



### Case 2092

**To:** Oxford Board of Adjustment  
**From:** Judy Daniel, AICP; Director of Planning  
**Date:** August 8, 2016

**Applicant:** Paul and Jessica Watkins  
**Owner:** Same  
**Request:** Special Exception to permit a conversion of an accessory structure to a residential use  
**Location:** 1301 Chickasaw Road  
**Zoning:** R1A Single Family Residential

#### Surrounding Zoning and Uses:

North: R1A Single Family Residential  
South: R1A Single Family Residential and A - Agricultural  
East: R1A Single Family Residential  
West: A Agricultural (Oxford Airport)

**Planner's Comments:** The subject property is +/- 3 acre site located on the north side of Chickasaw Road. The property runs through to Molly Barr road along its rear property line. There are two existing structures on the property; a dwelling and a currently unused garage. The applicant proposes to remove the garage and rebuild a second dwelling on the foundation, primarily for use by family members. The impetus for the request is the need for a home for aging parents with health concerns.

The applicant contends that the impact on the neighborhood would be negligible, as their three acre lot is heavily wooded and contains only the one single-family residence and the garage. The nearest neighbor is 20 feet away from the house, and the only other structure that can be seen from the house is a (currently unoccupied) house across Chickasaw Road (over 500 feet away). The applicant states that the new residence would be substantially more attractive than the old two-story garage, designed to fit with the character of the existing house. He states, "My wife and I will own the entire property, and the new house will only be used for housing my in-laws and visiting family and friends."

A special exception allowing the conversion of an accessory structure to a residential use on a property is allowed in the R1A zoning district only under the following limitations:

- a. The accessory structure is located in the rear yard and meets the side and rear yard requirements of the district;
- b. The lot is of sufficient size to accommodate additional dwellings for the district in which the building is located and adequate parking provided;
- c. Restrictive covenants be filed with the chancery clerk and then a filed stamped version must be provided to the planning office prior to the issuance of any permits prohibiting the leasing or renting of the residential accessory structure;
- d. The accessory structure shall not have a separate electric meter, except when required by the electric utility provider.

In this instance, the location of the structure is in the rear yard and meets the yard requirements; the lot is large enough to accommodate an additional dwelling with sufficient parking area; the staff has received a copy of the required restrictive covenants; and the applicant has submitted a letter from Oxford Electric stating that it is preferred that the existing separate meter on the accessory structure remain. Therefore, the application meets all stated requirements for approving the request.

The Land Development Code also provides additional general criteria in Sec. 216.05.2 which states that the Board of Adjustment must find that granting the special exception “will not adversely affect the public interest”, and that the requested special exception must be “in harmony with the purpose and intent” of the Land Development Code. The Board may also prescribe any safeguards or conditions it believes to be necessary for ensuring conformity with the Land Use Code. Again, in this instance, staff believes that the proposed special exception will meet these standards, and the conditions of approval for the use in the R1A District are a sufficient safeguard.

**Recommendation:** The staff believes that this request is in harmony with the intent of the guiding principles of the City of Oxford, and will be in harmony with the intent of the Vision 2037 Plan; and approval of the requested special exception is recommended with the following finding and conditions:

1. The proposed use will not adversely affect the public interest
2. The special exception will expire in eighteen (18) months if no permit is issued
3. A filed stamped version of the restrictive covenants to be submitted to the planning office prior to the issuance of any permits prohibiting the leasing or renting of the residential accessory structure;



City of Oxford  
 107 Courthouse Square  
 Oxford, MS 38655

RECEIVED

JUL 12 2016

Per dm

APPLICATION FOR SPECIAL EXCEPTION

Applicant's Name Paul Watkins

Mailing Address 1301 Chickasaw Road

Address of Property in Question same

Telephone Number (s) Day (662) 513-4900 (Night) (662) 801-0162

Interest in Property  Owner  Leaseholder  Option to Purchase  Other

Application for Special Exception is being made under Section 133.02(7) of Zoning Ordinance

Property is zoned R1A

Describe in detail the proposed Special Exception being sought We are seeking to build a second residential structure on the site of our old detached garage. My in-laws will occupy the new home, and it will only be used for housing family and friends in the future.

Explain how the proposed Special Exception would be in harmony with the character of the neighborhood and not detrimental to other property or persons in the neighborhood

The impact on the neighborhood would be negligible. Our 3-acre lot is heavily wooded and contains only one single-family residence. Our nearest neighbor is 200 feet away from our house, and the the only other structure you can see from our house is an unoccupied house across Chickasaw Road. The new house would be less intrusive than the old 2-story garage, and it will be designed to fit with the character of our existing house. My wife and I will own the entire property, and the new house will only be used for housing my in-laws and visiting family and friends.

Attach a map or sketch of what you propose including applicable measurements along with a \$100.00 filing fee made payable to the City of Oxford.

Signature of Owner or Authorized Agent Paul Watkins Date 07/12/2016

**FOR CITY USE ONLY**

Date Filed \_\_\_\_\_

Filing Fee \$100.00

Date of Public Hearing \_\_\_\_\_

Decision of Board of Adjustment \_\_\_\_\_

Effective Date \_\_\_\_\_

Zoning Administrator

Date

# Watkins Residence - 1301 Chickasaw Rd.









Robert M. Neely, III  
Superintendent

George "Pat" Patterson  
Mayor of Oxford



July 20, 2016

Judy Daniel  
City Planner  
City of Oxford  
107 Courthouse Square  
Oxford, MS 38655

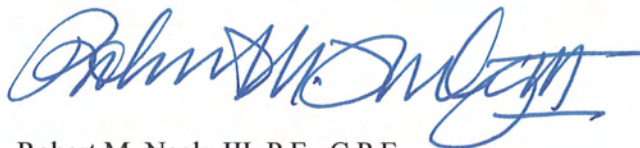
RE: 2<sup>nd</sup> Electric Meter  
1301 Chickasaw Road

Ms. Daniel,

The purpose of this letter is to document Oxford Electric Department's recommendation regarding a second electric meter at 1301 Chickasaw Road, owned by Paul Watkins. Currently two meters are in place at the referenced property, one on the main house and another on the garage. The Oxford Electric Department has no issue allowing a second meter at the location, and recommends that the second meter be allowed to remain in place after the renovation.

Thanks for your help with this matter. If you'd like to discuss this further, feel free to call me 662-232-2373.

Sincerely,



Robert M. Neely III, P.E., C.P.E.  
Superintendent

P.O. Box 827  
300 McElroy Drive  
Oxford, MS 38655

[www.oxfordms.net](http://www.oxfordms.net)

Phone (662) 232-2373  
Fax (662) 232-2375