

AGENDA

**BOARD OF ADJUSTMENT
CITY OF CLIFTON**

**August 17, 2016
Commencing at 7 P.M.**

Please take notice that formal action may be taken on the following applications on August 17, 2016.

PLEDGE OF ALLEGIANCE

INSPECTION AND DECISION

1. Use Variances; Variances	206 CLIFTON PARTNERS LLC Weiner Lesniak, LLP	206 Delawanna Avenue Block 60.14, Lots 13 and 33	M-2 & M-3	1. Use variance under <u>N.J.S.A.</u> 40:55D-70d(1) to 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.
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CONTINUED HEARINGS

1. Variances; Use Variance	YESHIVA KTANA OF PASSAIC, INC. Gail L. Price, Esq. (CONTINUED TO 09/14/16 SPECIAL MEETING)	288,292,296,300 & 304 South Parkway Block 59.01, Lots 8,11, 13,15 & 17 the existing houses on the lots listed above and the construction of a parking lot thereon to service the abutting Yeshiva Ktana school in the	R-B2	Appeal or application for a use variance required to permit the demolition of
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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 Frank A. Carlet, 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.	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. Variance	BLANCA FABARA (CONTINUED TO 09/07/16)	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.
5. 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.
6. 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.

7.

Use

Variances;

Variance

NEW MINGLEWOOD, LLC

Charles H. Sarlo, Esq.

(SCHEDULED FOR 09/07/16)

14 Ackerman Avenue

Lot 2.02, Block 3.16

14 Ackerman Avenue-REAR

Lot 2.03, 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 considered 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.

NEW HEARINGS

1. Use Variance	ROHIT SHAH A. William Sala, Jr., Esq.	567 Van Houten Avenue Block 43.04, Lot 3	B-C	Applicant proposes a social senior citizen center which requires a use variance. Thirteen parking spaces required and three provided. Existing nonconforming mixed use building, first floor business and second floor two residential units; such other variances as may be required. (SENT PLANS TO COMRS.)
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COMMUNICATIONS

1. Correspondence dated July 28, 2016, from Counsel Pogorelec regarding lawsuit filed by LUCY SPIEWAK.
2. Correspondence regarding the application of 206 CLIFTON PARTNERS, LLC, 206 DELAWANNA AVENUE.

RESOLUTIONS

1. GRANTED the application of CLIFTON AVENUE ASSOCIATES, LLC, for use variance to permit installation of sign on front of building as amended at 1058-1060 Clifton Avenue, Block 47.04, Lots 1.01 and 2. B-A
2. GRANTED the application of JLM CHESTNUT STREET, LLC, for use variance and revised site plan approval to remove a concrete block building for a parking and maneuvering area and enclose the presently covered area which meets the existing building on the property at 22 and 36 Chestnut Street, Block 15.12, Lot 16. M-1
3. DENIED the application of BHUPENDRA RATANJI for rear yard setback and lot coverage variances to build a rear yard deck 8 feet off the ground at 10 Knox Place, Block 40.03, Lot 6.02. RA2
4. GRANTED the application of NICHOLAS ALECTORIDIS for lot coverage variance to erect a rear yard deck at 167 Hadley Avenue, Block 12.24, Lot 9. RB1
5. GRANTED the application of MR. AND MRS. IMANI for right side yard, combined side yard, and lot coverage variances for a front yard addition at 32 Lorrie Lane, Block 71.03, Lot 24. RA3
6. GRANTED the application of JEFF NUC CETELLI for right side yard, left side yard, combined side yard, rear yard, and lot coverage variances for a rear yard addition at 83 Cathedral Avenue, Block 81.13, Lot 5. RA3
7. GRANTED the application of MICHAEL GALLART for variance to build a deck to above-ground swimming pool and eliminate required 10-foot separation between house and deck at 48 Rutgers Place, Block 27.09, Lot 9. RA2