

ZONING BOARD OF APPEALS

Tuesday, February 25, 2014

Regular Meeting

Council Chambers

5:00 P.M.

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

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

APPEAL #2014-01 Appeal of Southpaw Signs & Stripes on behalf of G. H. Graf Realty Corp., owner; and The Chautauqua Center, tenant; for permission to install signage at property located at 319-321 Central Avenue. Not in compliance with Article XXI, Section 79-21040(7) of the Zoning Code of the City of Dunkirk, New York.

Cody Britton, 19 Norton Place, Fredonia, New York owner of Southpaw Signs and Stripes was sworn in and testimony was taken in favor of the Board granting this appeal.

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

DETERMINATION

APPEAL #2014-01 In the appeal of Southpaw Signs & Stripes on behalf of G.H. Graf Realty, owner and the Chautauqua Center, tenant, 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 Tuesday, February 25, 2014.
2. The Chautauqua Center will be responsible for removing the sign should they vacate the premises.
3. The Chautauqua Center will assume all responsibility for proper care and maintenance of the sign.

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

1. It will not alter the essential character of the neighborhood.

2. The size and location of the building prohibits signage to be attached to the front of the building or space for a detached sign.
3. The variance is not a substantial variation due to the size of the building.
4. Due to the location of the building being in the business district, there will be no adverse effect on the environment.
5. The alleged difficulty is not self-created due to the fact that the clientele does not have access to the building through the Central Avenue entrance and the clientele has to enter the building through the north side entrance.

Commissioner Rice moved to adjourn, seconded by Commissioner Beehler. Carried, all voting aye.

**I DO HEREBY APPROVE OF THE
FOREGOING MINUTES IN FULL**

CHAIRMAN BANKOSKI

COMMISSIONER BEEHLER

COMMISSIONER GALARDO

COMMISSIONER HELWIG

COMMISSIONER RICE

