

HISTORIC PRESERVATION COMMISSION

May 13, 2009

Be it remembered that the Oxford Historic Preservation Commission did meet in regular session on Tuesday, May 12, 2009, at 5:30 p.m. in the City Hall courtroom with the following members present:

Cody Giles, Chairman
Jeff Asti, Vice Chairman
Camp Best
Kevin Frye
Jack McKenzie
Harry Owens
Molissia Swaney
Sonia Weinberg-Thompson
Shawn Telford

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

No members were absent.

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

Motion was made by Commissioner Frye and seconded by Commissioner Best to accept the minutes from the April 14, 2009 meeting.

All present voting aye.

The motion was approved.

REGULAR AGENDA

Public Hearing for Case 064 – McCool Residence – 510 S. 11th Street. Prior to Merritt McCool making his presentation, Commissioner Owens recused himself because he resides within 300 feet of the McCool residence. Merritt McCool came before the Commission seeking approval of a tree house that was constructed in the rear of the property located at 510 S. 11th Street, Oxford, Mississippi. He presented photos of the tree house and explained it was constructed of wood and the style was in the traditional southern vernacular. The height is 16 feet tall, with pine floors and 100 year old columns across the front. Merritt McCool also apologized to the Commission for not knowing he needed a building permit prior to construction of the tree house. Discussion was made regarding the applicant's request and the Commission commended him on his presentation.

There being no further questions or comments from the public or the Commission, motion was made by Commissioner Best and seconded by Commissioner McKenzie to approve the request for a Certificate of appropriateness to construct a tree house in the rear of property located at 510 S. 11th Street, Oxford, Mississippi.

All present voting aye.

The motion was approved.

Public Hearing for Case 071 – Coghlan Residence – 1009 Hayes Avenue. Kenny Simmons, Contractor, came before the Commission, representing Ken Coghlan, seeking a certificate of appropriateness to construct a sunroom on the northeast corner of an existing residential structure located at 1009 Hayes Avenue, Oxford, Mississippi. Mr. Simmons stated that the 9x24 addition would not be visible from the street and presented the Commission with a site plan, pictures, and a materials list for the proposed project. Discussion was made by the Commission regarding the applicant's request.

There being no further questions or comments from the public or the Commission, motion was made by Commissioner Swaney and seconded by Commissioner Asti to approve the request for a certificate of appropriateness to construct a sunroom on the northeast corner of an existing residential structure located at 1009 Hayes Avenue, Oxford, Mississippi.

All present voting aye.

The motion was approved.

Public Hearing for Case 072 – McNamee Residence – 517 North 11th Street. Corey Alger of The Alger Design Studio, came before the Commission representing Scott McNamee seeking a certificate of appropriateness to replace existing windows and doors and construct a porch and pool to the rear of an existing residential structure located at 517 North 11th Street, Oxford, Mississippi. Mr. Alger presented the Commission with a scope of work detailing the project and drawings of the proposed project. He also presented a materials list and answered questions from the Commission about the materials to be used in the project. After explaining the applicant's current request, Mr. Alger explained to the Commission that the applicant would return in the future to seek approval to add a cabana to the site. Commissioner McKenzie asked Mr. Alger if the property would continue to be used as a rental. Mr. Alger replied that the applicant would be using the property as his primary residence.

After further discussion of the request, motion was made by Commissioner Asti and seconded by Commissioner Swaney to approve the request for a certificate of appropriateness to replace existing windows and doors and construct a porch and pool to the rear of an existing residential structure located at 517 North 11th Street, Oxford, Mississippi.

All present voting aye.

The motion was approved.

There being no further questions or comments from the public or the Commission, motion was made by Commissioner Swaney and seconded by Commissioner Asti to approve the request for a certificate of appropriateness to construct a sunroom on the northeast corner of an existing residential structure located at 1009 Hayes Avenue, Oxford, Mississippi.

