



Community Development Department
Phone: 513-524-5204

June 29, 2015

Kelly Sullivan
Queen City Awning
7225 East Kemper Road
Cincinnati, Ohio 45249

Re: PC-2015-18-ADM Minor Amendment to an approved Final Planned Development
The Knolls of Oxford
Building Permit #15-142

Dear Ms. Sullivan:

Your application for a Minor Change to an Approved Planned Development, submitted June 18, 2015 to install a freestanding canopy at the above address has been approved administratively.

The Minor Changes to the site include:

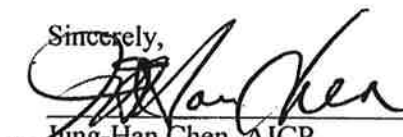
1. Constructing a permanent freestanding canopy in the interior courtyard
2. Canopy less than 10 feet (5 feet) from the principal building

The Knolls of Oxford Planned Development was originally approved in 1998 as Ordinance #2573. The Zoning Administrator reviewed the original plans and ordinance and administratively approved the proposed changes based upon the following criteria being satisfied per Section 1145.10(a) of the City of Oxford Planning and Zoning Code:

- A. There is no change in use;
- B. The proposed construction is of a magnitude that will not substantially alter the appearance of the development from off of the site;
- C. The proposed construction will not substantially or detrimentally affect the provision of public services to the site or general vicinity;
- D. The proposed construction will not substantially or detrimentally increase potential demand on public or private utilities;
- E. The proposed construction is not of a scope, scale, or character, that would cause a negative impact on adjoining properties and neighborhood; and
- F. The proposed construction is not contrary to and in no way diminish the intent of the originally approved plan.

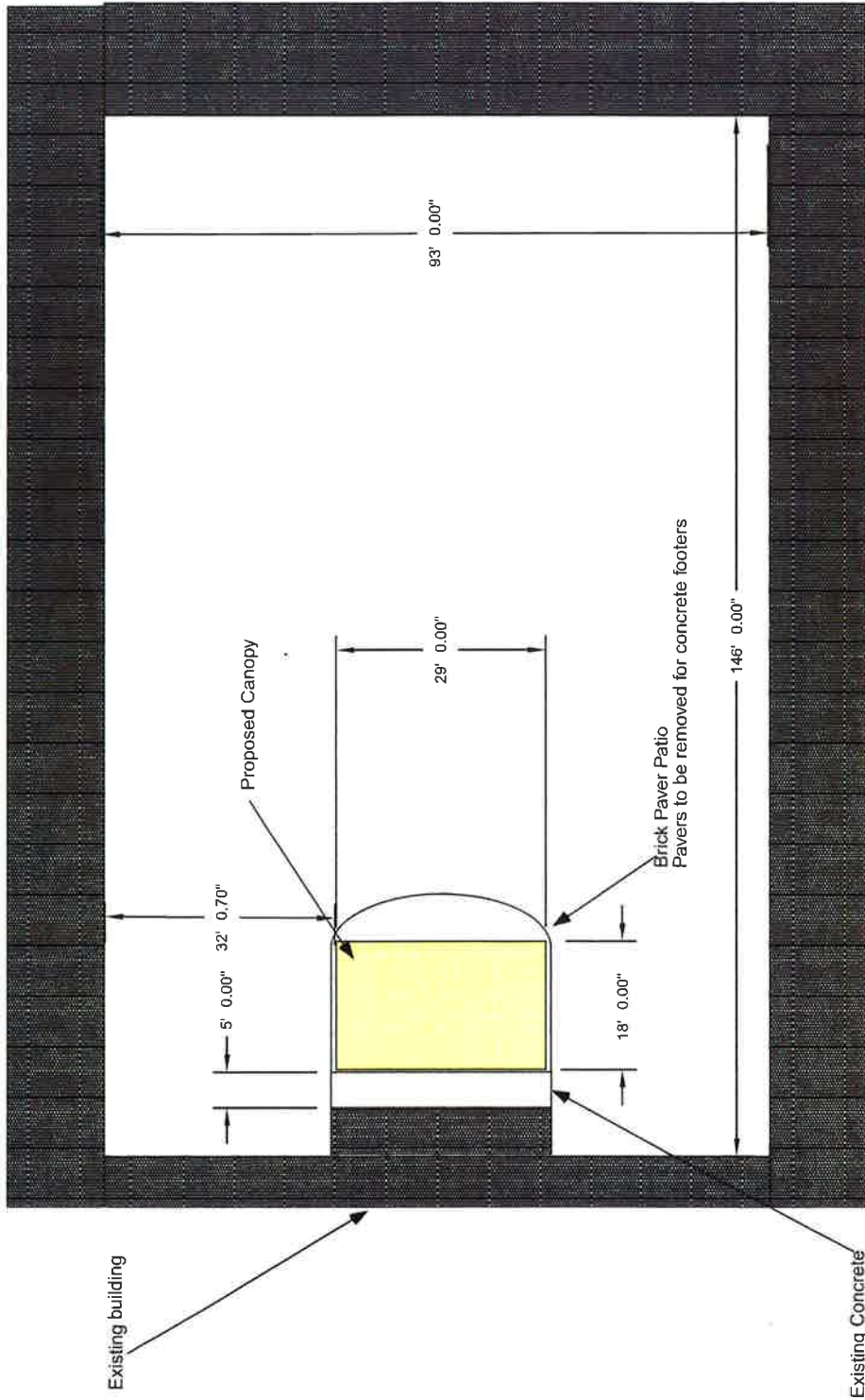
If you have any questions or need additional information, please call 524-5204.

Sincerely,


Jung-Han Chen, AICP
Community Development Director
cc: File


David Prytherch
Planning Commission Chair

101 East High Street • Oxford, Ohio 45056-1887
Phone: (513) 524-5200 • Fax: (513) 523-7298 • www.cityofoxford.org



RECEIVED
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CITY OF OXFORD

VIA EMAIL

City of Oxford
Community Development Department
STAFF REPORT
Planning Commission

Case # PC-2015-14

Date – July 14, 2015

APPLICATION

Applicant:	City of Oxford
Action Request:	ZONING CODE TEXT AMENDMENT to Amend Chapters 1143.10 Uptown Site Development Regulations and 1159.07(6) Definition of Gross Floor Area, City of Oxford, Applicant

DESCRIPTION

The Uptown Zoning District is a relatively new district in Oxford, created after a 2008 charter amendment to incentivize redevelopment. The provisions have a maximum for residential gross floor area (GFA) and a minimum GFA for commercial floor area. The common areas of the buildings, such as decks and patios, were addressed, but stairways were not specifically included. This amendment would clarify the intent of the code with regard to the tabulation of stairway areas.

ZONING CODE

The attached text amendment illustrates changes to Chapters 1143.10 Uptown Site Development Regulations and 1159.07(6) Definition of Gross Floor Area

COMPREHENSIVE PLAN

The text amendment aligns with Land Use Principle 3 (p3.9): “Infill development and redevelopment of underutilized sites is a priority.”

By continuously adapting the zoning regulations for existing developed areas, the geographic focus is consistent with this principle.

AGENCY REVIEWS

Police:	No comments
Engineering:	No comments
Fire:	No comments
Econ. Dev.	Comments received

DECISION CRITERIA

A copy of the Text Amendment Decision Criteria is attached.

ANALYSIS

A recent building project going through the review process proposed exempting the inclusion of stairways within the calculation for Residential GFA. The Board of Zoning Appeals supported the appeal based upon the language of the zoning code that was in place.

Staff is responding by proposing a clarification of the language that is consistent with the original intent. The original intent is to limit the overall building mass. Whether interior, exterior, covered or uncovered, stairways contribute to the building’s mass. By including the terminology for stairways in the site development regulations, the intent will be clearer than it is currently. Additionally, by including the terminology for stairways in the definition for Gross Floor Area, the definition will be consistent with the Uptown District Site Development Regulations.

RECOMMENDATION

The proposed zoning text amendment is relatively small and does not represent a policy change. It is only the inclusion of technical terms. There is a risk that the inclusion of additional technical terms in the zoning text does complicate the code and result in additional unforeseen outcomes. In this case, it is staff's opinion that the benefit of maintaining predictable building size in the Uptown District outweighs the risk of future unforeseen outcomes.

SUBMITTED

BY: 

Sam Perry, AICP
Planner

DATE: June 26, 2015

ATTACHMENT

(c) Planning Commission and Council Review. The Planning Commission shall base its recommendation on a proposed Zoning Code amendment upon the complete application, upon any staff report, and upon any relevant and credible public comment presented during the public hearing. Council shall base its decision on the same materials and shall also consider the Planning Commission recommendation.

If the Planning Commission or Council finds that the information provided is insufficient to make a determination, it may suspend its review until sufficient information has been provided.

- (1) Decision standards. A proposed amendment shall be approved only if it meets at least one of the following criteria, and if its benefits will likely outweigh any potential pitfalls.

Text Amendments

- A. The proposed amendment will make the Code conform more closely to the Comprehensive Plan.
- B. The proposed amendment will improve the public health, safety, and general welfare of Oxford.
- C. The proposed amendment will clarify the intent of the Code.
- D. The proposed amendment will better implement the intent of the Code.
- E. The proposed amendment will improve enforcement of the Code.

Proposed Zoning Code Text Amendment June 11, 2015

Section 1143.10:

- (c) Site Development Regulations. (Unless superseded by Conditional Use Requirements)
- (1) Lot requirements.
- A. Minimum Lot Area:
1. Lots in the Uptown District shall be a minimum of three thousand (3,000) square feet.
- (2) Yard requirements.
- Front Yard
16.5 feet minimum except
- * On High Street - at least 70 percent of building must meet the right-of-way line
- Rear Yard
none except
- * Adjacent to a residential district 10 feet minimum
- Side Yard
none except
- * Adjacent to a residential district 6 feet minimum
- (3) Structural requirements.
- A. Building height:
- Minimum - 23 feet and a minimum of 2 stories above street grade
Maximum - 48 feet and 4 stories maximum above street grade.
- B. Gross Floor Area Ratio:
1. The maximum permitted gross floor area ratio of a structure at or above grade in the Uptown District shall be 3. (Lot area x 3 = total bldg. sq. ft.)
- a. Commercial space shall provide a minimum ratio of 0.7:1 of the lot area on the street level subject to the following:
- i. The basement of a structure may be used for retail, personal and professional uses but shall not be computed into the minimum 0.7:1 ratio.
- ii. Uncovered outdoor areas shall:
- a. Be associated with the first floor commercial occupant,
- b. Be located on the property and/or on the public sidewalk, only with a valid sidewalk permit.
- c. Be computed into the minimum 0.7:1 ratio, but not the overall 3:1 ratio.
- b. Residential space shall provide a maximum ratio of 2:1 of the lot area subject to the following:
- i. Stairways, outdoor patios, decks and balconies for residential use shall be computed into the maximum 2:1 ratio.
- (4) Maximum Residential Density.
- A. Occupancy shall be limited to one person per 200 square feet of lot area. (Ord. 3205. Passed 3-19-13.)

Proposed Zoning Code Text Amendment June 11, 2015

Section 1159.07 DEFINITIONS (BEGINNING WITH LETTER "F").

(1) **FAMILY** - In all districts (zones), a family shall be a person living alone, or two or more persons related by blood, marriage or adoption, including minor children in the lawful custody of an adult member of members of the family, living together as a single housekeeping unit and occupying a single dwelling unit, or a group of not more than four unrelated persons living together as a single housekeeping unit occupying a single dwelling unit and using only common entrances and exits.

(2) **FAMILY COMMUNITY RESIDENCE** - A single dwelling unit occupied on a relatively permanent basis in a family-like environment by a group of no more than four persons (at least three of whom are unrelated persons with handicaps), plus up to one paid professional support staff provided by a sponsoring agency either living with the residents on a 24-hour basis or present on shifts.

(3) **FARM ANIMALS** - Animals other than household pets that shall be kept and maintained for commercial production or sale; or family food production, education, or recreation. Farm animals are identified by these categories: large animals, e.g., horses and cattle; medium animals, e.g., sheep, goats, pigs; or small animals, e.g., rabbits, chinchillas, chickens, turkeys, pheasants, geese, ducks, and pigeons.

(4) **FARM IMPLEMENT SALES** - The retail sales and service of mechanical equipment customarily used for agricultural purposes.

(5) **FLOOD PLAIN AREA** - Those lands in the City of Oxford, Ohio, that are subject to flood hazards as determined on the Federal Emergency Management Agency or the Butler County Soil & Water Conservation District or both.

(6) **FLOOR AREA, GROSS** - The sum of the gross horizontal areas of all floors of a building or structure from the exterior face of exterior walls, or from the centerline of a wall separating two buildings, but excluding any space where the floor-to-ceiling height is less than six feet. **The gross floor area ratio includes all stairways that serve multi-story buildings.**

(7) **FLOOR AREA, NET** - The total of all floor areas of a building, excluding stairwells and elevator shafts, equipment rooms, interior vehicular parking or loading; and all floors below the first or ground floor, except when used or intended to be used for human habitation or service to the public. (Ord. 2782. Passed 5-20-03.)

(8) **FLOOR AREA RATIO (FAR)** - The gross floor area of all buildings or structures on a lot divided by the total lot area, excluding any land vacated by Ordinance No. 103 (16 1/2 foot vacated right-of-way). (Ord. 3018. Passed 10-7-08.)

City of Oxford
Inter-Office Review Transmittal Sheet

Date: June 17, 2015

To: Fire Department Engineering Division Police Department Econ Dev Department

From: Community Development Department

PC-2015-14 ZONING CODE TEXT AMENDMENT, to amend Chapter 1143.10(c) UP (Uptown)
District site development regulations and Chapter 1159.07(8) definition of Floor Area Ratio (FAR), **City
of Oxford, Applicant**

 X Review Revisions Other

Please return no later than: **7/7/2015** Note: If no comments are received, we will assume the project
meets your department's standards.

