

AGENDA
BOARD OF ADJUSTMENT
CITY OF CLIFTON
October 19, 2016
Commencing at 7 P.M.

Please take notice that formal action may be taken on the following applications on October 19, 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 10/26/2016 SPECIAL MEETING)	288,292,296,300 & 304 South Parkway Block 59.01, Lots 8,11, 13,15 & 17	R-B2	Appeal or application for a use variance required to permit the demolition of 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 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,
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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.

AS PUBLISHED AND UPDATED BY APPLICANT:

The Property (approximately 0.737 acres) is located within the R-B2 Residential Zone District ("R-B2 Zone") and is currently improved with 5 residential dwellings, 4 of which are owned by the Applicant and 1 of which is under contract of sale with the Applicant. Applicant seeks Preliminary and Final Site Plan Approval with associated conditional and/or use variance and other related waiver and variance relief for the construction and use of a parking area consisting of 73 +/- spaces, together with associated landscaping, fencing and other site enhancements, all accessory to the Applicant's school facility, which is located in the City of Passaic and is adjacent to the Subject Property. All vehicular ingress and egress is proposed to be through the Applicant's Property in Passaic, other than a 20' "clear" opening gate for emergency access from South Parkway (southwestern corner of property) for use by and as requested the Clifton Fire Department for emergency personnel. Certain other plan amendments have been made at the request of the Fire Department, including but not limited to installation of a new hydrant on school property, addition of a 4' wide swing gate in the southeastern corner of the property for emergency responder access (non-vehicular), provision for Knox paddocks for Fire Department perimeter area access and creation/labeling of a "fire lane - no parking" areas. The following additional variances are required for the proposed parking area, which is accessory to the inherently beneficial religious and educational school:

1. §461-47: fence along front and side property lines to rear of main structure to be no more than 4' height and to be 50% open - proposed: fence 6' height board-on-board construction with 50% open along side (note no building on Property), inclusive of the fencing and gates to be installed in two locations along the South Parkway frontage, as requested in location and design by the Clifton Fire Department;
2. §461-60(E): no parking to be located within front yard - proposed: parking within front yard setback;
3. §461-60(F): no parking to be located within 10' of rear line - proposed: parking within rear yard setback;
4. §461-60(J): no parking or standing of automobiles within front, rear or side yards in residential districts - proposed: parking within front yard setback;

5. §461-60(N): parking lots in excess of 10,000 sf to provide interior landscaping (20 sf/space) - proposed: no interior landscaping but significant side and front perimeter buffer. In addition to the foregoing described approvals, the Applicant will also seek approval for any and all variances, exceptions, waivers, and other incidental relief that may be required or deemed necessary by the Zoning Board of Adjustment after or during its continued review of this Application, together with any further relief that may be deemed necessary by the Applicant during the hearing process, including that which may be generated by way of revised plans and submission of same. Measurements, percentages and other calculations provided in this notice are in accordance with the development plans filed with the Application. Please note that to the extent plan and/or Application revisions are made during the hearing process, these measurements, percentages and other calculations will likely change, as may the associated relief required per the City Code. The Applicant reserves the right to amend its application accordingly.

NEW HEARINGS

1. Variance	DIANE T. ADAMCZYK	18 Miller Plaza Block 57.02, Lot 15	RA3	Variance required for rear dormer: 1) Proposed dormer is 5' from the existing detached garage where a minimum of 10' is required. (PLANS IN BINS LAST MEETING)
2. Variances	BORIS VUGMEYSTER & YELENA NEYMARK	42 Harvey Road Block 55.12, Lot 18	R-A3	Variances required for a one story front addition: 1) Front yard proposed at 20' where 25' is required. 2) Right side yard proposed at 4.98' where 6' is required. 3) Lot coverage proposed at 27.4% where a maximum of 27% is permitted. (PLANS IN BINS LAST MEETING)
3. Use Variance; Variances	THE LACKLAND COMPANIES Frank A. Carlet, Esq.	196 Piaget Avenue Block 10.17, Lot 20	M-2	Use variances for a self-storage warehousing facility and for the rental of motor vehicles and: bulk variances for building height (4 stories, 40 feet permitted and 4 stories, 43.7 feet in height proposed);*rear yard setback for ground signs (22 feet required, 5 feet proposed); curb cut with 60 feet permitted and 70 feet proposed; *or, depending upon Zoning Ordinance interpretation, 2 stories, 20 feet permitted and 4 stories, 43.7 feet proposed by way of a use variance. (PLANS IN BINS LAST MEETING)

4. Variance	JBK ENTERPRISES , 1296 VanHouten Ave. LLC Block 34.04, Lot 29 Thomas P. DeVita, Esq.	B-B	Applicant proposes a freestanding sign 5' from the front lot line where a minimum setback of 45' is required. (PLANS IN BINS LAST MEETING)
5. Use Variance	TURABDIN REALTY , 635 Lexington Avenue LLC Block 2.12, Lot 18, 19 Glenn Peterson, Esq. (NOTICE DEFICIENT)	RB1 & BC	Applicant proposes a stand-alone CVS store. Relief sought consists of use variance, preliminary and final site plan approval, merger of lot 18 into lot 19 and any other relief deemed necessary by the Board. (PLANS IN BINS LAST MEETING) (PLANS IN BINS LAST MEETING)

RESOLUTIONS

1. GRANTED the application of SAMUEL RODRIGUEZ for left side yard setback variance for a rear addition at 6 Leopold Terrace, Block 16.11, Lot 22. RB1

2. DENIED the application of BHUPENDRA RATANJI for a rear yard setback variance for a rear deck at 10 Knox Place, Block 40.03, Lot 6.02. RA2

3. DENIED the application of ALEXANDRA NUNEZ-GUERRERO for lot width, lot area, lot coverage, rear yard setback, left side yard setback, right side yard setback, and combined side yard setback variances to erect a new two-family dwelling at 287 South Parkway, Block 59.03, Lot 15. RB2

4. GRANTED the application of H. BRACERO for a front yard setback and rear side yard setback variances for a rear two-story addition and second floor over existing house at 24 Sperling Road, Block 38.03, Lot 3. RA3

5. GRANTED the application of RAMONA DOMINGUEZ & JOSE BLAZQUEZ for variances for lot coverage, accessory structure square footage, rear yard setback, lot width, and lot area for a covered patio attached to existing garage in rear yard at 232 East 6th Street, Block 5.23, Lot 31. RB1

6. GRANTED the application of THE MEWS AT ALLWOOD ASSOCIATION, INC. CONDO. ASSOC. for variances to install two free-standing signs at the entrance to the complex at Mayer Drive, McClelland Way, and Collura Lane, Block 56.04, Lot 9.02. PCRD