Public Hearing for Case 070 – Oxford Medical Ministries Clinic/Angel Ranch – 1513 Pierce Avenue. Pat Tatum came before the Commission, on behalf of Oxford Medical Ministries and Angel Ranch, seeking a certificate of appropriateness to demolish an existing residential structure zoned GB (General Business) located at 1513 Pierce Avenue. Mr. Tatum informed the Commission that the property had been donated to the non profit organizations by the Overstreet family and the groups have been trying to sell the property for over two years without success. He also stated that the organizations intend to demolish the existing structure, sod the lot, and put the lot up for sale. Mr. Tatum also stated that the home has potentially hazardous mold problems and the cost to repair the structure is not financially feasible. He further stated that the organizations don't have the funds to renovate and restore the property because they are non profit. Commissioner Giles asked Mr. Tatum what the timeline would be if the request for demolition were approved. Mr. Tatum replied that the organizations were seeking a contractor who would donate their time to demolish the house and grade the lot so that the lot could be sold as quickly as possible. Commissioner Best asked Mr. Tatum how long the property had been on the market. Mr. Tatum replied that the property had been on the market for approximately two years. Mr. Tatum also stated that a neighbor, Lori Campbell, has offered to donate 15 square feet of her adjoining lot to make the lot more marketable.

Commissioner Asti read from **Section 14 ½ -28 Criteria for Issuance of Certificates of Appropriateness Subsection D of the Historic Preservation Ordinance** which states: *In considering an application for the demolition of a landmark or a resource within a preservation district, the following shall be considered:*

1. *The Commission shall consider the individual architectural, cultural, and/or historical significance of the resource.*
2. *The Commission shall consider the importance or contribution of the resource to the architectural character of the district.*
3. *The Commission shall consider the importance or contribution of the resource to neighboring property values.*
4. *The Commission shall consider the difficulty or impossibility of reproducing such a resource because of its texture, design, material, or detail.*
5. *Applicants that have received a recommendation for demolition shall be permitted to receive such demolition permit without addition commission action on demolition, following the Commission's recommendation of a permit for new construction. Permits for demolition and construction shall be issued simultaneously.*

6. *When the Commission recommends approval of demolition of a resource, a permit shall not be issued until all plans for the site have received approval from all appropriate city boards, commissions, departments, and agencies.*

Commissioner Asti also read from **Section 115 of the City of Oxford Land Development Code on Most Restrictive Law or Requirement to Apply** which states: *Whenever the requirements of this Code or of any other lawfully adopted rules, regulations, codes, or ordinances are in conflict with the provisions of this Code, the most restrictive law or requirements shall govern.* Commissioner Asti further stated that the commission was duty bound by law to follow the more restrictive ordinance. Historic Preservation Consultant Tiffany Smith informed Commissioner Asti and the Commission that the Historic Preservation Ordinance had been recently amended to allow demolition of a commercially zoned property without the issuance of a building permit. Commissioner Best questioned Mrs. Smith about the zoning of the property. Mrs. Smith replied that the property was zoned GB (General Business). Discussion was made regarding the zoning of the property. Commissioner Frye commented that the six criteria of the ordinance must be met before the Commission could approve demolition. Commissioner Asti stated that the Commission had been provided a letter from Midsouth Homesafe Inspection regarding the structure's exposure to mold. Commissioner McKenzie asked Mr. Tatum if the mold would recur if it were removed. Mr. Tatum stated that the mold is probably guaranteed to return after it's removed. Discussion of the six criteria for demolition was made between the Commission, and Mrs. Smith recommended approval of the request for demolition.

There being no further comments or questions from the public or the Commission, motion was made by Commissioner Frye and seconded by Commissioner Asti to approve the request for a certificate of appropriateness to demolish an existing residential structure zoned GB (General Business) on property located at 1513 Pierce Avenue, Oxford, Mississippi.

All present voting aye.

The motion was approved.

Proposed Amendment to the Historic Preservation Ordinance Regarding Building Permits. Historic Preservation Consultant, Tiffany Smith informed the Commission that she was seeking approval to forward the proposed amendment regarding building permits to the Mayor and Board of Aldermen for review and approval. Mrs. Smith read the Ordinance Amending Section 54-25 Certificate of Appropriateness of the Code of Ordinances of the City of Oxford, Mississippi, which states:

54-25. Delete "Provided" If a building permit or other authorization from either the city building official or the city is required, no exterior feature of any resource shall be altered, relocated, or demolished until an application for a certificate of appropriateness of such work has been approved by the commission. Delete "Likewise, no construction requiring a building permit, which

affects a resource, shall be undertaken without a certificate of appropriateness". Further, no construction which affects an exterior feature; exterior alteration; relocation; or demolition of any resource; other than for repainting, minor repair, or routine maintenance; shall be undertaken until an application for a certificate of appropriateness for such work has been approved by the Commission.

Discussion was made between Mrs. Smith and the Commission regarding the revisions and approval of the request was tabled until the proposed amendment can be redrafted and presented to the Courthouse House Square Commission for review.

There being no further business to come before the Commission, the meeting was adjourned by Commissioner Giles.