

AGENDA

**BOARD OF ADJUSTMENT
CITY OF CLIFTON
November 2, 2016
Commencing at 7 P.M.**

Please take notice that formal action may be taken on the following applications on November 2, 2016.

PLEDGE OF ALLEGIANCE

CONTINUED HEARINGS

- | | | | |
|-------------------------------------|--|---|--|
| 1.
Variances;
Use
Variance | YESHIVA KTANA
OF PASSAIC, INC.
Gail L.
Price, Esq.
(CONTINUED
WITHOUT
DATE) | 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,
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.

2. Use Variances; Variances	206 CLIFTON PARTNERS LLC Weiner Lesniak, Lots 13 and 33 LLP (CONTINUED TO 11/16/16)	206 Delawanna Avenue Block 60.14, 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. 40:55D-70d(6)</u> 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. 40:55D-46</u> and <u>N.J.S.A. 40:55D-50</u> 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. 40:55D-70c</u> 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.	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
3. Use Variance	TURABDIN REALTY, LLC Glenn Peterson, Esq.	635 Lexington Avenue Block 2.12, Lot 18,19	RB1 Applicant proposes & BC 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.

NEW HEARINGS

1.

Use
Variance;
Variances

AL-3 PROPERTIES CORPORATION %
ALAN LOPEZ
A. William Sala,
Jr., Esq.

2 South Parkway
Block 60.05, Lot 17

M2

Applicant proposes
to renovate and
expand an existing
restaurant:

Use variance required for expansion of a
nonconforming use, reataurant within an M-2 zone;
Front yard proposed at 8.6' where 20' is
required (along River Road);
Street side yard proposed at 17.1' where 40' is
required (along South Parkway);
Variance required for freestanding sign within
the required front and side yard.
Such other variances as may be required by law.
2.

Use
Variance;
Variances

JOELY ROSA T/A
GRANDPA'S TREAT
Alan J.
Mariconda, Esq.

288-290 Lakeview Avenue
Block 6.13, Lot 19

B-C

Site Plan, Use,
and Bulk Variances,
so as to permit a
take-out ice cream
shop in a retail
store front.

Conditional use variance required (take out
restaurant is a permitted conditional use),
as the existing building does not meet
minimum lot requirements, building setback
requirements or parking requirements. Site Plan
approval required or a waiver granted for same
as no work is proposed on this site.

RESOLUTIONS

1.

GRANTED the application of DIANE T. ADAMCZYK for 5 foot
variance for a rear dormer at 18 Miller Plaza, Block 57.02, Lot
15. RA3
2.

GRANTED the application of BORIS VUGMEYSTER & YELENA
NEYMARK for front yard, right side yard, and lot coverage
variances for a one-story front addition at 42 Harvey Road,
Block 55.12, Lot 18. RA3
3.

GRANTED the application of THE LACKLAND COMPANIES for
use variance for a self-storage warehousing facility and for the
rental of motor vehicles and bulk variances for building height,
rear yard setback for ground signs, and curb cut at 196 Piaget
Avenue, Block 10.17, Lot 20. M-2
4.

GRANTED the application of JBK ENTERPRISES, LLC for
front yard setback variance for a free-standing sign at 1296 Van
Houten Avenue, Block 34.04, Lot 29. B-B