

**Board of Zoning Appeals  
Public Hearing Legal Notices for  
8/10/2010**

PURSUANT TO THE PROVISIONS OF SECTION 322-80B OF THE BUILDING ZONE ORDINANCE OF THE TOWN OF SMITHTOWN, NOTICE IS HEREBY GIVEN THAT THE BOARD OF ZONING APPEALS WILL HOLD A PUBLIC HEARING AT THE SENIOR CITIZEN CENTER, 420 MIDDLE COUNTRY ROAD, SMITHTOWN, NEW YORK, TUESDAY, 8/10/2010

@ 7:00 PM TO CONSIDER THE FOLLOWING:

16232: Nesconset Village Corp., , 950 Johnson Ave., Ronkonkoma, NY 11779. Location: W/s Lawrence Dr., 2,340' N/o Townline Rd., Nesconset; Property Zoned: R-15. SCTM#: 165-3-19.8. Request: Variance to reduce minimum side yard from 16 ft. to 14 ft. and reduce total side yards from 34 ft. to 31 ft. for a proposed 403 sq.ft. second story balcony with porch below.

16233: Singleton, Gary & Mary, 17 Jamor Ct., Nesconset, NY 11767. Location: W/s Jamor Ct., 723.67' N/o Town Line Rd., Nesconset; Property Zoned: R-15. SCTM#: 164-2-5.8. Request: Variance to reduce minimum front yard setback (on Jamor Court ) from 45 ft. to 0 ft. for an existing 6 ft. fence.

16234: Markham, James & Patricia, 68 Fisher Rd., Commack, NY 11725. Location: NW/c Parkway Dr. No. & Fisher Rd., Commack; Property Zoned: R-10. SCTM#: 178-2-48. Request: Variance to increase maximum permitted paved surface from 25% to 40%; Reduce required setback of paving from 1 ft. to 0 ft..

16235: , J Nazzaro Partnership, , 8 Saxon Ave., Suite C, Bay Shore, NY 11706. Location: NW/c Terry Rd. & NYS Rt. 347, Smithtown; Property Zoned: NB & R-21. SCTM#: 106-3-52.3. Request: Special Exception pursuant to §322-8B of the Zoning Ordinance in order to permit parking in a residence district; Variance to increase depth of parking into a residence district from 50 ft. to 72 ft.; Reduce parking buffer in a residence district from 72 ft. to 6 ft.; Waive 10 ft. protective planting strip and 6 ft. high stockade fence on district boundary; Reduce building setback to residence district boundary from 50 ft. to 8 ft; Reduce parking setback to residence district from 90 ft. to 0 ft.;

16237: Mazzeo, Pasquale, 220 Lake Ave., St. James, NY 11780. Location: SW/c Woodlawn Ave. & Lake Ave., St. James; Property Zoned: CB & R-10. SCTM#: 55-4-17. Request:Certificate of existing use for an existing cottage.

16238: Fitzgerald, John & Elizabeth , 5 Broadway, Smithtown, NY 11787. Location: N/s Broadway, 163.25' E/o Maple Avenue, Smithtown; Property Zoned: R-10. SCTM#: 130-2-34. Request:Variance to reduce the minimum front yard from 40 sq. ft. to 36 sq. ft. for a proposed 40 sq. ft. portico;Reduce the minimum rear yard from 50 ft. to 48 ft. for proposed additions 388 sq. ft. basement, 388 sq. ft. first floor addition and rear deck 240 sq. ft..

16239: Anthony & Jennifer, Castaldo, 31 Heron La., Commack, NY 11725. Location: S/s Heron La., 195' E/o Warbler La., Commack; Property Zoned: R-15. SCTM#: 149-1-21. Request:Variance to reduce front yard from 45 ft. to 38 ft. for addition and porch;Reduce side yard from 16 ft. to 12 ft. for addition; Increase maximum gross floor area of lot from 25% to 31%;Reduce accessory structure setback from 8 ft. to 2 ft. (side) and from 8 ft. to 7 ft. (rear);Reduce setback of fence from retaining wall from 3 ft. to 0 ft.;Reduce minimum setback of a 9 ft. fence and retaining wall from property line from 9 ft. to 0 ft.

