

CITY OF UTICA

URBAN & ECONOMIC DEVELOPMENT
1 KENNEDY PLAZA, UTICA, NEW YORK 13502
PH. 315-792-0181 | FAX. 315-797-6607

ROBERT M. PALMIERI
MAYOR

BRIAN THOMAS, AICP
COMMISSIONER

January 6, 2022

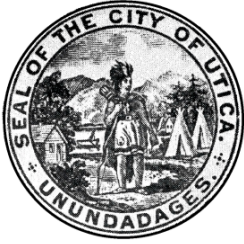
Greetings Neighbors,

Please take notice that the City of Utica Zoning Board of Appeals will hold a Public Hearing on **Tuesday, JANUARY 18, 2022 at 5:00 pm** in the Common Council Chambers of Utica City Hall.

According to Section 2-29-108(3)(b) of the City of Utica Zoning Ordinance, with respect to an application for a variance, the clerk of the board shall send written notice to all owners of property within 200 feet of the exterior boundaries of the subject property.

This letter shall serve as written notice of stated ordinance.

If you have any questions or concerns, contact Patti DeCarr at (315) 792-0181 or pdecarr@cityofutica.com.



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**ZONING BOARD OF APPEALS
COMMON COUNCIL CHAMBERS – CITY HALL
JANUARY 18, 2022 5:00 PM**

ZBA Case No.: 01-22
River Road/Lorraine Avenue
CTM #306.11-1-14 & 306.11-1-15
Applicant: Kyle Gruenewald
Owner: Kyle Gruenewald

Zone: R1
Use Variance

Pursuant to Section 2-29-32(d)(2) of the Zoning Ordinance of the City of Utica, the applicant is seeking a use variance in order to construct a commercial structure at the above referenced property.

The applicant is proposing to construct a 48' x 56' (2,688 sf) building to accommodate a landscaping business at this location. Two 10' x 16' overhead garage doors are proposed on the River Road side of the property. One 10' x 10' overhead door is proposed for the Lorraine Avenue side of the structure. These overhead doors will allow access for the landscaping equipment to be stored at this location.

Other than the storage space for materials and equipment, an office area, which will be approximately 400 sf, will be incorporated into the footprint. Entry to the office area will be on the River Road frontage.

The exterior materials will be metal vertical siding with stone accents on the front of the façade.

In accordance with Section 2-29-185 (d)(1) of the Zoning Ordinance of the City of Utica, when a commercial use adjoins a R1 or RM District, a solid six-foot-high fence, measured above the existing grade, shall be erected along any lot line that adjoins said residential district.

The applicant will be required to receive Site Plan review and approval by the City of Utica's Planning Board.

ZBA Case No.: 05-21
41 Brookline Drive
Applicant: Richard Simpson
Owner: Richard Simpson

Zone: RS-1/R1
Area Variance/Extension

The applicant received an area variance for the above referenced property at the February 16, 2021 meeting of the Zoning Board of Appeals. Pursuant to Section 2-29-32(e)(1) whenever a variance is authorized by the Zoning Board of Appeals, the activity authorized thereby shall be established and any construction authorized thereby shall be diligently prosecuted and shall be completed within 12 months after the effective date of such variance, unless an extension of not more than six months shall be granted by the Zoning Board of Appeals because of the occurrence of conditions unforeseen at the time of authorizing such variance.

The applicant has stated that due to the substantial rise in the prices of lumber and concrete has hindered the construction of his proposed garage. Therefore, the applicant is seeking an extension of the approved area variance he received for the proposed garage.

This was the resolution to the previous meeting: Pursuant to Section 2-29-32(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 24' x 24' (576 sf) garage in the side yard of the property. The garage will be located at the end of the paved driveway area on the Leibel Place side of the home. In accordance with Section 2-29-495 of the Zoning Ordinance of the City of Utica, the minimum side yard setback shall be 5'. The applicant is proposing to construct the garage approximately 2' from both side yard property lines. The applicant will be required to receive an area variance for this request.

The applicant has stated that the home has had issues with flooding and the garage will serve as a dry storage area for items that cannot be stored in the basement due to the flooding issue.

This meeting of February 16, 2021 was held virtually via WebEx.

The applicant presented the application to the Board. He explained that the garage will have an 18' overhead door. The exterior materials will be white vinyl siding to match the existing house. The garage will be located approximately 8' from the deck. The garage will be lower in height than the primary structure.

Councilperson Celeste Friend spoke in favor of the applicant and his proposal for a garage due to all of the flooding issues that have taken place in this area in the past.

The Board voted to **approve** the area variance as submitted.