



CITY OF UTICA

Department of Urban & Economic Development
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**ZONING BOARD OF APPEALS
COMMON COUNCIL CHAMBERS - CITY HALL
MAY 10, 2016 5:00 PM**

ZBA Case No.: 13-16
915 Lincoln Avenue CTM 318..49-1-10
Applicant: Vincent Singe
Owner: Vincent Singe

Zone: CCBD
Use Variance

Pursuant to Section 2-29-67(d)(2) of the Zoning Ordinance of the City of Utica, the applicant is seeking approval of a use variance in order to operate a professional full service dry (wet) cleaning business at the above referenced property.

The applicant is proposing to utilize state of the art wet cleaning equipment. The business will be for professional washing and pressing clothing. The business will offer full tailoring and alterations.

No threatening environmental chemicals will be used. No state or federal regulations are required for this type of cleaning.

The business is currently in operation as a drop off/pick up location for a dry cleaner at a different location. Nine full-time employees will be at this location. The hours of operation will be Monday – Friday 7:30 am – 5:30 pm and Saturday pick up only.

ZBA Case No.: 14-16
1938 Rutger Street
Applicant: Jasmin Sokolar
Owner: Jasmin Sokolar

Zone: RS-2
Area Variance

Pursuant to Section 2-29-67(d)(1) of the Zoning Ordinance of the City of Utica, the applicant is seeking an area variance in order to legitimize the construction of a shed at the above referenced property.

The applicant has constructed a 16' x 12' (192 sf) shed in the rear of the property. In accordance with Section 2-29-491 of the Zoning Ordinance of the City of Utica, 100 sf is the maximum allowable size for an accessory structure in a residential zoning district. The applicant is seeking an area variance in order to increase the size of the shed to 192 sf.

The applicant has stated that they need it for storage as they do not have a garage on the property.

ZBA Case No.: 15-16

800 State Street

Applicant: AJ Signs

Owner: Craig & Barbara Brodock

Zone: I-1

Area Variance

Pursuant to Section 2-29-67(d)(1) of the Zoning Ordinance of the City of Utica, the applicant is seeking an area variance in order to install signage at the above referenced property.

The applicant is proposing to install a 9'4" x 9' (85sf) sign on the small tower of the building facing Route 12 which will read "The Lofts at 502". The sign will be reverse lit channel letters.

In accordance with Section 2-29-340 of the Zoning Ordinance of the City of Utica, the maximum allowed facial signs in a Light Industrial (I-1) zoning district is 90 square feet. Since this is a multi-tenant building, there currently is existing additional signage on other portions of the building. Therefore, the applicant is seeking an area variance in order to include this additional signage on the building.

ZBA Case No.: 16-16

1318 Francis Street

Applicant: Thavorn Dongsavanh

Owner: Thavorn Dongsavanh

Zone: RT-1

Area Variance

Pursuant to Section 2-29-67(d)(1) of the Zoning Ordinance of the City of Utica, the applicant is seeking an area variance in order to legitimize the construction a stockade fence at the above referenced property.

The applicant has erected a 6' high wood stockade fence approximately 2' from the sidewalk along the Tracy Street side of the property. The fence also extends along the back of the property.

Since this is a corner lot the applicant is considered to have two front yards. In accordance with Section 2-29-447 of the Zoning Ordinance of the City of Utica, all solid fences measuring more than three (3) feet high are prohibited in the front yard. Therefore, the applicant will be required to receive an area variance for the height and location of the fencing.

ZBA Case No.: 17-16

2039 Genesee Street

Applicant: William M. Borrill

Owner: Viaren, Inc.

Zone: OPR

Area Variance

Pursuant to Section 2-29-67(d)(1) of the Zoning Ordinance of the City of Utica, the applicant is seeking an area variance in order to legitimize the construction a handicap ramp in the rear of the property at the above referenced property.

