

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

12A-01-22 Application of Terry Smith, contractor and Denise Platek, owner of property located at 35 Torrington Drive, for an area Variance from Sections 203-2.1B(6) and 203-9A(4) to allow a standby emergency generator to be located in a side yard in lieu of the rear yard behind the house as required by code. **APPROVED WITH CONDITIONS**

12A-02-22 Application of John Betlem Heating and Cooling, contractor, and Darryl Tinney, owner of property located at 265 Bastian Road, for an Area Variance from Sections 203-2.1B(6) and 203-9A(4) to allow a standby emergency generator to be located in a side yard in lieu of the rear yard behind the house as required by code. **APPROVED WITH CONDITIONS**

12A-03-22 Application of Chuck Smith, architect, and Stahl Property Associates LLC, owner of property located at 12 Elmwood Hill Lane, for Area Variances from Section 205-2 to allow 1) a new home to be constructed with a 20.65 ft. side setback (east lot line) in lieu of the minimum 33.22 ft. required by code, and 2) allow liveable floor area to be 5,050 sf in lieu of the maximum 3,748 sf allowed by code. **TABLED - PUBLIC HEARING REMAINS OPEN**

12A-04-22 Application of Chuck Smith, architect, and Stahl Property Associates LLC, owner of property located at 12 Elmwood Hill Lane, for an Area Variance from Section 207-11 to allow an inground swimming pool to be located partially in a side yard where only the rear yard is allowed by code. **TABLED - PUBLIC HEARING REMAINS OPEN**

12A-05-22 Application of Thomas and Lindsay Connelly, owner, of property located at 128 Eastland Avenue, for an Area Variance from Section 207-10E(2) to allow front yard pavement to increase from 33% to 40% of the front yard area, after construction of a front addition, where a maximum 30% is allowed by code. **APPROVED WITH CONDITIONS**

12A-06-22 Application of Mary Jo Jepson, owner of property located at 339 Hollywood Avenue, for Area Variances from Sections 203-2.1B(2) and 203-9A(4) to 1) construct a detached garage with attached pergola 648 sf in size in lieu of the maximum 600sf allowed by code, and 2) allow said detached garage to be setback 3 feet from a side lot line and 2 feet (modified from 3 feet) from the rear lot line where a minimum 5 ft setback from all lot lines is required by code. **TABLED - PUBLIC HEARING REMAINS OPEN**

12A-07-22 Application of Husniye Togay, owner of property located at 71 Branchwood Lane, for an Area Variance from Section 207-2A to allow a front yard (French Road) fence to be 4.5 ft. in height in lieu of the maximum 3.5 ft. allowed by code. **APPROVED WITH CONDITIONS**

OLD BUSINESS

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. **APPROVED WITH CONDITIONS**

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. **APPROVED WITH CONDITIONS**

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. **APPROVED WITH CONDITIONS**

Rick DiStefano, Secretary  
BOARD OF APPEALS  
December 8, 2022