

AUG 02 2022

VILLAGE OF GREENPORT
BUILDING DEPARTMENT



ZONING BOARD OF APPEALS APPLICATION

AREA VARIANCE

236 Third Street, Greenport, New York, 11944
(631) 477-0248
www.villageofgreenport.org

Date of Application August 2, 2022

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)

<u>Jesse Browner and Judith Clain</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		
[REDACTED]	[REDACTED]		

CONTACT PERSON (if different from owner)

The person to receive all correspondence:

<u>Wayne</u>	<u>Turett</u>	<u>The Turett Collaborative</u>	
First Name	Last Name	Business Name, if applicable	
<u>277 Broadway Studio 1300</u>	<u>New York</u>	<u>NY</u>	<u>10007</u>
Mailing Address	City/ Town/ Village	State	Zip
<u>212.965.1244</u>	<u>wturett@turettarch.com</u>		
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: 2 _ Block: 2 _ Lot 41.5
Street Address: 225 Monsell Place 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 July 12, 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: V Section: 150 - 12 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:

Exterior south walls at southwest corner of existing main house to be demolished;
select interior partitions to be demolished

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

Dimensions of First Floor (Addition/Extension): approx 14'-11" x approx 14'-6", plus 18sf bump = ~236 sq. ft.

Dimensions of Second Floor: no new floor area at 2nd flr; interior renovations only

Height (from finished grade to top of ridge): ~26 - Feet, ~0 - 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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Project Description: (CONTINUED)

Proposed Construction Description: (Alteration or Structural Changes)

Number of floors BEFORE alterations: 2 plus cellar

Describe General Characteristics BEFORE alterations:

2-story frame house plus cellar; wood frame deck

Number of floors AFTER Alterations: 2 plus cellar

Describe General Characteristics AFTER alterations:

2-story frame house enlarged to include a 1-story addition at the southwest corner of approx 218sf, plus 18sf addition to existing ground flr bathroom, plus extension of wood frame deck, and trellis at new deck area

Calculations of Building Areas and Lot Coverage:

874 sf footprint of main house + 246 sf deck =

Existing Square Footage of Building(s) on this property: 1,120sf SF

236sf main house + 152 sf deck =

Proposed Increase in Building Coverage: 388sf increase SF

Square Footage of this Lot: 5,040 SF

1508 / 5040 =

Percentage of Coverage of this Lot by Building Area: 29.9% %

Purpose of New Construction:

Please describe:

New construction is desired to provide a single additional living room for owner's family, plus associated deck area for family use.



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Area Variance Reasons for Appeal:

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

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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?

No such changes will occur. Proposed addition faces away from Monsell Place, and when the proposed area is added the structure will remain comparable to or smaller than immediate neighbors to the east and west. From the perspective of Monsell place, the one story addition will be substantially concealed behind the existing 2-story bulk of the existing house.

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

The existing house is already 7'-0" from the easterly lotline and ~5'-2" from the westerly lotline. A one-story addition at the rear, extending substantially southward from the existing structure is the only feasible location for adding the desired square footage of living space.

Is the requested Area Variance substantial?

The request is for a single room at ground floor of less than 15ft x 15ft plus an enlargement of the ground floor bathroom (approx 236sf gross). It amounts to approx 4.7% of the lot area. The requested additional deck area of 152 sf amounts to another 3% of the lot area. We believe these are not substantial when seen in this context.

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

We do not see how they could have an adverse effect. Visually the additions will be modest; their intended use is for the owner's family, which is a continuation of their present use.

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 existing house encroaches on required sideyards; the current owner/applicant purchased the home in this condition. Owner studied differently proportioned modifications (to avoid any new approach near to the lotline) but determined that the resulting rooms (at <9ft interior width) would not be desirable.

Are there Covenants or Restrictions concerning this land? Yes No

If yes, please furnish copies.

