

AGENDA

**BOARD OF ADJUSTMENT
CITY OF CLIFTON**

**July 20, 2016
Commencing at 7 P.M.**

Please take notice that formal action may be taken on the following applications on July 20, 2016.

PLEDGE OF ALLEGIANCE

INSPECTION AND DECISION

1.	206 CLIFTON	206 Delawanna Avenue	M-2	1. Use variance
Use	PARTNERS LLC	Block 60.14,	&	under <u>N.J.S.A.</u>
Variances;	Weiner Lesniak,	Lots 13 and 33	M-3	40:55D-70d(1) to
Variances	LLP			permit multi-family
				residential uses in
				the M-2 and M-3 zones whereas residential uses
				are not permitted in these zones and a use
				variance under <u>N.J.S.A.</u> 40:55D-70d(6) to permit a
				building height of 46.33 feet whereas only 40
				feet is permitted; 2. Preliminary and final site
				plan approval pursuant to <u>N.J.S.A.</u> 40:55D-46
				and <u>N.J.S.A.</u> 40:55D-50 to allow a four (4) story,
				eighty (80) unit apartment building consisting
				of sixty-six (66) one-bedroom apartment units
				and eight (8) two-bedroom apartment units with a
				total of 146 off-street parking spaces
				(as required by and conforming with the
				Residential Site Improvement Standards);
				3. In addition, applicant seeks dimensional
				variances under <u>N.J.S.A.</u> 40:55D-70c for the
				following: to permit a lot area of 4.3 acres for
				buildings 41 to 80 feet in height within the
				M-3 zone whereas a minimum of 5 acres is
				required; to permit a lot width of 125.5 feet
				whereas a minimum of 250 feet is required; and
				to permit a monument sign to be installed ten
				(10) feet from the front property line and
				within the front yard setback, whereas signs
				are required to have a 30 foot front yard
				setback. The applicant may also apply for such
				variance relief, exceptions, waivers, permits,
				approvals or licenses that are deemed necessary
				or appropriate by the applicant or the Board,
				and which may arise during the course of the
				hearing process.

CONTINUED HEARINGS

1.	YESHIVA KTANA	288,292,296,300 & 304	R-B2	Appeal or
Variances;	OF PASSAIC, INC.	South Parkway		application for a
Use	Gail L.	Block 59.01, Lots 8,11,		use variance
Variance	Price, Esq.	13,15 & 17		required to permit
	(CONTINUED			the demolition of
	TO	the existing houses on the lots listed above		
	SPECIAL	and the construction of a parking lot thereon to		
	MEETING)	service the abutting Yeshiva Ktana school in the		

City of Passaic, and bulk variances required for front yard setback (25 feet required, 6 feet proposed), side yard setbacks (20 feet required, 6 feet proposed), rear yard setback (35 feet required, 0 feet proposed), fence height and open space (4 feet 50% open fence permitted maximum, 4 foot high solid wall with 6 foot high 50% open fence in front of wall proposed), parking and maneuvering in front yard, parking within 10 feet of the rear line and failure to provide interior lot landscaping and any other variances that may be determined by the Board to be required.

2. Use Variance; Variances	VINCENT SAURO Bennett Wasserstrum, Esq.	37 Harding Avenue (1150 Main Avenue) Block 12.05, Lot 1	B-C	Variances required to convert existing tenant space into a comedy club/ restaurant use. 1. Comedy Club not listed as permitted use - use variance required. 2. Applicant space requires 45 parking spaces plus parking for two other tenant areas within the building, no on-site parking provided. 3. Existing non-conforming building setbacks and lot coverage.
3. Use Variance; Variance	ALDEN TRANSPORTATION CORPORATION Glenn Peterson, Esq. (CONTINUED TO 08/17/16)	82 Circle Avenue Block 15.14, Lot 33 Use variance required for a dispatch service within an M-2 district. Bulk variance relief from front yard setback, maximum lot coverage, parking in the front yard.	M-2	Applicant proposes to build a school bus storage and repair facility.
4. Use Variance	CLIFTON AVENUE ASSOCIATES, LLC Frank A. Carlet, Esq.	1058-1060 Clifton Ave. Block 47.04, Lots 1.01 and 2	B-A	To permit the installation of a sign on the blank front wall of the addition to the then existing office building, which will increase the size of the signage on the front of the building to 99 square feet, whereas 36.08 square feet is permitted.
5. Use Variance	JLM CHESTNUT STREET, LLC Frank A. Carlet, Esq.	22 and 36 Chestnut St. Block 15.12, Lot 16	M-1	Expansion of an existing use variance to remove a 22 x 18.5 foot (407 sq.ft.) concrete block building and make

it a parking and maneuvering area, and to enclose the presently covered area, which is a 36 x 18 foot (648 sq.ft.) area.

