

**CITY OF BRIGHTON  
ZONING BOARD OF APPEALS  
MINUTES  
February 14, 2013**

**1. Call to Order**

Chairperson Rahilly called the meeting to order at 7:30 p.m. and the following members were present:

**2. Roll Call**

Gino Conedera – Absent  
Russ Gottschalk – Absent  
Patrick Rahilly – Present  
Doug Angst – Present  
Chad Cooper - Present  
Dave Senak – Present  
David McLane - Present  
Amy Cyphert  
Lauri French

Motion by Board Member Cooper, seconded by Angst, to excuse Board members Conedera and Gottschalk from tonight's meeting. Motion carried 5-0-2.

An audience of three was also present.

**3. Approval of the November 8, 2012 Meeting Minutes**

The meeting minutes could not be approved due to the absences of Board Members Conedera and Gottschalk. Motion by Board Member Angst, seconded by Cooper, to table the November 8, 2012 meeting minutes until the March 8, 2013 meeting. Motion carried 5-0-2.

**4. Approval of the February 14, 2013 Meeting Agenda**

Motion by Board Member McLane, seconded by Cooper, to approve the February 14, 2013 agenda as amended. Motion carried 5-0-2.

**Old Business**

**5. Election of Chairperson and Vice Chairperson**

Motion by Board Member Senak, seconded by Cooper, to table this agenda item until the March 8, 2013 meeting. Motion carried 5-0-2.

**New Business**

- 6. Vantage Construction Company on behalf of Charles Heine at 1218 Brighton Lake Road (18-31-301-081),** is proposing to demo the existing home at the address and construct a new single family home. The applicant is proposing a front yard setback of 15.8 feet. Sec. 98-204(a) states each lot in an R-1 district shall have a front yard depth of not less than 25 feet. A variance of 9.2 feet is being requested.

Scott Visger of Vantage Construction, contractor, spoke on behalf of the applicant, Chuck Heine, 1218 Brighton Lake Road. He reviewed the construction plan and noted that the 3.3 foot side yard setback, which is not in conformance, will be corrected to make it 6 feet to bring it into conformance. They want to maintain the current 15.8 foot front setback which is why they are before the Board requesting a 9.2 foot variance.

As noted in Blue Sky, only one response to the 300 foot mailing was received, which was an email from Gino Conedera, 1214 Brighton Lake Road, dated 2/12/13 that was read by Chairperson Rahilly into the record in support of the requested 9.2 foot variance based on the unique topography of the lot and the fact that the back yard gets extremely wet in the spring and after heavy rains.

Chairperson Rahilly opened the public hearing at 7:33 p.m. and read Mr. Conedera's email into the record in support of the requested variance as noted above. The public hearing was closed at 7:34 p.m. by Chairperson Rahilly and opened the floor to the applicant for discussion.

Motion by Board Member Angst, seconded by McLane, to approve the requested 9.2 foot variance for the front setback at 1218 Brighton Lake Road due to the lot being uniquely situated, the lot's topography, the lot depth being less than typical of the surrounding lots, and resolving the existing 3.3 foot side setback to bring it into conformance. A roll call was taken as follows:

Board Member McLane – Yes  
Board Member Cooper – Yes  
Board Member Rahilly – Yes  
Board Member Conedera - Absent

Board Member Senak - Yes  
Board Member Angst - Yes  
Board Member Gottschalk - Absent

The motion carried 5-0-2.

**9. Staff Updates**

Ms. Cyphert advised that there will be a meeting on March 14, 2013.

**10. Call to the Public**

Chairperson Rahilly made a Call to the Public at 7:40 p.m. Hearing no response, call to the public was closed.

**11. Adjournment**

Motion by Board Member Cooper, seconded by McLane, to adjourn the meeting at 7:40 p.m. Motion carried 5-0-2.

Respectfully submitted,

Lauri French, Secretary  
February 19, 2013