Drawings are returned: w/comments without/comments

Drawings reviewed by:


John Dethenage
PRINTED NAME

Date:

6-19-15

City of Oxford
Inter-Office Review Transmittal Sheet

Date: June 17, 2015

To: Fire Department Engineering Division Police Department Econ Dev Department

From: Community Development Department

PC-2015-14 ZONING CODE TEXT AMENDMENT, to amend Chapter 1143.10(c) UP (Uptown) District site development regulations and Chapter 1159.07(8) definition of Floor Area Ratio (FAR), **City of Oxford, Applicant**

 X Review Revisions Other

Please return no later than: **7/7/2015** Note: If no comments are received, we will assume the project meets your department's standards.

.....

Drawings are returned: w/comments without/comments

Drawings reviewed by:



Date:

6-18-15

VICTOR POPESCU

PRINTED NAME

City of Oxford
Inter-Office Review Transmittal Sheet

Date: June 17, 2015

To: Fire Department Engineering Division Police Department Econ Dev Department

From: Community Development Department

PC-2015-14 ZONING CODE TEXT AMENDMENT, to amend Chapter 1143.10(c) UP (Uptown) District site development regulations and Chapter 1159.07(8) definition of Floor Area Ratio (FAR), **City of Oxford, Applicant**

 X Review Revisions Other

Please return no later than: **7/7/2015** Note: If no comments are received, we will assume the project meets your department's standards.

.....

Drawings are returned: w/comments without/comments

Drawings reviewed by: LT. Horvath Date: 6/23/15

LT. HORVATH
PRINTED NAME

City of Oxford
Inter-Office Review Transmittal Sheet

Date: June 17, 2015

To: Fire Department Engineering Division Police Department Econ Dev Department

From: Community Development Department

PC-2015-14 ZONING CODE TEXT AMENDMENT, to amend Chapter 1143.10(c) UP (Uptown) District site development regulations and Chapter 1159.07(8) definition of Floor Area Ratio (FAR), **City of Oxford, Applicant**

 X Review Revisions Other

Please return no later than: **7/7/2015** Note: If no comments are received, we will assume the project meets your department's standards.

.....

Drawings are returned: w/comments without/comments

IN MY OPINION, THE INTENT OF THE ORIGINAL
LEGISLATION WAS TO INCLUDE STAIRWELLS, OPEN OR
ENCLOSED

"In my opinion, the intent of the original legislation was to include stairwells, open or enclosed."

Drawings reviewed by: _____

Date: 7-7-15

G. Alan Kyrason
PRINTED NAME



Internal Use Only:

Case No.

PC-2015-14

Date Filed

5/26/15

Zoning Code Text Amendment Application

Applicant Information

Attach a Letter of Agency if the Applicant is not the property owner.

Name * City of Oxford

Mailing Address * 101 E. High Street

City, State & Zip Code * Oxford, OH 45056

Telephone Number(s) * (513)-524-5204

Email Address jhchen@cityofoxford.org

Amendment Description * Amendment to the definition of Floor Area Ratio

Submission Requirements and Documentation

From Section 1135.02 Procedure¹.

- (a) **Initiation.** A text amendment may be initiated by the Chair of the Planning Commission, by adoption of a motion by Council or the Planning Commission, or by application to Planning Commission by a landowner or a resident of the City of Oxford.
- (b) **Application.** If Planning Commission or Council initiates an amendment, then the Zoning Administrator shall provide information as necessary for proper consideration of the motion. The information provided shall be substantially similar to that required of an application for amendment.

An application for amendment shall be filed with the Zoning Administrator. An application shall be complete prior to being scheduled for a public hearing. An application will be considered complete only if the Zoning Administrator is satisfied that all of the materials required by this chapter are included and are sufficient in their content to satisfy the intent of the application requirements.

- (1) **Contents of application.** The applicant shall contact the Zoning Administrator prior to submitting an application to discuss the submission requirement, which includes the following information. A written, detailed description, where applicable, is required for each subsection.

- A. Application Fee.
- B. The name, mailing address, and telephone number of the applicant.
- C. A general description of the proposed amendment.
- D. A narrative statement that describes how the proposed amendment relates to the Comprehensive Plan.
- E. A statement that identifies potential negative consequences of the proposed amendment.
- F. Such other information regarding the proposed amendment as may be pertinent to the application or required by Planning Commission or Council.
- G. Any existing section number and text that is proposed to be deleted or amended.
- H. Any new or amended text as it is proposed to be codified including its proposed location in the Code. section numbers)
- I. A narrative statement that describes the expected effects of the proposed text.
- J. A narrative statement that compares the expected effects of the proposed text with any existing text that it will replace, if applicable.

Decision Process

From Section 1135.02(c)(1) Decision Standards¹.

A proposed amendment shall be approved only if it meets at least one of the following criteria, and if its benefits will likely outweigh any potential pitfalls.

Last Revised: Monday, February 23, 2015

PC-zoning-code-text-amendment-application.docx

- A. The proposed amendment will make the Code conform more closely with the Comprehensive Plan.
- B. The proposed amendment will improve the public health, safety, and general welfare of Oxford.
- C. The proposed amendment will clarify the intent of the Code.
- D. The proposed amendment will better implement the intent of the Code.
- E. The proposed amendment will improve enforcement of the Code.

Planning Commission and Council Review

The Planning Commission shall base its recommendation on a proposed Zoning Code amendment upon the complete application, upon any staff report, and upon any relevant and credible public comment presented during the public hearing. Council shall base its decision on the same materials and shall consider the Planning Commission recommendation. If the Planning Commission or Council finds that the information provided is insufficient to make a determination, it may suspend its review until sufficient information has been provided.

Fees & Receipt

The required fee is \$150.00. Write a check payable to **City of Oxford**. You may also pay in-person using Visa, MasterCard, and Discover.

Sign and Date

Applicant Signature *

Date *


5/21/15

Submit Application, Submission Requirements and Documentation, and Fees

We will not accept incomplete applications and/or plans and documentation.

Send or drop off this application with required documentation as attachments and a check for the fee made payable to **City of Oxford**, to Community Development Director, 101 East High Street, Oxford, OH 45056.

Direct questions to the Community Development Department at (513) 524-5204. The application will be placed on the next possible agenda.

Note: You must adhere to notification and publication requirements. Submit materials 45 days prior to the Planning Commission meeting on which the action is requested.

For Staff Use Only

Fee Paid Date *

NA

Receipt Number *

¹ City of Oxford Codified Ordinances: <http://www.cityofoxford.org/fees-ordinances-and-charter>

City of Oxford
Community Development Department
STAFF REPORT
Planning Commission

Case # PC-2015-015

Date –July 7, 2015

APPLICATION

Applicant:	Norm Butt
Location:	110 E. Spring Street
Owner:	Phi Delta Theta Fraternity
Agent:	Norm Butt, The Architectural Group, Inc.
Action Request:	Conditional Use Permit Application to alter an existing fraternity
Current Use:	Fraternity
Zoning:	R2MS (Single, Two-Family Mile Square Residential) District
Surrounding Existing Land Uses:	Single and Two-Family and Multi-Family Dwelling

GENERAL DESCRIPTION

The applicant is seeking approval to alter an existing fraternity to accommodate more bedrooms by enclosing a breezeway between the garage and two-story dwelling. There is no additional square footage being proposed to the footprint of the building. Additionally, the proposal also indicated that a patio has been planned to be placed on the east side of the existing building, so the tenants can be outdoors during nice weather, since the indoor space, i.e. breezeway, is being converted into sleeping space. This fraternity house has been in existence for many years. The subject property consists of two parcels.

The property is bordered by a two-family dwelling and a lodging house to the east, fraternity house to the north; a single-family to the west; and a fraternity to the south. This area is adjacent to the MU campus.

PUBLIC COMMENTS

Public notices were mailed to surrounding property owners. None were received.

AGENCY REVIEWS

Requests for review were made to the Police, Fire, Engineering and Economic Development Departments. The following comments have been received:

Police:	Returned without comments.
Fire:	Returned without comments.
Engineering:	Returned without comments.
Econ. Dev.:	Returned without comments.

ZONING CODE REVIEW

- 1147.03(19) Fraternity and Sorority Houses.
- A. Potential Concerns.
1. Aesthetic Concerns:
 - a. Historical characteristics of existing structures.
 - b. Residential scale and character.
 - c. Yards and landscaping.
 - d. Walls and fences.
 2. Activities Areas:
 - a. Porches and patios.
 - b. Locations of recreational areas and courts.
 - c. Locations of accessory structures.
 3. Vehicle Management:
 - a. Site access.

- b. Required parking.
 - c. Emergency access.
 - d. Deliveries.
 - e. Occasional and excess parking management.
 - 4. Adequate Public Utilities:
 - a. Water.
 - b. Sewer.
 - c. Storm water management.
 - d. Other services.
 - 5. Nuisance:
 - a. Waste/trash management.
 - b. Noise and off-site impact.
 - c. Lighting and off-site impact.
- B. Requirements:
- 1. New Structures: Building shall be of a size and scale that approximates neighboring structures.
 - 2. Existing Structures: Exterior renovation and improvements shall be maintained to protect existing architectural details, materials and ornamentation.
 - 3. Addition: Building expansions shall be sympathetic to the architectural scale and style of the existing building.
 - 4. Outdoor Areas: Activity areas shall be designed and located to contain noise and light within the property. Activity areas shall be appropriately screened from adjacent properties.
 - 5. Waste facilities: Trash and recycling containers and material shall be stored in a fully enclosed area and properly screened. The waste enclosure shall be adequate for the occupancy and accessible to service vehicles.
 - 6. Parking and Transportation Demand Management: Parking shall meet requirements of Zoning Code Chapter 1149 and shall be properly designed, screened and maintained.

The proposal is to enclose the existing breezeway to create additional bedrooms for the fraternity. Based on the submittal, the proposed building material appears to be consistent with the existing dwelling unit. The proposed patio to the east of the existing building is to be used by the tenants of the building.

General Decision Standards for Conditional Uses — Section 1147.02(c)(2)

(2) General Decision Standards. All Conditional Uses shall satisfy these General Decision Standards.

A. The proposed use is in fact a Conditional Use appropriate for in the zoning district in which it is proposed.

Yes, the use can be allowed as a conditional use.

B. The use and site will satisfy the general intent of this Zoning Code.

Yes, the proposed enclosure will satisfy.

C. The use and site will be compatible with the general intent of the Comprehensive Plan.

Not applicable.

D. The size and shape of the site are sufficient for the proposed use.

The size and shape of the site is sufficient for the proposed use.

E. The use will not be hazardous or disturbing to existing or potential future neighboring uses that are permitted in the zoning district.

None anticipated.

F. The use will not involve activities, processes, materials, equipment, or conditions of operation that will be detrimental to any person, property, or the general welfare because of excessive production of traffic, noise, smoke, fumes, glare, odors, or other emissions.

Not applicable.

G. The only accessory uses will be directly related to the operation of the principal use and will not be operated independent of the principal use.

No accessory uses have been proposed.

H. The use and site will be adequately served by public facilities and services such as streets, water and sewer, drainage structures, police and fire protection, and refuse disposal, or adequate provisions will be made to provide the same services privately.

Minimal increase will be generated from the enclosure of the proposed patio..

I. Development of the site and operation of the use will not require substantial public expenditure for additional infrastructure or services.

None is expected.

J. The site will be designed, constructed, and maintained in a character harmonious in appearance and general character with the existing or intended character of the general vicinity, and that such use will not change the essential character of the same area. Structures to be constructed, reconstructed, or altered in a residential zoning district shall have the appearance of residential buildings permitted in the zoning district.

The breezeway is existing and does not alter the appearance of the neighborhood.

K. The site is designed so that on-site traffic and traffic accessing the site will not inappropriately impact the movement of traffic on adjacent public streets.

There is sufficient off-street parking on site.

L. Proposed construction will not result in the destruction, loss, or damage of a natural, scenic, or historic feature of major importance.

None expected.

M. All necessary permits and licenses for the Conditional Use and its operation have been or can be obtained for the use at the proposed location.

Yes, as stated by applicant.

RECOMMENDATION

The proposal is to enclose an existing breezeway for additional bedroom to the existing fraternity house. The breezeway connects the garage to a two-story dwelling. The property is owned by Phi Delta Theta Foundation, headquartered in Oxford. The current configuration is to provide lodging for its student advisors to various chapters throughout the county.

The proposal does not increase the footprint of the building and the changes being considered occur in the breezeway. No physical change would be visible, other than a patio that is shown on the site plan to allow tenants a place to sit outdoors.

It is anticipated that the change would have very minimal impact to the neighborhood, if any. The proposal would not alter the existing use, the footprint will not increase. There will be no increase in governmental services at all and there would not be any potential concerns associated with the proposal. The appearance and character of the structure would not be modified from this proposal.

Given the changes to the site/structure being minimal, it would seem that the proposal would be reasonable to continue to allow the enclosure to be considered favorably by the Commission. The

potential number of additional occupants would be limited to two, since the number of occupants would be based on the size of the bedroom under the Oxford Property Maintenance Code stipulations.

SUBMITTED

BY:


Jung-Han Chen
Community Development Director

DATE: June 26, 2015

ATTACHMENT

(c) Planning Commission Review. The Planning Commission shall base its review of a proposed Conditional Use upon the complete application, upon any staff report, and upon any relevant and credible public comment presented during the public hearing. If the Planning Commission finds that the information provided is insufficient to make a determination, it may suspend its review until sufficient information has been provided.

(1) Burden of proof.

- A. Planning Commission has no obligation to recommend approval and City Council has no obligation to approve a Conditional Use. This Zoning Code assumes that the uses listed in this section are not appropriate unless an Applicant proves that the use will not be detrimental to the public health, safety, or general welfare of the City or the neighborhood in which it is proposed.
- B. Applicants shall prove that potential negative impacts of elements such as location, size and extent of facilities and operations, site design, traffic generation, site access, and potential impact upon public facilities will be adequately mitigated.

