

ATTACHMENTS

Attach all relevant items listed in the Town/Village of Ellicottville Zoning Local Law for a zoning permit. Additional copies of all plans, documents and other application materials may be required. Please include copy of survey if available. Plot Plan Survey Site Plan

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).

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: July 5 2022

Applicant must be (check all that apply): Owner Operator Lessee/purchaser

Applicant Name: ^{Print} Philip Vogt

Property Owner’s Signature (if different than applicant)

[Signature] Date: 7/5/22

Property Owner’s Name: ^{Print} _____

Office use only:

Application Fee: \$46.00 _____

Received by: Gregory Keyser on 7/11/22 (Date)

Project Number(s): _____

Zoning Permit Approved - May obtain building permit.
 Denied – Not in conformance with following provision(s) of the Zoning Ordinance:

3.6(4) - REAR YARD SETBACK

ZEO Signature: Gregory D. Heenan

CEO Signature: _____

Date: 7/11/22



**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. # _____

APPLICANT INFORMATION:

Applicant's name: B. J. Lopez Date: July 5 2021

Mailing address: P.O. Box 637 Ellicottville NY 14731

Cell Phone Number: 716 870 1836 E-Mail: B. J. Lopez 7439@gmail.com

Applicant must be (check all that apply): Owner Operator Lessee

Applicant's Engineer or representative: _____

Address: _____

Phone #: _____ E-Mail: _____

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: Deck 6' INTO Set Back

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? _____

Date of decision: _____

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. There is a lower level patio we are building
A upper level patio. Small - 1 tile tile lower

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. if we made it smaller, it would not
be usable

3. Is the requested area variance substantial?

No. it is 6' into the set back still leaving 29'

4. Will the proposed variance have a adverse effect or impact on the physical or environmental conditions in the neighborhood or district?

No. There is all ready a existing lower patio in this area

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.

Yes

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

4. That the alleged hardship has not been self-created

Provide a statement that discusses each of these points, demonstrating that the zoning regulations have caused unnecessary hardship.

INTERPRETATION OF ZONING LAW

Provide a statement that describes what the Building Official determined, what you believe should be the interpretation, and why.

Attach additional statement.

PROPERTY / FACILITY NAME

Address: 6 Green Hill

Property tax map #: 55.043-1-2.38

Current use of property: House

Description of Proposed Project/Use (attach additional pages, survey and plans):

Deck

Zoning Requirements from Town/Village Zoning Law.

Front yard setback: _____, Rear yard setback: 35, Side yard setback: _____,

Combined side: _____, Minimum lot size: _____, Width: _____,

Height: _____, Floor area ratio: _____ (Village)

Usable Open space: _____

Site Information

Size of site: _____ Sq. Ft. Size of area to be developed: _____ Sq. Ft.

Main Structure:

Construction type: _____ Front yard setback: _____ feet

Height: _____ stories, _____ feet Side yard setback: _____ feet

of family units: _____ Total of both side yard setbacks: _____ feet

Size of lot: _____ Sq. Ft. Rear yard setback: _____ feet

Usable Open space: _____ % Floor area ratio: _____ (Village)

Corner or interior lot? _____ Other: _____

Accessory Building:

Description: _____

Percentage of yard: _____ Height: _____ feet.

Setback from rear lot line: _____ feet. Setback from side lot line: _____ 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: _____ Date: July 5 2022

