

Town of Odessa
BOARD OF ADJUSTMENT PUBLIC HEARING
MONDAY SEPT 28, 2020 – 6:30 P.M.
OLD ACADEMY

1. Meeting called to order at 6:45 p.m.
2. Roll Call – The following members were present:
 Connie Miller
 Ed Pollard
 Meghan Mahoney

 Mayor: Harvey Smith

Additional attendees: Gibellino Construction, Neeka Grove, George Hamrick & daughter, Jim Grant, Phillip Barnes, David Pearl

3. Approval of Minutes

MOTION BY ED POLLARD, SECONDED BY MEGHAN MAHONEY TO APPROVE THE MINUTES FROM THE OCTOBER 11 2018 BOARD OF ADJUSTMENT HEARING

MOTION CARRIED: VOTE, 3 AYES, 0 NAYS

4. Agenda Item: BOA2020-01 - Variance
 - Parcel #24005.00042
 - 105 Front Street
 - Phillip Barnes
 - Relief of set-backs for rehabilitation and/or re-construction of the existing house because of fire damage
5. Current Zoning Requirements:
 - According to Article VIII, Section 80.5, side yards 20 feet aggregate total with 8 feet minimum each side
6. Requested Variance:
 - Relief from set-backs Ordinance 97-1 (Section 80.5) for re-construction / restoration of fire damaged house
 - Neeka Grove, RG Architects & Gibellino Construction, representing the owner Phillip Barnes, discussed the need for the variance and the historical significance of the property. A structural engineer will need to evaluate the house to determine if the house can be rebuilt on the existing foundation or a new house would be required.

Public questions and comments:

- Mr. Hamrick spoke and because of the historical significance of the house he does not have an issue with rebuilding on the existing foundation, but if it has to be torn down and re-built it should be moved off of this property line.
- Further discussion determined that the portion of the house is approximately 1 foot over the property line on Mr. Hamrick's side.

- Once the parties decide whether the house can be saved, or needs to be completely rebuilt, will determine whether they need to come before the Board of Adjustment again and amend the plan.
- After lengthy discussions with both the builders and the neighbors, the neighbors in attendance, did not have any further objections and the Board moved to their deliberations

7. Board of Adjustment Deliberations

- The Board agreed that after hearing comments, it was determined that if the house can be rehabilitated and built on the existing foundation the 4 ft. south side and 4.5 ft. north side variance would be granted. If a structural engineer determines that the house and foundations are not safe, the homeowner will have to come back before the Board of Adjustment to amend the plans for new construction. It was moved to the Board for a vote.

8. Member Votes

BOARD CHAIRPERSON, CONNIE MILLER CALLED FOR A VOICE VOTE TO APPROVE THE REQUESTED VARIANCE:

ED POLLARD, AYE

MEGHAN MAHONEY, AYE

CONNIE MILLER, AYE

MOTION CARRIED. 3 AYES, 0 NAYS

9. Adjournment

MOTION BY MEGHAN MAHONEY, SECONDED BY ED POLLARD TO ADJOURN THE MEETING AT 7:45 PM

MOTION CARRIED. VOTE 3 AYES, 0 NAYS