



CITY OF UTICA

URBAN & ECONOMIC DEVELOPMENT

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ZONING BOARD OF APPEALS COMMON COUNCIL CHAMBERS - CITY HALL JULY 09, 2019 5:00 PM

ZBA Case No.: 21-19
456 Tryon Road
Applicant: Miodrag Dobrijevic
Owner: Miodrag Dobrijevic

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 construct a 12' x 14' (168 sf) shed to accommodate storage needs at this residence. In accordance with Section 2-29-492 of the Zoning Ordinance of the City of Utica, the maximum size for an accessory structure in a Residential Single-Family zoning district is 100 sf. The applicant will be required to receive an area variance to increase the size of the proposed shed to 168 sf.

The shed will be placed approximately 5' from the side property line and 8' from the rear property line. The shed will have 8' high walls. In accordance with Section 2-29-495 of the Zoning Ordinance of the City of Utica, no accessory structure or use which exceeds six feet in height shall be located closer than a distance equal to its height from any side or rear property line. Therefore, the applicant will be required to receive an area variance for the location of the shed.

ZBA Case No.: 23-19
936 Arnold Avenue
Applicant: Andrew Miner
Owner: Andrew Miner

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 construct a shed at the above referenced location.

The applicant is proposing to construct a 12' x 20' shed (240 sf) to accommodate storage needs at this residence. In accordance with Section 2-29-492 of the Zoning Ordinance of the City of Utica, the maximum size for an accessory structure in a Residential Two-Family zoning district is 100 sf. The applicant will be required to receive an area variance to increase the size of the proposed shed to 240 sf.

The shed will be placed approximately 2'-5' from the east property line and 5' from the north property line. In accordance with Section 2-29-495 of the Zoning Ordinance of the City of Utica, no accessory structure or use which exceeds six feet in height shall be located closer than a distance equal to its height from any side or rear property line. Therefore, the applicant will be required to receive an area variance for the location of the shed. The height of the shed will be approximately 8'.

ZBA Case No.: 24-19
1803 Rutger Street
Applicant: Joanne Bonvicino
Owner: Joanne Bonvicino

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 location.

The applicant is proposing to construct a 15' x 18' shed (270 sf) to accommodate storage needs at this residence. In accordance with Section 2-29-492 of the Zoning Ordinance of the City of Utica, the maximum size for an accessory structure in a Residential Single-Family zoning district is 100 sf. The applicant will be required to receive an area variance to increase the size of the proposed shed to 270 sf.

In accordance with Section 2-29-492 of the Zoning Ordinance of the City of Utica, the maximum height for a storage structure in a residential zoning district is 10'. The applicant is proposing a 12' high shed, therefore will require an area variance for the proposed height of the shed.

ZBA Case No.: 25-19
401 Deerfield Drive East
Applicant: Brian Szot
Owner: Brian Szot

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 garage at the above referenced property.

The applicant is proposing to construct a 36' x 24' (864 sf) detached garage at the above referenced property. In accordance with Section 2-29-495 of the Zoning Ordinance of the City of Utica, a garage in a Residential Single Family zoning district shall not exceed 616 sf. The applicant will require an area variance for the increase in the size of the garage.

ZBA Case No.: 26-19
120-122 Eagle Street
Applicant: David Bonaparte
Owner: Tahkasha Washington

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 a use variance in order to operate a take out restaurant at the above referenced location.

The applicant has begun to operate a fast food take-out restaurant at this location. It was previously a cellular store along with an art store. There will be limited seating of 14 people in the restaurant. The hours of operation will be from 6:30 am – 9:30 pm daily. During the down times, board games will be available to the youth of the neighborhood. Job postings, apartments, and academic opportunities will be posted in the restaurant.

Three security cameras have been installed on the exterior of the store. Four cameras have been installed inside the restaurant. Garbage will be stored in rodent proof garbage receptacles. There will be no alcohol served at this location.

ZBA Case No.: 27-19
2811 Genesee Street
Applicant: John C. Brown
Owner: Stephen Culver

Zone: OPR
Special Use Permit

Pursuant to Section 2-29-68 of the Zoning Ordinance of the City of Utica, the applicant is seeking a special use permit in order to operate a real estate office at the above referenced property.

