

VILLAGE OF GREENPORT – ZONING BOARD OF APPEALS
PUBLIC HEARING AND REGULAR MEETING
May 20, 2015 - 5:00 PM

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PUBLIC HEARING:

Public Hearing 1: Public hearing for an appeal for an area variance for Chuck Kitz, 228 Sixth Street; SCTM 1001-7.-2-1. The applicant proposes to construct a new front porch addition, at the premises located at 228 Sixth Street, Greenport, NY. The property is located in the R-2 district.

The proposed addition is 10.4 ft. from the west property line requiring a 11.25 ft. front yard area variance, reduced from 30 ft. by Section 150-13D (3); no dwelling need have a setback greater than the average of the two existing dwellings with the greatest setback within 200 feet on each side of said proposed dwelling, on the same side of the street and within the same block and the same district. The average front yard setback of the two existing dwellings with the greatest front yard setbacks is 21.65 ft.

The proposed addition is 18.3 ft. from the north property line requiring a 11.7 ft. Front yard area variance, where section 150-12a. Of the Village of Greenport code requires a 30' front yard setback. Section 150-13 B (2). of the Village of Greenport Code requires that on a corner lot, front yards are required on both street frontages. One yard other than the front yard shall be deemed to be a rear yard and the other or others to be side yards.

REGULAR MEETING AGENDA:

Item #1: Discussion and possible action on an appeal for an area variance for Chuck Kitz, 228 Sixth Street; SCTM 1001-7.-2-1. The applicant proposes to construct a new front porch addition, at the premises located at 228 Sixth Street, Greenport, NY. The property is located in the R-2 district.

The proposed addition is 10.4 ft. from the west property line requiring a 11.25 ft. front yard area variance, reduced from 30 ft. by Section 150-13D (3); no dwelling need have a setback greater than the average of the two existing dwellings with the greatest setback within 200 feet on each side of said proposed dwelling, on the same side of the street and within the same block and the same district. The average front yard setback of the two existing dwellings with the greatest front yard setbacks is 21.65 ft.

The proposed addition is 18.3 ft. from the north property line requiring a 11.7 ft. Front yard area variance, where section 150-12a. Of the Village of Greenport code requires a 30' front yard setback. Section 150-13 B (2). of the Village of Greenport Code requires that on a corner lot, front yards are required on both street frontages. One yard other than the front yard shall be deemed to be a rear yard and the other or others to be side yards.

Item #2: Motion to accept an appeal for an area variance, publicly notice and schedule a public hearing for Walter Foote, 22 Broad Street; SCTM #1001-2.-5-40. The property is located in the R2 District and is situated as a corner lot. The applicant proposes to construct a new addition and deck expansion to an existing non-conforming house.

The addition is 355 square feet of interior space on the first floor and with 80 square feet on the second floor, the interior addition will require a front and rear yard area variance. In addition, there is a proposed deck expansion and outdoor shower which requires a rear yard area variance.

The proposed front yard (west) setback for the new construction is 27 ft. requiring a 3 ft. front yard area variance for the addition.
Section 150-12A. of the Village of Greenport Code requires a 30 ft. rear yard setback in the R-2 District.

The proposed rear yard setback for the new construction is 12 ft. requiring an 18 ft. rear yard area variance for the proposed deck and interior expansion.

Section 150-12A. of the Village of Greenport Code requires a 30 ft. rear yard setback in the R-2 District.

Section 150-13 B (2). of the Village of Greenport Code requires that on a corner lot, front yards are required on both street frontages. One yard other than the front yard shall be deemed to be a rear yard and the other or others to be side yards.

Item #3: Motion to accept an appeal for an area variance, publicly notice and schedule a public hearing for Tracy Combs, 516 Second Street; SCTM #1001-2.-6-24. The property is located in the R2 District. The applicant proposes to construct a house addition and in ground swimming pool.

House Addition:

The proposed aggregate side yard setback is 12.12 ft. requiring a 19.9 ft. combined side yard variance for the new extension. Section 150-12A. of the Village of Greenport Code requires a 25 ft. combined side yard setback in the R-2 District.

Swimming pool:

The proposed swimming pool setback is 7.0 ft. on the south property line, requiring an area variance of 13 ft. Section 150-7c.(3a) of the Village of Greenport code requires the edge of the pool shall be kept a distance of not less than 20 ft. from all property lines.

The proposed swimming pool setback is 7.0 ft. on the north property line, requiring an area variance of 13 ft. Section 150-7c.(3a) of the Village of Greenport code requires the edge of the pool shall be kept a distance of not less than 20 ft. from all property lines.

The proposed swimming pool setback is 15'0" on the east property line, requiring an area variance of 5 ft. Section 150-7c.(3a) of the Village of Greenport code requires the edge of the pool shall be kept a distance of not less than 20 ft. from all property lines.

Item #4: Motion to accept an appeal for an area variance, publicly notice and schedule a public hearing for Carol Wilder, 218 Sixth Avenue; SCTM #1001-4.-4-26. The property is located in the R2 District. The applicant proposes to construct an in ground swimming pool.

The proposed swimming pool setback is 10.0 ft on the south property line, requiring an area variance of 10 ft. Section 150-7c.(3a) of the Village of Greenport code requires the edge of the pool shall be kept a distance of not less than 20 ft. from all property lines.

Item #5: Motion to accept an appeal for an area variance, publicly notice and schedule a public hearing for (prospective owner) Carmela Constantino, Corner of Third Street and Front Street; SCTM #1001- 5.-4-5. The property is located in the Waterfront Commercial (WC) District. The applicant proposes to construct three commercial buildings on a vacant lot at the southeast corner of Third and Front Streets.

The proposed building construction has lot coverage of 5,191 sq. ft. representing 59% of the site, requiring an area variance of 1,678 sq. ft., or 19%, of the total area of the lot. Section 150-12A of the Village of Greenport Code requires maximum lot coverage of 40% (3,533.6 sq. ft.) in the WC-Waterfront Commercial district

The proposed building construction has provided one (1) accessible parking space, requiring a variance of 38 parking spaces, inclusive of the requirement for a minimum of 2 accessible spaces. Section 150-12 A. of the Village of Greenport Code requires off-street parking for lots unimproved as of January 1, 1991. The requirement of 39 parking spaces has been determined from calculations provided in Section 150-150 A. and Section 150-16A. (1).

Item #6: Discussion and possible action on request from the Building Inspector for an interpretation of the Village of Greenport Code, publicly notice and schedule a public hearing. The Building Depart-

ment is requesting the Zoning Board of Appeals review the sections of the code which address yard requirements and fence locations: Sections 150-13 B (1), Section 150-13 D, and Section 150-13 F.

Section 150-13b (2) of the Village of Greenport code requires on a corner lot, front yards are required on both street frontages.

The Greenport Building Department has received an application from a property owner requesting a fence permit, the permit was granted and the fence was installed. The installation of this fence has sparked conversation regarding these sections of the Village Code.

Item #7: Motion to accept the ZBA minutes April 22, 2015.

Item #8: Motion to approve the ZBA minutes for March 18, 2015.

Item # 9: Motion to schedule the next regular ZBA meeting for June 17, 2015.

Item #10: Motion to adjourn.