



ZONING BOARD OF APPEALS APPLICATION

AREA VARIANCE

236 Third Street, Greenport, New York, 11944

(631) 477-0248

www.villageofgreenport.org

Date of Application 01.30.23

RECEIVED

FEB 03 2023

VILLAGE OF GREENPORT
BUILDING DEPARTMENT

All information below is to be completed by the applicant. This completed application is to be accompanied by the Notice of Disapproval, Copies of Covenants and/or Restrictions, where applicable, Environmental Assessment Form, building plans showing elevations, setbacks, floor plans, room dimensions, details of footings and foundation, and species of lumber and quality of material, where applicable.

THE OWNER OF THE PROPERTY IS: (PLEASE PRINT CLEARLY)

MARK MOFFETT & MELLISSA WELLS

First Name Last Name Business Name, if applicable

155 STERLING STREET, GREENPORT NY 11944

Mailing Address City/ Town/ Village State Zip

[REDACTED] @gmail.com

Phone # E-Mail Address

CONTACT PERSON (if different from owner)

The person to receive all correspondence:

ZACKERY E. NICHOLSON, RA ZEN DESIGN

First Name Last Name Business Name, if applicable

[REDACTED], CUTCHOGUE NY 11935

Mailing Address City/ Town/ Village State Zip

631. [REDACTED] @GMAIL.COM

Phone # E-Mail Address

IF ANYONE OTHER THAN THE OWNER COMPLETES THIS APPLICATION, WRITTEN CONSENT FROM THE OWNER MUST BE SUBMITTED WITH THIS APPLICATION.

Location:

Suffolk County Tax Map Number: 1001 Section: 3 Block: 4 Lot 36.4

Street Address: 155 STERLING STREET Greenport, New York, 11944

Zoning District: WC R1 R2 PD CR CG

Is property located within the Historic District? Yes No



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The Code Official reviewed and denied an application dated OCTOBER 27th, 2022 for a Building Permit for the location specified on this application.

Provisions of the Zoning Code appealed:

(Indicate Article, Section and Subsection of Zoning Code by numbers)

Article: OCTOBER 27th, 2022 Section: 150 - 13 Subsection: b

Type of appeal made for:

A Variance to the Zoning Code or Zoning Map.

An interpretation of the Village Code Article: _____ Section: _____ Subsection: _____

Has a prior appeal been made at any time with respect to this property? Yes No I Don't Know

If yes, please provide the date appeal was made: _____.

Project Description:

For Demolition of Existing Building Areas:

Please describe area being removed:

Not Applicable

New Construction Areas (New Dwelling or New Addition/Extensions)

Dimensions of First Floor (Addition/Extension): N/A

Dimensions of Second Floor: N/A

Height (from finished grade to top of ridge): 9 - Feet, _____ - Inches

Is basement or lowest floor area being constructed? Yes No **N/A**

If yes, please provide height (above ground) measured from natural existing grade to first floor:

_____ - Feet, _____ - Inches.



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Project Description: (CONTINUED)

Proposed Construction Description: (Alteration or Structural Changes)

Number of floors BEFORE alterations: N/A

Describe General Characteristics BEFORE alterations:

Sheds to be unchanged.

Number of floors AFTER Alterations: N/A

Describe General Characteristics AFTER alterations:

Northern shed: 8.1' x 7.5' = 60.8 SF

Southern shed: 12.1' x 12.5' = 151.3 SF

Neither shed is being increased in size.

Calculations of Building Areas and Lot Coverage:

Existing Square Footage of Building(s) on this property: +/-1,027 SF

Proposed Increase in Building Coverage: 0 SF (under this variance application)

Square Footage of this Lot: 16,555 SF

Percentage of Coverage of this Lot by Building Area: 6.2 %

Purpose of ^{Variance} ~~New Construction~~:

Please describe:

The owner of the property is seeking to legalize the location(s) of the existing sheds on the property. The sheds were existing when the property was purchased in August 2004.

According to the records, the sheds were existing prior to the homes construction in 1986 and apart of the adjacent parcel prior to a subdivision.



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Area Variance Reasons for Appeal:

Please answer in detail. *Additional sheets may be submitted with preparers signature.*

Will an undesirable change occur in the characteristics of the neighborhood or will a detriment to nearby properties be created by the granting of this area variance?

