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**VILLAGE OF GREENPORT
ZONING BOARD OF APPEALS
REGULAR MEETING
November 19th, 2024 – 6:00 PM
Station One Fire House
Third & South Streets, Greenport, N.Y**

Item No. 1

Motion to accept the minutes of the September 17th, 2024, Zoning Board of Appeals meeting.

Item No. 2

Motion to schedule the next Zoning Board of Appeals meeting for December 17th, 2024, at 6:00 pm at the Station One Firehouse, Third and South Streets, Greenport, N.Y., 11944.

Item No. 3 – 218 Sixth Street

Motion to accept the Findings and Determinations for 218 Sixth Street, LLC. This property is located in the R-2 One and two-family District and is not located in the Historic District.

SCTM # 1001 -7 -2 -4

Item No. 4 – 151 Central Avenue

Motion to accept the application, schedule a public hearing, and arrange a site visit regarding the application of Jake LaChapelle on behalf of Idanes Sanchez. Applicant proposes renovation of existing two-story house. Work includes demolition of non-historic one-story kitchen addition at rear of house, rear deck, and non-historic garage at rear of house. Construction of new deck in approximate footprint of existing. Finished work will decrease building coverage by 118 SF to 1,455 SF and remaining lot coverage at 31.7%. This requires the following variances:

1. Front Yard Setback Requirements

§150-12 Schedule Regulations

R-2 District: minimum front yard requirement: 30 feet.

§150-13(D)(3) Residence District Regulations

Average of two greatest setbacks: 27.3 feet.

The plans show an existing front yard setback of 10.5 feet.

This would require an area variance of 16.8 feet.

2. Side Yard Setback Requirements

§150-12 Schedule Regulations

R-2 District: minimum side yard requirement: 10 feet.

The plans show an existing side yard setback of 0.5 feet.

This would require an area variance of 9.5 feet.

3. Side Yard Setback Requirements

§150-12 Schedule Regulations

R-2 District: minimum side yard requirement: 10 feet.

The plans show a proposed side yard setback of 8.1 feet.

This would require an area variance of 2 feet.

4. Combined Side Yard Setback Requirements

§150-12 Schedule Regulations

R-2 District: minimum combined side yard requirement: 25 feet.

§150-13(E)(1) Residence District Regulations

Four tenths of the lot width: 14.2 feet.

The plans show a proposed combined side yard setback of 8.6 feet.

This would require an area variance of 5.6 feet.

The property is located in the R-2 One- and Two-Family Residential District and is located in the Historic District.

SCTM # 1001 -4 -3 -22.5

Item No. 5 – 140 Main Street

Motion to accept the application, schedule a public hearing, and arrange a site visit regarding the application of Robert I. Brown, RA on behalf of Mark & Patty Carlos. The applicant proposes to add a second and third floor to the building over existing retail space and create two (2) new apartments (approximately 1,100 square feet each). This requires the following variances:

1. Building Height Requirements

§150-12 Schedule Regulations

CR District: 2 Stories or 35 Feet

The plans show an addition of 2 stories above the existing 1 story retail space. Total 3 stories.

This would require an area variance of 1 Story.

2. Front Yard Setback Requirements.

§150-12 Schedule Regulations

CR District: Front Yard Setback 6 Feet

The plans show an addition of 2 stories above the existing 1 story retail space with a 0 Foot Front Yard Setback at both Front Yards.

This would require an area variance of 6 Feet at Both Front Yards for the Addition.

The property is located in the C-R Retail Commercial District and is also located in the Historic District.

SCTM # 1001 -5 -3 -18

Item No. 6 – 749 Main Street

Motion to accept the application, schedule a public hearing, and arrange a site visit regarding the application of Jennifer Del Vaglio on behalf of Wayne Turett. Applicant proposes construction of a 46' X 7.5' in-ground vinyl pool. This requires the following variances:

1. Property Line Setback Requirements

§150-7 Residence District Regulations

C. Permitted accessory uses, limited to the following:

(3) Swimming Pool

(a) The edge of the pool shall be kept a distance of not less than 20 feet from all property lines.

The plans show a distance from the edge of the pool to the side yard property line of 14.5 feet.

This would require an area variance of 5.5 feet.

2. Pool Screening from abutting properties.

§150-7 Residence District Regulations

C. Permitted accessory uses, limited to the following:

(3) Swimming Pool

(b) If located within 50 feet of any property line, such pool shall be screened from the view of abutting properties.

The plans show the pool to be located 14.5 feet from the side property line. A fence and concrete wall are indicated on the site plan but there is not enough information provided to determine compliance with visual screening.

Provide documentation of the required visual screening.

3. Property Line Setback Requirements

§150-7 Residence District Regulations

C. Permitted accessory uses, limited to the following:

(3) Swimming Pool(c) An adequate permanent fence or barrier shall be erected, maintained and provided with a self-closing, self-latching gate to prevent unauthorized use of the pool and to prevent accidents.

The plans provided indicate a fence with gate at each end. The gate is not labeled as self-closing, self-latching and the height of fence is not provided.

Provide Documentation of Pool Enclosure and Gate in compliance with NYS Residential Building Code R326.4.2 Permanent Barriers

4. Accessory Building Requirements

§150-13 Residence District Regulations

A. Accessory Buildings:

(1) An accessory building may be located in any required rear yard. The plans provided indicate the pool is located in the side yard.

This will require an area variance to allow the pool in the side yard of the property.

The property is located in the R-1 One-Family Residential District and is also located in the Historic District.

SCTM # 1001 -2 -3 -8.2

Item No. 7 – 320 Carpenter Street

Motion to accept the application, schedule a public hearing, and arrange a site visit regarding the application of Ruth Weisshahn (Shank). Applicant proposes to build a 10' x 14' carport in the front yard. This requires the following variances:

1. Accessory Building Setback

§150-13 Residence District Regulations

A. Accessory Building

(1) An accessory building may be located in any required rear yard, provided that:

(b) Such building shall be set back 5 feet from any lot line and shall not be located less than 10 feet from the principal building.

The Site Plan notes a proposed Carport and an Existing Shed in the Front Yard on Central Avenue as well as an existing shed in the rear yard

This would require an area variance to allow the Carport and Shed within the required Front Yard as well as a variance of 5 Feet from the existing shed to the rear lot line.

2. Front Yard Setback Requirements.

§150-12 Schedule Regulations

R2 District: Front Yard Setback 30 Feet

§150-13 Residence District Regulations

B. Corner Lots

(2) Corner Lots Rear and Side Yards

R2 District: Front yards are required on both street frontages.

The Site Plan notes an existing 2 story frame residence within the required front yard setbacks on both street frontages.

This would require an area variance for the new noncompliance at both street frontages:

Central Ave: 4.9 Feet Front Yard Variance

Carpenter Street: 14.9 Feet Front Yard Variance

3. Side Yard Setback Requirements.

§150-12 & 13E Schedule Regulations & Existing Small Lots

R2 District: Side Yard Setback 10 Feet.

The Site Plan notes an existing 2 story frame residence within the required Side Yard.

This would require an area variance for the side yard of 5.7.

This property is located in the R-2 One and two-family District and is also located in the Historic District.

SCTM # 1001 -7 -5 -24

Item No. 8

Any other Zoning Board of Appeals business that might properly come before this Board.

Item No. 9

Motion to adjourn.