated that the most logical location of the paper street, which made up what use to be a roadway and having a street end to it, was between Lots 6 and 7, which would translate into being 9' off of Mr. de Beaufort's property and 9' off his neighbor's, David and Deborah Pulzone, property. She added that the roadway had been deeded twice by the woman who had owned the full parcel whereby the first time it was deeded it went one way, and two years later was changed in another direction, falling between Lots 6 and 7. Administrator Lewis noted that the question remains as to whether or not the 1937 plat was scaled correctly and that the problem could not be solved at this night's meeting but would need to be resolved before the lot line is finalized. Mr. de Beaufort asked about the next steps. Administrator Lewis responded that if the Planning Commission was ok with what was presented at this night's meeting, then she would forward the plat to the Critical Areas Commission for review. She alerted Mr.

de Beaufort that he may have to move his house back as far as 50' from the water and that if he wanted to use the grandfathered setback he would have to show the existing house location on his survey otherwise Critical Areas may not grandfather that footprint. She added that the law does not allow for construction to take place 0-50 ft. from the water. Once approval is received from the Critical Area Commission, the subdivision would come back before the Planning Commission. However, the commission could approve the building envelope depending upon approval by the Critical Area Commission. Mr. Mroczek made a motion that the Planning Commission approve the subdivision but that the building envelope stays undetermined until the Critical Area Commission puts their stamp of approval on it. The motion was seconded by Mr. Beglin and unanimously carried with all in favor.

A second consultation was held regarding the property owned by Mr. and Mrs. John Sutton and located at 4521 Bachelors Point Court, who are considering an addition and alterations to their home. The Sutton's architect, Christian Shute, was present to discuss the property. He explained that the house was built in 1989 when this portion of Bachelors Point was still part of the county and decking was considered impervious. The owners are looking to build a small bump-out in the location of their kitchen. The property is located in the critical area and has an LDA classification which limits maximum coverage to 15%. Currently the coverage on their property is 17.7%.

The kitchen bump-out would require 225 square feet but 115 square feet of the bump-out would replace impervious decking, so the kitchen would add 110 square feet to the coverage. Mr. Shute explained that in order to reduce the coverage the Suttons were willing to remove a 280 square foot portion of their existing decking so the final result would be a lot coverage reduction of 170 square feet. The resulting lot coverage would be 17.5%.

The Suttons are also proposing to replace 260 square feet of existing impervious decking with a screen porch which will not change the lot coverage.

In talking it over, the commission members stated that because the Oxford Zoning Ordinance only allows for 15% coverage in an LDA designated area, the request would have to go before the Board of Appeals for approval. However, the commission added that, because the owners request would result in a net reduction of coverage, they would recommend to the Board of Appeals that they look favorably on the request and grant the variance.

The final consultation was held with residential designer Timothy Kearns who was working with Mr. and Mrs. J. G. Schuessler, property owners of a corner lot at 903 S. Morris Street, 903 S. Morris Street, who want to build a porch onto the front and south side of their house which will result in an encroachment into the property setbacks. It was determined that the front porch, as it faces South Morris Street, would fall under Section 32.10 of the Oxford Zoning Ordinance. The ordinance states, in part, that in all districts where existing buildings and structures create a clearly defined setback line, new building may be located in such a manner as to preserve the existing building setback line. However, the porch as it faces Rhonda Avenue would not fall under Section 32.10 and would require a setback variance. In discussing the property, the planning members determined this was a unique property in that the next door neighbors facing towards Rhonda Avenue were the Oxford Lab and United States Coast Guard, neither of which would probably be worried about maintaining any sight lines. Mr. Kearns added that the porch would be an attractive addition to the neighbor. The overall thoughts of the Planning Commission were that they would need to deny the Schuessler's request to build a porch into the front yard setback of a corner lot but would recommend to the Board of Appeals that they look favorably on the request and grant the variance.

There being no further business, the meeting was adjourned.

Respectfully submitted,

Lisa Willoughby
Assistant Clerk