



VILLAGE OF GREENPORT – ZONING BOARD OF APPEALS
PUBLIC HEARINGS & REGULAR MEETING
September 17, 2014 - 5:00 PM

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PUBLIC HEARINGS:

Hearing #1: [CANCELLED] The applicant has withdrawn the application via letter September 9, 2014. Public Hearing for an appeal for an area/use variance for Lekina Harris, PO Box 1548, Shelter Island, NY, for a property located at 612 Third Street (formally Perry Day care Center), Greenport, NY, SCTM #1001-2-5-7.1. The applicant proposes to use the property as a Child Care Center/Nursery School. Section 150-7B (2) states Schools are permitted conditional uses provided:

(b) Any such school shall be a nonprofit organization within the meaning of the Internal Revenue Act and shall be registered effectively as such thereunder.

The proposed Child Care Center/Nursery School facility will be run by a for profit organization.

(c) Any such school shall occupy a lot with an area of not less than one acre plus one acre for each 100 pupils for which the building is designed.

The existing facility is located on a parcel which is .51 of an acre (23,256 square Ft.).

Additionally, Section 150-7B (2) (a) states the conditions of Section 150-7B (1)(a)&(b) must be met regarding a minimum setback of 50 feet from any street or property line and a limitation of 20% of lot coverage of principal and accessory buildings.

REGULAR MEETING AGENDA:

Item #1: [CANCELLED] Discussion and possible decision for area/use variances, publicly notice and schedule a public hearing for Lekina Harris, PO Box 1548, Shelter Island, NY, for a property located at 612 Third Street (formally Perry Day care Center), Greenport, NY, SCTM #1001-2-5-7.1. The applicant proposes to use the property as a Child Care Center/Nursery School.

Item #2: Motion to accept an appeal for an area variance, publicly notice and schedule a public hearing for Debra Riva, 433 Sixth Street, Greenport, NY 11944, SCTM #1001-6-3-4. The property is located in the R-2 district. The applicant proposes to construct a new mud room addition and deck. The proposed addition is 36 square ft., and the proposed deck is 192 square ft.

Section 150-12A. of the Village of Greenport Code requires a 25 ft. combined side yard setback in the R-2 District.

The proposed aggregate side yards setback is 21.39 ft., requiring a 3.61 ft. combined side yard variance for the new extension and proposed deck.

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

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The proposed deck is located in the front yard, it is set back 27.23 ft., requiring a 2.77 ft. front yard variance.

Item #3: Motion to accept an appeal for an area variance, publicly notice and schedule a public hearing for Edward Werthner, PO Box 982, Southold, NY 11944, for a property located on the South side of Bridge Street, SCTM #1001-2-2-8.4. The property is located in the R-1 district. The applicants propose to construct a new single family house and rear deck. The proposed house is 1,533.5 sq. ft. and the proposed rear deck is 150 sq. ft.

Section 150-12A. of the Village of Greenport Code requires a 30 ft. front yard setback in the R-1 District.

The proposed house is sited so that the front of the house is set back 20' from the north property line, requiring a 10 ft. front yard variance.

Section 150-12A. of the Village of Greenport Code requires a 30 ft. rear yard setback in the R-1 District.

The proposed house is sited so that the rear of the house is set back 27.96' from the south property line and the rear deck is setback 17.96' from the south property line, requiring a 12.04 ft. rear yard variance.

Item #4: Motion to approve the Determination document of area variances granted to Thomas Farmakis, 437 First Street, SCTM #1001-4-6-39, located in the R-2 District and within the Historic District. The applicant proposes to expand a mud room and porch addition, with an expansion of 58 sq. ft. and 78 sq. ft., respectively.

Section 150-12A. of the Village of Greenport Code requires a 10 foot side yard setback in the R-2 District.

The proposed side yard setback for the new construction is 3.5 feet, requiring a 6.5 foot side yard area variance for the new mud room extension.

Section 150-12A. of the Village of Greenport Code requires a 25 foot side yard setback in the R-2 District.

The proposed aggregate side yards setback is 23.8 feet, requiring a 1.2 foot combined side yard variance for the new extension.

Item #5: Motion to approve the Determination document of area variances granted to Jack and Jeffrey Rosa. 506 Main Street, SCTM #1001-4-3-33, located in the R-2 District and within the Historic District. The applicants propose to construct a new covered porch, a new side stair and a new rear deck.

Section 150-13 D. (3). of the Village of Greenport Code requires a calculated average of existing setback for neighboring properties to determine the minimum requirement.

The proposed front yard setback for the new covered porch is 4.08 feet, requiring a 7.42 foot front yard area variance, based on an average minimum requirement of 11.5 feet.

Section 150-12 A. of the Village of Greenport Code requires a 10 foot side yard setback.



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The proposed front porch construction also requires a side yard variance; the proposed porch setback is .2 feet requiring a 9.8' side yard variance.

Section 150-12 A. of the Village of Greenport Code requires a 25 foot combined side yard setback.

The proposed landing with side step (on the south side of the building) is 5.8 feet wide requiring a 19 foot combined side yard variance.

Section 150-12 A. of the Village of Greenport Code requires a 10 foot side yard setback.

The proposed rear deck is .7 feet from the north property line requiring a side yard setback of 9.3 feet.

Item #6: Motion to approve the Determination document of an area variance granted to Virginia Ludacer, 131 Sixth Street, SCTM #1001-7-1-15.1. The property is located in the R-2 district. The applicants seek a building permit for an 'as built' construction of a 15' x 30' in-ground swimming pool.

Section 150-7C. (3)(A). of the Village of Greenport Code requires not less than a 20' setback from all property lines.

The side yard setback for the swimming pool is 7.3 feet requiring a side yard area variance 12.7 feet.

Item #7: Motion to accept the ZBA minutes for August 20, 2014.

Item #8: Motion to approve the ZBA minutes for July 16, 2014.

Item #9: Motion to schedule the next regular ZBA meeting for October 15, 2014.

Item #10: Motion to adjourn.