

HISTORIC PRESERVATION COMMISSION

Be it remembered that the Oxford Historic Preservation Commission did meet in regular session on Tuesday, September 14, 2010 at 5:30 p.m. in the City Hall courtroom with the following members present:

Jack McKenzie, Vice Chairman
Campbell Best
Harry Owens
Julie Spears
Molissia Swaney
Shawn Telford
Sonia Weinburg Thompson
Babs Ton

Katrina Hourin, Assistant City Planner
Alicia Thompson, Secretary
Attorney Paul Watkins, Mayo-Malette Law Firm

The following Commissioner was absent:

Jeff Asti, Chairman

The meeting was called to order by Vice Chairman Jack McKenzie.

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

Approval of the Agenda

Vice Chairman McKenzie asked if there were any changes to the agenda. There were none.

There being no changes to the agenda, motion was made by Commissioner Swaney and seconded by Commissioner Best to approve the agenda.

All present voting aye.

The motion was approved and the agenda was accepted.

Approval of the Minutes from the August 10, 2010 Meeting

Vice Chairman McKenzie asked if there were any modifications to the minutes from the August 10, 2010 meeting. There were none.

There being no changes, motion was made by Commissioner Best and seconded by Commissioner Owens to approve the minutes from the August 10, 2010 meeting.

All present voting aye.

The motion was approved.

INSTRUCTIONS FOR THE COMMISSION

Attorney Paul Watkins representing the Mayo Mallette Law Firm came before the Commission to discuss some issues that the Commission needed to be made of aware of. Mr. Watkins informed the Commission that he had previously discussed the same issues with the other boards and commissions representing the City of Oxford. Mr. Watkins informed the Commission that they are a public entity appointed by the City of Oxford. Mr. Watkins cautioned the Commission to remember that there are rules and statues such as the Open Meetings Act and the Public Records Act that they must adhere to. Mr. Watkins also cautioned the Commission about email communications and stated that they also fall under the Open Meetings Act and the Public Records Act. Mr. Watkins further stated that any commission meetings must be held in a public forum at City Hall. Mr. Watkins also stated that if the lack of quorum exists then there can not be a meeting. Discussion was made regarding the Open Meetings Act and Public Records Act. Mr. Watkins informed the Commission that it should direct any future questions to the professional staff in the Planning Department.

REGULAR AGENDA

Public Hearing for Case #116 – 720 South 8th Street. Terry Trammel came before the Commission representing Mike and Wanda Boone seeking a Certificate of Appropriateness to construct a residential addition to the side (south) and rear of property located at 720 South 8th Street, Oxford, Mississippi. Mr. Trammel presented the Commission with renderings, elevations, and a floor plan for the proposed addition. Mr. Trammel informed the Commission that the applicants were desirous of constructing a bedroom and bath to the side (south) and a screened in porch to the rear of the property. Mr. Trammel explained the proposed addition to the Commission and stated that the ridgeline for the proposed addition would not be higher than the ridgeline for the current structure. Mr. Trammel also explained the types of windows to be used in the proposed addition and stated that the existing windows on the current structure would remain in tact. Discussion was made regarding the request.

There being no questions or comments from the public or the Commission, motion was made by Commissioner Spears and seconded by Commissioner Swaney to approve the request for Certificate of Appropriateness to construct a residential addition to the side (south) and rear of property located at 720 South 8th Street, Oxford, Mississippi.

All present voting aye.

The motion was approved.

Public Hearing for Case #121 – 1005 Fillmore Avenue. Gary Carter came before the Commission seeking a Certificate of Appropriateness to replace an existing three-tab shingle roof with an architectural style shingle roof and replace the roof vents on property located at 1005 Fillmore Avenue, Oxford, Mississippi. Mr. Carter presented the Commission with photos of the current home and stated that he was desirous of updating the roof with a better quality,

longer lasting architectural style shingle roof. Discussion was made regarding the applicant's request.

There being no questions from the public or the Commission, motion was made by Commissioner Owens and seconded by Commissioner Ton to approve the request for a Certificate of Appropriateness to replace an existing three-tab shingle roof with an architectural style shingle roof and replace the roof vents on property located at 1005 Fillmore Avenue, Oxford, Mississippi.

All present voting aye.

The motion was approved.

Public Hearing for Case 117 – 1405 Madison Avenue. City Building Official Randy Barber came before the Commission to inform them of the findings of a visual inspection conducted on property located at 1405 Madison Avenue, Oxford, Mississippi. Mr. Barber discussed the letter from the City of Oxford's Building Department to the Oxford Historic Preservation Commission dated September 10, 2010 which outlined the condition of property located at 1405 Madison Avenue. Mr. Barber's letter addressed the following findings:

1. Deterioration of the flat roof above the front porch which has led to disrepair and rotting of the cornice, flooring, steps and possible structural damage.
2. Exposure to weather which has led to deterioration of the front porch rafters and cornice.
3. The floor joist appears to be rotting and in need of repair but not to the extent of deflection.
4. Further inspection of the house revealed that the shingles need to be replaced.
5. A hole was found in the roof on the northeast side of the house.
6. Possible water entry into the house at several points damaging the interior of the structure which includes floors, walls, and ceilings due to neglect of the roof.
7. Minimal maintenance has led to front porch disrepair and the roof is possibly leaking.
8. Deterioration as defined in Section 54-30 of the Oxford Historic Preservation Ordinance was found in the porch and roof.

