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TOWN AND VILLAGE OF ELLICOTTVILLE
BUILDING / CODE ENFORCEMENT
DIVISION

PO Box 600, ELLICOTTVILLE, NY 14731

Code Enforcement Officer: Kelly Fredrickson, (716) 699-4773

E-MAIL: kelly.fredrickson@evlengineering.com

Planner: Greg Keyser, (716) 801-3016, E-MAIL: greg.keyser@evlengineering.com

ZONING BOARD OF APPEALS APPLICATION

Property is in: TOWN VILLAGE App. # 2022-145

APPLICANT INFORMATION:

Applicant's name: Olive Ojala Date: 7/27/22
Mailing address: 733 SUNDRIE DR. WATERLOO, ONTARIO N2T3Z4
Cell Phone Number: _____ E-Mail: olive.ojala@gmail.com
Applicant must be (check all that apply): Owner Operator Lessee

Applicant's Engineer or representative: Jeff Fisher
Address: 7925 Erdman Rd, Little Valley, NY, 14753
Phone #: 716 353 0996 E-Mail: patcobuilders@yahoo.com

PROPERTY OWNER INFORMATION (if different than Applicant)

Name: _____
Mailing Address: _____
Cell Phone Number: _____ E-Mail: _____

TYPE OF APPEAL:

Area Variance Use Variance Interpretation of Zoning Law text or map

Section of Zoning Law from which variance is requested: _____

Describe the requested variance: garage to be at the end of their existing driveway 2.5' side lot line and 42' front road

Is this appeal from a decision of the Town/Village of Ellicottville Building Official? YES NO

If yes, what as the type of decision or permit? AREA VARIANCE 34(D)(1) + 34(D)(3)

Date of decision: 7/28/22

A previous appeal has has not been made with respect to this decision or with respect to the property. If a previous appeal was made, provide the Appeal # _____ and Date of Appeal _____

Reasons Supporting Your Appeal

Please reply to the questions below for the type of appeal that you are making. These are the criteria that the Zoning Board of Appeals will use to evaluate your appeal. Provide as much detail as possible. Feel free to attach an additional statement.

AREA VARIANCE

In making its determination on an area variance, the Zoning Board of Appeals shall take into consideration the benefit to the applicant if the variance were granted, as weighed against the detriment to the health, safety and welfare of the neighborhood or community by such grant. In making that determination, the ZBA will consider these five questions.

1. Will an undesirable change be produced in the character of the neighborhood or will a detriment to nearby properties be created by the granting of the area variance?
NO. EXISTING STRUCTURES APPEAR TO OF SIMILAR DISTANCE FROM THE FRONT PROPERTY LINES.
2. Can the benefit sought by the applicant be achieved by some method, feasible for the applicant to pursue, other than an area variance?
NO. EXISTING SLOPE/TOPOGRAPHY OF SITE AND SANITARY SEWER EASEMENT.
3. Is the requested area variance substantial?
NO.
4. Will the proposed variance have a adverse effect or impact on the physical or environmental conditions in the neighborhood or district?
NO. IMPROVES CURB APPEAL. PROPOSED GARAGE SITES FOR ACCESS AND SAFETY.
5. Is the alleged difficulty self-created, which consideration shall be relevant to the decision of the board, but shall not necessarily preclude the granting of the area variance.
NO. & SITE CONDITIONS AND CONSTRAINTS.

USE VARIANCE

In order for the Zoning Board of Appeals to grant a use variance, the applicant shall show that the applicable zoning regulations and restrictions have caused unnecessary hardship. In order to prove unnecessary hardship, the applicant shall demonstrate to the Zoning Board of Appeals that for each and every permitted use under the zoning regulations for the particular district where the property is located:

1. The applicant cannot realize a reasonable return, provided that lack of return is substantial, as demonstrated by competent financial evidence; and
2. The alleged hardship relating to the property in question is unique and does not apply to a substantial portion of the district or neighborhood; and
3. That the requested use variance, if granted, will not alter the essential character of the neighborhood; and

Accessory Building:

Description: 24'x24' one story garage 4/12 roof
Percentage of yard: built in existing driveway Height: 13 feet.
Setback from rear lot line: 254 feet. Setback from side lot line: 2.5 feet.

Floodplain:

FIRM Zone _____ BFE _____
Flood Plain Development Permit Required? YES NO

ATTACHMENTS

Attach all relevant items listed in the Town/Village of Ellicottville Zoning Law for type of application(s) being submitted. Additional copies of all plans, documents and other application materials may be required. See attached list of required forms and information needed for type of application being submitted. Deadline for submittal is three (3) weeks prior to regularly scheduled meeting date. Meeting dates are subject to change by the Board Chair.

SIGNATURES

Applicant and Owner (if different) must sign the application.

I hereby certify that I have examined this application and know the same to be true and correct. All provisions of laws and ordinances covering this type of work will be complied with whether specified herein or not. The acceptance or approval of this application does not presume to give authority to violate or cancel the provisions of any other state or local law regulating construction, land use or the performance of construction. I have read and am familiar with the Town/Village of Ellicottville zoning law that is relevant to this application(s).

Additional Fees may be charged for: pre-application meetings, SEQR review, and additional legal/consulting/engineering labor. Permit Fees are NON-REFUNDABLE

Permission to inspect – I hereby consent to Town/Village of Ellicottville Staff inspection of the project site and adjacent property areas. Town/Village staff may enter the property without notice. Inspection may occur without the owner, applicant or agent present. If the property is posted with “keep out” signs or fenced with an unlocked gate, staff may still enter the property. Agency staff may take measurements, analyze site physical characteristics, take soil and vegetation samples, sketch and photograph the site.

