

Town of Olive
Schedule of Residence and Business and Industry District Standards

(Standards shown are minimum requirements, unless otherwise indicated)
(Dimensions in feet, unless otherwise indicated)

Standards ²	R/C-10A	R/R-3A	R/E-1A	R1	R1
1. Lot area ³ per dwelling unit	10 (acre)	3 (acre)	1 (acre)	1.8 acre	1.8 acre
2. Lot width at main building line	506'	300'	125'	234.2'	234.2'
3. Lot depth	806'	400'	150'	342.95'	342.95'
4. Front yard ¹	50'	50'	50'	49' to ctr. of road	62' to ctr. of road
5. Side yard (each)	104'	50'	25'	3/155'	4.5/155'
6. Rear yards	104'	75'	50'	244'	247'
7. Maximum height:					
Stories	2½	2½	2½	1 story	1.5 story
Feet	35'	35'	35'	14' / 20' house	21' ¼" height to peak
8. Maximum building coverage (all buildings)	3%	5%	15%	5.3% incl. drive	6.25% incl. drive
9. Required off-street parking spaces			(As required by Article V)	1 car gar. + drive	1 car gar. + 13' longer drive

NOTES:
 *On streets with less than a fifty-foot right-of-way, the front yard setback shall be measured from the center line of the right-of-way if known, and 25 feet shall be added to the required front yard setback. On streets of unknown right-of-way, the same procedure shall be followed except that measurements shall be taken from the center line of the existing roadway.
 *In special permit and site plan review and approval, the Planning Board shall have the authority to modify these standards, in the interest of the public welfare, up to 10%.
 *See § 155-8 for permitting smaller lot size.
 *Minimum lot size for certain commercial uses is ½ acre; residential and certain other uses in these districts require larger lot sizes as per § 155-16.

Town of Olive
Code 155-37 ZBA Appeals

Area variances.
 [1] The Zoning Board of Appeals shall have the power, upon an appeal from a decision or determination of the administrative official charged with the enforcement of this chapter, to grant area variances as defined herein.

[2] In making its determination, the Zoning Board of Appeals shall take into consideration the benefit to the applicant if the variance is granted, as weighed against the detriment to the health, safety and welfare of the neighborhood or community by such grant. In making such determination the Board shall also consider:

Appeal:
 [a] Whether an undesirable change will be produced in the character of the neighborhood or a detriment to nearby properties will be created by the granting of the area variance;

No. The contrary. The present garage structure is setback 49' at the front. The proposed building upgrade brings the structure in conformance with Zoning code, with the front moved back to 75'. The existing garage structure is 51'-3" in length. The proposed is 42' length. Please see the drawings A0.0 existing location of structures, and A1.1 proposed location, drawing A1.2 with 3D modeled views and A2.1, proposed building elevations.

[b] Whether the benefit sought by the applicant can be achieved by some method, feasible for the applicant to pursue, other than an area variance;

No. The present garage structure location is not in conformance to code. The distance at the side to the property line is 3'. The proposed structure, as stated in (a) is moved to conform to the front yard setback requirement and shortened at the side. The present garage location makes sense at it is located at the driveway, by the house and front door.

[c] Whether the requested area variance is substantial;

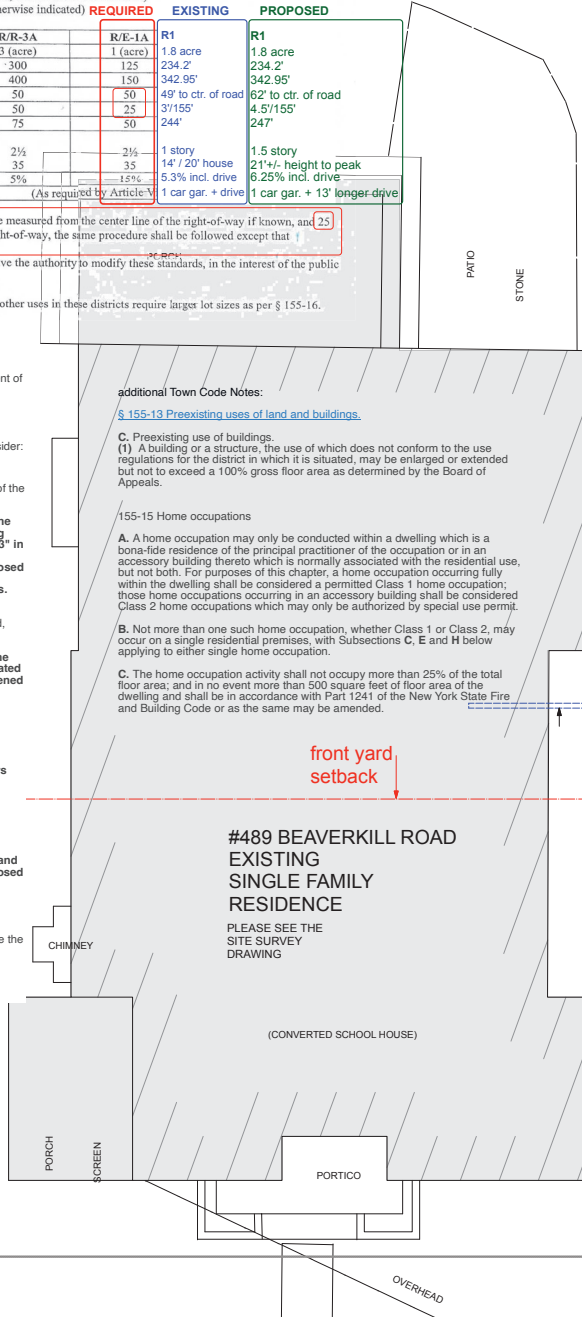
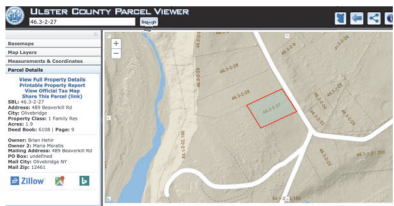
No. The proposed building is more conforming than the existing structure. There is no change in use or function, and the slightly wider structure allows both vehicles in the garage, which gets them out of view from Beaverkill Road.