Discussion was made regarding Mr. Barber's findings. Commissioner Swaney asked if the homeowner had received a letter notifying him of the findings. Assistant City Planner Katrina Hourin informed Commissioner Swaney that the Commission would need to vote on officially notifying the homeowner of the findings of the inspection by Mr. Barber.

Vice Chairman McKenzie cited Section 54-30 of the Oxford Historic Preservation Ordinance which states:

Section 54-30. Demolition by Neglect.

- (a) Any resource which is a landmark and all resources within a preservation district shall be preserved by the owner or such other person or persons as may have the legal

custody or control thereof against decay, deterioration, and free from unreasonable structural defects. The owner or other person having legal custody and control thereof

- (1) Deterioration to the extent that it creates or permits a hazardous or unsafe condition as determined by the city's building inspector.
- (2) Deterioration, as determined by the building inspector, of a building characterized by one or more of the following:
 - a. Those buildings, which have parts thereof, which are so attached that they may fall and injure persons or property;
 - b. Deteriorated or inadequate foundations;
 - c. Defective or deteriorated floor supports or floor supports inefficient to carry imposed loads with safety;
 - d. Members of walls or other vertical supports that split, lean, list, or buckle due to defective material, workmanship, or deterioration;
 - e. Members of walls or other vertical supports that are insufficient to carry imposed loads with safety;
 - f. Members of ceilings, roofs, ceiling and roof supports, or other horizontal members, which sag, split, or buckle due to defective material, workmanship, or deterioration;
 - g. Members of ceilings, roofs, ceiling and roof supports, or other horizontal members that are insufficient to carry imposed loads with safety;
 - h. Fireplaces or chimneys which list, bulge, or settle due to defective material, workmanship, or deterioration; or
 - i. Any faults, defect, or condition in the building, which renders the same structurally unsafe or not properly watertight.

(b) If the commission makes a preliminary determination that a resource is being demolished by neglect, it shall direct the city building official to notify the owner of the resource of this preliminary determination, stating the reasons therefore, and shall give the owner of record 30 days from the date of mailing of such notice or the posting thereof on the property, whichever comes later, to commence work to correct the specific defects as determined by the commission. Said notice shall be given as follows:

- (1) By certified mail, restricted delivery, mailed to the last known address of the record owner as listed on the city and/or county tax rolls; or
- (2) If the above mailing procedure is not successful, notice shall be posted in a conspicuous, protected place on the resource. If the owner fails to commence work within the time allotted as evidenced by a building permit, the commission shall notify the owner in the manner provided above to appear at a public hearing before the commission at a date, time, and place to be specified in said notice, which shall be mailed or posted at least 30 days before said hearing. For the purpose of insuring lawful

notice, a hearing may be continued to a new date and time. The commission shall receive evidence on the issue of whether the subject resource should be repaired and the owner may present evidence in rebuttal thereto by neglect, it may direct the city building official to bring misdemeanor charges against that owner.

Further discussion was made regarding notifying the homeowner of the findings of the inspection.

There being no further questions or comments from the public or the Commission, motion was made by Commissioner Ton and seconded by Commissioner Thompson directing City Building Official Randy Barber to notify the homeowner of the findings of the inspection of property located at 1405 Madison Avenue, Oxford, Mississippi.

All present voting aye.

The motion was approved.

Vice Chairman McKenzie directed Mr. Barber to notify the homeowner in writing by certified mail and enumerate the findings of his inspection for property located at 1405 Madison Avenue.

Public Hearing for Case 124 – 808 South 11th Street. Bruce Newman came before the Commission seeking a Certificate of Appropriateness to replace an existing chain link fence with a wooden fence on property located at 808 South 11th Street, Oxford, Mississippi. Mr. Newman presented the Commission with a plot plan, photos of the current chain link fence, and photos of his neighbor's wooden fence. Mr. Newman informed the Commission that he was desirous of installing a wooden fence similar to his neighbor's fence. Discussion was made regarding the applicant's request.

There being no questions from the public or the Commission, motion was made by Commissioner Swaney and seconded by Commissioner Owens to approve the request for a Certificate of Appropriateness to replace an existing chain link fence with a wooden fence on property located at 808 South 11th Street, Oxford, Mississippi.

All present voting aye.

The motion was approved.

There being no further business to come before the Commission, motion was made by Commissioner Owens and seconded by Commissioner Thompson to adjourn the meeting.

All present voting aye.

The meeting was adjourned.