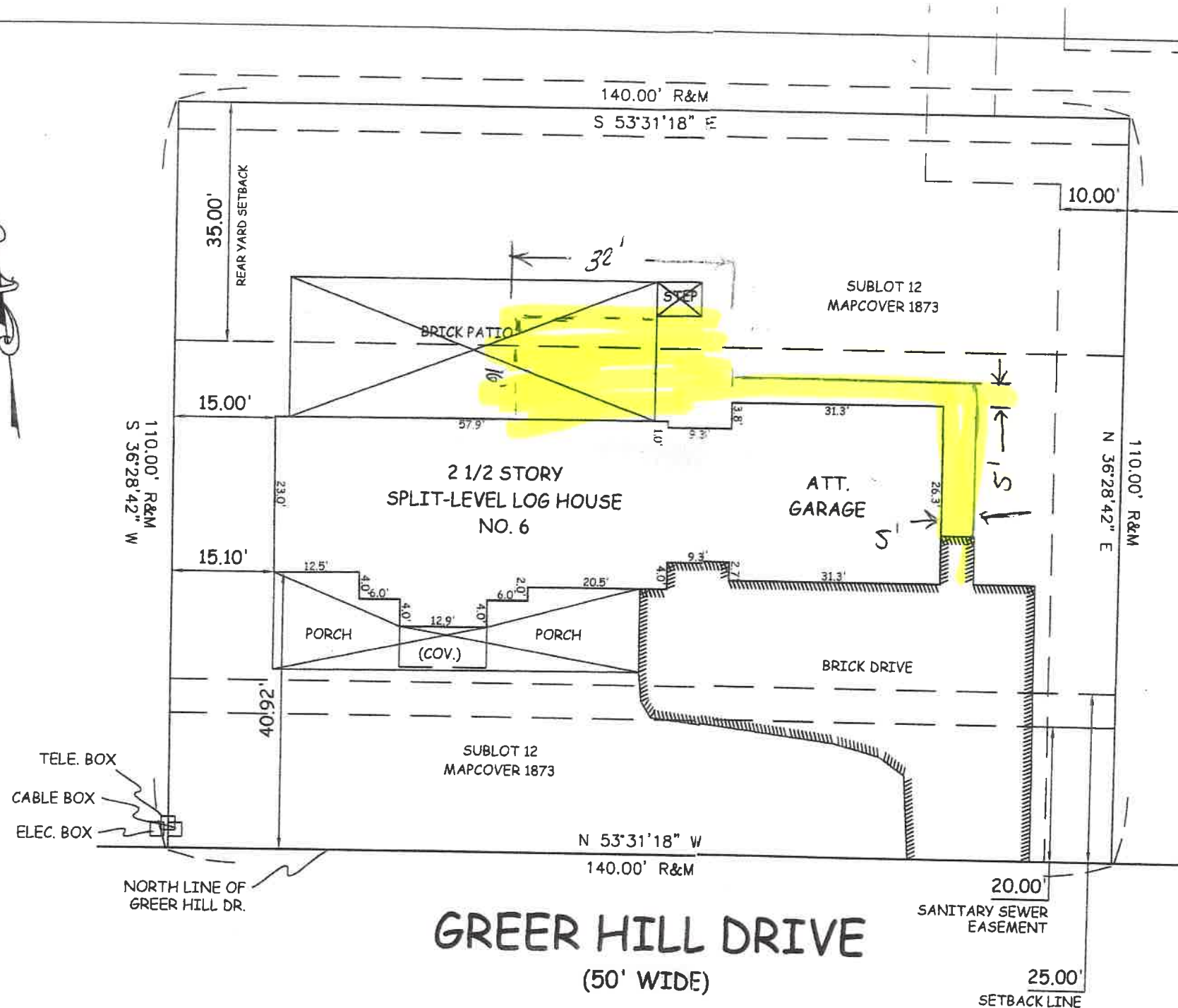
Applicant must be (check all that apply) Owner Operator Lessee

Applicant Name: ^{Print} Philip Vost

Property Owner's Signature (if different than applicant) _____ Date: 7/5/22

Property Owner's Name: ^{Print} _____

<p><u>Office use only:</u></p> <p>Application Fee(s) _____</p> <p>Received by: _____ on _____ (Date)</p> <p>Project Number(s): _____</p>
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□ Proposed Deck Area

GREER HILL DRIVE (50' WIDE)

LEGEND

These standard symbols will be found in the drawing.

- EXISTING IRON PIPE
- SET IRON PIPE
- ⊙ UTILITY POLE
- BOUNDARY
- - - CENTERLINE OF ROAD
- X - X - FENCE
- ||||| DRIVE
- E - OVERHEAD UTILITY LINE



SURVEY NOTES

1. UNAUTHORIZED ALTERATION OR ADDITION TO A SURVEY MAP BEARING LICENSED LAND SURVEYOR'S SEAL IS A VIOLATION OF SECTION 7209, SUB-DIVISION 2, OF THE NEW YORK STATE EDUCATION LAW.
2. REPRODUCTION OR COPYING OF THIS DOCUMENT MAY BE A VIOLATION OF COPYRIGHT LAW UNLESS PERMISSION OF THE AUTHOR AND/OR COPYRIGHT HOLDER IS OBTAINED.
3. ONLY BOUNDARY SURVEY MAPS WITH THE SURVEYOR'S EMBOSSED SEAL ARE GENUINE TRUE AND CORRECT COPIES OF THE SURVEYOR'S ORIGINAL WORK AND OPINION.
4. A COPY OF THIS DOCUMENT WITHOUT A PROPER APPLICATION OF THE SURVEYOR'S EMBOSSED SEAL SHOULD BE ASSUMED TO BE AN UNAUTHORIZED COPY.
5. ONLY TITLE SURVEYS BEARING THE MAKERS EMBOSSED SEAL SHOULD BE RELIED UPON SINCE OTHER THAN EMBOSSED SEAL COPIES MAY CONTAIN UNAUTHORIZED AND UNDETECTABLE MODIFICATIONS, DELETIONS, ADDITIONS AND CHANGES.
6. THE LOCATION OF UNDERGROUND IMPROVEMENTS OR ENCROACHMENTS ARE NOT ALWAYS KNOWN AND OFTEN MUST BE ESTIMATED. IF ANY UNDERGROUND IMPROVEMENTS OR ENCROACHMENTS EXIST OR ARE SHOWN, THE IMPROVEMENTS OR ENCROACHMENTS ARE NOT COVERED BY THIS CERTIFICATE.
7. SURVEY PERFORMED WITHOUT THE BENEFIT OF AN ABSTRACT OF TITLE AND IS SUBJECT TO ANY ACTS THAT MAY ARISE THEREFROM.
8. NO STAKES SET AS PER CONTRACT.
9. THIS SURVEY NOT VALID WITH AFFIDAVIT OF NO CHANGE.
10. THIS SURVEY NOT VALID FOR SUBSEQUENT OWNERS, MORTGAGES OR TITLE INSURERS UNLESS THIS SURVEY HAS BEEN RESURVEYED BY THIS SURVEYOR.

