

*Town of Odessa*  
**BOARD OF ADJUSTMENT PUBLIC HEARING**  
**MONDAY MARCH 13, 2017 – 7:00 P.M.**  
**OLD ACADEMY**

1. Meeting called to order at 7:13 p.m.
2. Roll Call – The following members were present:
  - Connie Miller
  - June Anderson
  - Clyde Hennon
  - Harvey Smith was absent

Additional attendees: Carolyn Stanley, Tina Jacono, Steve Jacono, Dominic Balascio, Josh Devries, Christine Robinson, Dawn Jeffries, Alan Jeffries

3. New Castle County Special Exception
  - New Castle County has notified the Town that they are withdrawing their application to the Board of Adjustment for Special Exception for the EMS Station.

**MOTION BY CONNIE MILLER, TO WITHDRAW THE SPECIAL EXCEPTION FOR THE EMS STATION, AS REQUESTED BY NEW CASTLE COUNTY**

**MOTION CARRIED. VOTE 3 AYES, 0 NAYS**

4. Approval of Minutes – No minutes were available
5. Agenda Item: BOA2017-1 - Variance
  - Parcel #24003.00011
  - 215 Mechanic Street
  - A. S. Jacono, LLC
  - Relief of lot size, width size & set-back for construction of a new house
6. Current Zoning Requirements:
  - According to Article VIII, Section 80.4, lot size (1/2 acre)
  - According to Article VIII, Section 80.4, lot width (125 ft.)
  - According to Article VIII, Section 80,5, building setback (35 ft.)
7. Requested Variance:
  - Lot size from ½ acre to .353 acre
  - Lot width from 125 ft. to 86 ft. front & 46 ft. rear
  - Building Setback from 35 ft. to 25 ft.
  - Dominic Balascio, representing the builder, explained the reason for the variance request, is the lot is an odd shape, being wider in the front and narrows towards the rear.
  - Connie Miller questioned the plans, showing a rear porch option and noted that presently a rear porch would not meet the rear setback. The builder agreed, and would

either come back for another variance so a porch could be added, or delete it as an option for the house.

- Mr. Balascio said the only variances at this time would be for the original ones requested in item #7 of the agenda.

Public questions and comments:

- The requested front setback would not match the existing setbacks for the houses currently on Mechanic Street, which are approximately 30 to 45 ft. back from the street, with the exception of one current house.
- Concerns were expressed about the foundation elevations.
- Proper drainage was also asked, but was answered in the lines & grades printout
- After lengthy discussions with both the builders and the neighbors, the neighbors did not have any further objections and the Board moved to their deliberations

8. Board of Adjustment Deliberations

- The builders agreed to amend their original request and move the house back to the original zoning requirement of a 35 foot front set-back.
- The Board agreed that after hearing comments and concerns no more deliberations were necessary and moved to a vote.

9. Member Votes

**MOTION BY JUNE ANDERSON, TO APPROVE THE VARIANCE REQUEST BY A.S. JACONO, FOR THE SIZE AND WIDTH OF THE LOT FOR FUTURE CONSTRUCTION, WITH THE FOLLOWING CONDITIONS:**

**LOT SIZE FROM ½ ACRE TO .353 ACRE**

**LOT WIDTH FROM 125 FEET TO 86 FRONT & 46 FOOT REAR**

**THE REAR SET-BACK IS NOW 15 FEET**

**THE 25 FOOT FRONT SET-BACK IS REMOVED AND REPLACED WITH THE ORIGINAL 35 FOOT FRONT SET-BACK AS REQUIRED IN THE ZONING ORDINANCE**

**BOARD CHAIRPERSON, CONNIE MILLER CALLED FOR A VOICE VOTE:**

**CLYDE HENNON, AYE**

**CONNIE MILLER, AYE**

**JUNE ANDERSON, AYE**

**MOTION CARRIED. 3 AYES, 0 NAYS**

10. Adjournment

**MOTION BY CLYDE HENNON, SECONDED BY JUNE ANDERSON TO ADJOURN THE MEETING AT 7:55 PM**

**MOTION CARRIED. VOTE 3 AYES, 0 NAYS**