

HISTORIC PRESERVATION COMMISSION

June 26, 2008

Be it remembered that the Oxford Historic Preservation Commission did meet in regular session on Tuesday, June 10, 2008, at 5:30 p.m. in the City Hall courtroom with the following members present:

Cody Giles, Chairman
Jeff Asti
Camp Best
Harry Owens
Eva Joyce Price
Molissia Swaney

Tim Akers, City Planner
Katrina Hourin, Assistant City Planner
Tiffany Hatcher, Historic Preservation Consultant
Alicia Thompson, Secretary

The following members were absent:

Ellis Fisher
Farish Percy
John Morgan King

The meeting was called to order by Commissioner Giles.

After the meeting was called to order, the following business was transacted:

Motion was made by Commissioner Asti and seconded by Commissioner Best to accept the minutes from May 13, 2008.

All present voting aye.

The motion was approved.

REGULAR AGENDA

There came for discussion **Case #052-1605 Buchanan Avenue**. Don Wallace and Robert Hendricks came before the Commission seeking a Certificate of Appropriateness to construct a 1300 square foot addition and renovate the interior for property located at 1605 Buchanan Avenue. Mr. Wallace and Mr. Hendricks did not present the Commission with any photos or drawings of the project, but they did provide the Commission with details of the work to be done. Mr. Wallace and Mr. Hendricks informed the Commission that a condominium had been traded for the property and that the potential buyers were interested in renovating the structure. Commission Best questioned if the potential buyer would be held to any conditions of the Certificate of Appropriateness if it were granted to Mr. Wallace and Mr. Hendricks. Mr. Akers replied that the potential buyer would be held to any conditions required by the Certificate

of Appropriateness. Mr. Wallace informed the Commission that the property was structurally sound and that a new roof, paint, gutters, and new fascia would be installed. Commissioner Giles questioned if the roof line would change. The applicants replied that it would not. Commissioner Giles asked the applicants if they had a materials list. The applicants presented the Commission with a materials list and explained the types of materials to be used in the project. Further discussion was made between the Commission and the applicants regarding the types of materials to be used in the project. Commissioner Swaney stated that she was mainly concerned with the exterior work and not the interior work to be done on the project. HPC Consultant Tiffany Hatcher asked the applicants to provide samples of the types of windows and other materials to be used for the exterior work on the project. Further discussion was also made between the Commission and the applicants regarding the scale of the project and whether the addition would be in keeping with other properties in the neighborhood. The applicants stated that the lot was heavily vegetated and the addition would not be visible from the street. The applicants also stated that work would be done to water proof the basement. After further discussion, motion was made by Commissioner Asti and seconded by Commissioner Best to approve the request for Certificate of Appropriateness for 1605 Buchanan Avenue conditional upon the attached materials list. All present voting aye.

The motion was approved with conditions.

Discussion Regarding Complete Applications

Discussion was made by the Commission regarding incomplete applications and packet information. Motion was made by Commissioner Best and seconded by Commissioner Swaney that the Commission must have a complete application along with pictures, drawings, and materials list before any consideration is made by the board for all requests for Certificates of Appropriateness. All present voting aye.

The motion was approved.

Discussion of Demolition by Neglect

Commissioner Asti reminded the Commission that Candice Varnell spoke at the May 13, 2008 meeting about decaying properties located in the Jefferson Avenue neighborhood. Commissioner Asti discussed the state statutes versus the city's ordinance on demolition by neglect. HPC Consultant Tiffany Hatcher provided the Commission with a recommended list of policies and procedures to determine demolition by neglect. Commissioner Asti read the recommended list aloud and stated that he had some concerns regarding some of the items listed and that he has not found any way to notify homeowners of any potential problems with their properties. He also stated that he was concerned with item # II – **Initiation of Demolition by Neglect Proceeding**. Commissioners Asti and Giles both expressed concern with the length of time recommended on the procedures list for notifying homeowners of any potential problems. Lengthy discussion was made regarding the length of time for notifying homeowners of potential problems.

Commissioner Owens stated that the Commission should not act upon any of its findings. HPC Consultant Hatcher stated that the procedures list provides information for the City Building Inspector to provide the homeowner with a time limit to correct any violations. Ms. Hatcher also read the recommended procedures list and provided clarification of any concerns. Commissioner

Swaney asked what steps the Commission should take if there were no response or action taken by the homeowner. Lengthy discussion was made between Ms. Hatcher and the Commission regarding the length of time to give homeowners to actively correct any violations.

Further reading of the recommended list was made by Ms. Hatcher and discussion was made between Ms. Hatcher and the Commission regarding the official determination and notice to the homeowner by the Building Official of neglect. Discussion of fines and fees to assess against homeowner was made between Tim Akers and the Commission. Mr. Akers informed the Commission that a fine of \$1,000 maximum per day for each separate violation could be assessed to the homeowner per the city's ordinance.

Ms. Hatcher stressed that the Commission should do its duty to set procedures to determine demolition by neglect. She also reiterated that enforcement should be left to the City's Building Official. Further discussion was made regarding enforcement and the correction of any violations.

Mr. Akers reminded the Commission that the Board of Aldermen would have to approve the recommended procedures. He also stated that if the Commission approved the procedures list at the current meeting that it could go to the Board of Aldermen for a vote on June 17, 2008.

Commissioner Giles expressed an opinion that Commissioners should not bring decaying properties before the board. Commissioner Asti disagreed and stated the Historic Preservation Commission was originally set up through a Citizen's action group. He also stated that the Commission should be proactive and have the ability to bring forth decaying properties in the district. Lengthy debate was made between Commissioner Asti and Commissioner Giles regarding Commissioner's roles in bringing decaying properties before the board.

Mr. Akers suggested that the Commission consider prudent use of the Ordinance and allow concerned citizens and city officials to bring decaying properties before the board. He also suggested that the Commission consider a more measured approach that would allow cooperation with the property owner and inform the property owner of measures in place regarding demolition by neglect.

Commissioner Swaney asked if the procedures would also apply to the Courthouse Square Preservation Commission. Mr. Akers replied that the recommended list has not been presented to that Commission, but that once it is presented the Courthouse Square Preservation Commission would probably consider the same procedures.

Commissioner Best asked if a Commissioner should recuse him or herself if any presented property were located within that Commissioner's neighborhood. Commissioner Giles agreed that the Commissioner should recuse him or herself if any presented property were located within their neighborhood.

After further discussion, motion was made by Commissioner Owens to approve the recommended procedures list. Further comments came from Commissioner Giles that the Commission should have more time to review the recommended procedures and compare it to the current ordinance. Further discussion was made regarding time to review the recommended procedures list. Ms. Hatcher asked the Commission to review the recommended procedures list and to email any questions and concerns to her one week from June 10, 2008.

The motion to approve the recommended procedures list by Commissioner Owens died for lack of a second.

Term Expirations

Mr. Akers informed the Commission that the terms for Farrish Percy, Eva Price, and Camp Best expired May, 2008. He informed the Commissioners whose terms had ended to resubmit their resumes if they were interested in remaining on the Commission. He also informed those Commissioners to continue attending future meetings until a replacement had been named for their seats.

There being no further business to come before the Commission the meeting was adjourned.