MANGUSO LAND SURVEYING, P.C.
FREDERICK M. MANGUSO, 049775-1
TRACY A. SPADA, 050806

572 TUSCARORA RD.
ANGOLA, NY 14006

PHONE & FAX 716 549 4717

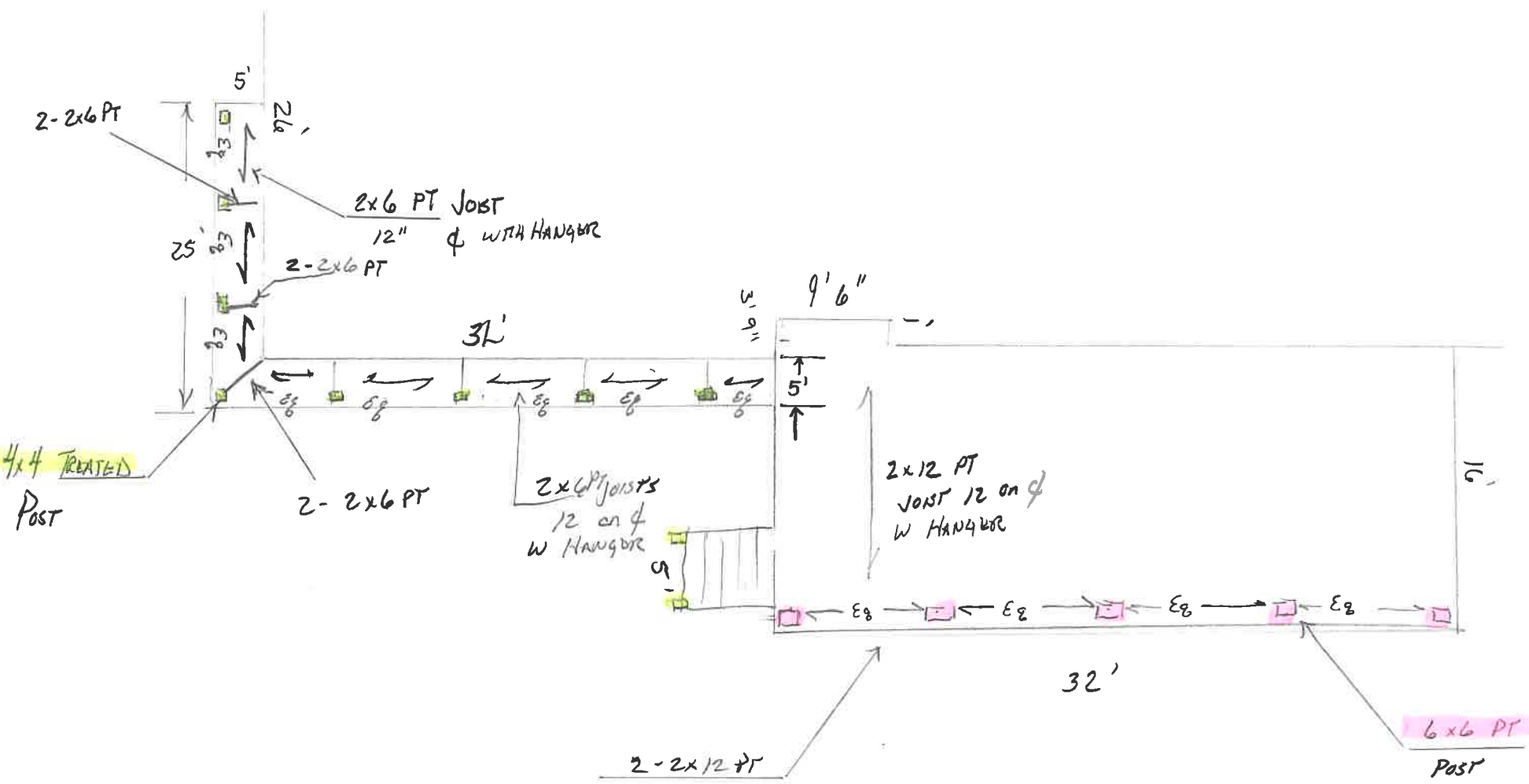
EMAIL OFFICE@MangusoLandSurveying.com

SUCCESSOR TO THE RECORDS OF
WILLIAM C. BUCKLAND L.S.
NORMAN B. JOHNSON L.S.
WILSON M. HUNTER L.S.