[d] Whether the proposed variance will have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district; and

No. The proposed building is more conforming than the existing structure, and is an improvement to the view from the road, both visually and as it is proposed to be setback an additional 26' from Beaverkill Road.

[e] Whether the alleged difficulty was self-created, which consideration shall be relevant to the decision of the Board of Appeals, but shall not necessarily preclude the granting of the area variance.

Not self-created. The existing garage exists, and the proposed replacement building upgraded to present building code is more conforming to ZBA requirements than the existing structure.



additional Town Code Notes:

§ 155-13 Preexisting uses of land and buildings.

C. Preexisting use of buildings.
 (1) A building or a structure, the use of which does not conform to the use regulations for the district in which it is situated, may be enlarged or extended but not to exceed a 100% gross floor area as determined by the Board of Appeals.

155-15 Home occupations

A. A home occupation may only be conducted within a dwelling which is a bona-fide residence of the principal practitioner of the occupation or in an accessory building thereto which is normally associated with the residential use, but not both. For purposes of this chapter, a home occupation occurring fully within the dwelling shall be considered a permitted Class 1 home occupation; those home occupations occurring in an accessory building shall be considered Class 2 home occupations which may only be authorized by special use permit.

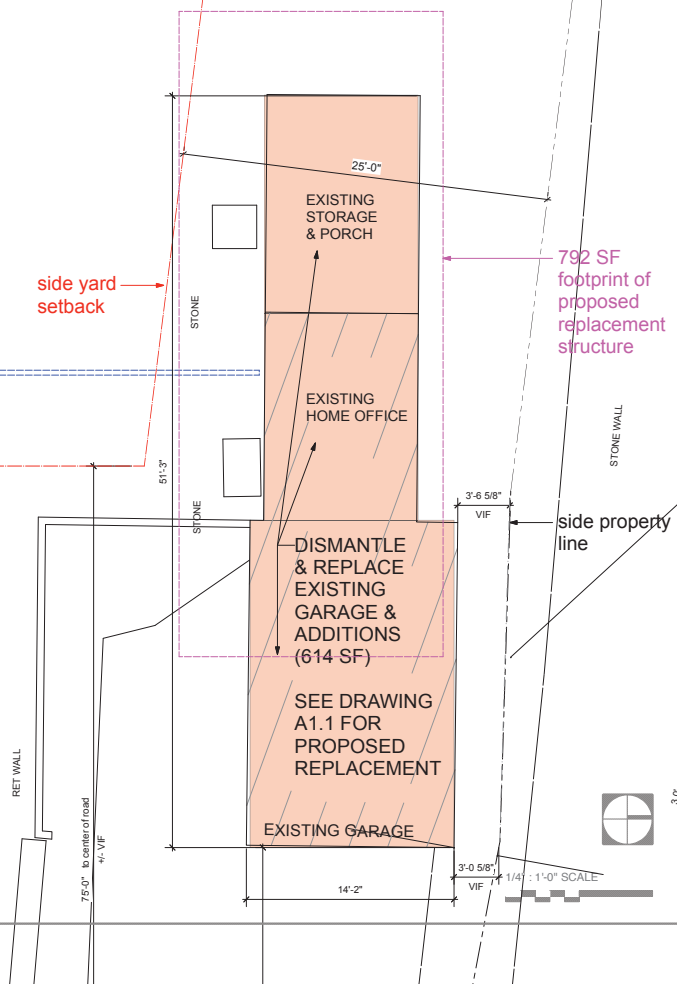
B. Not more than one such home occupation, whether Class 1 or Class 2, may occur on a single residential premises, with Subsections C, E and H below applying to either single home occupation.

C. The home occupation activity shall not occupy more than 25% of the total floor area; and in no event more than 500 square feet of floor area of the dwelling and shall be in accordance with Part 1241 of the New York State Fire and Building Code or as the same may be amended.

**#489 BEAVERKILL ROAD
 EXISTING
 SINGLE FAMILY
 RESIDENCE**
 PLEASE SEE THE
 SITE SURVEY
 DRAWING



REPLACE
EXISTING
GARAGE



Structural Engineer:
 Clapper Structural Engineering, PLLC
 160 Partition Street
 Saugerties, NY 12477
 845-843-9601

DATE	REVISION
10.2.23	Building Department Filing
9.20.23	Progress Drawings
9.13.23	Preliminary Drawings
5.22.23	Drawings
6.1.23	ZBA FILING

489 Beaverkill Road
 Town of Olive, NY
 46.3-2-27



DESCRIPTION
 Existing Structures
 Locations, Notes

PAGE NO.

A0.0