

**Zoning Board of Appeals
Tuesday, May 22, 2012
Regular Meeting
Council Chambers**

5:00 P.M.

Present: Acting Chairman Galardo, Commissioners Beehler, Helwig and Rice.

Also present: City Attorney Szot and Housing, Building and Zoning Officer Zurawski.

Absent: Chairman Bankoski.

The reading of the minutes of the previous meeting was dispensed with, same having been approved in writing by a majority of the Board.

The meeting was held for the purpose of hearing the following appeals:

APPEAL #2012-06 Appeal of Joel & Charlene Biscaro, 11 Pennsylvania Avenue for permission to construct an addition to the detached garage at his place of residence. Not in compliance with Article XXVI, Section 79-26021(1) of the Zoning Code of the City of Dunkirk, New York.

Joel Biscaro, 11 Pennsylvania Avenue, Dunkirk, New York was sworn in and testimony was taken in favor of the Board granting this appeal.

Lawrence Thompson, 14 Wilson Avenue, Dunkirk, New York, surrounding property owner, questioned the construction of the garage addition.

No one appeared in opposition to the Board granting this appeal.

APPEAL #2012-07 Appeal of Brooks Memorial Hospital, 529 Central Avenue for permission to install four signs (tobacco free) at entrances of Brooks Memorial Hospital. Not in compliance with Article XXI, Section 79-21040(7)(a) and (b) of the Zoning Code of the City of Dunkirk, New York.

Jarrod Johnson, 529 Central Avenue, Dunkirk, New York, representative of Brooks Memorial Hospital, appeared and gave testimony in favor of the Board granting this appeal.

Frank Schneider, 529 Central Avenue, Dunkirk, New York, representative of Brooks Memorial Hospital, appeared and gave testimony in favor of the Board granting this appeal.

No one appeared in opposition to the Board granting this appeal.

DETERMINATION

APPEAL #2012-06

In the appeal of Joel & Charlene Biscaro it was the unanimous decision of the Board that this appeal be granted with the following stipulations:

1. The appellant must comply with all testimony and information presented at the Zoning Board of Appeals meeting held 5/22/12.
2. All state and local building codes shall be followed.
3. Drainage shall be reviewed by the Building Inspector.

The Board stated the following findings of fact in their determination:

1. It will not alter the essential character of the neighborhood.
2. This addition is an addition of an existing non-conforming structure.

APPEAL #2012-07

In the appeal of Brooks Memorial Hospital it was the unanimous decision of the Board that this appeal be granted with the following stipulations:

1. The appellant must comply with all testimony and information presented at the Zoning Board of Appeals meeting held 5/22/12.
2. One sign per entrance only, with a maximum of four signs.

The Board stated the following finding of fact in their determination:

1. The appellant is attempting to enhance the tobacco free policy for the public.

Commissioner Beehler moved to adjourn, seconded by Commissioner Rice at 5:35 P.M. Carried, all voting aye.