Applicant Signature: [Signature] Date: 7/27/22
Applicant must be (check all that apply) Owner Operator Lessee

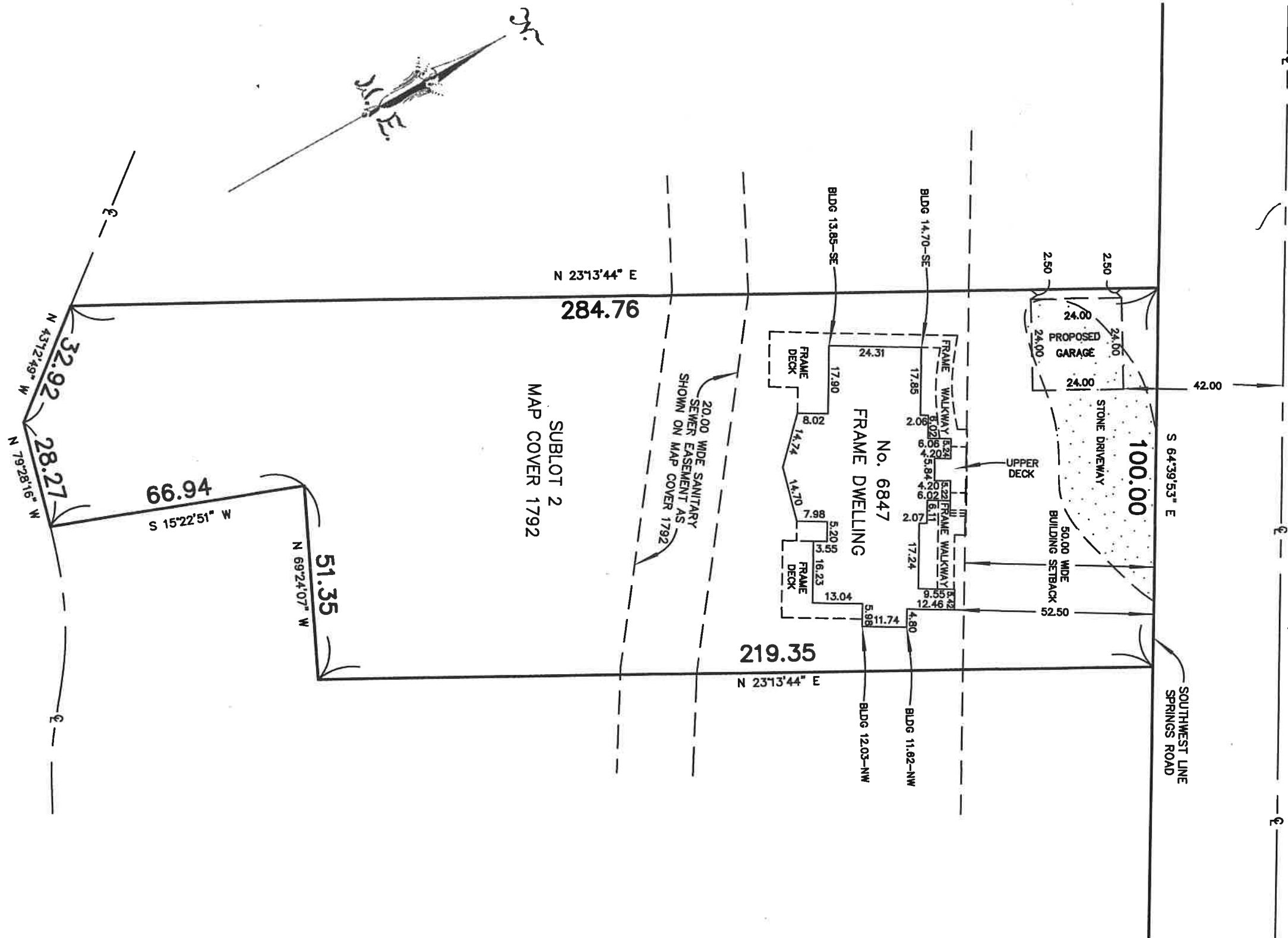
Applicant Name: Print

Property Owner's Signature (if different than applicant) _____ Date: _____

Property Owner's Name: Print

Office use only:
Application Fee(s) \$275
Received by: Greg Keyser on 7/28/2022 (Date)
Project Number(s): _____

PLUM CREEK



Part of Lot (Lots) 48, Section _____, Township 4, Range 6, Of The HOLLAND LAND COMPANY'S SURVEY

City (or) Village of _____, Town of ELLCOTTVILLE, County of CATTARAUGUS, State of New York

Notes:

- 1) This Survey is VOID unless embossed with New York State Licensed Land Surveyors Seal #050182.
- 2) Altering any item on this Survey is in violation of law, excepting as provided in Section 7209 Part 2 of the New York State Education Law.
- 3) This Survey VOID if used with an Affidavit Of No Change.
- 4) This Survey was prepared without the benefit of an Abstract of Title and is subject to any state of facts that may be revealed by an examination of the same.

Drawing Scale : 1" = 30'

Date of Survey AUGUST 28, 2021

Signature *Marshall L. Mill*

Marshall L. Mill PLS
Krause & Gantzer
Land Surveyors
13 Olean Street
East Aurora, New York 14052



ESTABLISHED 1870

Feet	Inches	Feet	Inches
0.08	1 Inch	0.58	7 Inches
0.17	2 Inches	0.67	8 Inches
0.25	3 Inches	0.75	9 Inches
0.33	4 Inches	0.83	10 Inches
0.42	5 Inches	0.92	11 Inches
0.50	6 Inches	1.00	12 Inches

Job No. 171,846

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