



TOWN OF SOUTHPORT

1139 Pennsylvania Avenue
Elmira, NY 14904

*Minutes Approved
by Board of Appeals
August 20, 2017*

ZONING BOARD OF APPEALS

PUBLIC HEARING SHELLEY WESTBROOK

WEDNESDAY, JULY 19, 2017
7:00 PM

Item No. 1 - Call to Order

Attendance

Board Members Present: James Gensel, Chairman
Daniel Williams, Vice Chairman
John Arikian
Justin Faulkner
Susan Silvers, Alternate Member

Board Member Absent: Deborah Eames

Town Attorney Absent: Leslie Mauro

Others Present: Peter Rocchi, Town Code Enforcement Officer
Bonnie Balok, Secretary-Zoning Board of Appeals

Item No. 2 - Approval of Minutes of June 21, 2017

Mr. Williams made a motion to approve the minutes of June 21, 2017; seconded by Ms. Silvers. . Mr. Faulkner abstained from voting due to his absence at the June 21, 2017 hearing. The minutes of June 21, 2017 were approved.

Item No. 3 – New Business

Public Hearing – Shelley Westbrook

Attendance: Applicant (s) Shelley Westbrook and Jack Westbrook

Chairman Gensel called the hearing to order and advised this is a public hearing for Shelley Westbrook, 429 Sharr Avenue, Elmira, NY 14904, concerning an area variance to building a ten foot (10') by twenty two foot (22') deck on the house in a required front yard setback.

Ms. Westbrook explained the plan was to add a porch onto the front of the house that would measure ten (10) by twelve (12). Ms. Westbrook submitted a paid receipt she received from the "Star-Gazette" providing proof the notice of public hearing was published. (*Receipt on file with permanent record*).

Chairman Gensel opened up the public hearing portion of the meeting. No public comments were provided and the public hearing portion was closed. Chairman Gensel explained Ms. Westbrook would be required to answers the five (5) area variance questions.

Ms. Westbrook provided the following answers:

1. Undesirable change?-----No, she didn't think so.
2. Benefit sought?-----No, not that she knew
3. Variance substantial?-----Ten feet (10') out from house; about average.
4. Adverse affect?-----No
5. Self-created?-----Yes

**ZONING BOARD OF APPEALS
TOWN OF SOUTHPORT, COUNTY OF CHEMUNG, STATE OF NEW YORK**

**RESOLUTIONS
2017**

Resolution No. 8

AREA VARIANCE GRANTED

PROPERTY:	TAX MAP NO. 99.14-1-57 COMMONLY KNOWN AS 429 SHARR AVENUE	ZONED: R1 ELMIRA, NY 14904
APPLICANT:	SHELLEY WESTBROOK 429 SHARR AVENUE	ELMIRA, NY 14904
OWNER:	SHELLEY WESTBROOK	
RESOLUTION:	SILVERS	SECONDED: ARIKIAN

WHEREAS, Shelley Westbrook, 429 Sharr Avenue, Elmira, NY 14904 applied for an area variance at 429 Sharr Avenue, Elmira, NY 14904 to build a ten foot (10') by twenty two foot (22') deck on the front of the house in a required front yard setback; Town Code—Section 525-26--Special Requirements Relating to Front Yards, Town of Southport, County of Chemung. The property is located in a R1 zone and is commonly known as 429 Sharr Avenue, Elmira, NY 14904, Tax Parcel, 99.14-1-57, and

WHEREAS, the Town of Southport Board of Appeals held a public hearing on July 19, 2017 at 7:00 p.m., or as soon thereafter as it could be heard, at the Southport Town Hall, 1139 Pennsylvania Avenue, Elmira, New York, with no one voicing any concern for or against the proposal, and

WHEREAS, this matter was submitted to the Chemung County Planning Board and thirty (30) days has expired with the Board taking no action on the matter, and

WHEREAS, upon deliberation, consideration and discussion, and following inspection of the property, the members of the Board of Appeals were of the opinion that an area variance could be granted to build a ten foot (10') by twenty two foot (22') deck on the front of the house in a required front yard setback; and

NOW THEREFORE BE IT RESOLVED, that an area variance be granted to Shelley Westbrook, 429 Sharr Avenue, Elmira, NY 14904 for a ten foot (10') by twenty two foot (22') deck on the front of the house in a required front yard setback and the Building Inspector of the Town of Southport be and hereby is authorized to issue a permit for said use, and that failure to complete the project within one (1) year from the granting of this variance will render the variance null and void.

Ayes:	Arikian, Faulkner, Silvers, Williams, Gensel
Noes:	None
Carried.	Area variance granted. July 19, 2017