



# ZONING BOARD OF APPEALS APPLICATION USE VARIANCE

236 Third Street, Greenport, New York, 11944  
(631) 477-0248  
[www.villageofgreenport.org](http://www.villageofgreenport.org)

Date of Application 4/7/22

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, Survey/Site Plan and species of lumber and quality of material, where applicable.

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

<u>BARBARA</u>	<u>KUSNOSKI</u>		
First Name	Last Name	Business Name, if applicable	
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
Mailing Address	City/ Town/ Village	State	Zip
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
Phone #	E-Mail Address		

## CONTACT PERSON (if different from owner)

*The person to receive all correspondence:*

First Name	Last Name	Business Name, if applicable	
Mailing Address	City/ Town/ Village	State	Zip
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: 4 Block: 8 Lot 33  
Street Address: 316 Fearce St. 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 1/19/22 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: \_\_\_\_\_ Section: 150 - \_\_\_\_\_ Subsection: \_\_\_\_\_

### 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:

N/A

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

Dimensions of First Floor (Addition/Extension): \_\_\_\_\_

Dimensions of Second Floor: \_\_\_\_\_

Height (from finished grade to top of ridge): \_\_\_\_\_ - Feet, \_\_\_\_\_ - Inches

Is basement or lowest floor area being constructed?  Yes  No

If yes, please provide height (above ground) measured from natural existing grade to first floor:  
\_\_\_\_\_ - Feet, \_\_\_\_\_ - Inches.



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## **USE VARIANCE**

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### **Project Description: (CONTINUED)**

#### **Proposed Construction Description: (Alteration or Structural Changes)**

Number of floors BEFORE alterations: \_\_\_\_\_

Describe General Characteristics BEFORE alterations:

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Number of floors AFTER Alterations: \_\_\_\_\_

Describe General Characteristics AFTER alterations:

#### **Calculations of Building Areas and Lot Coverage:**

Existing Square Footage of Building(s) on this property: \_\_\_\_\_ SF

Proposed Increase in Building Coverage: \_\_\_\_\_ SF

Square Footage of this Lot: \_\_\_\_\_ SF

Percentage of Coverage of this Lot by Building Area: \_\_\_\_\_ %

#### **Purpose of New Construction:**

*Please describe:*





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**An Applicant for a Use Variance must demonstrate unnecessary hardship by completing the following.**  
*Please consult with your attorney before completing.*

### Use Variance Reasons for Appeal:

Please answer in detail & submit related documents as required. You may attach additional sheets as needed.

**The applicant cannot realize a reasonable return, for each permitted use under the Zoning Regulations for Zoning District \_\_\_\_\_, as demonstrated by substantial and competent financial evidence because:**

THERE IS AN URGENT NEED FOR AFFORDABLE WORKFORCE HOUSING IN THE VILLAGE, NOT COMMERCIAL SPACE.

**The alleged hardship relating to the property is unique and does not apply to most of the parcels in the same Zoning District or neighborhood because:**

MANY OF THE EXISTING NEARBY PROPERTIES ARE ALREADY "GRANDFATHERED" IN AS MULTI-FAMILY HOUSING AS WAS THIS PROPERTY WHEN PURCHASED.

**The requested Use Variance, if granted, will not alter the essential character of the neighborhood because:**

NO, FOR THE REASONS STATED ABOVE.

**The alleged hardship has not been self-created because:** I ASKED THE PROPERTY'S ZONING TO BE CHANGED TO COMMERCIAL TO ACCOMMODATE C.A. ST. WHICH WAS IN DIRE NEED OF AN AFFORDABLE LARGER PREMISES 6 YEARS AGO.

**Are there Covenants or Restrictions concerning this land?**  Yes  No  
*If yes, please furnish copies.*



## Village of Greenport Building Department

236 Third Street, Greenport, New York 11944

OFFICE: 631.477.0248 / FAX: 631.477.1877

### NOTICE OF DISAPPROVAL

Date: April 5, 2022

To: Barbara Kujawski

PLEASE TAKE NOTICE that your application dated January 19, 2022, for returning first floor commercial use back to former residential 2/1-bedroom apartments at property located at 316 Front Street, in the CR Retail Commercial District, is returned herewith and disapproved on the following grounds:

#### **§ 150-9CR Retail Commercial District.**

In a CR Retail Commercial District, no building or premises shall be used and no building or part of a building shall be erected or altered which is arranged, intended or designed to be used, in whole or in part, for any use except as listed below, and all such uses will be subject to site plan approval in accordance with Article **XI**, § **150-30**, hereof:

#### **(18)**

Accessory apartment dwelling units over retail stores and businesses, professional and governmental offices existing as of July 1, 2002, and in accessory buildings thereof also existing as of July 1, 2002, subject to the following standards and requirements:

[Added 7-19-2002 by L.L. No. 2-2002]

#### **(b)**

Apartments shall not be located on the first floor of principal buildings. Residential units in accessory buildings may be on any floor of such accessory building

#### **(d)**

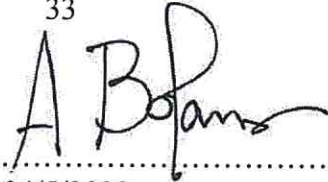
The property owner shall provide proof, to the satisfaction of the Village Building Inspector, that the apartment will be occupied year-round, and not on a seasonal basis.

The plans show the conversion of first floor commercial use back to former residential 2/1 bedroom apartments. This would require a use variance to convert the first floor commercial use back to former residential 2/1 bedroom apartments.

**This application is therefore denied, requiring the above-mentioned use variance.**

The premise to which this application applies to is located at:  
316 Front Street, Greenport, New York 11944 in the CR Retail Commercial District.

Map: 1001 Section: 4 Block: 8 Lot: 33

A handwritten signature in black ink, appearing to read "A Bolanos", written over a horizontal dotted line.

Alex Bolanos  
Code Enforcement Official

Date : 04/5/2022