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AFFIDAVIT


VILLAGE OF GREENPORT
BUILDING DEPARTMENT

Village of Greenport)
Town of Southold)
County of ~~Suffolk~~ ^{New} York) 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 5th day
of AUGUST 20 22

Signature 
Owner or Applicant


Notary Public, Suffolk County, New York
NEW YORK





Village of Greenport Building Department

236 Third Street, Greenport, New York 11944

OFFICE: 631.477.0248 / FAX: 631.477.1877

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AMENDED NOTICE OF DISAPPROVAL

VILLAGE OF GREENPORT
BUILDING DEPARTMENT

Date: July 12, 2022

To: Jesse Browner & Judith Clain
225 Monsell Place
Greenport, New York 11944

PLEASE TAKE NOTICE that your application dated July 11, 2022, for an addition to the existing dwelling at the property located at 225 Monsell Place, Greenport NY 11944 in the R1 District of Greenport, is returned herewith and disapproved on the following grounds:

1. Front-Yard Setback Requirements.

150-12 District Regulations

R-1 District: Minimum Front-Yard Setback Requirement: 30 feet.
The plans show a front-yard setback of 17 feet.

This would require an area variance of 13 feet.

2. Side-Yard Setback Requirements.

150-12 District Regulations

R-1 District: Minimum Side-Yard Setback: 12 feet.
The plans show a side yard setback of 7 feet.

This would require an area variance of 5 feet.

3. Combined Side-Yard Setback Requirements.

150-12 District Regulations

R-1 District: Minimum Combined Side-Yard Setback: 30-feet.
The plans show a combined side yard-setback of 7 feet.

This would require an area variance of 23 feet.

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

The premise to which this application applies is located at:
225 Monsell Place, Greenport NY 11944 in the R1.

Map: 1001 Section: 2 Block: 2 Lot: 41.5

A handwritten signature in black ink that reads "A Bolanos". The signature is written in a cursive style with a large initial "A" and "B".

Alex Bolanos
Code Enforcement Official

.....
Date : 07/12/2022

Short Environmental Assessment Form

Part 1 - Project Information

Instructions for Completing

Part 1 – Project Information. The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

Part 1 – Project and Sponsor Information			
225 Monsell Place, Greenport Village, NY 11944 - house addition			
Name of Action or Project: Monsell Place house addition			
Project Location (describe, and attach a location map): 225 Monsell Place, Greenport, NY 11944			
Brief Description of Proposed Action: Proposed small one story house addition and deck to a 2 story residential single family home. House is located on a non conforming (small) lot next to another non conforming (small) lot. Both lots are owned by the same owner. A proposal to combine the lots was denied by Greenport Zoning. This proposal requests relief from side and front yard setbacks.			
Name of Applicant or Sponsor: Wayne Turett		Telephone: 917 612 9086	
		E-Mail: Wturett@turettarch.com	
Address: 277 Broadway, Studio 1300			
City/PO: New York		State: NY	Zip Code: 10007
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.			NO <input type="checkbox"/>
			YES <input type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other government Agency? If Yes, list agency(s) name and permit or approval: Greenport Village Zoning Board			NO <input type="checkbox"/>
			YES <input checked="" type="checkbox"/>
3. a. Total acreage of the site of the proposed action?		.116 acres	
b. Total acreage to be physically disturbed?		.0089 acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		.23 acres	
4. Check all land uses that occur on, are adjoining or near the proposed action:			
<input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input checked="" type="checkbox"/> Residential (suburban)			
<input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other(Specify):			
<input type="checkbox"/> Parkland			

5. Is the proposed action, a. A permitted use under the zoning regulations?	NO	YES	N/A
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Consistent with the adopted comprehensive plan?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? If Yes, identify: _____	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
8. a. Will the proposed action result in a substantial increase in traffic above present levels? b. Are public transportation services available at or near the site of the proposed action? c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
9. Does the proposed action meet or exceed the state energy code requirements? If the proposed action will exceed requirements, describe design features and technologies: _____ _____	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: _____ _____	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: _____ there is no increase in bathrooms or kitchens	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
12. a. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places? b. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency? b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody? If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____ _____ _____	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	