(2) General decision standards. All Conditional Uses shall satisfy these General Decision Standards:

- A. The proposed use is in fact a Conditional Use in the zoning district in which it is proposed.
- B. The use and site will satisfy the general intent of this Zoning Code.
- C. The use and site will be compatible with the general intent of the Comprehensive Plan.
- D. The size and shape of the site are sufficient for the proposed use.
- E. The use will not be hazardous or disturbing to existing or potential future neighboring uses that are permitted in the zoning district.
- F. The use will not involve activities, processes, materials, equipment, or conditions of operation that will be detrimental to any person, property, or the general welfare because of excessive production of traffic, noise, smoke, fumes, glare, odors, or other emissions.
- G. The only accessory uses will be directly related to the operation of the principal use and will not be operated independent of the principal use.
- H. The use and site will be adequately served by public facilities and services such as streets, water and sewer, drainage structures, police and fire protection, and refuse disposal, or adequate provisions will be made to provide the same services privately.
- I. Development of the site and operation of the use will not require substantial public expenditure for additional infrastructure or services.
- J. The site will be designed, constructed, and maintained in a character harmonious in appearance and general character with the existing or intended character of the general vicinity, and that such use will not change the essential character of the same area. Structures to be constructed, reconstructed, or altered in a residential zoning district shall have the appearance of residential buildings permitted in the zoning district.
- K. The site is designed so that on-site traffic and traffic accessing the site will not inappropriately impact the movement of traffic on adjacent public streets.
- L. Proposed construction will not result in the destruction, loss, or damage of a natural, scenic, or historic feature of major importance.
- M. All necessary permits and licenses for the Conditional Use and its operation have been or can be obtained for the use at the proposed location.

City of Oxford
Inter-Office Review Transmittal Sheet

Date: June 11, 2015

To: Fire Department Engineering Division Police Department Econ Dev Department

From: Community Development Department

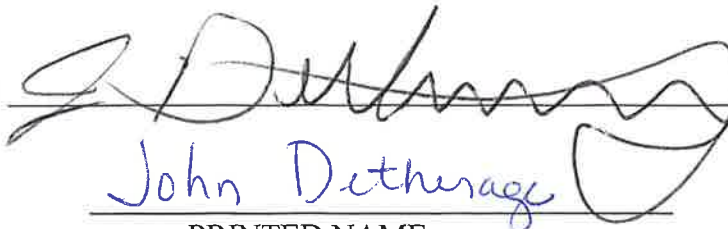
PC-2015-15 **CONDITIONAL USE** 110 E. Spring Street, Phi Delta Theta Fraternity, to approve the alteration of an existing fraternity, **The Architectural Group, Inc., Applicant, Agent**

 X Review Revisions Other

Please return no later than: **7/7/2015** Note: If no comments are received, we will assume the project meets your department's standards.

Drawings are returned: w/comments without/comments

Drawings reviewed by:


John Detherage

PRINTED NAME

Date:

6-19-15

City of Oxford
Inter-Office Review Transmittal Sheet

Date: June 11, 2015

To: Fire Department Engineering Division Police Department Econ Dev Department

From: Community Development Department

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Drawings are returned: w/comments without/comments

Drawings reviewed by:


ROBERT B. HOLZWORTH
PRINTED NAME

Date: 6/11/2015

City of Oxford
Inter-Office Review Transmittal Sheet

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.....

Drawings are returned: w/comments without/comments

Drawings reviewed by: _____

Date: _____

G. ALAN KYCEN
PRINTED NAME



PC-2015-15 Surrounding Property Owners Map

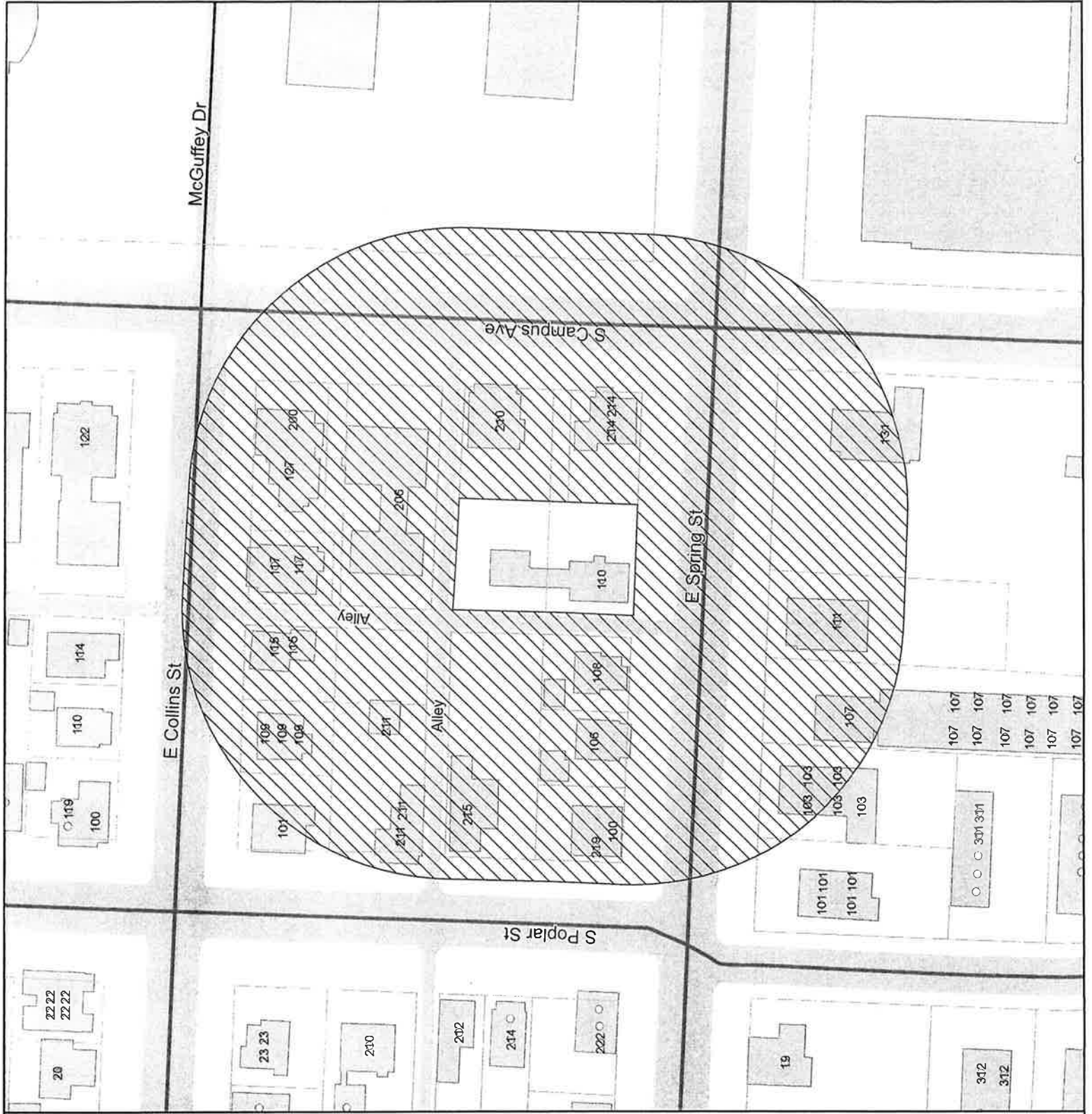
Legend

- Subject Properties
- 200 Ft. Buffer
- Oxford Corp. Limit
- Address Point
- Parcel
- Building Footprint
- Paved Roadway



1 inch = 100 feet

Prepared on Wednesday, June 17, 2015
The City of Oxford does not guarantee the dimensional accuracy of this map. Precise dimensional accuracy should be based upon recorded deeds, plats or a professional survey.



**CITY OF OXFORD
INSPECTIONS DEPARTMENT
513-524-5205**

RENTAL PERMIT

PERMIT#: 20002959

This permit certifies that a valid rental dwelling permit has been issued to the address and person (s) listed below. The permit is valid for a period of one (1) year from the date of application.

Rental Address:

110 SPRING E

Owner: PHI DELTA THETA FRATERNITY

Agent: SAME AS OWNER

Occupancy, Use, Fee

Fee: \$115.00 Paid: 3/13/00

Property Use: FH

Maximum Occupants Permitted: 12

This permit can not be transferred. If ownership transfers, the permit must be surrendered to the City of Oxford within ten (10) days. You must make application and pay appropriate fees for renewal before the expiration of this permit.



Inspector

Date: 7/6/00

A COPY OF THIS PERMIT SHALL BE POSTED WITHIN THE UNIT PER PM-308.1.

NO FEES ARE DUE AT THIS TIME



City of Oxford
Inspections Division
101 East High Street
Oxford, OH 45056
(513) 524-5209

RENTAL PERMIT

This permit certifies that a valid rental dwelling permit has been issued to the address and person(s) listed below.

Address: *110 E Spring St*

Owner/Operator:

Phi Delta Theta Fraternity

Agent:

Phi Delta Theta Fraternity

Fee: *\$330.00*

Permit Number: *20153400*

Use: *FH*

Effective Date: *March 12, 2015*

**Maximum Unrelated
Occupants Permitted:** *12*

Expiration Date: *March 12, 2016*

A copy of this permit shall be posted in a conspicuous place within the dwelling unit per PM-308.1.1. This permit cannot be transferred. If ownership of the property changes, the permit must be surrendered to the City of Oxford within ten (10) days. You must submit a completed application and pay appropriate fees for renewal before the expiration of this permit.


Inspector



CITY OF OXFORD
INSPECTIONS DEPARTMENT
513-524-5209

RENTAL PERMIT

PERMIT# 20073128

This permit certifies that a valid rental dwelling permit has been issued to the address and person(s) listed below. The permit is valid for a period of one (1) year from the effective date shown below.

Rental Address:

110 EAST SPRING

Owner **PHI DELTA THETA FRATERNITY**
/Operator:

Agent: **ROBERT BIGGS**

Occupancy, Use, Fee

Fee: **\$300.00**

Property Use: **FH**

Maximum Unrelated Occupants Permitted: **12**

This permit cannot be transferred. If ownership in the property changes, the permit must be surrendered to the City of Oxford within ten (10) days. You must make application and pay appropriate fees for renewal before the expiration of this permit.


Inspector

Effective Date: 03/12/07

**A COPY OF THIS PERMIT SHALL BE POSTED IN A
CONSPICUOUS PLACE WITHIN THE UNIT PER PM-308.1.1**



PHI DELTA THETA

Become the greatest version of yourself

City of Oxford
101 E. High Street
Oxford, Ohio 45056

May 28, 2015

To whom it may concern:

This letter is to inform all pertinent parties that the Phi Delta Theta International Fraternity, the owner of the 110 E. Spring Street home, has authorized Norm Butt of the Architecture Group to submit a proposal for modifications of our facility as it applies to the conditional use application.

Yours truly,

Sean S. Wagner

Associate Executive Vice President
Phi Delta Theta International Fraternity

PHI DELTA THETA INTERNATIONAL FRATERNITY

General Headquarters • 2 South Campus Avenue • Oxford, Ohio 45056

phone: 513.523.6345 • fax: 513.523.9200 • www.phideltatheta.org



Internal Use Only:	PC-2015-15
Case No.	
Date Filed	5/29/15

Conditional Use Permit Application

Applicant Information

Attach a Letter of Agency if the Applicant is not the property owner.

Name * NORMAN D. BUTT, AIA - THE ARCHITECTURAL GROUP, INC
Mailing Address * 135 N. MAIN STREET
City, State & Zip Code * DAYTON, OH 45402
Telephone Number(s) * 937-223-2500 x18
Email Address buttn@taguit.com

Owner Information

Name * PHI DELTA THETA
Mailing Address * 2 SOUTH CAMPUS AVE
City, State & Zip Code * OXFORD, OHIO 45056
Telephone Number(s) * 513-523-6345
Email Address swagner@phideltatheta.org

Location and Lot Information

Location of Property * 110 E. SPRING STREET
Legal Description * (SEE ATTACHED)
Zoning District * R2MS
Total Area * .2839 → Check One * Acres ☒ Square Feet ☐
Existing Use Description * COMMERCIAL HOUSING - FRATERNITY EMPLOYEES
Proposed Use Description * NO CHANGE - COMMERCIAL HOUSING - FRATERNITY EMPLOYEES

Submission Requirements and Documentation

From Section 1147.02(a)¹.

- (1) Contents of application for conditional use permit. Thirteen complete sets of all information shall be submitted with an application. The Zoning Administrator may modify this requirement based upon the type of materials included. Please contact the Zoning Administrator prior to submitting an application to discuss the submission requirement. If any information is submitted in color or on non-standard paper, more copies may be required.
- A. Application Fee.
- B. Description of Use and Site.
- A written, detailed description shall include the following information. A separate response is required for each subsection.
1. The name, mailing address, and telephone number of the applicant and the property owner.
 2. If the applicant is not the owner, a statement from the owner that the applicant is entitled to apply on his or her behalf.
 3. A legal description of the site, including all separate lots.

- A. The proposed use is in fact a Conditional Use appropriate for the zoning district in which it is proposed.
- B. The use and site will satisfy the general intent of this Zoning Code.
- C. The use and site will be compatible with the general intent of the Comprehensive Plan.
- D. The size and shape of the site are sufficient for the proposed use.
- E. The use will not be hazardous or disturbing to existing or potential future neighboring uses that are permitted in the zoning district.
- F. The use will not involve activities, processes, materials, equipment, or conditions of operation that will be detrimental to any person, property, or the general welfare because of excessive production of traffic, noise, smoke, fumes, glare, odors, or other emissions.
- G. The only accessory uses will be directly related to the operation of the principal use and will not be operated independent of the principal use.
- H. The use and site will be adequately served by public facilities and services such as streets, water and sewer, drainage structures, police and fire protection, and refuse disposal, or adequate provisions will be made to provide the same services privately.
- I. Development of the site and operation of the use will not require substantial public expenditure for additional infrastructure or services.
- J. The site will be designed, constructed, and maintained in a character harmonious in appearance and general character with the existing or intended character of the general vicinity, and that such use will not change the essential character of the same area. Structures to be constructed, reconstructed, or altered in a residential zoning district shall have the appearance of residential buildings permitted in the zoning district.
- K. The site is designed so that on-site traffic and traffic accessing the site will not inappropriately impact the movement of traffic on adjacent public streets.
- L. Proposed construction will not result in the destruction, loss, or damage of a natural, scenic, or historic feature of major importance.
- M. All necessary permits and licenses for the Conditional Use and its operation have been or can be obtained for the use at the proposed location.

Fees & Receipt

The required fee is \$400.00, plus postage charge. Write a check payable to **City of Oxford**. You may also pay in-person using Visa, MasterCard, and Discover. To calculate the postage charge, multiply the number of adjoining properties by current postage rate³.

