

MICHAEL P. GALIME, MAYOR
CITY OF UTICA

DEPARTMENT OF URBAN & ECONOMIC DEVELOPMENT
1 KENNEDY PLAZA
UTICA, NEW YORK 13502
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April 5, 2024

Greetings Neighbors,

Please take notice that the City of Utica Zoning Board of Appeals will hold a Public Hearing on **Tuesday, APRIL 16, 2024 at 5:00 pm** in the Common Council Chambers of Utica City Hall.

According to Section 2-29-77 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 AGENDA
COMMON COUNCIL CHAMBERS – CITY HALL
APRIL 16, 2024 5:00 PM**

ZBA Case No.:	03-24	Zone: RM
Address:	137 and 139 James Street	Use Variance
Applicant:	James Paul	
Owner:	City of Utica	

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 establish a hydroponic farming company at the above referenced property in a Residential Mixed zoning district.

The applicant is proposing to purchase the two lots from the City of Utica and place two (2) 40' x 8' x 9.5' shipping containers on the properties. The applicant will grow crops inside the two shipping containers and sell produce to individuals and food pantries. They will plant, harvest and package all produce within the containers and deliver to customers.

Approximately 25 hours per week of farming labor within the containers will take place during standard business hours with occasional weekend work as needed.

The hydroponic farm will be built entirely inside an insulated shipping container capable of growing a variety of leafy greens 365 days a year. The farm is equipped with climate control technology and can produce the equivalent of two acres worth of fresh produce every year. There will be no wastewater or runoff and will only use approximately five gallons of water per day.

The Board voted to **table** the application and requested that the applicant address the following:

1. The applicant shall, in accordance with Section 2-29-32 of the Zoning Ordinance of the City of Utica, address the following criteria for a use variance:
 - a. The applicant cannot realize a reasonable return, provided that lack of return is substantial as demonstrated by competent financial evidence;
 - b. The alleged hardship relating to the property in question is unique, and does not apply to a substantial portion of the district or neighborhood;
 - c. The requested use variance, if granted, will not alter the essential character of the neighborhood; and
 - d. The alleged hardship has not been self-created.
2. The applicant shall provide a site plan for the project to include the location of the containers and the shed in relation to the property lines and the required setback for a Residential Mixed zoning district. Include a visual design of the wrapping of the containers, a description and design of the proposed shed, designated parking locations, and a description and placement of proposed lighting for the site.

ZBA Case No.:	07-24	Zone: RM
Address:	1201 Howard Avenue & 302 Eagle Street	Use Variance
Applicant:	Doris Prather-Fuller	
Owner:	City of Utica	

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 establish an outdoor events venue at the above referenced properties.

The applicant is proposing to develop a versatile event space with outdoor facilities to accommodate various types of events including wedding, corporate gatherings and community functions. The applicant is proposing to construct a facility for catering and dressing rooms on site.

The applicant will also work in cooperation with local farmers, producers and artisans to establish a diverse range of products to be sold at a year-round farmers' market at this location. An event space will be provided with covered stalls for vendors, storage areas and communal space for events and workshops.

The applicant is proposing shared off-street parking arrangements with other church facilities in the neighborhood.

The applicant is applying for a use variance to operate a commercial venue in a residential zoning district.