



**INCORPORATED
VILLAGE of PORT JEFFERSON**

121 West Broadway
Port Jefferson, NY 11777
Tel. (631) 473-4744 Fax (631) 473-2049
www.portjeff.com

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Members
Tracy Stapleton
Andrew Thomas
Dan Russo
Antonio Corcella
Alternate Member
Alexia Poulos

Secretary
Cindy Suarez

**NOVEMBER 17, 2022
ZONING BOARD OF APPEALS AGENDA**

The Inc. Village of Port Jefferson Zoning Board of Appeals meeting will be held at Village Hall located at 121 West Broadway, Port Jefferson, N.Y. 11777.

6:00PM Work session 6:30PM Public Hearings

Please note that the Board may add, delete, or change the order of applications on the agenda, as it deems appropriate without further notice.

6:00PM GENERAL BUSINESS:

- Adopt & approve the 9/22/22 draft minutes
- Review the 2023 Board meeting calendar
- Trustee Report
- Next ZBA meeting 12/8/22

6:30PM PUBLIC HEARINGS:

419 EAST BROADWAY

Appeal No. #573-22

SCTM: Sec.9, Blk.1, Lot 45.1

Zoning: R-B2 Residential District

Property Owner: Rosalie Alonso

Applicant: Ron Alonso

Applicant seeks relief from the Village Code for an existing inground pool.

Village Code §250-13(c), referencing §250-11(C)(3)(a), states that no part of a swimming pool shall be built nearer than 20 feet to any property lines. ZBA Decision #565-21 dated May 25, 2021 granted the Applicant relief therefrom, allowing the Applicant's pool to be built 18 feet from rear property line, and 14 feet from the eastern side property line. Nonetheless, the pool was constructed with a rear yard setback of only 11.8 feet, and an eastern side yard setback of 21.1 feet. The Applicant now seeks relief from the same code section, to allow the pool to remain 11.8 feet from the rear property line.

(Applicant requests postponement to 12/8/22)



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1601-1607 MAIN STREET

Appeal No. #575-22

SCTM: Sec. 206-21-6-1, 2,3 and 4

Zoning: C-2 General Commercial

Property Owner: Main Street, LLC c/o Adams & Company Real Estate LLC and 1601 Main Street Corp. c/o Albert Buzzetti and Associates, LLC

Applicant: Port Jefferson Commons, LLC (Member: Conifer Realty, LLC)

Contact: Roger Pine

Request #1:

In the C-2 Zoning District, building height is limited to thirty-five (35) feet and three (3) stories, pursuant to Port Jefferson Village Code Chapter 250 Attachment 2, as modified by Port Jefferson Village Code §250-19 (G)(1) which provides, in pertinent part:

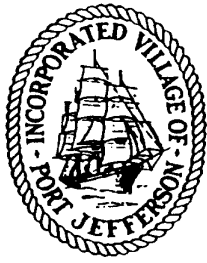
“Any proposed development with a lot larger than 20,000 square feet or 75 linear feet on Main Street frontage in the C-2 District may add a fourth story or a floor that increases the total building height to a maximum of 45 feet if there is a twelve-foot setback from the street wall at the fourth story and if a major public amenity is provided.”

In accordance with §250-49(A)(1), the Planning Board requests that the Zoning Board of Appeals decides the following question:

“Does the above-referenced code subsection require that a twelve-foot setback from the street wall be provided on the uppermost story of the proposed mixed-use structure, as depicted in the submitted plan currently under consideration?”

Request #1(a):

In the alternative, should the ZBA opine that a twelve-foot setback from the street wall must be provided on the uppermost story of the proposed mixed-use structure, as depicted in the submitted plan currently under consideration, the Applicant seeks an area variance pursuant to Port Jefferson Village Code §250-49(B)(1) to dispense with the requirement of said setback requirement in Port Jefferson Village Code §250-19 (G)(1).



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114 PROSPECT STREET

Appeal No. # 574-22

SCTM: Sec. 12, Blk. 10, Lot 11

Zoning: R-B3 Residential

Property Owner: Teresa Habacker

Applicant: Teresa Habacker

Contact: Dean Koutsoumbis c/o Long Island Expeditors

Applicant seeks relief from the Village Code for a proposed inground swimming pool.

Village Code §250-14(C), referencing §250-11(C)(3)(a), states that no part of a swimming pool shall be built nearer than 20 feet to any property lines. The Applicant seeks the following relief therefrom:

1. An area variance to construct a swimming pool in the rear yard which will be
 - (a) 12 feet from the from the rear property line; and
 - (b) 11 feet from the eastern property line.

Village Code Section §250-28 (A)(1)(a) states that the aggregate of all accessory buildings, regardless of use, shall not occupy more than 30% of the area in the required rear or side yard. The applicant proposes a swimming pool in the rear yard which is 450 Square feet in area. Therefore, the Applicant seeks the following relief therefrom:

2. An area variance for the proposed swimming pool to be allowed to occupy 76% of the required rear yard area.