

**BRIGHTON LEGAL NOTICE
NOTICE OF DECISIONS
BOARD OF APPEALS
MEETING HELD SEPTEMBER 7, 2022**

8A-04-22 Application of PEMM, LLC, contract vendee, and Bristol Valley Homes, LLC, owner of property located at 3108 East Avenue, for a Use Variance from Section 203-44 to allow a gas station with convenience store to be located in a BE-1 Office and Office Park District where not allowed by code. **TABLED - PUBLIC HEARING REMAINS OPEN**

8A-05-22 Application of PEMM, LLC, contract vendee, and Bristol Valley Homes, LLC, owner of property located at 3108 East Avenue, for an Area Variance from Section 207-6B to allow an accessory structure (gas canopy) to be located in a front yard in lieu of the rear yard as required by code. **TABLED - PUBLIC HEARING REMAINS OPEN**

8A-06-22 Application of PEMM, LLC, contract vendee, and Bristol Valley Homes, LLC, owner of property located at 3108 East Avenue, for Area Variances from Section 205-18 to 1) allow parking of vehicles to within 2 ft. for a side lot line (north) where a 10 ft. setback is required by code, and 2) allow paved areas / aisles up to the front lot line where a 20 ft. setback is required by code. All as described on application and plans on file. **TABLED - PUBLIC HEARING REMAINS OPEN**

9A-01-22 Application of OAK Hill Terrace Apartments / KofP LLC, owner of property located at 2470 East Avenue, for an Area Variance from Section 207-2A to allow a front yard fence to be 4 ft. in height in lieu of the maximum 3.5 ft. allowed by code. **APPROVED WITH CONDITIONS**

9A-02-22 Application of Jeff Zimmer, Bear Creek Landscapes, contractor, and Matthew and Min Hee DeRosa, owners of property located at 148 Dale Road, for an Area Variance from Section 207-2A to allow a front yard fence to be 4 ft. in height in lieu of the maximum 3.5 ft. allowed by code. **APPROVED WITH CONDITIONS**

9A-03-22 Application of Patrick Langsworthy, owner of property located at 159 David Avenue, for an Area Variance from Section 205-2 to allow a front porch to extend 5.75 ft. into the 40 ft. front setback required by code. **APPROVED WITH CONDITIONS**

9A-04-22 Application of Sarah Colvin Van Heusen, owner of property located at 54 Brooklawn Drive, for an Area Variance from Section 205-2 to allow a rear addition (three season room) to extend 1.25 ft. into the 35.5 ft rear setback where a 40 ft. rear setback is required by code. **APPROVED WITH CONDITIONS**

9A-05-22 Application of Todd Ennis and Amanda McIntosh, owners of property located at 133 Summit Drive for extension of an approved variance (9A-11-20, 9A-05-21 - previous extension) pursuant to section 219-5F allowing for a reduced front setback and greater lot coverage. **APPROVED WITH CONDITIONS**

9A-06-22 Application of Robert Piazza Palotto, owner of property located at 2500 Elmwood Avenue, for an Area Variance from Section 205-2 to allow a garage addition to extend 3 ft. into the existing 8.2 ft. side setback where a 10.8 ft. side setback is required by code. **APPROVED WITH CONDITIONS**

OLD BUSINESS:

5A-01-22 Application of Reza Hourmanesh, architect, and Guiyan Li, owner of property located at 2720 West Henrietta Road, for an Area Variance from Section 205-12 to allow for

45 parking spaces in conjunction with a new grocery store in lieu of the minimum 55 parking spaces required by code. **TABLED**

5A-02-22 Application of Reza Hourmanesh, architect, and Guiyan Li, owner of property located at 2720 West Henrietta Road, for an Area Variance from Section 205-7 to allow for impervious surface area to increase, after site modifications, from 83.2% to 84.9% in lieu of the maximum 65% allowed by code. **TABLED**

Rick DiStefano, Secretary
BOARD OF APPEALS
September 8, 2022