Sign and Date

Applicant Signature *

Norman D. Butt, ALA

Date *

5/29/15

Submit Application, Submission Requirements and Documentation, and Fees

We will not accept incomplete applications and/or plans and documentation.

Send or drop off this application with required plans and documentation as attachments and a check for fee and postage charges made payable to **City of Oxford**, to Community Development Director, 101 East High Street, Oxford, OH 45056.

Direct questions to the Community Development Dept. at (513) 524-5204. The application will be placed on the next possible agenda.

Note: You must adhere to notification and publication requirements. Submit materials 45 days prior to the Planning Commission meeting on which the action is requested. City Staff will place a public hearing sign on the subject property. **The Applicant is responsible for removing the signage at the completion of the hearing(s).**

For Staff Use Only

Fee Paid Date *

5/29/15

Receipt Number *

46157

¹ City of Oxford Codified Ordinances: <http://www.cityofoxford.org/fees-ordinances-and-charter/>

² Butler County Auditor Real Estate Search: <http://www.butlercountyauditor.org/>

³ The United States Postal Service: <http://www.usps.com/>



135 north main street
dayton, oh 45402-1730
tel 937.223.2500
fax 937.223.0888
www.taguit.com

May 29, 2015

Mr. Jung-Han Chen
Community Development Director
City of Oxford
110 E. High Street
Oxford, Ohio 45056

Mr. Sam Perry
Planner
City of Oxford
110 E. High Street
Oxford, Ohio

RE: Conditional Use Application
Phi Delta Theta Fraternity Annex
110 E. Spring Street
Oxford, Ohio 45056

Dear Sam and Jung-Han,

The attached information is presented by The Architectural Group, Inc. in support of Conditional Use Acceptance Consideration for renovation of the above noted property.

As the documents indicated, the renovation consists of infill of an existing screen enclosed breezeway between the residence structure and the garage with two new resident bedrooms and maintenance of ADA accessibility to the facility.

Attached and submitted documents include the following to conform to the application requirements of City of Oxford Planning and Zoning Code, Chapter 1147.02 Application

1. \$400 Application Fee.
2. Conditional Use Permit Application
3. Phi Delta Theta Conditional Use Application Authorization
4. Chapter 1147.02, Procedure: Application Submission Requirement Confirmations
5. Chapter 1147.02, Procedure: Planning Commission Review Confirmations
6. Chapter 1149 Parking and Site Access Confirmation of 1149.03 General Regulations – "Fraternity and Sorority"
7. Chapter 1147.03 Use Specific Regulations & Potential Concerns Section (19) Fraternity and Sorority Houses concern support information
8. Butler County Auditors Property Information
9. Presentation Drawings: Site Plan, Existing Building Floor Plans, Existing and New Renovation area Floor Plans and Existing and New Elevations.

We wish to thank you in advance for your review at this information and its subsequent presentation to the City of Oxford's Planning Commission for consideration at their July meeting.

Respectfully Submitted,

Norman D. Butt, AIA, LEED AP, BD+C
The Architectural Group, Inc.

1147.02 PROCEDURE: APPLICATION CONFIRMATION

**A. Application Fee
Included****B. Description of Use and Site.**

A written, detailed description shall include the following information. A separate response is required for each subsection.

The residence is currently used by Phi Delta Theta to house employees who provide fraternity services nationwide. Additional bedroom space is required to house additional support staff; consequently, in existing enclosed breezeway between the main residence and the garage is considered herein to be modified to accommodate two (2) new bedrooms. No parking changes are anticipated or modifications to the building structure or aesthetic characteristics. The revised exterior elevation shell materials will duplicate those on the existing structures.

1. The name, mailing address, and telephone number of the applicant and the property owner.

**Applicant: Norman D. Butt, AIA
The Architectural Group, Inc.
135 N. Main St.
Dayton, OH 45402
937-223-2500
buttn@taguit.com**

**Owner: Phi Delta Theta
Contact: Sean Wagner
2 S. Campus Ave
Oxford, Oh 45056
513-523-6345
swagner@phideltatheta.org**

2. If the applicant is not the owner, a statement from the owner that the applicant is entitled to apply on his or her behalf.
Attached

3. A legal description of the site, including all separate lots.
Phi Delta Theta to provide.

4. A description of the existing uses of the site.
No change of use. Parking to remain unchanged, use existing landscaped areas unchanged, access to the building unchanged and occupancy of the building to remain the same as housing for employees of Phi Delta Theta Fraternity.

5. The zoning district in which the site is located.
R2MS

6. A description of the proposed use.
a. A description of operations, including type of goods sold, services performed, and expected number of customer, clientele, delivery, and service vehicles.

Residential housing is for employees of Phi Delta Theta only. No goods or services performed at this location. Customer, clientele, delivery, and service vehicles at National Headquarters location at 2 S. Campus Ave.

- b. The hours of operation.
Unchanged 24 hours.
- 7. A narrative statement that evaluates the compatibility of the proposed use with the general vicinity and adjacent properties.
 - a. How the use is similar to or different from existing area uses and if there will be any interaction between the proposed use and existing uses.
Use is unchanged. Adjacent areas also residential housing structures.
 - b. How any existing structures, proposed structures, and the site design relate to adjacent structures and sites.
New façade infill to match existing materials and product conditions.
 - c. If the use will involve and operations that create potential nuisances such as excessive noise, lighting, odor, fumes, vibration, or emissions.
No change in use or vehicle parking. Not applicable.
 - d. How any potential negative effects on adjacent land will be mitigated.
Unchanged use.
- 8. A statement about why the location proposed is more appropriate for the use than other locations.
Use remains the same as existing.
- 9. A statement of the necessity or desirability of the proposed use to the neighborhood or community.
Use remains the same as existing.
- 10. Separate, detailed statements that individually address each of the items listed as potential concerns for the proposed use.
Not applicable.
- 11. A list of the names and mailing addresses of all land owners within 200 feet of the site.
Attached
- 12. Such other information regarding the proposed use, site, or surrounding area as may be pertinent to the application or required by Planning Commission.
Not applicable.
- C. Site Plan. A scaled site plan shall include the following information in detail. The required information may be submitted on multiple site plans if inclusion of all information on a single plan makes is illegible or difficult to understand.
 - 1. North arrow. **Included on plans.**

2. Scale. **Included on plans.**
 3. Vicinity map. **See Butler County Auditor's map.**
 4. All existing and proposed lot lines within the site. **Included on plans and see Butler County Auditor's map.**
 5. Dimensions of all lots and of the entire site and any adjacent rights-of-way. **Included on plans and see Butler County Auditor's map.**
 6. Location, height, and use of all proposed and existing structures. **See drawing elevations. No change.**
 7. Location and design of all proposed vehicle management areas. **See site plan. No change.**
 8. Location, size, and type of all proposed signs. **See site plan. No change.**
 9. Location, height, and type of all proposed screening and landscaping. **See site plan. No change.**
 10. Distances to residential zoning districts if within 1,000 feet. **See attached Butler County Auditor's map.**
 11. The use of land and location of structures on adjacent property and across adjacent rights-of-way. **Not applicable.**
 12. Other information as required by the Planning Commission.
- D. Elevations of proposed structures, or typical elevations if structures are not yet designed, shall be required by the Zoning Administrator if the proposed are not yet designed, shall be required by the Zoning Administrator if the proposed location, height, or bulk of the structure is such that is may negatively affect and adjacent use.
See attached elevations.
- E. Other photographs of the existing use and its surroundings. **See attached.**

1147.02 PROCEDURE: APPLICATION CONFIRMATION

(C) Planning Commission Review

2. General Decision Standards. All Conditional Uses shall satisfy these General Decision Standards.
 - A. The proposed use is in fact a Conditional Use appropriate for in the zoning district in which it is proposed.
Fraternities and Sororities require Conditional Use approval in a R2MS district.
 - B. The use and site will satisfy the general intent of this Zoning Code.
No change of use.
 - C. The use and site will be compatible with the general intent of the Comprehensive Plan.
No change of use.
 - D. The size and shape of the site are sufficient for the proposed use.
No change of site or building foot print.
 - E. The use will not be hazardous or disturbing to existing or potential future neighboring uses that are not permitted in the zoning district.
No change of use.
 - F. The use will not involve activities, processes, materials, equipment, or conditions of operations that will be detrimental to any person, property, or the general welfare because of excessive production of traffic, noise, smoke, fumes, glare, odors, or other emissions.
No change of use.
 - G. The only accessory uses will be directly related to the operation of the principal use and will not be operated independent of the principal use.
Not applicable.
 - H. The use and site will be adequately served by public facilities and services such as streets, water and sewer, drainage structures, police and fire protection, and refuse disposal, or adequate provisions will be made to provide the same services privately.
No change of use. Construction engineering documentation will confirm compliance with electrical, water and sewer requirements.
 - I. Development of the site and operation of this use will not require substantial public expenditure for additional infrastructure or services.
None to be required.
 - J. The site will be designed, constructed, and maintained in a character harmonious in appearance and general character with the existing or intended character of the general vicinity, and that such use will not change the essential character of the

same area. Structures to be constructed, reconstructed, or altered in a residential zoning district shall have the appearance of residential buildings permitted in the zoning district.

Existing exterior elevation to be modified and will utilize materials and proportions of windows and doors consistent with existing condition.

- K. The site is designed so that on site traffic and traffic accessing the site will not inappropriately impact the movement of traffic on adjacent public streets.
No change to site conditions.
- L. Proposed construction will not result in the destruction, loss, or damage of a natural, scenic, or historic feature of major importance.
No change in existing conditions impact on adjacent properties.
- M. All necessary permits and licenses for the Conditional Use and its operation have or can be obtained for the use at the proposed location.
Pertinent to this application.

1147.03 USE SPECIFIC REGULATIONS & POTENTIAL CONCERNS: APPLICATION CONFIRMATION**(19) FRATERNITY AND SORORITY HOUSES****A. Potential Concerns.****1. Aesthetic Concerns:**

- a. Historical characteristics of existing structures. **Existing materials and door/window units matching existing.**
- b. Residential scale and character. **Existing elevations modified only. No change to scale or proportions of existing building.**
- c. Yards and landscaping. **No modifications this project except for new shrubs between new ADA accessible concrete walk and existing building.**
- d. Walls and fences. **Not applicable.**

2. Activities Areas:

- a. Porches and patios. **No change to west entry landing with future consideration of on grade patio to the east.**
- b. Locations of recreational area and courts. **No change to existing parking/basketball court.**
- c. Locations of accessory structures. **Not applicable.**

3. Vehicle Management:

- a. Site access. **No change to current conditions this project.**
- b. Required parking. **13-16 beds are anticipated resulting in requirement of 8 parking spaces. 11 parking spaces currently exist on site.**
- c. Emergency access. **No change to current conditions this project.**
- d. Deliveries. **No change to current conditions this project.**
- e. Occasional and excess parking management. **No change to current conditions this project.**

4. Adequate Public Utilities:

- a. Water. **Meets requirements. Validation during construction document production.**
- b. Sewer. **Meets requirements.**
- c. Storm water management. **No change to current conditions this project.**
- d. Other services. **Not applicable.**

5. Nuisance:

- a. Waste/trash management. **No change to current conditions this project.**
- b. Noise and off-site impact. **No change to current conditions this project.**
- c. Lighting and off-site impact. **No change to current conditions this project.**

B. Requirements:

- 1. New Structures: Building shall be of a size and scale that approximates neighboring structures.
No change to on-site footprint configuration or elevations.
- 2. Existing Structures: Exterior renovation and improvements shall be maintained to protect existing architectural details, materials and ornamentation.
Existing materials to be duplicated and windows and doors to replicate existing conditions. Windows to be egress compliant.
- 3. Addition: Building expansions shall be sympathetic to the architectural scale and style of the existing building.
Not applicable.

4. Outdoor Areas: Activity areas shall be designed and located to contain noise and light within the property. Activity areas shall be appropriately screened from adjacent properties.
No lighting modifications this project. Future consideration for on-grade east patio.
5. Waste facilities: Trash and recycling containers and material shall be stored in a fully enclosed area and properly screened. The waste enclosure shall be adequate for the occupancy and accessible to service vehicles.
No change. Waste containers stored within 2 car garage until day of refuge pickup.
6. Parking and transportation Demand Management: Parking shall meet requirements of Zoning Code Chapter 1149 and shall be properly designed, screened and maintained.
No change.

CHAPTER 1149**PARKING AND SITE ACCESS: APPLICATION CONFIRMATION**

1149.01 PURPOSE

(a) The regulations of this section are intended to minimize the traffic impacts of development on public streets and to assure that all developments adequately and safely provide storage and movement of vehicles in a manner consistent with good site design and site engineering practices without creating excessive amounts of parking spaces.

No modifications to existing off-street parking on property.

Property currently contains parking spaces as indicated on plans including one (1) handicap accessible space that meets ADA regulations.

(b) This section includes provisions that are intended to minimize potential nuisance to adjacent properties by limiting light pollution, minimizing dust and debris, improving public safety and managing storm water run-off.

No modifications to existing off-street parking and site lighting.

