

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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July 7, 2026

Greetings Neighbors,

Please take notice that the City of Utica Zoning Board of Appeals will hold a Public Hearing on **Tuesday, JULY 21, 2026 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
JULY 21, 2026 5:00 PM**

ZBA Case No.: 08-26	Zone: RM
Address: 1903 Butterfield Avenue	Area Variance
Applicant: Sead & Sanja Vilic	
Owner: Sead & Sanja Vilic	

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 create parking at the above referenced property.

The applicant is proposing to create a 29' x 21' parking area in the front of the home between the sidewalk and the house. The house is situated on a very narrow parcel (33' x 90') which does not allow any space on either side of the home to access the rear yard with a vehicle. The applicant is proposing 2' of grass area on each side of the property to remain.

In accordance with Section 2-29-166 of the Zoning Ordinance of the City of Utica, parking is prohibited in the front yard. The parking setback in a Residential Mixed zoning district shall be greater than the primary façade. Therefore, the applicant will be required to receive an area variance in order to create a parking area in the front yard.

ZBA Case No.: 10-26	Zone: RM
Address: 1645 Kemble Street	Area Variance
Applicant: Carlos Manzueta	
Owner: Carlos Manzueta	

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 construction of a shed at the above referenced property.

The applicant has constructed a 14' x 24' shed in the rear of the property. The shed is located 3' from the side property line. In accordance with Section 2-29-126(d)(5) of the Zoning Ordinance of the City of Utica, 5' is the minimum side yard setback for an accessory structure in a Residential Mixed zoning district. The applicant will be required to receive an area variance in order to reduce the setback to 3 feet.

The applicant has an additional 11.5' x 20' shed that is located approximately 16" from the side property line.

ZBA Case No.: 11-26	Zone: RM
Address: 1507-1509 Howard Avenue	Area Variance
Applicant: Sha Rif Khan	
Owner: Sha Rif Khan	

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 install fencing at the above referenced property.

The applicant is proposing to install 6' high solid fencing in the front of the home along the edge of the front public sidewalk which will extend from one end of 1507 Howard to the other end of 1509 Howard Avenue. An 8' wide gate will be installed at the front entrance of the house, a 13' wide gate at the side entrance/driveway of the home, and a 12' wide gate at the side property line to the parking area.

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.: 12-26	Zone: RM
Address: 138-140 Elmwood Place	Area Variance
Applicant: Maria Rojas	
Owner: Maria Rojas	

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 construct an accessory dwelling unit at the above referenced property.

The applicant is proposing to construct a 950 sf accessory dwelling unit where 800 sf is the maximum size permitted. 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,

- (a) Only one ADU per single-family dwelling, or one ADU per two-family dwelling shall be permitted.
- (b) ADUs shall not be permitted on the same lot as a multifamily dwelling or apartment.
- (c) The property owner shall occupy either the primary or the ADU as his or her primary residence.
- (d) In the R1 District:
 - (1) The ADU shall be contained within the principle structure or allowed in an accessory structure attached to the principle structure.
 - (2) When an ADU is attached to a principal dwelling structure, only one entrance to the structure may face the front lot line.
- (e) An ADU shall not exceed 800 square feet of gross floor area.
- (f) An ADU, whether detached or attached to a primary dwelling structure, may be directly accessed from an alley, but shall not be accessed via a driveway separate from that serving the primary dwelling structure.
- (g) No major home occupation (Type 2) shall be allowed in any ADU.
- (h) Adequate parking shall be provided.

The applicant will be required to receive an area variance for the proposed increase in size to 950 sf.