

MICHAEL P. GALIME, MAYOR  
CITY OF UTICA



DEPARTMENT OF URBAN & ECONOMIC DEVELOPMENT  
1 KENNEDY PLAZA  
UTICA, NEW YORK 13502  
PHONE: (315) 792-0181  
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November 7, 2024

Greetings Neighbors,

Please take notice that the City of Utica Zoning Board of Appeals will hold a Public Hearing on **Tuesday, NOVEMBER 19, 2024 at 5:00 pm** in the Common Council Chambers of Utica City Hall.

According to Section 2-29-32 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](mailto:pdecarr@cityofutica.com).

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**ZONING BOARD OF APPEALS AGENDA  
COMMON COUNCIL CHAMBERS – CITY HALL  
NOVEMBER 19, 2024 5:00 PM**

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ZBA Case No.:	25-24	Zone:	NMU
Address:	107, 109, 115, 0 South Street	Area Variance	
CTM:	318.58-2-49, 318.58-2-51, 318.58-2-52, 318.58-2-53		
Applicant:	Aung K. Win		
Owner:	Aung K. Win		

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Pursuant to Section 2-29-32(d)(1) of the Zoning Ordinance of the City of Utica, the applicant is seeking approval of an area variance in order to install fencing at above referenced property.

The applicant is currently the owner of Min Htet Win Oriental Market at 115 South Street. He is requesting an area variance in order to construct a 6' high chain link fence around the perimeter of the parking lot adjacent to the business. Two driveways will be open for ingress and egress from the parking lot for patrons of the store.

In accordance with Section 2-29-185 (c)(2) of the Zoning Ordinance of the City of Utica, all fences measuring more than three feet high are prohibited in the front yard of both inside and corner lots, therefore, the applicant will be required to receive an area variance for the height of the proposed fence.

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ZBA Case No.:	26-24	Zone:	RM
Address:	1107 Erie Street	Area Variance	
Applicant:	Jordan Gooch		
Owner:	Jordan Gooch		

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Pursuant to Section 2-29-32(d)(1) of the Zoning Ordinance of the City of Utica, the applicant is seeking approval of an area variance in order to install fencing at above referenced property.

The applicant is proposing to construct a 6' high solid wood fence to enclose the lot adjacent to the home at 1107 Erie Street on the corner of Erie and Dewitt Street. The fence will run from the edge of the driveway on Erie Street and extend toward Dewitt Street, continue south, parallel to Dewitt Street and proceed west, parallel with Parker Street in line with the neighboring fence. The proposed fence will be installed approximately 2.5' from the inside edge of the surrounding sidewalk.

In accordance with Section 2-29-185 (c)(2) of the Zoning Ordinance of the City of Utica, all fences measuring more than three feet high are prohibited in the front yard of both inside and corner lots, therefore, the applicant will be required to receive an area variance for the height of the proposed fence.

In accordance with Section 2-29-181 (a) of the Zoning Ordinance of the City of Utica, in the RM and R1 Districts no obstruction to vision, other than an existing building, post, column or tree, exceeding 24 inches in height above the established grade of the street at the property line shall be erected or maintained on any lot within the triangle formed by the street lot lines of such lot and a line drawn between the points along such street lot lines 30 feet distant from their points of intersection. Therefore, the fence will need to be constructed on a diagonal line toward the corner of Erie and Dewitt Street and Dewitt and Parker Street.

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ZBA Case No.:	27-24	Zone:	RM
Address:	334 Leah Street	Area Variance	
CTM #:	318.74-2-25, 318.74-2-26, 318.74-2-27, 318.74-2-28, 318.74-2-33		
Applicant:	Jaime Quito		
Owner:	Jaime Quito		

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Pursuant to Section 2-29-32(d)(1) of the Zoning Ordinance of the City of Utica, the applicant is seeking approval of an area variance in order to legitimize the installation of fencing at above referenced property.

The applicant has constructed a 6' high wood solid fence around the entire perimeter of the above referenced properties. The applicant was instructed by the City of Utica Codes Department that an area variance would be required, however, the applicant continued to install the remainder of the fence. The fence is currently flush with the inside edge of the sidewalk.

In accordance with Section 2-29-185 (c)(2) of the Zoning Ordinance of the City of Utica, all fences measuring more than three feet high are prohibited in the front yard of both inside and corner lots, therefore, the applicant will be required to receive an area variance for the height of the fence.

In accordance with Section 2-29-181 (a) of the Zoning Ordinance of the City of Utica, in the RM and R1 Districts no obstruction to vision, other than an existing building, post, column or tree, exceeding 24 inches in height above the established grade of the street at the property line shall be erected or maintained on any lot within the triangle formed by the street lot lines of such lot and a line drawn between the points along such street lot lines 30 feet distant from their points of intersection.