

**VILLAGE OF ELLICOTTVILLE  
PLANNING BOARD**

**STAFF REPORT**

**Date:** August 28, 2023  
**Zoning Permit:** VZP-2023-290  
**Project:** New One Family Residence  
**Applicant:** Thomas & Muffett George  
**Site Address:** 74 Elizabeth Street, Ellicottville, New York 14731  
**Tax Map:** 55.035-3-2  
**Zoning District:** Village Residential (VR)  
**Prepared By:** Gregory Keyser, Planner

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**SUMMARY**

This is a Zoning Permit referred to the Planning Board for Site Plan and Architectural Design review to allow the construction of a new 3,262 square foot one-family residence. The Planning Board granted approvals for a single-family dwelling on June 8, 2021. However, the approvals expired after 1 year because the applicant did not apply for a building permit. In addition, the applicant indicated that the project has been modified. Attached are the 6/8/21 minutes and the previously approved site plan drawings.

**ZONING REVIEW**

Land Use – The project site is located on a 13,068 square foot (sf) lot with frontage along Elizabeth Street and access to an alley way along the rear of the property. A single-family dwelling is a Permitted Use in the VR District with a Site Plan Review and Architectural Design Review from the Planning Board. Adjacent land uses include one-family and two-family residences.

Dimensional Requirements

Standard		Existing	Proposed	Compliant
Lot Size	As Platted	13,068 sf	No Change	Yes
Lot Width	As Platted	66 feet	No Change	Yes
Min. Front Yard	25 feet	n/a	25 feet	Yes
Min. Rear Yard	35 feet	n/a	73 feet	Yes
Min. Side Yard	10 feet	n/a	10/20 feet	Yes
Min. Side Yard (combined)	30 feet	n/a	30 feet	Yes
Max. Lot Coverage	60%	0%	41%	Yes
Min. Building Size (footprint)	1,000 sf	n/a	~ 2,850 sf	Yes
Max. Building Height	28 feet 1.5 stories	n/a	~ 23 feet 1.5 stories	Yes

Access to Alley – Similar to the last request, the applicant is proposing to use the alley for their driveway access. The Planning Board will need to determine if this needs to go back to the Village Board of Trustees for further consideration.

Accessory Garage (Barn) – As a condition of the previous approval the Planning Board determined that the minimum rear yard setback for the accessory garage (barn) is 5 feet. However, while depicted on the site plan, the applicant is not seeking approval for the garage at this time. During review, the Planning Department noted that the garage exceeded the maximum height allowed for accessory structures.

Subsequently, the applicant decided to revised the garage plans and resubmit to the Planning Board as a separate application in the future.

Site Plan Review – The criteria for Planning Board approval of site plans are found in Section 6.7.

Architectural and Landscape Design Review – The criteria and standards are found in Section 10.

## **PROCEDURE**

Application Review	The Planning Board must review the submission to determine if the application materials are complete and there is sufficient information for a public review.
SEQR	The Short Environmental Assessment Form (SEAF) should be provided. However, construction of a single-family house is a Type 2 Action under SEQR 617.5(c)(9). As a Type 2 SEQR Action, no further review will be required.
County Zoning Referral	The property is within 500 feet of US 219 and NY 242. However, a Section 239 Referral to Cattaraugus County Planning Board will not be required because it is exempt from referral under Exhibit A, Item 11 of the Referral Exemptions Agreement with Cattaraugus County.
Public Hearing	A Public Hearing must be held within 62 days of a complete application. The Public Hearing Notice will also serve as the Notice for Architectural Design Review.
Final Action	After the public hearing is closed and SEQR has been completed, the Planning Board has 62 days to approve, approve with conditions, or disapprove the request.

## **STAFF COMMENTS**

No further comments at this time.