NEW HEARINGS

1. Variances	BHUPENDRA RATANJI	10 Knox Place Block 40.03, Lot 6.02	RA2	Applicant proposes to build a rear yard deck, following variances are required: 1. Rear yard proposed at 9' where 35' is required. 2. Lot coverage proposed at 37% where a maximum of 30% is permitted.
2. Variance	NICHOLAS ALECTORIDIS	167 Hadley Avenue Block 12.24, Lot 9	RB1	Variance required for rear yard deck: 1. Lot coverage proposed at 33% where a maximum of 27% is permitted.
3. Variances	MR. & MRS. IMANI	32 Lorrie Lane Block 71.03, Lot 24	RA3	Applicant proposes to build a front yard addition, following variances are required: 1. Right side yard proposed at 4.9' where 6' is required. 2. Combined side yard is 9.5' where 16' is required. 3. Lot coverage proposed at 32.7% where 27% is permitted.
4. Variances	JEFF NUCCETELLI	83 Cathedral Ave. Block 81.13, Lot 5	RA3	Applicant proposes to build a rear yard addition, following variances are required: 1. Right side yard proposed at 4.6' where 6' is required. 2. Left side yard proposed at 5.2' where 6' is required. 3. Combined side yard is 9.8' where 16' is required. 4. Rear yard proposed at 27.8' at second floor deck and 33.7' at second floor addition where 35' is required. 5. Lot coverage proposed at 29.1% where 27% is permitted.
5. Variance	MICHAEL GALLART	48 Rutgers Place Block 27.09, Lot 9	RA2	Applicant proposes to build a deck between the above-ground swimming pool and existing deck. Proposed deck will eliminate the required 10' separation between the home and deck.

6. Variance	BLANCA FABARA	419 Hillside Ave. Block 81.16, Lot 2	RA3	Variance required for a driveway that has been expanded 5' into the front of the house in an area not serving a garage.
7. Variance	SHARON EINHORN	41 Virginia Avenue Block 50.13, Lot 2	RA2	Variance required for a 5' high fence installed on the right side yard where a 4' high, 50% open fence is permitted.
8. Use Variance; Variances	SELF RELIANCE CREDIT UNION Thomas P. DeVita, Esq.	851 Allwood Road Block 66.01, Lot 18	B-A	Applicant proposes to demo existing bank building and build a new bank building with a drive thru. The following variances are required: 1. Use variance required for drive thru. 2. Parking proposed in the required front yard. 3. Distance between the two driveways is less than the required 60'. 4. Buffer area between proposed use and residential use is less than 6'. 5. Site plan approval required. 6. Any other relief deemed necessary by the Board. (PLANS IN BINS)
9. Use Variances; Variance	NEW MINGLEWOOD, LLC Charles H. Sarlo, Esq.	Lot 2.03, Block 3.16 Lot 2.02, Block 3.16	PD3	The proposed project involves the development of vacant land for an office, warehouse/storage building and storage yard for equipment, materials and supplies for a landscape and site construction company. The proposed office building may be partially leased to affiliated and/or non-affiliated companies. The property is located in the Planned Development No. 3 Zoning District, which permits, in-part, existing industrial uses. The property was historically part of a larger tract of industrial property. The proposed commercial/industrial use is not permitted in the zoning district and, thus, a use variance is required. A second use variance may be required in connection with the partial leasing of the proposed office building to tenants. Variances related to setbacks, lot coverage, etc. (i.e., "bulk variances") may be required, but the Zoning Board will consider any deviations from the applicable requirements in connection with its review of the site plan. Applicant requests preliminary and final site plan approval by the Board. In addition, Lot 2.02 Block 3.16 is affected/part of this application. An ingress - egress easement is required over a 7,907 sq.ft. area of Lot 2.02 to allow ingress/egress to Lot 2.03 (the property). A 1,500 sq.ft. turnaround easement is required to allow truck vehicles using

Lot 2.02 to use this easement area of Lot 2.03 for turning purposes. Lastly, the boundary line of Lot 2.02 and 2.03 is proposed to be relocated via a subdivision, which will minimally decrease the size of Lot 2.03. In connection with the site plan approval, the applicant will be seeking permission from the City Council to utilize an unimproved access easement, which traverses over Lot 2.03 (the property), but is for the benefit of the City, until such time as the City elects to improve said easement if needed in the future to the adjacent Dundee Park. Current access to park is via an existing gravel road located adjacent to and west of the subject property. The applicant reserves the right to amend its application and shall apply for such other variances or design waivers, interpretations, exceptions, approvals, and/or relief the need of which becomes necessary or apparent during the course of the application process and/or the public hearing.

COMMUNICATIONS

1. Correspondence dated July 12, 2016, from Attorney Price regarding YESHIVA KTANA OF PASSAIC, INC. request for special meeting of September 14, 2016.

RESOLUTIONS

1. GRANTED the application of TWENTY (20) INDUSTRIAL WEST, LLC for a use variance for storage of dry goods in approximately half of the existing warehouse at 20 Industrial West, Block 56.09, Lot 2. M-1

2. GRANTED the application of EFTHIMIOS VERGIS for rear yard setback variance for a rear deck at 10 Luisser Street, Block 55.02, Lot 3. RA2

3. GRANTED the application of RICARDO KOHLHAUF for variance for a rear yard covered patio, variance for distance between the accessory building and the principal structure, and lot coverage at 76 Christie Avenue, Block 2.10, Lot 71. RB1

4. GRANTED the application of CHUCK ROSENCRANZ for front and rear yard setback variances for a one-family dwelling at 10 Sycamore Road, Block 65.04, Lot 18. RB1