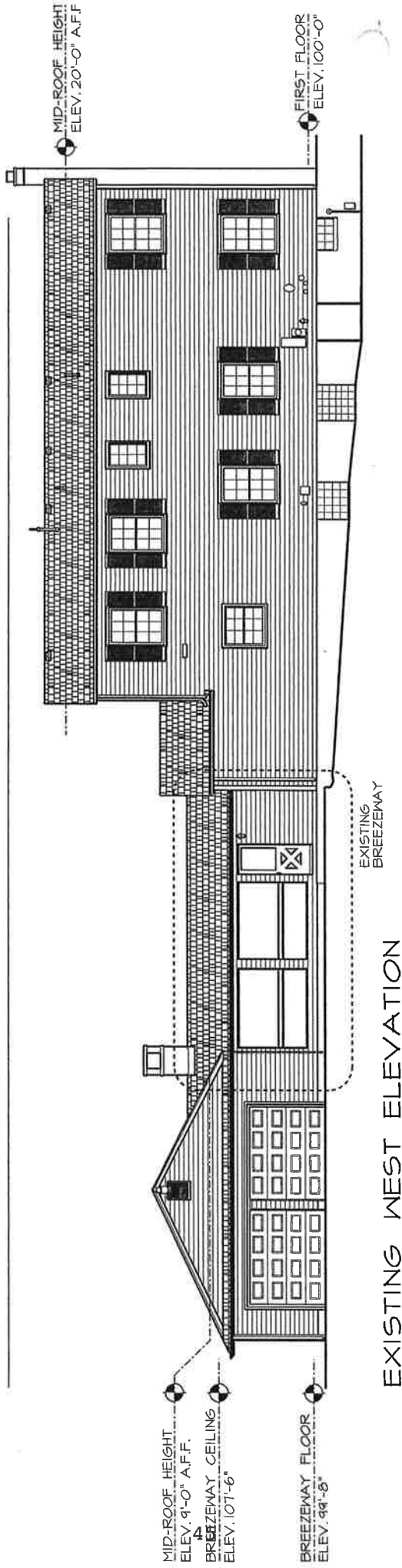
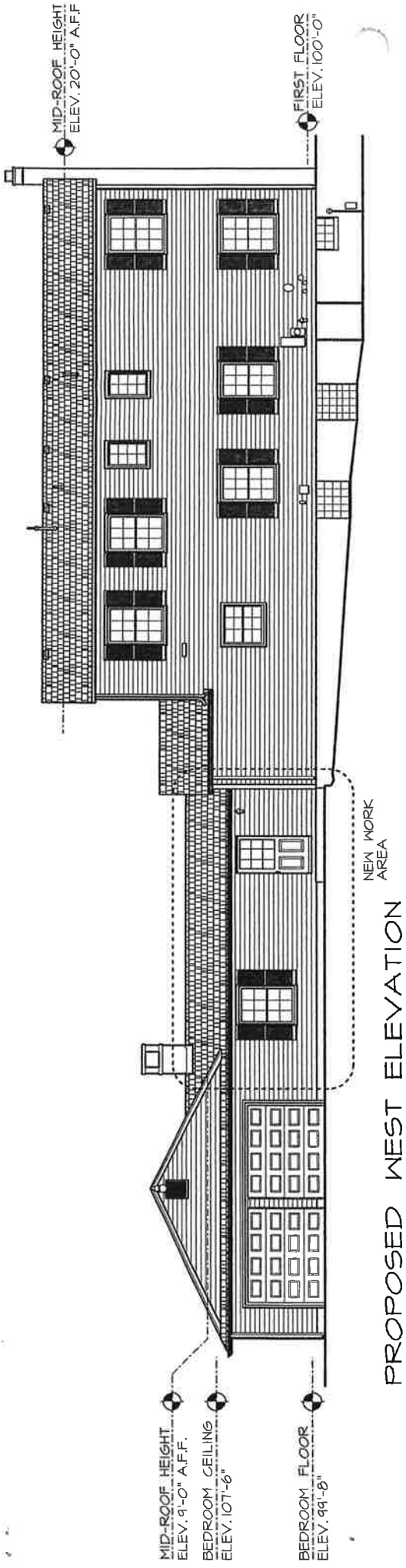
1149.03 GENERAL REGULATIONS

(a) All off-street parking and maneuvering areas shall be hard surfaced (includes concrete, asphalt, brick, stone, or bonded gravel). Loose materials are not permitted.

No modifications to existing off-street parking on property.

Fraternity And Sorority: 2 per each 5 beds permitted by a valid City of Oxford rental permit.
--

13-16 beds are anticipated resulting in requirement of 8 parking spaces. 11 parking spaces currently exist on site.



0' 2' 4' 8' 16'

PHI DELTA THETA - ANNEX RESIDENCE ROOM EXPANSION

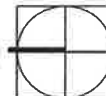
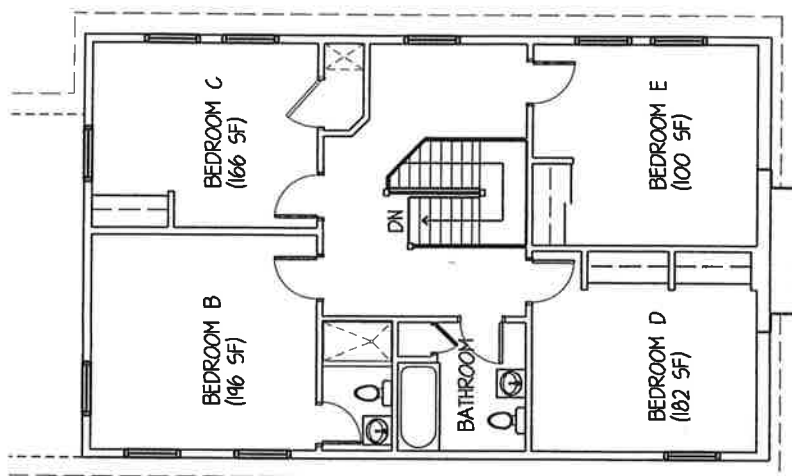
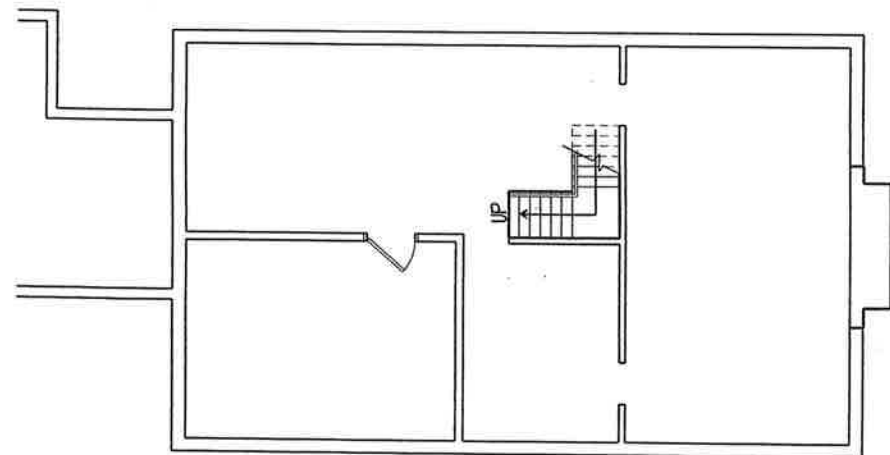
ΦΔΘ

PHI DELTA THETA

135 north main street
dayton, ohio 45402-1730
tel 937.233.2500
fax 937.233.0688
web www.fagall.com

the architectural group





EXISTING FACILITY FLOOR PLANS

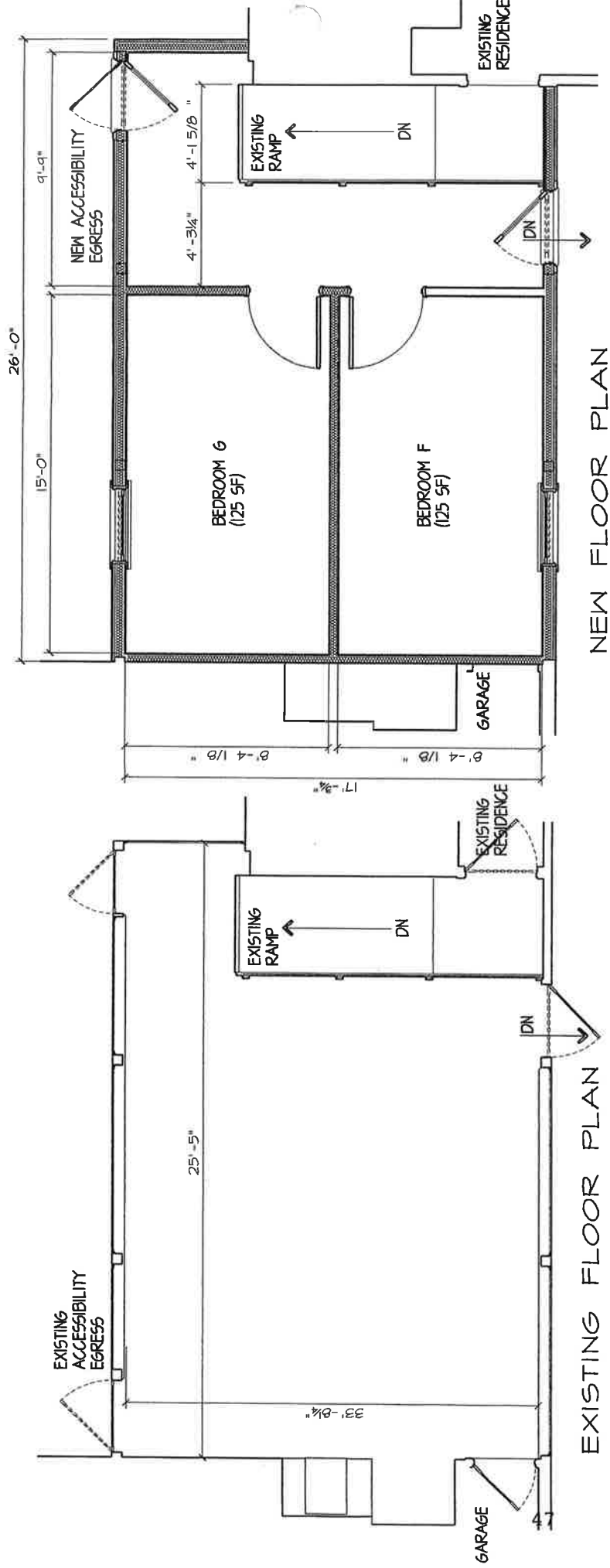
PHI DELTA THETA - ANNEX RESIDENCE ROOM EXPANSION



PHI DELTA THETA



135 North Main Street
Dayton, Ohio 45402-1720
tel 937.223.2500
fax 937.223.0858
web www.faguk.com



ANNEX FLOOR PLANS

PHI DELTA THETA - ANNEX RESIDENCE ROOM EXPANSION



PHI DELTA THETA



135 South Main Street
Columbus, Ohio 43205-1730
Tel 614.223.2200
Fax 614.223.0888
www.laguard.com





PHI DELTA THETA

PARID: H4100003000205

PHI DELTA THETA

110 E SPRING ST

Parcel

Parcel Id	H4100003000205
Address	110 E SPRING ST
Class	COMMERCIAL
Land Use Code	419, C - OTHER COMMERCIAL HOUSING
Neighborhood	90016002
Total Acres	
Taxing District	H41
District Name	OXFORD CORP TAL DL
Gross Tax Rate	72.09
Effective Tax Rate	47.769475
Non Business Credit	N/A
Owner Occupied Credit	N/A

Owner and Legal

Owner 1	PHI DELTA THETA
Owner 2	
Legal 1	129 W 1/2 & PT VAC ST
Legal 2	CONS W/208
Legal 3	

Taxbill Mailing Address [Can I change my mailing address?](#)

Mailing Name 1	PHI DELTA THETA FRATERNITY
Mailing Name 2	
Address 1	2 S CAMPUS AVE
Address 2	
Address 3	OXFORD OH 45056 1872

PARID: H4100003000205

PHI DELTA THETA

110 E SPRING ST

Commercial

Card	1
Building Number	1
Year Built	1932
Structure Code	105
Structure Description	MIXED RESIDENTIAL/COMMERCIAL
Improvement Name	
Identical Buildings	1
Units per Building	12
Total Units	12
Total GBA for displayed card**	3594

****Total GBA (Gross Building Area) for displayed card may include basement area (B1,B2...), Mezz (M1,M2...) and Office Enclosure(E1,E2...), if applicable. See Floor descriptions below.**

COMMERICAL INTERIOR/EXTERIOR (ALL CARDS)

CARD	LINE	FLOOR FROM	FLOOR TO	WALL HEIGHT	AREA	Use Type
1	1	01	01	8	1134	DORMITORY
1	2	02	02	8	1134	DORMITORY
1	3	01	01	8	192	DORMITORY
1	4	B1	B1	8	1134	UNFIN RES BSMT

PARID: H4100003000205

PHI DELTA THETA

110 E SPRING ST

Parcel

Parcel Id	H4100003000205
Address	110 E SPRING ST
Class	COMMERCIAL
Land Use Code	419. C - OTHER COMMERCIAL HOUSING
Neighborhood	90016002
Total Acres	
Taxing District	H41
District Name	OXFORD CORP TAL DL

Parking

Type
Quantity
Proximity

Factors

Topography 1	LEVEL
Topography 2	
Topography 3	
Utility 1	ALL PUBLIC
Utility 2	NONE
Utility 3	NONE
Roads 1	MEDIUM
Roads 2	RESIDENTIAL STREET

Owner and Legal

Owner 1	PHI DELTA THETA
Owner 2	
Legal 1	129 W 1/2 & PT VAC ST
Legal 2	CONS W/238
Legal 3	

Parcel

Parcel Id	H4100003000205
Address	110 E SPRING ST
Class	COMMERCIAL
Land Use Code	419. C - OTHER COMMERCIAL HOUSING
Neighborhood	90016002
Total Acres	
Taxing District	H41
District Name	OXFORD CORP TAL DL
Gross Tax Rate	72.09
Effective Tax Rate	47.769475
Non Business Credit	N/A
Owner Occupied Credit	N/A

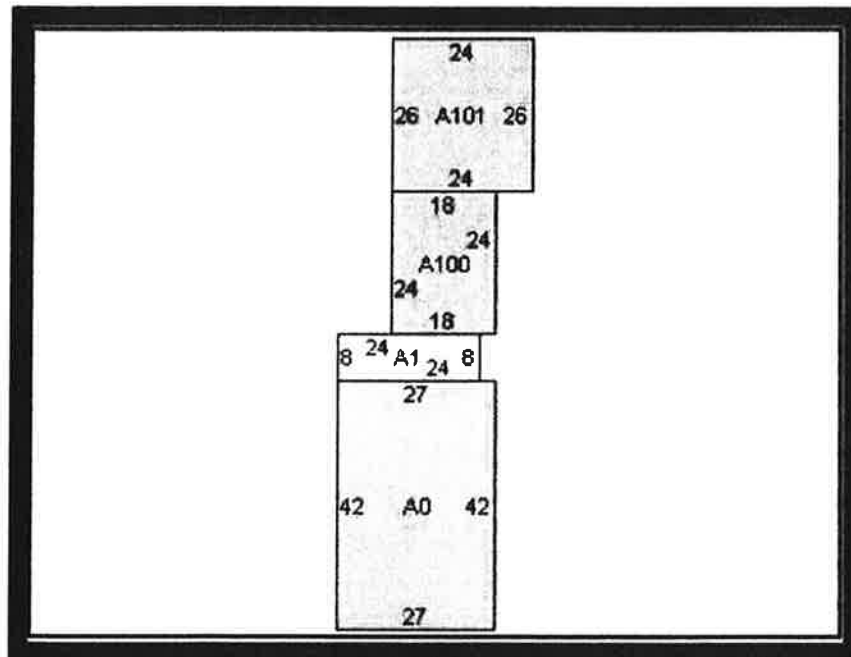
[Home](#)[Property Records](#)[Owner Name](#)[Address](#)[Parcel](#)[Advanced Search](#)[Map Search](#)**PARID: H4100003000205****PHI DELTA THETA****110 E SPRING ST****Land**

