

MICHAEL P. GALIME, MAYOR  
CITY OF UTICA

DEPARTMENT OF URBAN & ECONOMIC DEVELOPMENT  
1 KENNEDY PLAZA  
UTICA, NEW YORK 13502  
PHONE: (315) 792-0181  
FAX: (315) 797-6607



December 4, 2025

Greetings Neighbors,

Please take notice that the City of Utica Zoning Board of Appeals will hold a Public Hearing on **Tuesday, DECEMBER 16, 2025 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](mailto:pdecarr@cityofutica.com).

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**ZONING BOARD OF APPEALS AGENDA  
COMMON COUNCIL CHAMBERS – CITY HALL  
DECEMBER 16, 2025 5:00 PM**

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ZBA Case No.: 25-25	Zone: RM
Address: 504 Eagle Street	Area Variance
Applicant: Win Ko Ko	
Owner: Pyin Oo Lwin Trek, LLC	

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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 an area variance in order to legitimize the installation of a fence at the above referenced property.

The applicant received a fence permit for a 4' high chain link fence, however, due to safety concerns of his family, decided to install a 5' high chain link fence.

The fence has been installed approximately 2' back from the inside edge of the public sidewalk and extends 85' across the entire front of the property. The fence also runs 85' along the side property line to the rear of the property. A gate has been installed at the entry of the porch and along the entry of the parking area adjacent to the house.

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.: 26-25	Zone: NMU
Address: 1 Hampden Place	Use Variance
Applicant: Daniel Jacopino	Area Variance
Owner: Daniel Jacopino	

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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 operate a registered automotive sales business at the above referenced property.

The applicant is proposing to utilize the detached 16' x 20' garage for administrative purposes for auto sales. A maximum of three (3) vehicles will be on display at this location. The plan submitted indicates parking for 6-8 vehicles. This will also accommodate parking for the residence. The proposed hours of operation will be 12:00 pm – 7:00 pm Monday – Friday (appointments preferred) and 9:00 am – 5:00 pm Saturday (appointment only). The applicant states that no commercial mechanical repairs or customer vehicle repairs will take place at this location.

Vehicle sales/rental/storage is not a permitted use in a Neighborhood Mixed Use zoning district, therefore, the applicant will be required to receive a use variance for this proposal.

In accordance with Section 2-29-344 of the Zoning Ordinance of the City of Utica, no partially dismantled or wrecked vehicle or any unregistered vehicle shall be stored for more than 72 hours outside of an area unless screened from public view. All entrance and exit lanes, parking areas and vehicle storage areas shall be surfaced with an all-weather, durable and dustless surface and stormwater shall be account for according to state, local and federal regulations.

In accordance with Section 2-29-344(e)(1) of the Zoning Ordinance of the City of Utica, no vehicle sales/rental/storage use shall be located within 50 feet of any R1 or RM District boundary line. Therefore, the applicant will be required to receive an area variance for the proposed location.