The sheds as they stand pose no threat to the characteristics of the neighborhood or to nearby properties. They are located in the rear yard and are fitting of the architectural characteristics of the local vernacular architecture.

Can the benefit sought by the Applicant be achieved by another method, feasible for the Applicant to pursue, other than an Area Variance?

Moving the sheds would be a costly and disruptive endeavor.

Is the requested Area Variance substantial?

The Northern most shed has an existing setback of 1.7 feet and would require an area variance of 3.3 feet. The Southern most shed has an existing setback of 1.9 feet and would require an area variance of 3.1 feet. Neither variance is substantial.

Will the requested Area Variance have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district?

As they stand neither shed poses any adverse impact to the physical or environmental conditions of the neighborhood or district.

Was the alleged difficulty self-created, which consideration shall be relevant to the decision of the Zoning Board of Appeals, but shall not necessarily preclude the granting of the Area Variance?

The alleged difficulty was not self- created. The sheds were located at their current position when the Mellissa Wells & Mark Moffett purchased the property in August 2004. The sheds were also existing prior to the homes construction in 1986 and apart of the adjacent parcel prior to a subdivision. The Area Variance put forth before you today is solely for the legalization of the sheds existing locations.

Are there Covenants or Restrictions concerning this land? Yes No

If yes, please furnish copies.

Mark Moffett and Melissa Wells
155 Sterling Street
Greenport, New York 11944

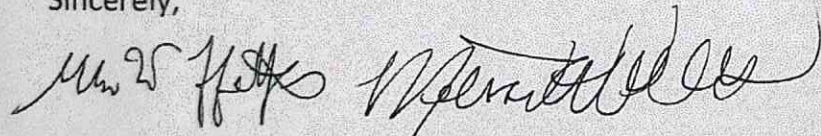
January 27, 2023

Village of Greenport
Building Department
Attn: Michael Noone
236 Third Street
Greenport, New York 11944

Dear Village of Greenport:

We grant permission for Zackery Nicholson, of ZEN Design, to act as our applicant for any and all applications to the Village of Greenport.

Sincerely,

Handwritten signatures of Mark Moffett and Melissa Wells in black ink.

Mark Moffett

Melissa Wells

AFFIDAVIT

Village of Greenport)
Town of Southold)
County of Suffolk) ss
State of New York)

I swear that to the best of my knowledge and belief that the statements contained in this application, together with the plans and specifications submitted, are true and complete statements of proposed work to be done on the described premises and that all provisions of the Building Code, Zoning Code, and all other laws pertaining to the proposed work shall be complied with, whether specified or not, and that such work and inspections are authorized by the owner. The Village of Greenport is hereby granted permission to enter the property listed as the "Location" for the purposes of inspecting my property for a site visit. I understand that if approved, this Area Variance will be granted and accepted on condition that the provisions of Federal, State and Local rules and regulations, and any additional requirements of the Area Variance are complied with. Any violation of all applicable codes, or deviations from the approved plans may result in the immediate revocation of this Area Variance & legal action taken against me. No responsibility rests upon the Village of Greenport, Code Enforcement, the Fire Marshal or the Fire Department by reason of this application and permit.

Sworn to be before this 2nd day
of FEBRUARY 2023

Signature 
Owner or Applicant


Notary Public, Suffolk County, New York

TRACEY L. DWYER
NOTARY PUBLIC, STATE OF NEW YORK
NO. 01DW6306900
QUALIFIED IN SUFFOLK COUNTY
COMMISSION EXPIRES JUNE 30, 2026



Village of Greenport Building Department

236 Third Street, Greenport, New York 11944

OFFICE: 631.477.0248 / FAX: 631.477.1877

NOTICE OF DISAPPROVAL

Date: January 25, 2023

To: Mark Moffett
155 Sterling Street
Greenport, New York 11944

PLEASE TAKE NOTICE that your application dated October 27, 2022, for renovations/addition to the 1st / 2nd floor and the addition of a new deck to the existing dwelling at the property located at **155 Sterling Street, Greenport NY 11944** in the R2 (One & Two Family Residential) Historical District of Greenport, is returned herewith and disapproved on the following grounds:

1. 150-13 Residence district regulations.

A.(1)(b) Such building shall be set back five feet from any lot line and shall not be located less than 10 feet from the principal building.

The plans show accessory structure with a setback of 1.7 feet from the property line.