Line Number	Acres	Front actual	Front effective	Depth	Square Feet
1	2839	83	83	149	12.367

PARID: H4100003000205

PHI DELTA THETA

110 E SPRING ST



Legend		Options	
Label	Code	Description	Area
A0	023	DORMITORY	1134
A1	023	DORMITORY	192
A100	PR1	PORCH, OPEN	432
A101	RA1	GARAGE-ATTACHED-FRM	624

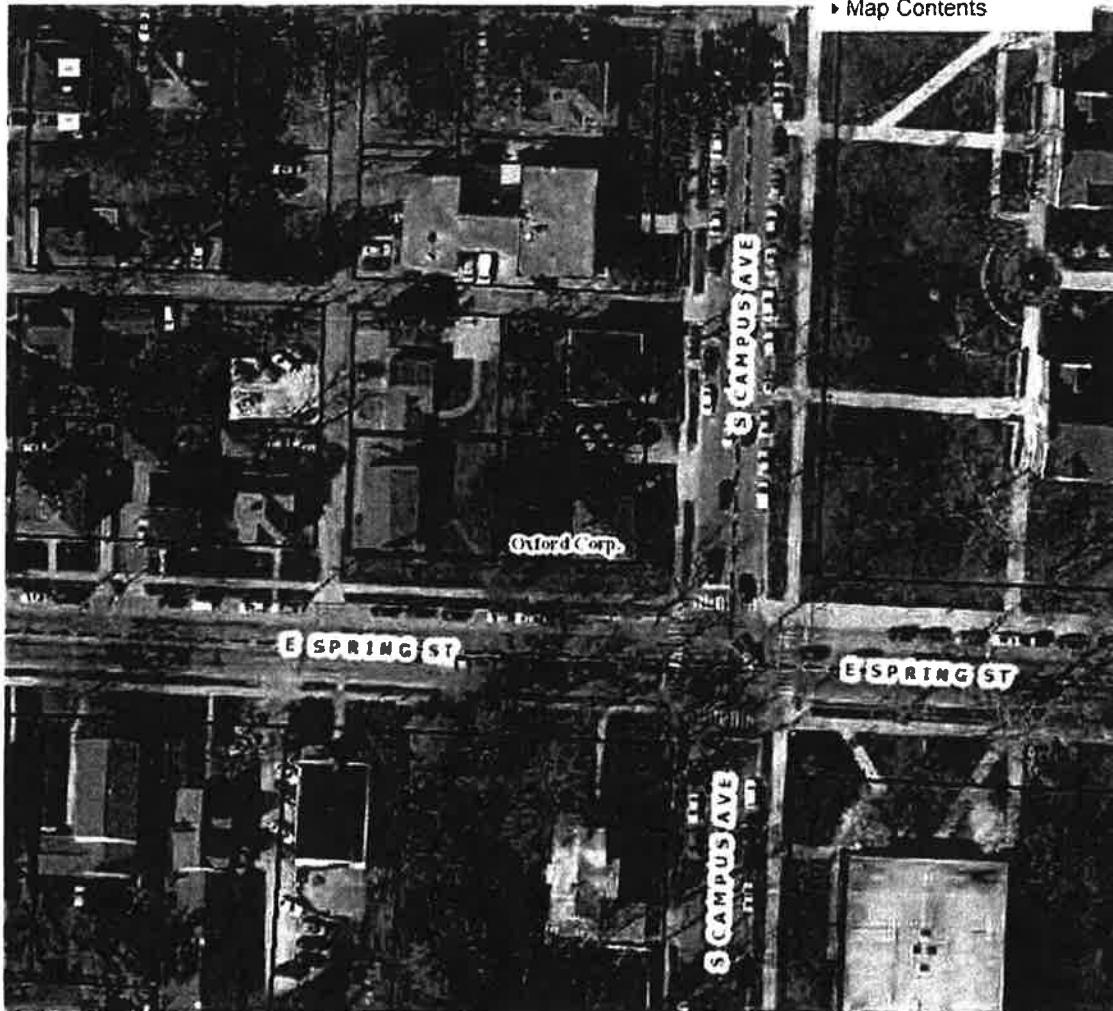
PARID: H4100003000205

PHI DELTA THETA

110 E SPRING ST



Map Contents



City of Oxford
Community Development Department
STAFF REPORT
Planning Commission

Case # PC-2015-16

Date –July 14, 2015

APPLICATION

Applicant:	Peter and Connie McCarthy
Location:	5990 Contreras Road
Owner:	Peter and Connie McCarthy
Action Request:	Zoning Map Amendment
Current Use:	Single-Family
Zoning:	R1B (Single-Family Medium Density Residential) District
Surrounding Existing Land Uses:	Single and Two-Family and Multi-Family Dwelling

GENERAL DESCRIPTION

The applicant is seeking a zoning map amendment of their property from the existing R1B (Single-Family Medium Density Residential) District to an R-3 (Multi-Family Residential) District.

The property is bordered by a multi-dwelling rental property to the east, single family to the south, north and west. This area is in proximity to Lynn Avenue where commercial activities are prominent. The site is not a true rectangle in shape and is approximately 200 feet by 205 feet. It is almost one acre in size.

PUBLIC COMMENTS

Public notices were mailed to surrounding property owners. No responses were received.

PROPERTY HISTORY

PC-2010-04 Rezoning from R1B to RO- Recommended by PC and subsequently denied by Council

PC-2010-08-ADM- Lot Split (withdrawn)

PC-2010—09-ADM- Lot Split (Referred to BZA for adjudication hearing for not meeting certain underlying zoning requirement)

AGENCY REVIEWS

Requests for review were made to the Police, Fire, Engineering and Economic Development Departments. The following comments have been received:

Police:	Returned without comments.
Fire:	Returned without comments.
Engineering:	Returned without comments.
Econ. Dev.:	Returned without comments.

COMPREHENSIVE PLAN REVIEW

A Comprehensive Plan is a broad policy document intended to guide decision-making on long-term physical development. The Ohio Planning and Zoning Law Handbook even provides a more rigorous legal definition of a Comprehensive Plan, which is a chief policy instrument for: (1) the administration of zoning and subdivision regulations; (2) the location and classification of streets and thoroughfares; (3) the location and construction of public and semi-public buildings and related community facilities and infrastructure.....etc.

It provides some frame work to be used on a daily basis as public and private decisions are made concerning development. Administrative and legislative approvals of development proposal, including

rezoning and subdivision plats, should be a central means of implementing the Comprehensive Plan. Decision by the Planning Commission should reference relevant Comprehensive Plan recommendation and policies.

Relevant information from the 2008 Comprehensive Plan is provided as follows for discussion:

Land Use Chapter:

The map titled "Conservation and Development Map" on page 3.19 showed the aspiration and choices that t that are expressed by the community in 2008.

The area considered for redevelopment is mainly defined between Lynn Avenue and Locust Street between College Avenue and McGuffey Avenue. The subject property is adjacent to this redevelopment area. The intent of this redevelopment is to create a mixture of small and medium sized commercial use with a well-defined landscape and public space; where residential uses shall also be integrated within the area to create a 24 hour district to create shopping and dining options within walking distance of surrounding neighborhoods.

The subject area is also considered Neighborhood General 3 under the Character Map Matrix on page 3.20, since the development of this area tends to be after WWII and does not share the same geographic configuration as the Mile Square. This character of the neighborhood is considered to be residential areas on the outskirts of the Mile Square with the lowest residential density.

Cultural Resources:

Enhance and improve the promotion and preservation of the City's historic and cultural resources. There is a large historic building located on the subject property that should be preserved.

There are also other chapters in the Comp Plan that may be relevant, but they are more specific in nature that would not be a good practice to speculate what might be happening on the site, since the request is only seeking rezoning of the property and no specific proposal has been submitted.

OXFORD ZONING CODE:

Chapter 1135 Code Amendment of the Oxford Zoning Code also provides guidance to the Planning Commission. Section 1135.02(c) (1) stipulates the Decision Standards for map amendment to be approved only if its meet at least one of the following criteria and if its benefits will likely outweigh any potential pitfalls:

- A. There is an error on the Official Zoning Map or in the delineations between districts hereon.
- B. The proposed amendment will make the map conform more closely with the Comprehensive Plan.
- C. There has been a substantial change in area conditions that necessitates the amendment.
- D. There is a legitimate need for additional land area in the zoning district that will be expanded.

ANALYSIS:

In reviewing the zoning map application, the Commission should consider both the Comprehensive Plan and the Decision Standards of the Zoning Code Map Amendment to determine the pros and cons of the request during its deliberation.

The 2008 Comprehensive Plan provides the Conservation and Development Map that favors redevelopment for the commercial corridor area generally known as Locust Street corridor, including Lynn Avenue. It resonated well with the general public at the time for redevelopment of this corridor, where there were multiple vacant commercial buildings, which was also identified to be the "weak" place. While the subject property is nearing this redevelopment area, it was not the focus of the Comp Plan to label this property for redevelopment purposes. Additionally, the Comp Plan is generally not to be parcel-specific.

The Oxford Zoning Code provides two-tier criteria of evaluation for considering a map amendment request; therefore it would be appropriate to begin to provide the review of each standard to evaluate the proposed request to determine how this application meets the standards. Related to the 2nd tier, the Commission should discern whether the benefit is likely outweighing any potential pitfalls.

Is there an error on the official Zoning Map or in the delineation between districts hereon? The applicant's narrative indicates that the zoning map was in error in changing the property from a two-family district to a single family in 2003. Reviewing the rental records of this property indicates that it was determined in 2004 that this property was used as a two-family, one in the main house and the other one is above the detached garage. Changing the zoning from a two-family to single-family in 2003 may have been incorrect, but the Planning Commission and the City Council approved the whole zoning map amendment at the time it appeared to believe that this property, along with other properties on the west side of Jacqueline should be a single-family district. It may also be the intent from the Planning Commission and the City Council to treat this property as a nonconforming use and with the hope that eventually the property could be turned back into a single-family dwelling.

Will the proposed amendment make the map conform more closely to the Comprehensive Plan? As indicated earlier that the Comprehensive Plan was contemplating the redevelopment of a commercial corridor on Locust Street, since the focus at the time was the vacant commercial buildings. Please note that there have been much redevelopment taking place since then, which has been consistent with the Comp Plan direction.

Has there been a substantial change in area conditions that necessitates the amendment? The conditions in the commercial corridor may have gone through some changes, but the neighborhood including this property has not gone through substantial changes.

Is there a legitimate need for additional land area in the zoning district that will be expanded? It is common that the needs for diverse housing, specifically senior housing, has been a long term desire for this community. There have been some developers with proposals for senior housing contacting the City to fulfill this much needed market segment. The applicant does reference the Comp Plan related to the housing component, but there is no specific project being proposed with this request.

The potential benefits of such change in land use classification could be to continue the use of this historic building as a multi-family dwelling unit, as the applicant indicates in the narrative. The potential pitfalls would be that the entire site could be redeveloped for multi-family dwelling units. Please be advised that multi-family allows for multi-family dwelling units should the site be large.

It may not be prudent to speculate the rationale on how the zoning map was amended for this parcel in 2003. But having no information on the rationale, we often need to refer back to the principals of land use/zoning practices. Therefore, there might be some possible reasons for such a change in 2003:

- a. the zoning boundary should follow the roadway;
- b. in certain instances, the boundary line would follow the parcel lines when circumstances warrant;
- c. the zoning classifications of those adjacent properties;
- d. the impact of different zoning classifications.

Please note that the subject property is larger than most of the properties in this area and has a significant large house on site that was at one point the house of the original farm. The original portion was approximately 3,700 square feet and subsequently increased to approximately 5,400 square feet. The size of the existing dwelling may be unique in Oxford, but not uncommon for today's standards. Contemporary new construction generally starts around 2,500 square feet and can go up, depending on the needs of the family.

The lot area is approximately one acre that is generally bigger than the surrounding properties. The properties to the west of the subject property are around half an acre.

Additionally, the consideration of a zoning map request should also take into consideration how the proposed zoning of this property is relative to the surrounding properties. There is R-3 (multi-family residential) District across the street, Jacqueline Drive to the east of this property that contains three-family dwelling units. The properties to the east of the subject property are single family dwellings.

It is also important to consider the decision that may impact the neighborhood in a holistic manner. The multi-family zoning, as requested, could accommodate multi-family dwellings for the subject property that may not be consistent with the general character of the neighborhood on Contreras Road and Jacqueline Drive.

It would be circumstantial to speculate what might happen if the property is rezoned, since the approval of a zoning map amendment would allow the subject property to be developed in accordance to the regulations of that district. As long as the uses and development regulations are being met for a development proposal, no further review by the Commission, other than staff review, would be needed.

The Planning Commission and City Council in 2013 also approved a map amendment from a R1MS District to R2MS District due to the fact the predominant properties in the requested area were already two-family dwellings, accepting that the Zoning Map was in error for the area in the Mile Square. Please also note that the request contains multiple properties that were in a half a block of the Mile Square, while this property maybe unique in its size for being larger than the properties in the neighborhood, but it is a single property.

RECOMMENDATION

Reviewing the requested zoning change based on the Comp Plan and the Zoning Code's Decision Standards, an argument might be made that there was an error on the Zoning Map since the property has been used as a two-family dwelling unit. It is unclear what the rationale was when this property was rezoned to a single family in 2003. A two-family residential might be the extent of what could be supported due to the "alleged" error on the Zoning Map. Any zoning district with higher density than a two-family could not have been substantiated or supported by the analysis, unless the applicant could provide additional evidence why an R-3 District could be supported.

