



**VILLAGE OF GREENPORT – ZONING BOARD OF APPEALS
PUBLIC HEARING AND REGULAR MEETING
March 18, 2015 - 5:00 PM**

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PUBLIC HEARING:

Public Hearing 1: Public hearing for Robert Tapp and Nickolas Ellis, 152 Central Avenue, Greenport, NY 11944, SCTM #1001-5-1-14. The property is located in the R-2 district. The applicants propose to construct a rear addition to an existing single family house, and re-configure the existing deck.

1. The existing house, the proposed addition, the existing garage, porches and shed exceed the lot coverage allowances. The proposed renovation will increase the lot coverage from the existing 36.9% (2,068 sq. ft.) to 38.5% (2,158 sq. ft.).

Section 150-12A. of the Village of Greenport Code limits the maximum permitted lot coverage to 30% in the R-2 District.

2. The proposed aggregate side yard setback is 16.5 ft., requiring an 8.5 ft. combined side yard setback 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.

Public Hearing 2: Public hearing for Michael Combs, 516 Second Street, Greenport, NY, SCTM # 1001-2.-6-24. The applicant seeks a building permit to construct an in-ground swimming pool and art studio/pool house.

1. The proposed swimming pool setback is 10 ft. on the south property line, requiring an area variance of 10 ft.

Section 150-7-(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.

2. The proposed swimming pool setback is 9' on the east property line, requiring an area variance of 11 ft. Section 150-7-(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.

3. The proposed art studio/pool house is located in the side yard requiring an area variance.

Section 150-13A (1) of the Village of Greenport Code requires that an accessory building may be located in any required rear yard.

**236 THIRD STREET
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REGULAR MEETING AGENDA:

Item #1: Motion to appoint an acting Chairperson for the present meeting.

Item #2: Discussion and possible decision for an area variance requested by Robert Tapp and Nickolas Ellis, 152 Central Avenue, Greenport, NY 11944, SCTM #1001-5-1-14. The property is located in the R-2 district. The applicants propose to construct a rear addition to an existing single family house, and re-configure the existing deck.

1. The existing house, the proposed addition, the existing garage, porches and shed exceed the lot coverage allowances. The proposed renovation will increase the lot coverage from the existing 36.9% (2,068 sq. ft.) to 38.5% (2,158 sq. ft.).

Section 150-12A. of the Village of Greenport Code limits the maximum permitted lot coverage to 30% in the R-2 District.

2. The proposed aggregate side yard setback is 16.5 ft., requiring an 8.5 ft. combined side yard setback 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.

Item #3: Discussion and possible decision for an area variance requested by Michael Combs, 516 Second Street, Greenport, NY, SCTM # 1001-2.-6-24. The applicant seeks a building permit to construct an in-ground swimming pool and art studio/pool house.

1. The proposed swimming pool setback is 10 ft. on the south property line, requiring an area variance of 10 ft.

Section 150-7-(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.

2. The proposed swimming pool setback is 9' on the east property line, requiring an area variance of 11 ft.

Section 150-7-(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.

3. The proposed art studio/pool house is located in the side yard requiring an area variance.

Section 150-13A (1) of the Village of Greenport Code requires that an accessory building may be located in any required rear yard.

Item #4: Discussion and possible decision on the content of a ZBA response to a request from the Village of Greenport Board of Trustees for comments from the ZBA, the Planning Board and the HPC regarding Section 150-15 D of the Village of Greenport Code regarding regulation of signs.

Item #5: Motion to approve the Findings, Determination and Decision document for area variances approved for Ralph and Sarah Edwards, 163 Fifth Street, Greenport, NY, SCTM # 1001-7-4-14. The applicants seek a building permit to construct an in-ground swimming pool.

1. The proposed swimming pool setback is 10'0" on the north property line, requiring a setback variance of 10 ft.

Section 150-7-(3a) of the Village of Greenport Code requires that the edge of the pool shall be kept a distance of not less than 20 ft. from all property lines.

2. The proposed swimming pool setback is 14'0" on the south property line, requiring a setback variance of 6 ft.



Section 150-7-(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 #6: Motion to accept a request from the Building Inspector for an interpretation of the Village of Greenport Code, publicly notice and schedule a public hearing. The Building Department 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.

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 an appeal for an area variance, publicly notice and schedule a public hearing for Phil Karlin, North Fork Smoked Fish, 414 First Street; SCTM 1001-5-1-14. The applicant proposes a combination of manufacturing/processing space and retail space in a space on a property located in the Retail Commercial (CR) District.

Section 150-9 of the Greenport Village Code provides that manufacturing and processing are permitted in a space in the Retail Commercial District where the goods so produced or processed are to be sold at retail exclusively on the premises and provided that the space that is used for manufacturing and processing is fully concealed from any street and is equal in area to no more than twenty percent (20%) of the square footage devoted to retail sales.

According to the documents provided with the application, the applicant proposes retail space equaling 528 square feet in area, limiting the size of the manufacturing and processing space to 105.6 square feet, or twenty percent of the area of the retail space.

The application proposes manufacturing and processing area of 324 square feet, which is 61 percent of the area of the retail space. The application was disapproved because the Planning Board cannot consider an application where the manufacturing and processing area exceeds twenty percent of the area of the retail space. The proposed manufacturing/processing space equals 61% of the specified retail space requiring a 41% (216 sq. ft.) variance.

Item #8: Motion to accept the ZBA minutes for January 21, 2014.

Item #9: Motion to approve the ZBA minutes for December 17, 2014.

Item #10: Motion to schedule the next regular ZBA meeting for April 5, 2015.

Item #11: Motion to adjourn.

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