

MICHAEL P. GALIME, MAYOR  
CITY OF UTICA



DEPARTMENT OF URBAN & ECONOMIC DEVELOPMENT  
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**ZONING BOARD OF APPEALS AGENDA  
COMMON COUNCIL CHAMBERS – CITY HALL  
MAY 20, 2025 5:00 PM**

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ZBA Case No.: 02-25

Address: 322 South Street

Applicant: Alvaro Cedillo

Owner: Alvaro Cedillo

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Zone: NMU

Area Variance

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 has a 4' high chain link fence that runs along the perimeter of their property. The applicant is proposing to replace this with a 6' high privacy fence which will be installed in the front of the home on South Street and extend along the side of the home on Seymour Avenue to the rear of the property. The existing fence is located 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.

The applicant has stated that they have had numerous issues with unfavorable pedestrians entering their yard causing damage to their house and car.

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ZBA Case No.: 05-25

Address: 712-718 Whitesboro Street

Applicant: Philip Sbarra, RA

Owner: Mark Spiridigloizzi

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Zone: UMU

Area Variance

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 construct a new building at the above referenced property.

The applicant is proposing to construct an approximately 10,600 ± sf building to house Thermo Heating and Air Conditioning. The building will consist of office space, vehicle storage and sheet metal shop for constructing ductwork.

In accordance with Section 2-29-126 (b)(7)(A) of the Zoning Ordinance of the City of Utica, the minimum ground floor transparency, front façade required is 60%. The applicant has stated that this would be very problematic for this style of building because it would require a large amount of glass windows creating safety issues for the shop area as well as security issues leaving large amounts of valuable materials and equipment visible to pedestrians. The building will be similar in style to the building on the adjacent parcel. No other commercial buildings in this area have 60% transparency. The applicant will be required to receive an area variance for the reduction in the transparency in the proposed building.

ZBA Case No.: 06-25	Zone: RM
Address: 1510 Mohawk Street	Area Variance
Applicant: Robert Paredes	
Owner: Maria Bryant	

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 6' high wood fence to enclose the rear yard. The fence will extend off the corner of the rear of the home toward Plymouth Place and run parallel to the street and extend across the rear property line.

Since this is a corner lot, it is considered to have two front yards (Mohawk Street and Plymouth Place). 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.: 07-25	Zone: R1
Address: 410 Keyes Road	Area Variance
Applicant: Ahmedin Mehmedovic	
Owner: American BH Islamic Center of Utica	

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 6' high wood fence to enclose the side yard. The fence will extend off the corner of the front of the home toward Karen Court and run parallel to the street and connect with the neighboring fence on Karen Court. The applicant will need to install the fence at least 11.5' from the edge of the road as this is where the property line begins and the City right-of-way ends.

Since this is a corner lot, it is considered to have two front yards (Keyes Road and Karen Court). 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.: 08-25	Zone: R1
Address: 1 Talcott Road	Area Variance
Applicant: Gary Wereszynski	
Owner: Gary Wereszynski	

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 establish an accessory dwelling unit in the detached garage at the above referenced property.

An accessory dwelling unit is defined as a second dwelling unit either in or added to a single-family dwelling, or in a separate accessory structure on the same lot as the principal building, for use as a complete, independent living facility with provision within the accessory dwelling unit for cooking, eating, sanitation, and sleeping. Such a dwelling shall be clearly accessory and incidental to the principal dwelling.

In accordance with Section 2-29-347 of the Zoning Ordinance of the City of Utica, in the R1 district, the ADU shall be contained within the principle structure or allowed in an accessory structure attached to the principle structure. Therefore, the applicant will be required to receive an area variance for the location of the proposed unit.

According to the applicant, the footprint of the 320 square foot garage will not be increased as part of the proposed conversion. The only changes to the existing building will be the removal of the garage door, which will be replaced by windows, and the addition of an overhang above the existing side door.

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ZBA Case No.: 09-25	Zone: NMU
Address: 2627 Genesee Street	Area Variance
Applicant: Jerry Briggs	
Owner: Vicki Pellegrino	

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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 expand the parking area at the above referenced property.

The applicant is proposing to expand the parking area on the Arlington Road side of the home. The current configuration is a driveway behind the home and minimal parking in front of the garage. The applicant is proposing to create parking for 19 cars adjacent to the garage. The parking area will utilize the existing driveway. A 10' area of grass will remain between the parking area and the sidewalk.

In accordance with Section 2-29-166(a)(2) of the Zoning Ordinance of the City of Utica, parking is prohibited in the front yard. On a corner lot, the two yards lying between the principal building and the two or more public streets shall be deemed to be front yards. Therefore, since the applicant is proposing to extend the parking into the front yard area of Arlington Road, they will be required to receive an area variance for the proposed parking.