This would require a area variance of 3.3 feet.

2. 150-13 Residence district regulations.

A.(1)(b) Such building shall be set back five feet from any lot line and shall not be located less than 10 feet from the principal building.

The plans show accessory structure with a setback of 1.9 feet from the property line.

This would require a area variance of 3.1 feet.

This application is therefore denied, requiring the above-mentioned area variances.

The premise to which this application applies to is located at: **155 Sterling Street, Greenport NY 11944** in the R2 (One & Two Family Residential) Historical District of Greenport, NY 11944.

Map: 1001 Section: 3 Block: 4 Lot: 36.4

A Bolanos

.....
Alex Bolanos Date : 1/25/2023
Code Enforcement Official

DRAWN MM CHECKED MM DATE MAY 2022 DRAWING & JOB NO. 22-320

THE EXISTENCE OF RIGHTS OF WAY AND/OR EASEMENTS OF RECORD IF ANY, NOT SHOWN ARE NOT GUARANTEED.

Area = 16,555 s.f.

Premises known as:
155 Sterling Street, Greenport

UNAUTHORIZED ALTERATION OR ADDITION TO THIS SURVEY IS A VIOLATION OF SECTION 7209 OF THE NEW YORK STATE EDUCATION LAW.

COPIES OF THIS SURVEY MAP NOT BEARING THE LAND SURVEYOR'S INKED SEAL OR EMBOSSED SEAL SHALL NOT BE CONSIDERED TO BE A VALID TRUE COPY.

GUARANTEES INDICATED HEREON SHALL RUN ONLY TO THE PERSON FOR WHOM THE SURVEY IS PREPARED, AND ON HIS BEHALF TO THE TITLE COMPANY, GOVERNMENTAL AGENCY AND LENDING INSTITUTION LISTED HEREON, AND TO THE ASSIGNEES OF THE LENDING INSTITUTION. GUARANTEES ARE NOT TRANSFERABLE.



Main Street

558.14'

Sterling Street

S64°45'10"E
60.64' asphalt pavement

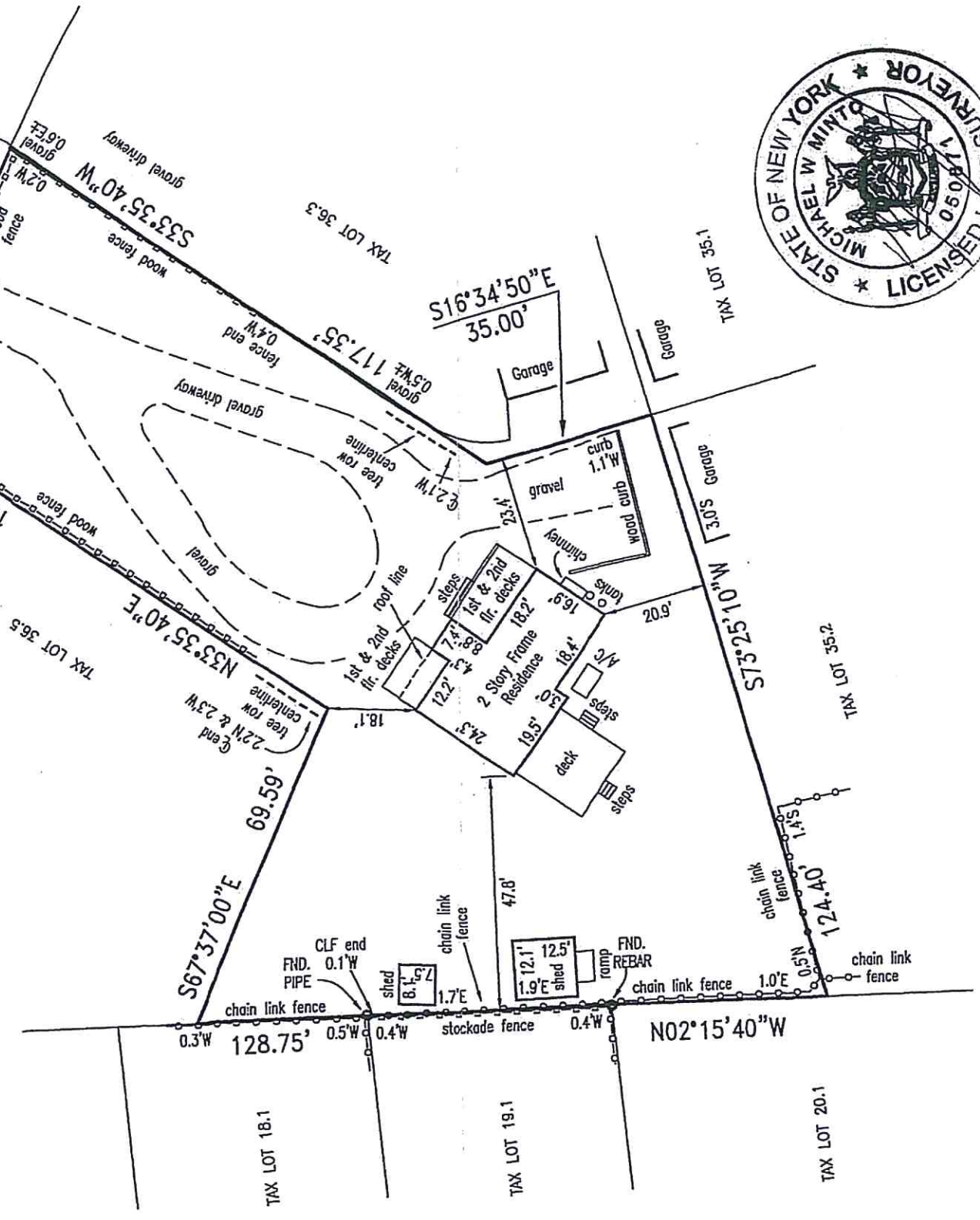
TAX LOT 36.3
N33°35'40"E
108.54'