The applicant has constructed a covered handicap ramp which rests on a 16 1/2' x 15 1/2' concrete slab in the rear/side of the property. The first floor of the building is completely ADA compliant. Parking is located in the rear of the property and this door is the only location for a ramp as the other rear entrance leads to basement stairs.

In accordance with Section 2-29-232 of the Zoning Ordinance of the City of Utica, the minimum required side yard setback is 15' feet in an Office Professional/Residential zoning district. The existing building is 36" from the side yard property line and the proposed handicap ramp will be 25" from the side property line. Therefore, the applicant will be required to receive an area variance for the reduction in the side yard setback.

ZBA Case No.: 18-16
328 Blandina Street
Applicant: Teoka Muhammad
Owner: Teoka Muhammad

Zone: RM-1
Use Variance

Pursuant to Section 2-29-67(d)(2) of the Zoning Ordinance of the City of Utica, the applicant is seeking approval of a use variance in order to operate a wellness studio at the above referenced property.

The proposed hours of operation for the wellness studio will be 9:00 am – 7:30 pm. Other than the owner, there will be no additional employees at this location. The studio will host nutrition talks and dance instruction. Further details will be provided.

The owner will reside on the second floor.

ZBA Case No.: 19-16
2633 Genesee Street
Applicant: Timothy Julian
Owner: Christopher Carfagno

Zone: OPR
Use Variance

Pursuant to Section 2-29-67(d)(2) of the Zoning Ordinance of the City of Utica, the applicant is seeking approval of a use variance in order to operate aesthetic center at the above referenced property.

The applicant is proposing to utilize the structure for a new aesthetic center. The business will have an aesthetician, stylist and a massage therapist. There will be a maximum of four employees at this location. All services will be by appointment only. The hours of operation will be Monday – Saturday 8:00 am – 9:00 pm.

The applicant stated that they are Utica residents and live close to the property.

The applicant is proposing to remove the garage in the rear of the parking. This will provide space for parking of ten cars in the rear of the property.

ZBA Case No.: 20-16
728 Court Street
Applicant: Utica Sign
Owner: Richard Kiernowski

Zone: CN
Area Variance

Pursuant to Section 2-29-67(d)(1) of the Zoning Ordinance of the City of Utica, the applicant is seeking an area variance in order to install signage at the above referenced property.

The applicant is proposing to install two signs at this location. The first sign will be 5' x 12' (60 sf) which will be on the Sunset Avenue side of the property. The second sign will be on the tower portion of the building and will be 4' x 10' (40 sf). Both signs will read "The Sanctuary" and will be internally illuminated pink LED channel letters.

In accordance with Section 2-29-340 of the Zoning Ordinance of the City of Utica, the maximum allowed facial signs in a Neighborhood Commercial (CN) zoning district is 40 square feet. Therefore, the applicant is seeking an area variance in order to increase the size of the signage to 100 sf.

ZBA Case No.: 21-16

2631 Genesee Street

Applicant: John W. Kalpin Jr.

Owner: Kalpin Enterprises, LLC

Zone: OPR

Use Variance/Area Variance

Pursuant to Section 2-29-67(d)(2) of the Zoning Ordinance of the City of Utica, the applicant is seeking approval of a use variance in order to expand a Specially Permitted Use into a garage at the above referenced property. Pursuant to Section 2-29-67(d)(1) of the Zoning Ordinance of the City of Utica, the applicant is seeking an area variance in order expand the size of the garage at the above referenced property.

The applicant is proposing to construct a 220 sf. addition to the existing garage for the expansion of the day care center that they operate at this location. The applicant received a Special Use Permit from the Zoning Board of Appeals for the operation of a day care center on August 9, 2005. In accordance with Section 2-29-494 of the Zoning Ordinance of the City of Utica, no accessory structure located in any zone shall be used for the operation of any specially permitted use. Therefore, the applicant is seeking a use variance in order to have programs in the garage structure.

The applicant will also require an area variance for the size of the garage. The total size of the garage will be 52' x 20' (1040 sf) where 616 sf is the maximum allowable size for a garage.