In accordance with Section 2-29-232 of the Zoning Ordinance of the City of Utica, a real estate office is a Special Permit Use in an Office-Professional-Residential Zoning District.

The applicant is proposing to relocate their existing office from 2306 Genesee Street to this location. There currently is parking available in the rear of the parcel and the applicant is proposing to add additional parking options to that area. The applicant has stated that this business is a very quiet business and will fit with the character of the neighborhood. He referenced several banks/credit unions in the vicinity along with other real estate offices in close proximity to this location.

ZBA Case No.: 28-19
1608 Rutger Street
Applicant: Zuhdija Dosic
Owner: Zuhdija Dosic

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 location.

The applicant is proposing to construct a 12' x 14' shed (168 sf) with an extended roof to accommodate a covered patio area which will measure 10' x 24'). In accordance with Section 2-29-492 of the Zoning Ordinance of the City of Utica, the maximum size for an accessory structure in a Residential Single-Family zoning district is 100 sf. The applicant will be required to receive an area variance to increase the size of the proposed shed and covered patio to 168 sf and 240 sf.

ZBA Case No.: 29-19
716 Columbia Street
Applicant: Ruslan Zhushma
Owner: Ruslan Zhushma

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 install a 6' high solid vinyl fence along the adjacent property line and across the parking area which will connect to the corner of the garage building to enclose the exterior storage area. A maximum height of 3' is allowed for solid fences in the front yard in a Residential Multi-Family zoning district. The applicant will be required to receive an area variance for the proposed height of the fence.

This will afford the applicant the opportunity to enclose the automobile storage at his place of business.

ZBA Case No.: 30-19
111 Meeker Aven/103 Hopson Street
Applicant: Lawrence Zegarelli
Owner: Lawrence Zegarelli

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 location.

The applicant is proposing to construct a 10' x 20' shed (200 sf) to accommodate storage needs at this residence. In accordance with Section 2-29-492 of the Zoning Ordinance of the City of Utica, the maximum size for an accessory structure in a Residential Single-Family zoning district is 100 sf. The applicant will be required to receive an area variance to increase the size of the proposed shed to 200 sf.

The shed will be placed approximately 6' from the side property line. In accordance with Section 2-29-495 of the Zoning Ordinance of the City of Utica, no accessory structure or use which exceeds six feet in height shall be located closer than a distance equal to its height from any side or rear property line. Therefore, the applicant will be required to receive an area variance for the location of the shed. The height of the shed will be approximately 10'.

ZBA Case No.: 31-19
476 Euclid Road
Applicant: Travis Tabor
Owner: Travis Tabor

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 install a pool at the above referenced property. The applicant received an area variance for the following on September 12, 2017.

The applicant is proposing to install an 18' above ground pool in the rear of the property. The pool will be located in the yard area which is currently fully fenced. In accordance with Section 2-29-601(c)(2) of the Zoning Ordinance of the City of Utica, the swimming pool shall be not less than eight feet from any 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 locate the pool approximately 2' from the side property line. The applicant is requesting an area variance to reduce the side yard setback from 8' to 2'.

The applicant is now proposing to install a 15' above ground pool which will leave approximately 3.75' from the side property line. The applicant is requesting an area variance to reduce the side yard setback from 8' to 3.75'.

ZBA Case No.: 32-19
230-236 N. Genesee Street
Applicant: MJL Utica LLC & Kerry Ventures Utica LLC
Owner: MJL Utica LLC & Kerry Ventures Utica LLC

Zone: CC
Special Use Permit

Pursuant to Section 2-29-68 of the Zoning Ordinance of the City of Utica, the applicant is seeking a special use permit in order to operate an urgent care facility at the above referenced property.

The applicant is seeking a Special Use Permit to legitimize the operation of an urgent care facility. The hours of operation are 8:00 am – 8:00 pm daily. There are 6-10 employees at this location. There are 42 parking spaces at this location. The construction received Site Plan review and approval from the City of Utica's Planning Board. All requirements have been met.