TAX LOT 36.5
S67°37'00"E
69.59'

TAX LOT 18.1
128.75'

TAX LOT 19.1

TAX LOT 20.1



Certified to:
MELISSA WELLS

Survey of Described Property

situate in the Incorporated

Village of Greenport

Town of Southold

Suffolk County, New York

District 1001 Section 3 Block 4 Lot 36.4

Scale 1" = 30' Surveyed May 10, 2022

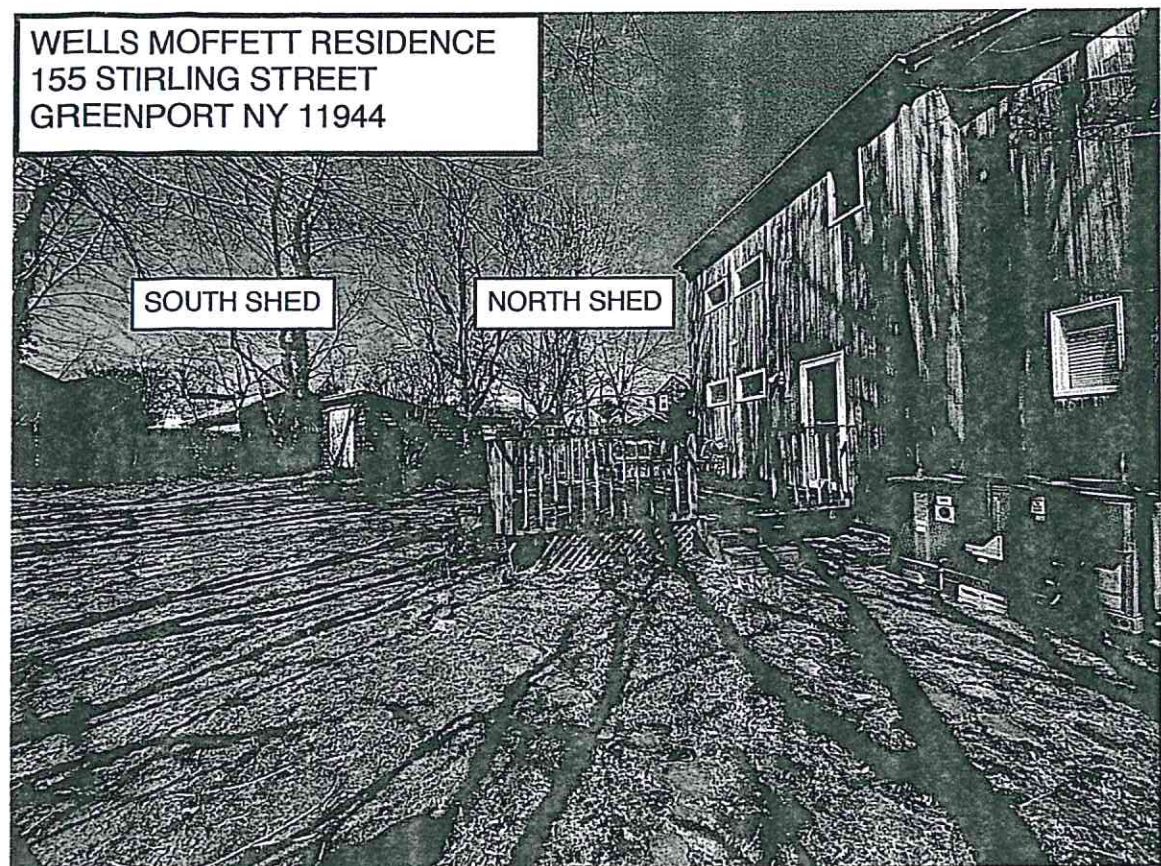
GRAPHIC SCALE



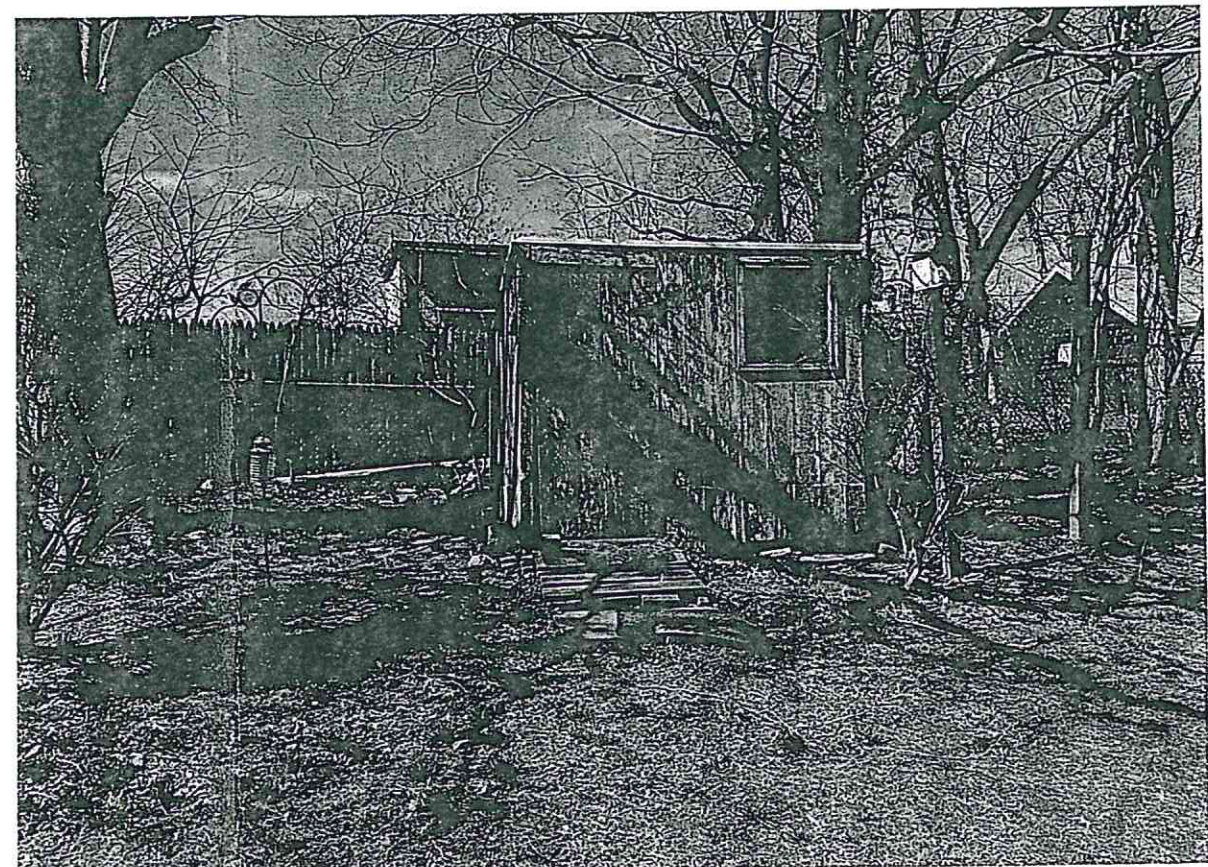
(IN FEET)
1 inch = 30 ft.

