



CITY OF UTICA

Department of Urban & Economic Development
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**ZONING BOARD OF APPEALS
COMMON COUNCIL CHAMBERS - CITY HALL
JUNE 14, 2016 5:00 PM**

ZBA Case No.: 23-16

4 Shelly Place

Applicant: Cynthia & David Dutcher

Owner: Cynthia & David Dutcher

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 construct a shed at the above referenced property.

The applicant is proposing to install a 10' x 20' (200 sf) shed in the side yard 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 200 sf.

ZBA Case No.: 24-16

1005-1007 Seymour Avenue

Applicant: Asim Pajazetovic

Owner: Asim Pajazetovic

Zone: RM-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 erect a fence at the above referenced property.

The applicant is proposing to erect a 6' high wood stockade fence approximately 6-12" from the inside edge of the sidewalk.

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.: 25-16

214 Rutger Street

Applicant: Harvey A. Lape

Owner: Harvey A. Lape

Zone: OA

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 erect a fence at the above referenced property.

A 60" tall ornamental fence will be installed from the southwest corner of the house to the southwest corner

of the garage which is proposed to be constructed in the near future. This fence will have two gates on of which will be 36” wide for the private sidewalk that runs parallel to the rear of the property and a second 14’ wide center-opening driveway gate.

In accordance with Section 2-29-447 of the Zoning Ordinance of the City of Utica, all open fences measuring more than four (4) 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.: 26-16

19 Parkside Court

Applicant: Kenneth G. Gates

Owner: Kenneth G. Gates

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 erect a fence at the above referenced property.

The applicant is proposing to erect a 6’ high wood stockade fence approximately 1’ from the sidewalk along the Parkside Court side of the property. The fence will connect with the existing fence in the rear 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.: 27-16

Catherine Street CTM #319.19-1-24

Applicant: Frank J. Cotrupe

Owner: Frank J. Cotrupe

Zone: CC

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 an auto-related business at the above referenced property.

The applicant is proposing to operate an auto sales business at this location. Trucks and other vehicles for the applicant’s produce business will be serviced at this location.

The structure has lent itself as an auto use in the past for several businesses. The building has four overhead doors.

In accordance with Section 2-29-233 of the Zoning Ordinance of the City of Utica, the Auto Overlay (A-O) District protects and enhances older City neighborhoods along major and secondary thoroughfares or proximate to commercial and employment centers by regulating automobile uses and their potential impacts. The A-O District permits automobile-related commercial uses, such as vehicle service stations, repair stations and sales/rental operations.

This property is located in a Community Commercial zoning district but is not located within the City of Utica’s Auto-Overlay district, therefore, the applicant is applying for a Use Variance in order to operate this type of business at this property.

ZBA Case No.: 28-16
1150 Kossuth Avenue
Applicant: Steve VanValkenburgh
Owner: Steve VanValkenburgh

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 install a pool at the above referenced property.

The applicant is proposing to install an 18' x 4' above ground pool in the rear yard at this location. In accordance with Section 2-29-601 of the Zoning Ordinance of the City of Utica, a swimming pool shall be erected only on the same lot as the principal structure and only in the rear yard or side yard in relation to the principal structure or accessory structure attached to the principal structure. The swimming pool shall be not less than eight feet from any side lot line as the lines relate to the principal structure or accessory structure. Distance to the lot line shall be measured from the rim of the pool.

The applicant is proposing to install the pool approximately 3' from the side yard property line. Therefore, the applicant is seeking an area variance for the reduction in the side yard setback.

ZBA Case No.: 41-15
305-307 Leah Street
Applicant: Yejelin Burdier
Owner: Yejelin Burdier

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 of a fence at the above referenced property.

At the September 2015 meeting, the Board voted to **approve** the application and requested that the fence be located 8' back from the point at the corner and the fence shall be setback 3' from the inside edge of the sidewalk. However, the applicant has installed the fence at the inside edge of the sidewalk, therefore is seeking an additional area variance to legitimize this construction.

Originally the applicant is proposed to construct a 6' high wood stockade fence in the front yard of the property. The applicant is proposing to position the fence approximately 3' from the inside of the sidewalk. 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 proposed fence.