

Board of Zoning Appeals
Public Hearing Legal Notices for

5/9/2017

All decision are unanimous unless
otherwise noted.

All Board Members present
Blaise Donadio, Paul Hennings, Esq.
Ric Riccobono, Court Reporter

Decision
Approved to 39 ft.
17736: Woods, Carol. Location: 168 Gibbs Pond Rd., W/s Gibbs Pond Rd., 145' N/o Robin Hood Ct., Nesconset; Property Zoned: R-15. SCTM#: 141-1-3. Request: Variance to permit environmentally sensitive land (slopes in excess of 15%) to be altered (existing retaining walls); Reduce min. front yard setback from 45 ft. to 40 ft. for a proposed 192 sq. ft. porch.

Decision
Approved
17742: Pet Valu, . Location: 650-670 Commack Rd., SE/c Commack Rd. & Henry St., Commack; Property Zoned: SCB. SCTM#: 174-1-17.2. Request: Variance to increase max height of a wall sign from 15 ft. to 20 ft.

Decision
Adj. to
5/23/17
17737: Donnarumma, Anthony & Julianna. Location: 21 Wandering Way, N/s Wandering Way, 150' N/o Wayfarer La., Smithtown; Property Zoned: R-43. SCTM#: 51-8-29. Request: Variance to reduce min. rear yard setback from 100 ft. to 82 ft. for an existing 836 sq.ft. deck; Increase the square footage of a proposed attached garage from 750 sq.ft. to 1010 sq.ft. with 690 sq.ft. attic space.

Decision
Adj.
5/23/17
17743: GDF Realty LLC, . Location: 762 Southern Blvd., W/s Southern Blvd., 100' N/o Smithtown Bypass, Smithtown; Property Zoned: WSI. SCTM#: 107-1-4.1. Request: Variance to reduce min. landscaped area of lot from 8% to 1%; Reduce front yard setback from 50 ft. to 38 ft.; Reduce min. parking setback from north side property line from 6 ft. to 0 ft.; Increase number of wall signs from 1 to 2; Permit a wall sign not to face a public street; Increase number of awning signs from 1 to 2; Permit an awning sign not to face a public street.

Decision
Approved
17738: Anderson, Thomas. Location: 33 Garden St., E/s Garden St., 75' S/o Magnolia Ave., Nesconset; Property Zoned: R-10. SCTM#: 143-3-33. Request: Variance to reduce min. front yard setback from 25 ft. to 19 ft. (19 ft. existing) for an existing 134 sq.ft. porch; Reduce min. side yard setback from 12 ft. to 6 ft. and total side yards from 28 ft. to 8 ft. for an existing 98 sq.ft. shed; Reduce distance to rear lot line from 6 ft. to 4 ft. for an existing 165 sq.ft. accessory structure and existing in-ground pool; Reduce front yard setback from 25 ft. to 9 ft. for an existing 6 ft. fence; Increase the max. front yard paving from 25% to 38% (existing); Reduce side yard paving setback from 1 ft. to 0 ft. (existing); Add to a non-conforming structure for a proposed 45 sq.ft. 1st floor addition, 742 sq.ft. 2nd floor addition & 75 sq.ft. balcony.

Decision
Approved/
Approved to 3.7% only
17744: Sempire, LLC, . Location: 737 Smithtown By Pass, S/s Smithtown Blvd., 1600' E/o Terry Road, Smithtown; Property Zoned: WSI. SCTM#: 107-2-2.1. Request: Variance to reduce parking setback from side property lines from 6 ft. 0 ft.; Reduce front yard parking setback from 20 ft. to 8 ft.; Reduce landscaping between parking and street in front yard from 8 % to 2%.

Decision
PP
17739: Del Fuego, . Location: 430 North Country Road, SE/c North Country Road & Clinton Avenue, St. James; Property Zoned: CB. SCTM#: 53-2-30. Request: Variance to reduce distance to residential district from 150 ft. to 71 ft. for outdoor dining; Reduce min parking from 204 spaces to 176 spaces; Reduce min required truck loading spaces from one to zero; Reduce min building setback from rear property line from 50 ft. to 49 ft..

