

Town of Odessa

BOARD OF ADJUSTMENT PUBLIC HEARING THURSDAY, MAY 22, 2014 – 7:00 P.M. OLD ACADEMY

1. Meeting called to order at 7:00 p.m.
2. Roll Call – The following members were present:
 Connie Miller June Anderson
 Clyde Hennon Martin Mason

 Additional attendees: David Baker, Roger Brickley, William Miller
3. Selection of Board of Adjustment Chairperson and Secretary
 - a. Motion by Martin Mason, seconded by June Anderson to nominate Connie Miller as Chair person of the Board of Adjustment
 Vote: 4 ayes, 0 nays
 - b. Motion by Connie Miller, seconded by Clyde Hennon to nominate June Anderson as secretary of the Board of Adjustment
 Vote: 4 ayes, 0 nays
4. Variance Request: BOA2014-01
 - Parcel #24003.00079
 - Odessa Main LLC
 - 501 Main Street
 - a. Odessa Main LLC has requested relief from one required parking space and one required load space.
 - b. David Baker spoke on behalf of Odessa Main LLC. Mr. Baker reviewed his understanding of the code and his intent for the building and what he is required to have as parking and loading. If he could obtain a credit for un-useable space (thickness of the walls) in the building he would only be required to have 13 spaces.
 - c. Rodger Brickley representing Odessa Main LLC described the lay out of the lot, discussions with DELDOT on ingress and egress, requirements for an area for trash and cemetery fence. Mr. Baker and Mr. Brickley also explained the short term loading area they are requesting at the front of the building, that would be on the property and not extending into the street.
 - d. Responding from a question from the Board, Mr. Baker stated that there would be 5 to 6 offices on the second floor. The first floor would become Odessa Market LLC with 10 to 12 vendor spaces that would be rented on a monthly basis. Previous plans for a coffee shop have been canceled. Uses and plans have been approved by the Historic Commission and Mayor and Council.
 - e. A lengthy discussion followed, on the number of parking spaces each business would require, the type of and number of delivery trucks unloading, safety and traffic issues. Mr. Baker also stated that he is required to return to DELDOT with his site plan after approval by the Odessa Board of Adjustment.

A MOTION BY CONNIE MILLER TO GRANT VARIANCE FOR ONE PARKING SPACE AND ONE LOADING SPACE WILL BE IN HARMONY WITH THE PURPOSE AND INTENT OF THE ORDINANCE AND NOT INJURIOUS TO THE NEIGHBORHOOD. THE VARIANCE IS THE MINIMUM VARIANCE THAT WILL MAKE POSSIBLE, THE LEGAL USE OF LAND AND BUILDINGS. VARIANCE WILL NOT CONFER UPON THE APPLICANT, AND SPECIAL PRIVILEGES OF RESIDENTS OF THE DISTRICT

**VOICE VOTE: MARTIN MASON - AYE
CLYDE HENNON – NAY
JUNE ANDERSON – AYE
CONNIE MILLER – NAY**

MOTION NOT CARRIED: VARIANCE DENIED

5. Meeting Adjournment

**MOTION BY CLYDE HENNON, SECONDED BY CONNIE MILLER TO ADJOURN THE
MEETING AT 7:59 PM**

MOTION CARRIED. VOTE 4 AYES, 0 NAYS

Respectfully submitted,

June Anderson