16240: Franchi, Michael, 41 Indian Head Rd., Kings Park, NY 11754. Location: S/s Meadow Rd., 190.63' W/o West Dr., Kings Park; Property Zoned: CB. SCTM#: 27-6-14.2. Request:Variance to reduce rear yard setback from 50 ft. to 32 ft. for a 2,552 sq.ft. building;Reduce required buffer yard setback within the side and/or rear yard from 50 ft. to 32 ft.; Reduce minimum parking from 20 to 16 spaces; Reduce minimum required truck loading spaces from 1 to 0.

16241: Monte, Paul & Carol, 33 Croft La., Smithtown, NY 11787. Location: E/s Croft La., 835.6' N/o Creek Rd., Smithtown; Property Zoned: R-43. SCTM#: 126-3-15. Request:Variance to permit accessory structure in the required side yard;Reduce minimum side yard from 24 ft. to 0 ft.; Reduce total side yard from 60 ft. to 0 ft. for an existing 209 sq. ft. shed.

16242: Bianco, Joseph & Tracy, 23 Tarleton La., Fort Salonga, NY 11768.  
Location: W/s Tarleton La., 695' N/o Trescott Path, Ft. Salonga; Property  
Zoned: R-43. SCTM#: 6-3-22. Request: Variance to reduce total side yards  
from 60 ft. to 53 ft. for a proposed 27' x 45' inground pool; Permit a 4 ft.  
fence to be 0 ft. from a 4 ft. high retaining wall; Increase maximum height of a 4 ft.  
fence and 4 ft. retaining wall from 6 ft. to 8 ft.; Permit environmentally sensitive  
lands to be altered.

16258: Lazzaro, Linda, 8 Edward Ct., Lake Ronkonkoma, NY 11779.  
Location: N/s Edward Ct., 100' W/o School House Rd., Lake Ronkonkoma;  
Property Zoned: R-10. SCTM#: 171-4-20. Request: Variance to reduce  
minimum lot area from 10,000 sq.ft. to 5,993 sq.ft.; Increase maximum  
permitted FAR from 25% to 38%; Reduce required total side yard from 28 ft.  
to 14 ft. for a 67 sq.ft. first floor addition; Permit 5,993 sq.ft. of environmentally  
sensitive land (depth to groundwater less than 10 ft.) to be used to calculate  
the permitted density, floor area or minimum lot area; Permit environmentally  
sensitive lands (depth to groundwater less than 10 ft.) to be altered; Increase  
the degree of non-conformity (total side yard) of a non-conforming building;  
Increase the degree of non-conformity (total side yard) of a non-conforming  
lot.

16260: Peterson, Robert, 14 Kappler Ct., Lake Ronkonkoma, NY 11779.  
Location: S/s Kappler Ct., 280' W/o School House Rd., Lake Ronkonkoma;  
Property Zoned: R-10/NB. SCTM#: 171-4-41.2. Request: Variance to permit  
8,000 sq.ft. lot of environmentally sensitive land to be used to calculate the  
permitted density, floor area or minimum lot area (depth to ground water less  
than 10 ft.); Permit environmentally sensitive lands (depth to ground water less  
than 10 ft.) to be altered for an 80 sq.ft. deck (existing), 148 sq.ft. porch  
converted to living space (existing), 63 sq.ft. deck (existing) and proposed 156  
sq.ft. first floor addition; Permit construction within 100 feet of wetlands;  
Increase the degree of non-conformity of a non-conforming building and a  
non-conforming lot; Reduce the front yard setback from 25 ft. to 16 ft. for a  
156 sq.ft. first floor addition.

DATED: 7/26/10  
BY ORDER OF:  
ADRIENNE GIANNADEO  
CHAIRWOMAN,  
BOARD OF ZONING APPEALS