Decision
Approved
17740: , Perry Boatswain/DB Austin Realty. Location: 34 Cleveland Street, W/s Cleveland Street, 92' N/o Uncas Street, Nesconset; Property Zoned: R-10. SCTM#: 168-3-30. Request: Variance to reduce min lot area from 10,000 sq. ft. to 6,000 sq. ft. for an existing 2-story dwelling; Reduce min lot frontage at setback line from 75 ft. to 60 ft.; Reduce min front yard from 25 ft. to 14 ft.; Reduce min. side yard from 12 ft. to 10 sq. ft.

Decision
17741: Starbucks Coffee Co., . Location: 656 Commack Road, SE/c Commack Road & Henry Street, Commack; Property Zoned: SCB. SCTM#: 174-1-17.2. Request: Variance to increase the max height of two wall signs from 15 ft. to 18 ft.; Increase the number of wall signs from a max of one sign to four wall signs; Permit two wall signs not to face a public street; Increase the number of ground signs from a max of one per parcel to eight per parcel; Increase the max area of two ground signs from 32 sq. ft. to 43 sq. ft..

Wall sign height to 18 ft. approved
to 1 only; number of wall signs approved
to 2 only; number of ground signs approved
to 5 only; all else approved.

5/9/2017

BOARD OF ZONING APPEALS

<u>SCPC</u>	<u>SEORA</u>	<u>CASE#</u>	<u>NAME</u>	<u>STATUS</u>	<u>DECISION</u>
Loc.Det.	Pending	17711	<u>ADJOURNED</u>		
N/A	Pending	17719	Simply Self Storage Kennedy, Thomas	Adj. to 5/23/17 Adj. to 5/23/17	Adjourned to 6/13/17
			<u>CLOSED HEARING</u>		
Loc.Det.	Pending	13562	Pitelli Enterprises, Inc.		
Loc Det	Pending LWRP	15940	Toussie, Robert		
Loc.Det.	Pending LWRP	16006	Veneziano, Carl J.		
Loc.Det.	Pending	16471	Grindel, Manfred		
Loc.Det.	Pending	16584	Veneziano, Carl		
N/A	Pending	16965	Brako, Jonathan		
N/A	Type II	16966	Brako, Jonathan		
Loc.Det.	Pending	17067	KVC Holding LLC (M. Cox)		
Loc.Det.	Pending	17118	Ruby Pearl, LLC		
N/A	Pending	17250	Diesso, Danielle		
N/A	Pending LWRP	17444	Touhamy, Samir		
N/A	Pending	17491	Rafferty, Richard & MaryRose		
N/A	Pending	17499	Phillips, Sean & Karen		
Loc.Det.	Pending	17542	Paul Dill/Prospect Holdings		
Loc.Det.	Pending	17567	Elite Towers		
N/A	Type II w/com	17584	Kreuzburg, Nancy		Approved
Loc.Det.	Pending	17606	Ventimiglia, Lawrence		
N/A	Type II	17634	Mallon, William		
Loc.Det.	Pending	17636	Questus/Starbucks		
N/A	Pending	17639	Palmieri, Stephen & Claudia		
N/A	Pending	17673	Poffenbarger, Jacob		
Loc. Det.	Pending LWRP	17674	Veneziano, Carl		
Loc.Det.	Unl.Neg.Dec.	17690	CarMax Auto Superstores		
N/A	Pending	17697	Abbrancati, Giuseppe		
N/A	Pending	17714	Marco, Richard		
N/A	Type II Pending LWRP	17716	Callahan, Francis & Autumn		
Loc. Det.	Pending	17724	DeJana Realty		
Loc.Det W/Com.	Pending	17727	HSG 1, LLC		
Loc. Det.	Pending	17735	PJ Venture FG LLC		
			<u>OTHER MATTERS</u>		
		17542	Paul Dill/Prospect Holdings		
		17716	Callahan, Francis & Autumn		
			<u>EXTENSIONS</u>		
			<u>LITIGATION</u>		
		16502	Dill, Paul & Rosanna		
		16595	Georges, John & Gaye		
		16656	Don's Car Wash		
		16795	KPE II		
		17267	2004 Old Willets		
		17469	St.Catherine of Siena		
		17178	Muller, charles		