Michael W. Minto, L.S.P.C.
 LICENSED PROFESSIONAL LAND SURVEYOR
 NEW YORK STATE LICENSE NUMBER 050871
 87 Woodview Lane
 Centereach, N.Y. 11720
 PHONE/FAX: (631) 580-1202
 CELLULAR: (631) 766-9714
 EMAIL: mikemintolspc@gmail.com

WELLS MOFFETT RESIDENCE
155 STIRLING STREET
GREENPORT NY 11944



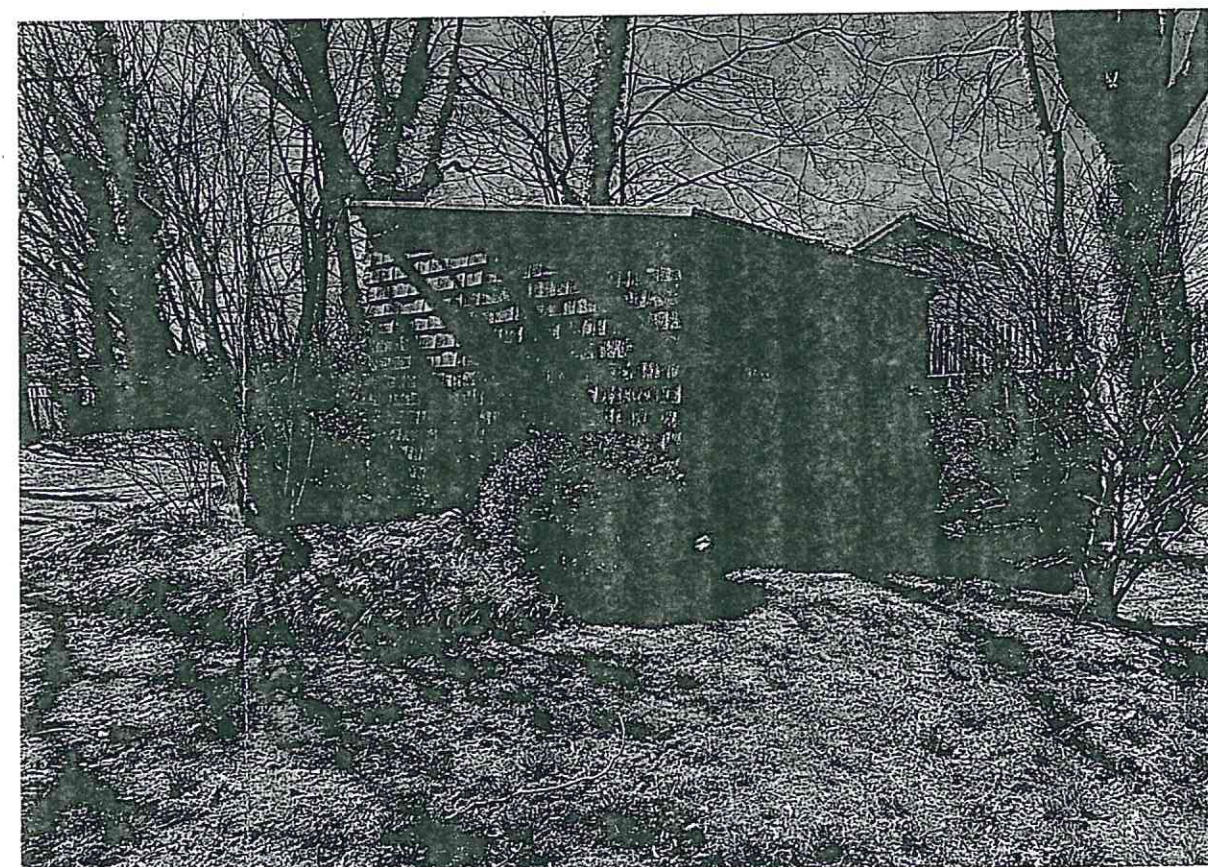
VIEW FROM REAR YARD - FACING NORTH WEST



NORTHERN SHED - FACING WEST



SOUTHERN SHED - FACING NORTH



SOUTHERN SHED - FACING SOUTH