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**ZONING BOARD OF APPEALS AGENDA
COMMON COUNCIL CHAMBERS – CITY HALL
JUNE 17, 2025 5:00 PM**

ZBA Case No.:	10-25	Zone:	RM
Address:	507 Mortimer Street		Area Variance
Applicant:	Kenneth Dickerson		
Owner:	Kenneth Dickerson		

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 the above referenced property.

The applicant currently owns the property on Mortimer Street which connects to his rear yard on Conkling Avenue. The applicant is proposing to install a 6' high chain link fence extending off the neighboring stockade fence and run along the parking area to 2' from the edge of the sidewalk. The fence will run along the Mortimer Street side of the lot to the fence to the west.

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.

ZBA Case No.:	11-25	Zone:	R1
Address:	9 Seward Avenue		Use Variance
Applicant:	Johnny Paredes		
Owner:	GJ Holdings, LLC		

Pursuant to Section 2-29-32(d)(2) of the Zoning Ordinance of the City of Utica, the applicant is seeking approval of a use variance in order to utilize the home for a short-term rental at the above referenced property.

The applicant is currently operating a short to mid-term rental Airbnb. The applicant stated that he markets to nurses, travelers and construction company crews. The Airbnb is advertised as a 5-bedroom, 2.5-bathroom home that accommodates 12 people. It states that there is parking for four cars in the driveway along with exterior security cameras.

Short-term rentals are not a permitted use in a Residential Single zoning district, therefore, the applicant will be required to receive a use variance for the continuance of the rental unit.

ZBA Case No.: 12-25	Zone: RM
Address: 19 Rosemary Street	Area Variance
Applicant: Nurudin Dzulovic	
Owner: Nurudin Dzulovic	

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 the above referenced property.

The applicant is proposing to install a 5' high white vinyl fence to enclose the side yard. The fence will start at the edge of the driveway and extend across the front yard of the home. The fence will run toward the back of the property along the neighboring driveway. The fence will need to be located 21.5' back from the edge of the pavement on Rosemary Street due to the City right-of-way.

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.

ZBA Case No.: 13-25	Zone: NMU
Address: 1160 Mohawk Street	Area Variance
Applicant: Motee Mohyoub	
Owner: Elena Gigliotti, Concetta Forte	

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 operate a neighborhood convenience store at the above referenced property.

The applicant has stated that he intends to operate a neighborhood convenience store/deli business that will prepare food for consumption off-premises along with selling pre-packaged foods. The business will be open 7 days a week from 8 AM to 11 PM with 3 employees. The property offers parking for up to 20 vehicles. The applicant stated that they have no intention of selling lottery or alcohol, they did acknowledge that cigarettes would be sold.

The Planning Board granted the Special Use Permit and Site Plan approval on the condition that there be no sales of lottery or alcohol and that no tobacco products aside from cigarettes be sold.

In accordance with Section 2-29-346(d) of the Zoning Ordinance of the City of Utica, no such use shall be located within 2,000 linear feet of a similar existing use regardless of the zoning district in which such existing use is located and measured from lot line to lot line. Therefore, the applicant will require an area variance for the location of the neighborhood convenience store.