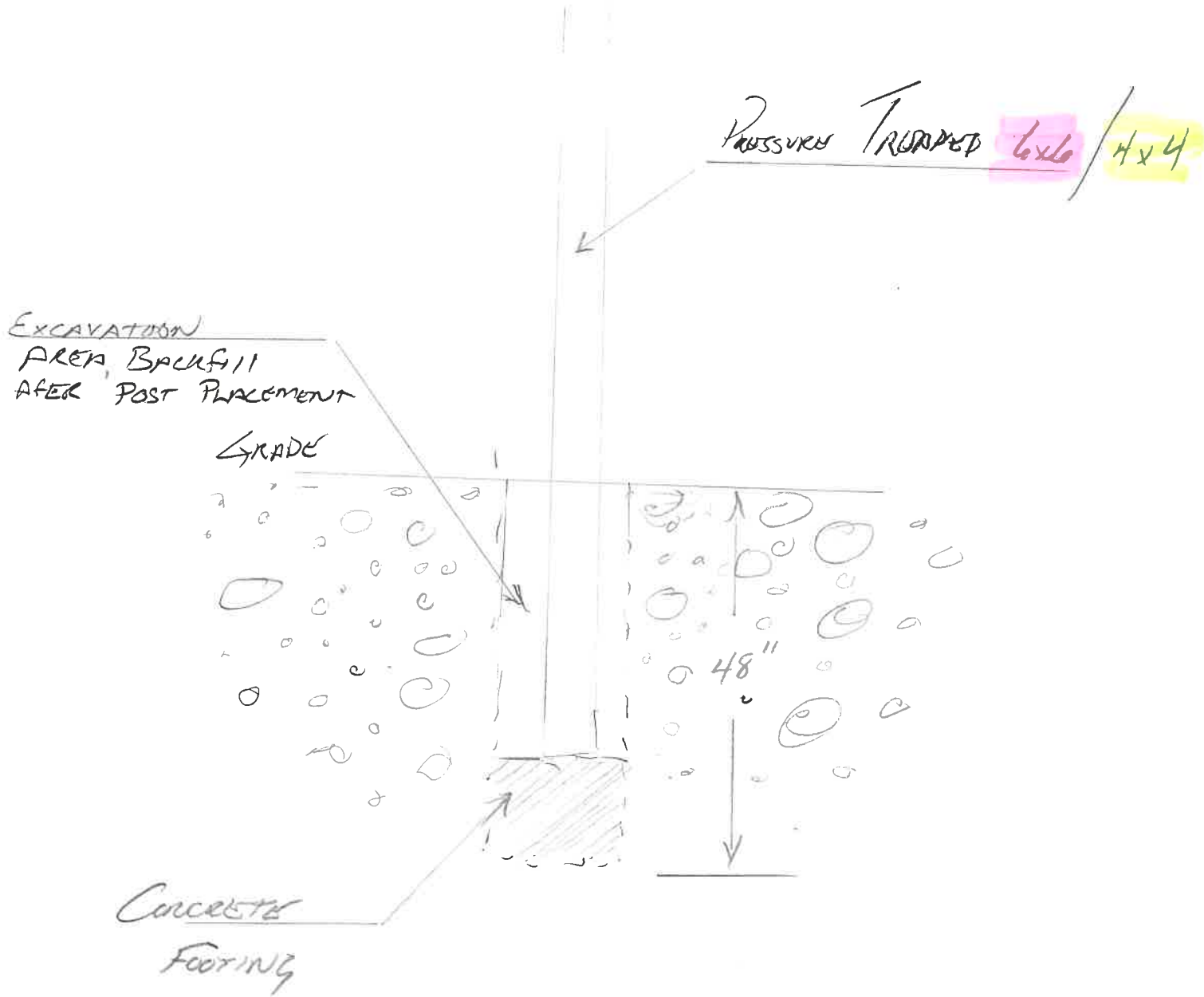
6 GREER HILL DRIVE

DRAWN BAB	DATE 06/17/20	PART OF LOT 64, T-4, R-6 VILLAGE OF ELLICOTTVILLE COUNTY OF CATTARAUGUS STATE OF NEW YORK
APPROVED TAS	DATE 06/17/20	
SCALE 1" = 20'	SHEET	PROJECT NO. 20200264

PROPOSED DECK
POST / FRAMING PLAN



POST DETAIL



PROPOSED DECK ELEVATIONS

