

**City of Brighton  
Zoning Board of Appeals  
Regular Meeting Minutes  
September 10, 2020**

The Board for the Zoning Board of Appeals held a Regular Meeting on Thursday, September 10, 2020 at 7:00 p.m., conducted virtually.

**1. Call to Order**

Vice-Chairperson Perry-Dial called the meeting to order at 7:00 p.m.

**2. Roll Call**

**Board Members present** were Caitlyn Perry-Dial, Jordan Genso, Mike Schutz, Renee Pettengill, Russ Gottschalk and Alicia Urbain.

**Also present:** Mike Caruso, Community Development Manager, and an audience of four (4).

**Motion** by Jenso, supported by Urbain to excuse Board Member Chaundy for personal reasons. **The motion carried unanimously by a roll call vote.**

**Approval of the Consent Agenda**

**3. Approval of the August 13, 2020 Meeting Minutes**

**4. Approval of the September 13, 2020 Agenda**

**Motion** by Pettengill, supported by Urbain to approve the Consent Agenda. **The motion carried unanimously by a roll call vote.**

**Old Business**

None

**New Business**

**Jason and Shelley Amon, 722 S. Third Street;** are proposing to construct a detached garage, and are requesting a variance from the required rear setback. Chapter 98, Section 3.4 (D); R-1 Single Family Residential; Development Standards; requires a minimum rear yard setback of 35 feet. A variance of 33 feet is being requested.

Mr. Caruso stated the applicants are proposing to demo the existing detached garage and construct a larger three-car detached garage. The existing detached garage is legal, non conforming, in that it encroaches into the 35-foot rear-yard setback. The rear of the house is at the 35-foot setback leaving no building envelope for an accessory structure.

Shelley Amon commented to the Board why they are requesting the variance, and why the current location is the only area to have a garage on their property. She also stated the current garage is old and in disrepair and they would like to replace it.

Board Member Jenso asked if the applicant had to demo the existing garage.

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Mrs. Amon replied yes stating it is very small in size, and in disrepair.

Board Member Pettengill asked if they can attach it to the home.

Mrs. Amon replied that due to the first floor height of the house, it would be very costly to connect to the house, as it would involve major structural work.

Vice-Chairperson Perry-Dial asked if there was any other location on the property it could be constructed, since the applicant did own a double lot.

Mr. Caruso responded stating that would involve a new curb cut, which the City would not allow, and the current house location would still warrant a variance request for an accessory structure anywhere else on the property.

Vice-Chairperson Perry-Dial opened the Public Hearing at 7:12 pm.

**Susan Bakhaus 907 Brighton Lake Rd.**, spoke in favor of granting the variance.

Vice-Chairperson Perry-Dial closed the Public Hearing at 7:15 pm.

**Motion** by Urbain, supported by Pettengill to approve a variance of 33 feet from the required 35-foot rear-yard setback for 722 S. Third Street, based on the hardship that the location of the house leaves no rear-yard area for a garage to comply with the setback requirements of the R1 Zoning District. **The motion carried unanimously by a roll call vote.**

**Thomas Zaske, 730 Glenwyth;** is proposing to construct a detached garage, and is requesting a variance from the required rear setback. Chapter 98, Section 3.4 (D); R-1 Single Family Residential; Development Standards; requires a minimum rear yard setback of 35 feet. A variance of 25 feet is being requested.

Mr. Caruso stated the applicant currently does not have a garage and is proposing to construct a detached garage in the rear yard of his property. The parcel is only 120-feet in depth, and a 35-foot setback would leave the location of the structure within a short distance from his house.

Mr. Zaske commented to the Board that his lot is only 120 feet in depth, as opposed to the normal 132 feet found in the R1 Zoning District. A rear-yard setback of 35 feet would leave the front of his garage approximately 5 feet from the backside of his house. He further stated there is not enough room to attach the garage to the house, and still meet the side-yard setback requirements.

The board had no questions for the applicant.

Vice-Chairperson Perry-Dial opened the Public Hearing at 7:20 pm.

Hearing no comments, Vice-Chairperson Perry-Dial closed the Public Hearing at 7:21 pm.

**Motion** by Jenso, supported by Pettengill, to approve a variance of 25 feet from the required 35-foot rear-yard setback, for 730 Glenwyth, based on the hardship the property depth measures

less than typically found in the R1 Zoning District, leaving a smaller rear-yard area. **The motion carried unanimously by a roll call vote.**

### **Other Business**

#### **5. Election of Officers**

**Motion** by Jenso, supported by Pettengill to elect Urbain as Chairperson and Perry-Dial as Vice-Chairperson. **The motion carried unanimously by a roll call vote.**

#### **6. Call to the Public**

Vice-Chairperson Perry-dial opened the Call to the Public at 7:29 p.m. Hearing no comment, the Call to the Public was closed at 7:30 p.m.

#### **8. Adjournment**

**Motion** by Jenso, supported by Gottschalk to adjourn the meeting. **The motion carried unanimously by a roll call vote.** The meeting was adjourned at 7:30 p.m.

Respectfully submitted,

Michael Caruso,  
Community Development Manager