

OXFORD PLANNING COMMISSION

Meeting Minutes

Tuesday, September 8, 2020

6:30 p.m.

Call to Order

Those members present: Bill Snavelly, Carla Blackmar, Richard Keebler, Shana Rosenberger, Jason Bracken, and Steve Dana.

Those members excused: Corey Watt.

Staff members present: Sam Perry, Zachary Moore, and Chris Conard.

Staff members excused: None.

Fire Chief John Detherage and Mr. Scott Webb were present for the meeting.

Approval of Agenda

Mr. Dana made motion to approve the agenda. Ms. Blackmar seconded the motion. All were in favor.

Approval of the Minutes of August 11, 2020

Ms. Rosenberg made motion to approve the minutes as written. Mr. Dana seconded the motion. All were in favor.

Public Comments Related to Items Not on the Agenda

No comments received.

Reports from Commissions, Boards, Committees & Staff

Mr. Perry reported on the Ohio Kentucky Indiana ICC Meeting and Prioritization Sub-Committee having met today. Unfortunately, the east west trail connector probably will not be funded at this time. Full board vote coming soon. Mr. Bracken reported on the Environmental Commission, announcing that Wright Wynn retiring thanked him for his service. the Environmental Commission is looking at greenhouse gas and solar renewable energy options and the landfill methane and carbon emissions. Ms. Rosenberg reported on the HAC Advisory Commission at funding sources for the housing fund. Ms. Rosenberg stated she attended her first CIC meeting where discussion took place regarding the City gift card program. CIC possibly doing economic research with a business fraternity.

New Business

PC-2020-09, CONDITIONAL USE, 305 N. Main Street, to allow for an accessory dwelling unit in an R3MS Zoning District, Scott Webb, Applicant, Agent

Mr. Dana made motion to enter into public hearing PC-2020-09. Ms. Blackmar seconded the motion. All were in favor.

Mr. Snavelly announced he would be recusing himself from all discussion as he has asked Mr. Webb to do some design work for him personally. He will continue running the meeting. Mr. Watt, Vice Chair, was absent.

Mr. Moore provided the presentation. The request is to convert the garage to an accessory dwelling unit. Mr. Moore provided a location map, zoning map, and zoning map. Mr. Moore described it as a white concrete structure and displayed its location on the lot. Mr. Moore reviewed the 2017 up-zoning that occurred. Mr. Moore reviewed the site photographs. Mr. Moore described it as exceeding the normal zoning limit but Planning and City Council could approve by granting a waiver. Mr. Moore reviewed the submitted site plan noting that the structure was configured already to be utilized as a dwelling unit. The submitted floor plan is the current floor plan. Mr. Moore stated that he did find documents regarding a permit filed in 2001 to renovate the garage structure; but, it was noted that these documents did essentially exceed the retained plan schedule. Mr. Moore noted there were two bedrooms, a bathroom, living room and kitchen. Two garage door openings exist, but you could not park a car inside since it is currently used as the living room. Mr. Moore referred to and reviewed the seven specific Accessory Dwelling Units' Standards found in Section 1143.07(d)16. Mr. Moore noted that the standards were written to represent new structures and not so much existing structures. Mr. Moore stated that Staff recommended tabling the application so that the applicant may have a chance to reach an agreement with the Fire Chief on a suitable structure design and in turn submit additional plans/details demonstrating how the structure can be made to appear more like a dwelling rather than a garage.

Ms. Rosenberg inquired about the history of the detached garage and if City staff had been inside? Mr. Moore reported

that when a Certificate of Occupancy is issued someone does go in to inspect. Mr. Moore reported that he has not been in, but knows Mr. Webb has. Mr. Moore stated that staff would want to see a zoning and building permit issued to officially recognize the change of use. Mr. Keebler inquired if it met setbacks as it looks like it does meet except for the rear yard requirement.

Mr. Webb, Applicant, provided a review noting it the structure has been inspected since construction. Per Mr. Webb, the Daake's (owners) were told they could use the structure for their personal use. They are from St. Louis and come to town often and their son lived there while a student. Mr. Webb noted it has never been rented. Mr. Webb stated that he has been inside and it is half dwelling unit/half shop. No one lives there now.

Mr. Webb stated the structure met the general requirements. Mr. Webb displayed a site plan and noted that the structure should be easily identifiable clearly as a residence. Mr. Webb displayed a configuration of the garage door openings reflecting a porch entrance and windows. Mr. Webb reviewed the decision standards and noted it met the standards for a conditional use and the standards for an accessory dwelling unit.

Mr. Keebler referred to the certificate of occupancy and it stating specifically not to be used as a dwelling unit, therefore, no one is supposed to use it as a dwelling unit, so it was used illegally. Mr. Moore responded if someone has been residing in it since 2003 that is contradictory. Mr. Webb stated it was a zoning issue, as they had permission to reside.

There were no public comments.

Mr. Dana made motion to close public hearing. Ms. Blackmar seconded the motion. All were in favor.

Mr. Keebler stated that he didn't think tabling at this point was fair to the applicant. Mr. Keebler suggested that the following conditions were needed: that it meets the Mile Square Design Guidelines and existing building code, and that there is no grandfathering. Mr. Keebler added that it still looked like a garage to him.

Ms. Rosenberg inquired if the building was safe.

Ms. Rosenberg made motion to approve PC-2020-09 with the conditions that it meets the Mile Square Design Standards for the district and that a full inspection as a rental takes place. Ms. Blackmar agreed and seconded the motion.

The Decision Standards were reviewed and discussed. Mr. Snavelly again abstained; however, read aloud the Decision Standards for voice vote.

Mr. Keebler stated that he didn't like passing on open ended as the design lacked seeing any elevations and hearing recommendations from staff. Mr. Keebler felt it should be tabled. Mr. Dana stated he was in agreement with Mr. Keebler that it come back. Ms. Blackmar inquired about addressing signage and size if it would help with identification as a safety standpoint. Chief Detherage responded that yes signage would help and that the façade should look like a living dwelling and not like a garage. Mr. Webb responded that certainly life safety was a question and egress windows would be met and a rental inspection would identify any problems. With regards to Mr. Keebler's concerns there was no need to come back as the guidelines were written out.

Mr. Moore responded that Mr. Perry, during this discussion, wrote up some conditions and if the Planning Commission was in agreement, could move forward. Mr. Moore displayed the conditions on the screen:

That, the design addresses Mile Square Guidelines as determined by the Community Development Department;

That, addressing and building identification is approved by the Fire Chief;

That, the structure is inspected by the Chief Building Official;

That, the structure is inspected by the Property Maintenance Code Supervisor;

That, the Owner complies with any outstanding code violations.

Mr. Perry stated that he didn't see the need to come back for a second meeting with a project this small. Ms. Rosenberg agreed with the five conditions as they met her concerns. Ms. Blackmar agreed as well. Discussion followed.

AYE: Ms. Rosenberg, Ms. Blackmar, Mr. Dana, Mr. Bracken, Mr. Keebler (5)

NAY: None (0)

ABS: None (0)

Mr. Snavelly recused himself.

Adjournment

Mr. Dana made motion to adjourn the meeting. Ms. Blackmar seconded the motion. All were in favor. The meeting was adjourned at 8:20 p.m.