SUBMITTED

BY:


Jung-Han Chen
Community Development Director

DATE: July 8, 2015

(c) Planning Commission Review. The Planning Commission shall base its review of a proposed Conditional Use upon the complete application, upon any staff report, and upon any relevant and credible public comment presented during the public hearing. If the Planning Commission finds that the information provided is insufficient to make a determination, it may suspend its review until sufficient information has been provided.

(1) Burden of proof.

- A. Planning Commission has no obligation to recommend approval and City Council has no obligation to approve a Conditional Use. This Zoning Code assumes that the uses listed in this section are not appropriate unless an Applicant proves that the use will not be detrimental to the public health, safety, or general welfare of the City or the neighborhood in which it is proposed.
- B. Applicants shall prove that potential negative impacts of elements such as location, size and extent of facilities and operations, site design, traffic generation, site access, and potential impact upon public facilities will be adequately mitigated.

(2) General decision standards. All Conditional Uses shall satisfy these General Decision Standards:

- A. The proposed use is in fact a Conditional Use in the zoning district in which it is proposed.
- B. The use and site will satisfy the general intent of this Zoning Code.
- C. The use and site will be compatible with the general intent of the Comprehensive Plan.
- D. The size and shape of the site are sufficient for the proposed use.
- E. The use will not be hazardous or disturbing to existing or potential future neighboring uses that are permitted in the zoning district.
- F. The use will not involve activities, processes, materials, equipment, or conditions of operation that will be detrimental to any person, property, or the general welfare because of excessive production of traffic, noise, smoke, fumes, glare, odors, or other emissions.
- G. The only accessory uses will be directly related to the operation of the principal use and will not be operated independent of the principal use.
- H. The use and site will be adequately served by public facilities and services such as streets, water and sewer, drainage structures, police and fire protection, and refuse disposal, or adequate provisions will be made to provide the same services privately.
- I. Development of the site and operation of the use will not require substantial public expenditure for additional infrastructure or services.
- J. The site will be designed, constructed, and maintained in a character harmonious in appearance and general character with the existing or intended character of the general vicinity, and that such use will not change the essential character of the same area. Structures to be constructed, reconstructed, or altered in a residential zoning district shall have the appearance of residential buildings permitted in the zoning district.
- K. The site is designed so that on-site traffic and traffic accessing the site will not inappropriately impact the movement of traffic on adjacent public streets.
- L. Proposed construction will not result in the destruction, loss, or damage of a natural, scenic, or historic feature of major importance.
- M. All necessary permits and licenses for the Conditional Use and its operation have been or can be obtained for the use at the proposed location.

City of Oxford
Inter-Office Review Transmittal Sheet

Date: June 11, 2015

To: Fire Department Engineering Division Police Department Econ Dev Department

From: Community Development Department

PC-2015-16 ZONING MAP AMENDMENT 5990 Contreras Road, to rezone the subject property from R1B (Single-Family Medium Density Residential) District to R3 (Multi-Family Residential) District, **Peter and Connie McCarthy, Applicants**

 X Review Revisions Other

Please return no later than: **7/7/2015** Note: If no comments are received, we will assume the project meets your department's standards.

.....

Drawings are returned: w/comments without/comments

Drawings reviewed by:


John Dethenage
PRINTED NAME

Date:

6-19-15

City of Oxford
Inter-Office Review Transmittal Sheet

Date: June 11, 2015

To: Fire Department Engineering Division Police Department Econ Dev Department

From: Community Development Department

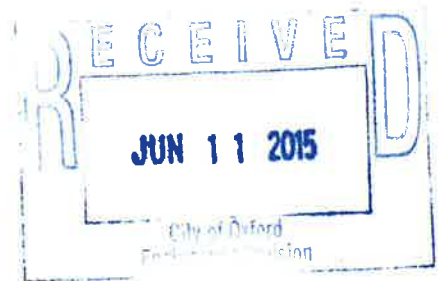
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 X Review Revisions Other

Please return no later than: **7/7/2015** Note: If no comments are received, we will assume the project meets your department's standards.

Drawings are returned: w/comments without/comments

✓



Drawings reviewed by:

[Handwritten Signature]

Date: 6-15-15

VICTOR POPESCU

PRINTED NAME

City of Oxford
Inter-Office Review Transmittal Sheet

Date: June 11, 2015

To: Fire Department Engineering Division ~~Police Department~~ Econ Dev Department

From: Community Development Department

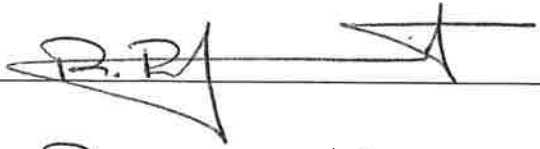
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Please return no later than: **7/7/2015** Note: If no comments are received, we will assume the project meets your department's standards.

.....

Drawings are returned: w/comments without/comments

Drawings reviewed by:  Date: 6/11/2015

ROBERT B. HOLZWORTH
PRINTED NAME

City of Oxford
Inter-Office Review Transmittal Sheet

Date: June 11, 2015

To: Fire Department Engineering Division Police Department ~~Econ Dev Department~~

From: Community Development Department

PC-2015-16 ZONING MAP AMENDMENT 5990 Contreras Road, to rezone the subject property from R1B (Single-Family Medium Density Residential) District to R3 (Multi-Family Residential) District, **Peter and Connie McCarthy, Applicants**

 X Review Revisions Other

Please return no later than: **7/7/2015** Note: If no comments are received, we will assume the project meets your department's standards.

.....

Drawings are returned: w/comments without/comments

Drawings reviewed by:  Date: 7-7-15

G. ALAN KETCHUM
PRINTED NAME



PC-2015-16 Surrounding Property Owners Map

Legend

-  Subject Property
-  200 Ft. Buffer
-  Oxford Corp. Limit
-  Address Point
-  Parcel
-  Building Footprint
-  Paved Roadway



1 inch = 100 feet

Prepared on Wednesday, June 17, 2015

The City of Oxford does not guarantee the dimensional accuracy of this map. Precise dimensional accuracy should be based upon recorded deeds, plats or a professional survey.



LETTER OF AGENCY

To Whom It May Concern:

Please be advised that Scott Webb has permission to represent our interest with the City of Oxford and act on our behalf at the Planning Commission hearing 7/14/2015 date at property located at 5990 Contreras Road

Thank-you,

Signed:



5-28-15
DATE



Internal Use Only:	PC-2015-16
Case No.	
Date Filed	5/29/15

Zoning Map Amendment Application

Applicant Information

Attach a Letter of Agency if the Applicant is not the property owner.

Name * Peter & Connie McCarthy

Mailing Address * 5990 Contreras Rd.

City, State & Zip Code * Oxford, OH 45056

Telephone Number(s) * 513-523-3541

Email Address pecomcc@gmail.com

Location and Lot Information

Location * 5990 Contreras Rd.
Corner of Contreras Rd. & Jacqueline Dr. Parcel H4100016000047

General Description of Proposed Amendment * Zoning Change from R1B to R3 (see narrative for further information)

Current Zoning * R1B

Proposed Zone(s) * R3

Submission Requirements and Documentation

From Section 1135.02 Procedure¹.

- (a) **Initiation.** A map amendment may be initiated by adoption of a motion by Planning Commission, by adoption of a motion by Council, or by application to Planning Commission by at least one owner of the property within the area proposed to be rezoned.
- (b) **Application.** If Planning Commission or Council initiates an amendment, then the Zoning Administrator shall provide information as necessary for proper consideration of the motion. The information provided shall be substantially similar to that required of an application for amendment.

An application for amendment shall be filed with the Zoning Administrator. An application shall be complete prior to being scheduled for a public hearing. An application will be considered complete only if the Zoning Administrator is satisfied that all of the materials required by this chapter are included and are sufficient in their content to satisfy the intent of the application requirements.

- (1) **Contents of application.** The applicant shall contact the Zoning Administrator prior to submitting an application to discuss the submission requirement, which includes the following information. A written, detailed description, where applicable, is required for each subsection.
- Application Fee.
 - The name, mailing address, and telephone number of the applicant.
 - A general description of the proposed amendment.
 - A narrative statement that describes how the proposed amendment relates to the Comprehensive Plan.
 - A statement that identifies potential negative consequences of the proposed amendment.
 - Such other information regarding the proposed amendment as may be pertinent to the application or required by Planning Commission or Council.
 - A legal description of the area to be rezoned.
 - The proposed zoning of the area.
 - The current zoning of the area.
 - A description of existing uses in the area.

- K. A vicinity map, at a scale approved by the Zoning Administrator, showing property lines, streets, existing and proposed zoning and other items required by the Zoning Administrator.
- L. A list of the names and mailing addresses of all owners of land that is proposed to be rezoned and all land owners within 200 feet of every parcel proposed to be rezoned (see later section).

Surrounding Property Owners

On a separate sheet, provide the parcel numbers, names, and mailing addresses of all property owners within 200 feet of all boundaries of the property in question. The [Butler County Auditor Real Estate Search](http://www.butlercountyauditor.org/real-estate-search/)² is helpful when searching for the mailing address of adjoining property owners. It allows you to search by owner, address, or parcel number. *Property Owner names will not be provided in the agenda packet.*

Decision Process

From Section 1135.02(c)(1) Decision Standards¹.

A proposed amendment shall be approved only if it meets at least one of the following criteria, and if its benefits will likely outweigh any potential pitfalls.

- A. There is an error on the Official Zoning Map or in the delineations between districts thereon.
- B. The proposed amendment will make the map conform more closely with the Comprehensive Plan.
- C. There has been a substantial change in area conditions that necessitates the amendment.
- D. There is a legitimate need for additional land area in the zoning district that will be expanded.

Fees & Receipt

The required fee is \$150.00, plus postage charge. Write a check payable to **City of Oxford**. You may also pay in-person using Visa, MasterCard, and Discover. To calculate the postage charge, multiply the number of adjoining properties by current postage rate³.

Sign and Date

Applicant Signature *

Date *

Peter McCarthy
5/29/15

Carrie McCarthy

Submit Application, Submission Requirements and Documentation, and Fees

We will not accept incomplete applications and/or plans and documentation.

Send or drop off this application with required documentation as attachments and a check for fee and postage charges made payable to **City of Oxford**, to Community Development Director, 101 East High Street, Oxford, OH 45056.

Direct questions to the Community Development Dept. at (513) 524-5204. The application will be placed on the next possible agenda.

Note: You must adhere to notification and publication requirements. Submit materials 45 days prior to the proposed Planning Commission meeting on which the action is requested. City Staff will place a public hearing sign on the subject property. **The Applicant is responsible for removing the signage at the completion of the hearing(s).**

For Staff Use Only

Fee Paid Date *

5/29/15

Receipt Number *

150-46156

¹ City of Oxford Codified Ordinances: <http://www.cityofoxford.org/fees-ordinances-and-charter>

² Butler County Auditor Real Estate Search: <http://www.butlercountyauditor.org/>

³ The United States Postal Service: <http://www.usps.com/>

Description of the Proposed Amendment

The proposed map amendment would change the lot known as 5990 Contreras Rd. from R1B to R3.

The one-acre lot contains a 5400 SF non-conforming duplex and an accessory 500 SF detached garage. Prior to 2003 this lot was zoned One and Two Family Residential and conformed to that district. In 2003 the area was rezoned as R1B, Medium-Density Residential, which forced the property into a non-conforming use. The lot size, structure size, multi-family configuration, and the architectural characteristics of the historic structure make it unique and outside the norm of the R1B district. Minimum lot size for R1B is 7500 square feet. In its existing state the property can legally be subdivided into 3 separate lots. If the principal and accessory structures were removed, the acre lot could be subdivided into five lots. The lot is on the edge of the R1B district and is in view of multi-family and commercial zones. It is a transitional zone between a commercial district to the east and a single family residential zone to the west. A 50-yard radius around the property includes four zoning districts – R1B, R1A, R3 and GB. The proposed map amendment would be contiguous with the R3 zone adjacent to the east side of the property. Lot size, structure size, and lot coverage are well within the R3 requirements with no renovation required. The amendment would restore the property back to a conforming use. It is the applicant's position that forcing this lot into a non-conforming use as part of the 2003 zoning change was inequitable and an error. The property should have been allowed to maintain a conforming use through incorporating it into the adjacent R3 zone.

Comprehensive Plan Narrative

The proposed amendment supports the following strategies of the Comprehensive Plan:

H1.4 Encourage the development of housing that is accessible to community resources such as employment, bicycle and pedestrian infrastructure, public transit, open space, and commercial districts.

Although no increase is planned, this proposal contains the potential for development of the acre lot to provide additional housing units within walking distance of employment areas such as the Locust St. Corridor, Rt. 27 Corridor, the Uptown District, and Miami University. The BCRTA has a stop very close by at Arby's.

H2.5 Incorporate a variety of housing types and prices as part of mixed-use development.

This proposal contains the potential for a unique historic housing experience in a family rental district. Mixed-use could be part of a future conditional use request.

H 3.5 Encourage rental units to meet the needs of the year round resident population.

The adjacent Campus Courts complex is non-student oriented and houses many families with children. This proposal would extend the options for families, young professionals, empty nesters, and retirees seeking rental housing in this area.

H 3.6 Encourage redevelopment/revitalization of existing under-utilized student and non-student rental housing developments within the City over construction of new rental housing and urban sprawl.

The plan identifies the Lynn Ave. area as a Redevelopment Zone (see attached map). This proposal could spark a conversation extending that redevelopment to include the adjacent R-3 area which needs a facelift, landscaping, and possible reconfiguration to better address Contreras Rd. This 5400 SF non-conforming duplex is limited in its renovation potential by its current R1B zoning.

H 4.1 Encourage the development of affordable senior housing and assisted living developments.

While the proposed amendment does not specifically target senior housing, the applicant would note that the current tenant in the property's rental unit is over 60. The potential to separate the main house into smaller units would be an attractive choice for seniors due to the proximity of shopping, civic, medical facilities and cultural attractions.

