

AGENDA

**BOARD OF ADJUSTMENT
CITY OF CLIFTON**

**September 7, 2016
Commencing at 7 P.M.**

Please take notice that formal action may be taken on the following applications on September 7, 2016.

PLEDGE OF ALLEGIANCE

INSPECTION AND DECISION

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| 1.
Use
Variances;
Variances | 206 CLIFTON
PARTNERS LLC
Weiner Lesniak, LLP
(CONTINUED TO
09/21/16) | 206 Delawanna Avenue
Block 60.14,
Lots 13 and 33 | M-2 1. Use variance
& under <u>N.J.S.A.</u>
M-3 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

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| 1.
Variances;
Use
Variance | YESHIVA KTANA
OF PASSAIC, INC.
Gail L.
Price, Esq.
(CONTINUED
TO 09/14/16
SPECIAL | 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 | 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. (CONTINUED TO 09/21/16)	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 09/21/16)	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. 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.
5. Use Variance	ROHIT SHAH A. William Sala, Jr., Esq.	567 Van Houten Avenue Block 43.04, Lot 3 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.	B-C	Applicant proposes a social senior citizen center which requires a use variance.

NEW HEARINGS

1. Variance	PATRICIA HOPP & GIUSEPPE INGUI	10 Manor Drive Block 52.04, Lot 33	RA1	Variance required for a proposed rear deck: 1. Rear yard proposed at 16' where 35' is required.
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2. Variances	YOHANNY ARAKAKI & MARC MC SWEENEY	12-14 Sunnycrest Avenue Block 41.11, Lot 3	RA3	Applicant proposes a second floor deck over an existing addition, the following variances are required: 1. Deck proposed 3.28' from right side yard where 6' is required. 2. Rear yard proposed at 30.5' where 35' is required. 3. 8' separation proposed between deck and garage where 10' is required. (PLANS IN BINS)
3. Use Variance; Variances	COSTCO WHOLESALE CORP. John M. Marmora, Esq.	168 Main Avenue & .20 Bridewell Place Block 72.06, Lots 38 & 42	M-2	Seeks approval to construct a 722 sq. ft. meat freezer addition to its existing Costco Wholesale retail facility and to add a gas island (two additional gasoline dispensers) to the existing gas filling station on the property; and all variances, waivers, exceptions and other relief necessitated by the plans it has currently filed with the Board, together with any additional variances, waivers, exceptions and other relief that may be necessitated by changes to the plans requested by the Board, and any other relief that the Board may determine to be appropriate or necessary. This relief includes but may not necessarily be limited to: (i) a variance for the expansion of an existing non-conforming use of the Property as a Costco food center; (ii) a variance for lot coverage of 24.6% where the Ordinance requires a minimum of 20%; and (iii) a variance for 4 loading spaces where the Ordinance requires a minimum of 14 spaces. (PLANS IN BINS)
4. Use Variances; Variance	LET IT GROW, INC.; (Applicant) AND NEW MINGLEWOOD, LLC (Contract Purchaser) Charles H. Sarlo, Esq.	14 Ackerman Avenue-REAR Lot 2.03, Block 3.16 14 Ackerman Avenue Lot 2.02, Block 3.16	PD3	The proposed project involves the development of vacant land for: (i) a multi-tenant office, (ii) a warehouse / storage / vehicle repair building; and (iii) storage yard for equipment, vehicles, materials and (iii) storage yard for equipment, vehicles, materials and supplies for a landscape and site construction company. The proposed office building will be predominantly used by the Applicant, but will also be partially leased to affiliated companies or other tenants. 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, identified as Lot 2.02 of the City Tax Map. 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. Pursuant to the Planned Development No. 3 Zoning District requirements, the following additional variance is required: tract area - 10 acres required and 1.643 acres proposed for Lot 2.03 and 3.857 acres proposed for Lot 2.02. The proposed development proposes 33 parking spaces and 43 parking spaces are required, thus, a parking variance is required. In addition, variances are required for: (i) parking located in front yard; (ii) no landscaping in parking lot; (iii) 8 ft. wide parking space for three spaces, whereas a 9 ft. wide parking space is required; (iv) free standing sign located in front and side yard setback. The Applicant requests preliminary and final site plan approval by the Board. Generally, when bulk variances are required in connection with a use variance application, the Board will consider these variances in the context of reviewing the site plan. 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 from 2.161 acres to 1.643 acres. Separately, and at another time, 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 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. If the City grants this permission, the site will be able to accommodate an additional seven parking spaces. 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. (PLANS IN BINS)

RESOLUTIONS

1. GRANTED the application of SHARON EINHORN for a 5-foot-high fence on the right side yard at 41 Virginia Avenue, Block 50.13, Lot 2. RA2

2. GRANTED the application of SELF RELIANCE CREDIT UNION for use variance and bulk variances for parking, distance between two driveways, and buffer area and site plan approval to demolish an existing bank building and erect a new bank building with a drive-thru facility at 851 Allwood Road, Block 66.01, Lot 18. BA