

AGENDA
ZONING BOARD OF ADJUSTMENT
CITY OF CLIFTON
September 23, 2024
7:00 P.M. SPECIAL MEETING

Please take notice that formal action may be taken on the following applications/matters at the Special Meeting of September 23, 2024.

PLEDGE OF ALLEGIANCE

Pursuant to the “Open Public Meeting Law” public notice of this Special Meeting was published in the Record and Herald News on August 18, 2024. All notice requirements were satisfied.

CONTINUED HEARING

1. Preliminary and Final Major Site Plan approval, Minor Subdivision (lot consolidation) approval, a d(3) conditional use variance, a d(6) height variance, and bulk (“c”) relief

**CONTINUED
FROM 7/31/24**

TFJ Hazel LLC

**Meryl A. G.
Gonchar, Esq.
Joshua J.
Koodray, Esq.**

252 Hazel Street and 237 West 3rd Street; Block 16.11, Lots 1 and 2; Zone: R-B2

Applicant is seeking Preliminary and Final Major Site Plan approval, Minor Subdivision (lot consolidation) approval, a d(3) conditional use variance, a d(6) height variance, and bulk (“c”) relief to repurpose and modify the existing two- and three-story, vacant, nonconforming manufacturing / industrial building to be utilized as a private charter school (consisting of approximately 55,226 square feet) to be operated by iLearn Schools (the “Proposed School”), along with the installation of an outdoor athletic field, ninety (90) surface parking spaces, a bus staging lane along Seventh Avenue and within the public right-of-way, and related site improvements.

In connection with the preliminary and final major site plan approval related to the Project, the Applicant is seeking the following variances pursuant to N.J.S.A. 40:55D-70(d)(3) and (d)(6), from the City of Clifton Zoning Ordinance (the “Ordinance”), as follows:

1. From Section 461-29.A (“Conditional Use Regulations” for the R-B2 Zone) and Section 461-27.A(4) (“Conditional Use Regulations” for private and public schools) to permit a maximum lot coverage of 35.3% for the Project, where a maximum lot coverage of 20% is permitted for private and public schools.

2. From Section 461-29.A (“Conditional Use Regulations” for the R-B2 Zone) and Section 461-27.A(5) (“Conditional Use Regulations” for private and public schools) to permit a maximum building height of 45.7 feet for the Project, where a building height of 30 feet is permitted for private and public schools (the building height is an existing nonconforming condition).

3. From Section 461-29.A (“Conditional Use Regulations” for the R-B2 Zone) and Section 461-27.A(5) (“Conditional Use Regulations” for private and public schools) to permit a maximum building height of 3 stories for the Project, where a maximum building height of 2 stories is permitted for private and public schools (the building height is an existing nonconforming condition).

4. From Section 461-29.A (“Conditional Use Regulations” for the R-B2 Zone) and Section 461-27.A(7) (“Conditional Use Regulations” for private and public schools) to permit a minimum rear yard setback of 10 feet for the Project, where a minimum rear yard setback of 35 feet is required for private and public schools (this is an existing nonconforming condition).

5. From Section 461-29.A (“Conditional Use Regulations” for the R-B2 Zone) and Section 461-27.A(7) (“Conditional Use Regulations” for private and public schools) to permit a minimum side yard setback of 1.2 feet for the Project, where a minimum side yard setback of 25 feet is required for private and public schools to be located on a corner lot (this is an existing nonconforming condition).

In connection with the preliminary and final major site plan approval related to the Project, the Applicant is seeking the following variances pursuant to N.J.S.A. 40:55D-70(c), from the Ordinance as follows:

1. From Section 461-60.E (Standards for parking spaces and areas) – To permit parking areas in the front yard (West Third Street), where parking areas are not permitted in any front yard.

2. From Section 461-47.F (Fences) – To permit a fence along the common property line between the Property and the Garden State Parkway right-of-way, measuring seven feet (7') in height, where a maximum fence height of six feet (6') is permitted.

3. From Section 461-47.F (Fences) – To permit a perimeter security fence along Hazel Street, West 3rd Street, and West 7th Street, measuring six feet (6') in height, where a maximum fence height of four feet (4') is permitted.

(PLANS SENT TO COMRS).