H 6.2 Encourage diverse and affordable housing choices (condos, apartments and live-work units).

R3 would allow the potential to create live-work units for professionals appropriate to a historic structure as well as the potential to create apartment units full of character and offer an alternative to the 1970 era units in the area.

H 6.2 Encourage new housing options for young professionals in the Uptown.

As stated above, the location of this property close to Uptown yet outside the student rental district makes it a prime location for young professionals.

H 6.3 Support "move down" housing options for residents.

R3 would allow subdivision of the large structure that could be appropriate for empty nesters and retirees.

CR 4.5 Encourage the preservation, restoration, rehabilitation and reuse of historic structures and sites.

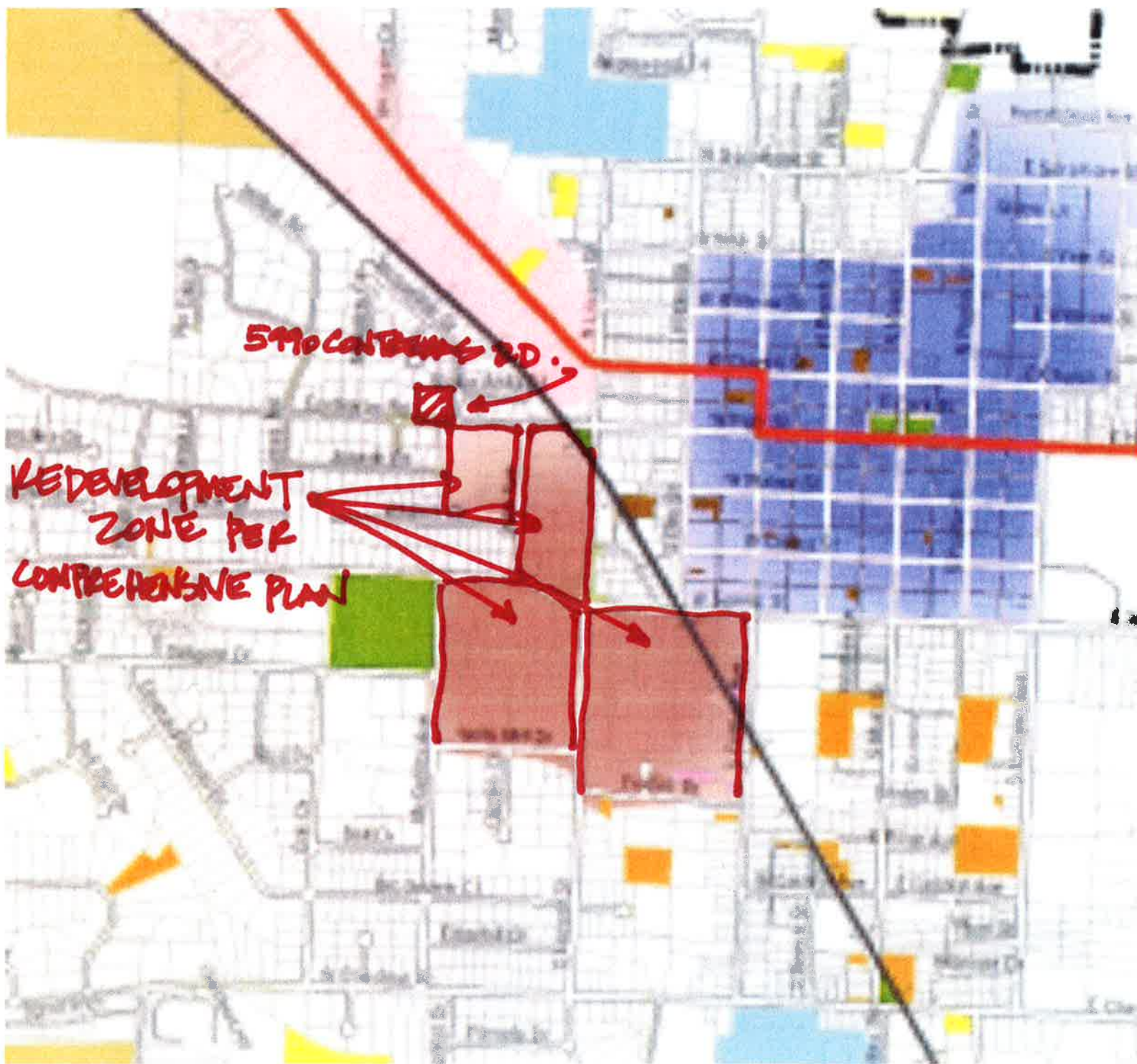
R3 could provide an income producing function and allow funding for maintaining this historic structure. Federal and state tax credits require the property to be income producing. The current zoning restricts the ability to acquire tax credits and provide revenue for maintenance.

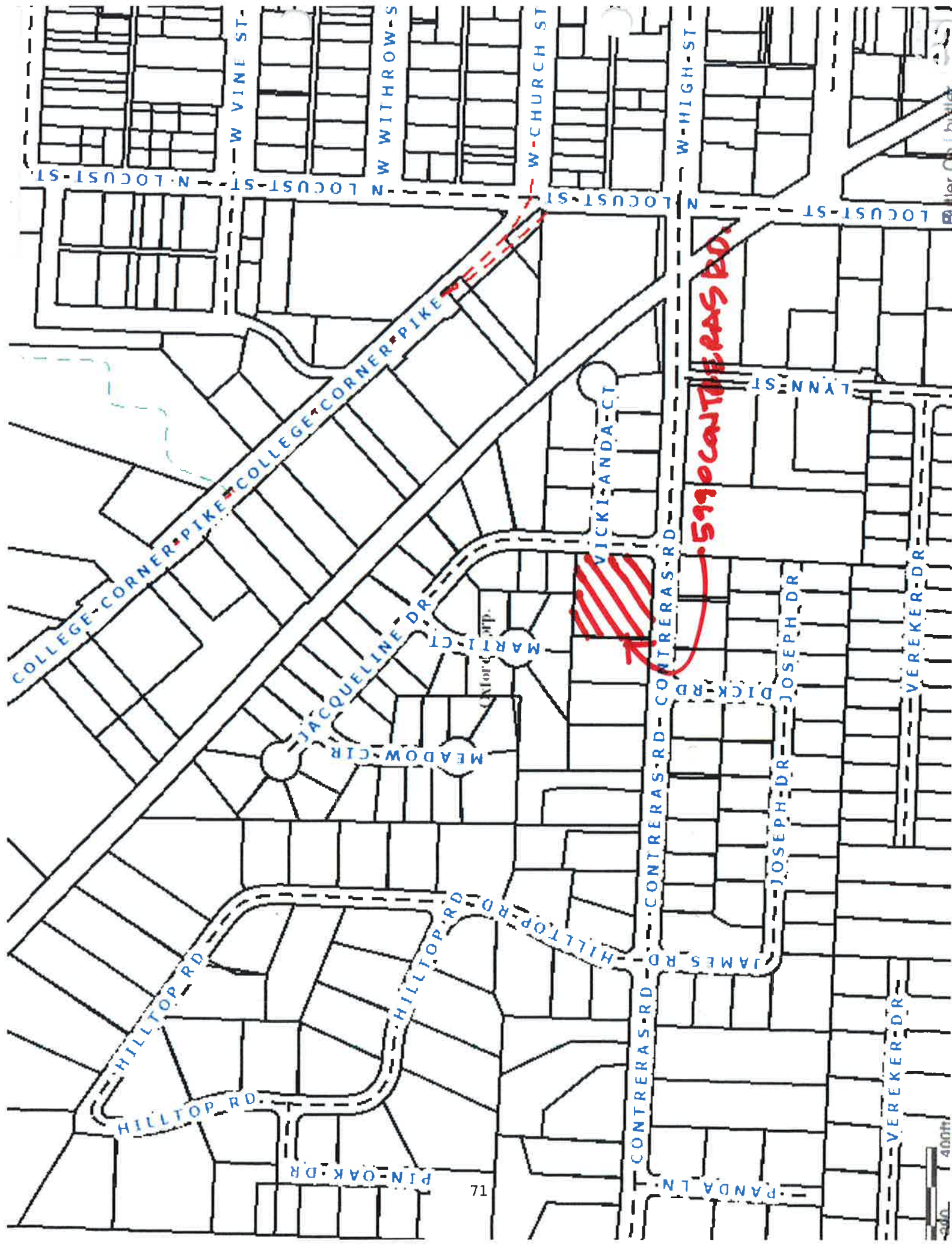
Potential Negative Consequences

The negative consequences are no greater than those that already exist within this family rental area.

Legal Description

Parcel ID – H4100016000047





CARQUEST Auto Parts

US Hwy 27

Enterprise Rent-A-Car

Meadow Cir

Jacqueline Dr

University Motor

Jacqueline Dr

Marti Ct

5990 Contreras Rd.

Jacqueline Dr

Vicki Anda

Contreras Rd

Contreras Rd

Contreras Rd

Contreras Rd



5990 CONTRERAS RD.





Community Development Department
Phone: 513-524-5204

June 29, 2015

Scott Webb, Architect
103 West Walnut Street
Oxford, Ohio 45056

Re: PC-2015-19-ADM Minor Amendment to an approved Conditional Use
800 Maple Street - Oxford Bible Fellowship
Building Permit #15-137

Dear Mr. Webb:

Your application for a Minor Change to an Approved Conditional Use, submitted June 10, 2015 to install a bathroom addition, has been approved administratively.

The Minor Changes to the site include:

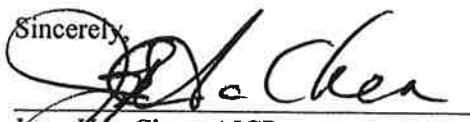
1. Constructing an approximate 7'x6' bathroom addition on the east (front) of the building over what is currently landscaping.

Oxford Bible Fellowship was originally approved by Oxford City Council in 1981 as an 'additional use' under Resolution #2402. This is essentially the same as the current 'conditional use.' Therefore the Zoning Administrator reviewed the original plans and ordinance and administratively approved the proposed changes based upon the following criteria being satisfied per Section 1145.10(a) of the City of Oxford Planning and Zoning Code:

- A. There is no change in use;
- B. The proposed construction is of a magnitude that will not substantially alter the appearance of the development from off of the site;
- C. The proposed construction will not substantially or detrimentally affect the provision of public services to the site or general vicinity;
- D. The proposed construction will not substantially or detrimentally increase potential demand on public or private utilities;
- E. The proposed construction is not of a scope, scale, or character, that would cause a negative impact on adjoining properties and neighborhood; and
- F. The proposed construction is not contrary to and in no way diminish the intent of the originally approved permit.

If you have any questions or need additional information, please call 524-5204.

Sincerely,


Jung-Han Chen, AICP
Community Development Director
cc: File


David Prytherch
Planning Commission Chair

101 East High Street • Oxford, Ohio 45056-1887
Phone: (513) 524-5200 • Fax: (513) 523-7298 • www.cityofoxford.org

PROPOSED RESTROOM ADDITION

Oxford Bible Fellowship

800 MAPLE AVENUE
OXFORD, OHIO 45056

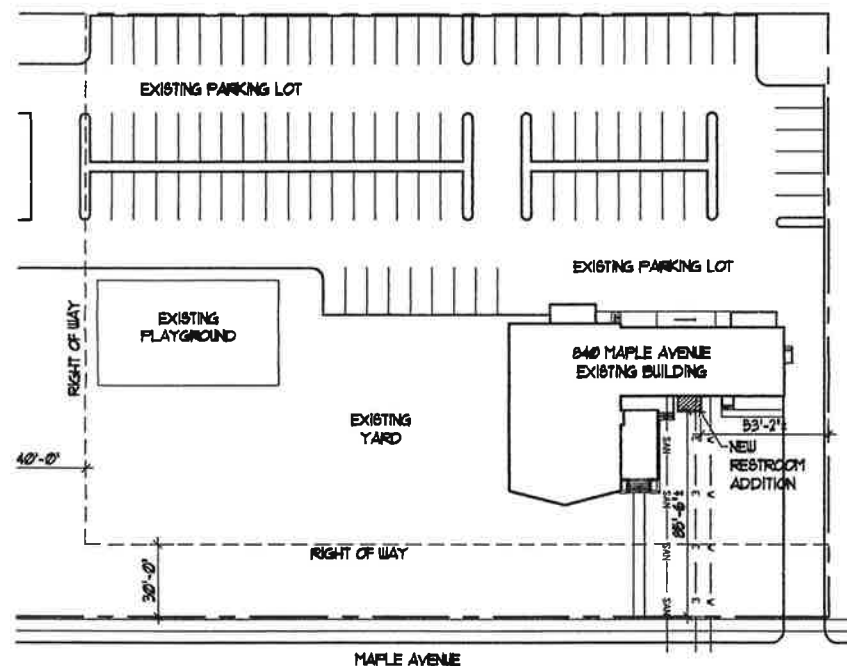


SCOTT
WEBB

ARCHITECT

103 West Walnut Street
Oxford, Ohio 45056
(513) 523-3838

www.scottwebbarchitect.com

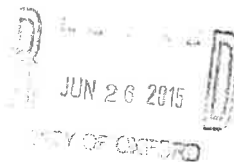


MAPLE AVENUE

SITE PLAN

1" = 50'-0"

SHOWING LOCATION OF PROPOSED RESTROOM ADDITION



INDEX OF DRAWINGS:

COVER	GENERAL NOTES, CODE REVIEW
A-1	FLOOR PLANS & NOTES
A-2	ELEVATIONS & NOTES
A-3	BUILDING SECTIONS & NOTES
A-4	WALL SECTIONS & NOTES
MEP-1	PLUMBING PLAN, NOTES & ISOMETRICS
	ELECTRIC PLAN, NOTES & DETAILS

DESIGN LOADS

FOR EXISTING BUILDING

FLOOR LIVE LOAD: 100 psf

ROOF LIVE LOAD: 20 psf

GROUND SNOW LOAD: 20 psf
 $C_e = C_t = 1.0$

SEISMIC DESIGN: I

SITE CLASS: D (LOW HAZARD)

WIND LOAD: 90 MPH EXPOSURE 'B' (3 SECOND GUST)

FOOTINGS ARE DESIGNED TO 1000 LB BEARING CAPACITY

