

ZONING BOARD OF APPEALS

Tuesday, April 22, 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.

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 #2014-04 **Appeal of Todd Tyler for permission to convert the one-family residence to a two-family residence at 121 Pike Street. Not in compliance with Article XXIV, Section 79-24080 of the Zoning Code of the City of Dunkirk, New York.**

Todd Tyler, 2064 Bard Road, Cherry Creek, NY was sworn in and testimony was taken in favor of the Board granting this appeal.

Mr. Tyler submitted a petition signed by five surrounding property owners stating they had no objections to converting the one family to a two family residence.

Clerk read a communication from John "Jay" Warren, representing G.H. Graf Realty, in favor of the Board granting this appeal.

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

APPEAL #2014-05 **Appeal of Jack Kujawa for permission to remove the existing 10' x 10' mudroom and construct a 27' x 22' attached garage at 62 Middle Road. Not in compliance with Article IV, Section 79-4060 (in part) of the Zoning Code of the City of Dunkirk, New York.**

Jack Peter Kujawa, 62 Middle Road, Dunkirk, New York was sworn in and testimony was taken in favor of the Board granting this appeal.

A communication was received from Mark Geise, Deputy Director of the Chautauqua County Planning Division, stating that the granting of this appeal is of local concern.

DETERMINATION

APPEAL #2014-04

In the appeal of Todd Tyler it was the unanimous decision of the Board that this appeal be granted with the following stipulation:

1. The appellant must comply with all information and testimony presented at the Zoning Board of Appeals meeting held April 22, 2014.

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

1. There is a much greater need for a one or two family bedroom apartment rather than a five bedroom house.
2. There is no adequate room on this property to put additional parking for another apartment. There is ample on-street parking for the additional apartment making this condition unique.
3. It will not alter the essential character of the neighborhood since there presently exists a multiple dwelling as well as several two family dwellings in the area. This house has been vacant for over ten years and in disrepair. The appellant has taken the initiative to purchase the property and repair.

APPEAL #2014-05

In the appeal of Jack Kujawa it was the unanimous decision of the Board that this appeal be granted with the following stipulation:

1. The appellant must comply with all testimony and information presented at the Zoning Board of Appeals meeting held Tuesday, April 22, 2014.

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

1. There will be no adverse effect on the neighborhood.

2. Due to the appellant's handicap, there is no other alternative available.
3. Due to the perpendicular nature of the property, no other viable solution could be found.
4. It will enhance the condition in the neighborhood.

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

