

AGENDA

**BOARD OF ADJUSTMENT
CITY OF CLIFTON
November 16, 2016
Commencing at 7 P.M.**

Please take notice that formal action may be taken on the following applications on November 16, 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, LLP	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 bulk/dimensional variances under <u>N.J.S.A.</u> 40:55D-70c for the following: (1) 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; (2) to permit a lot width of 125.5 feet whereas a minimum of 250 feet is required; (3) to permit a monument sign to be installed fifteen (15) feet from the front property line and within the front yard setback, whereas signs are required to have a 30 foot front yard setback; (4) to permit lighting levels in off-street parking areas to exceed 0.0 foot-candles at the property line; (5) to allow LED lighting for exterior lighting fixtures instead of the required high pressure sodium lighting; (6) to provide internal parking lot landscaping less than the required 20 square feet for each proposed parking space; and (7) to provide trees of 2 inch to 2.5 inch caliper which is less than the minimum 4 inch to 4.5 inch caliper required. 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. A public hearing on this application was held by the Zoning Board of Adjustment ("Board") on May 18, 2016. [& June 15, 2016 and July 20, 2016] A resumed public hearing before the Board on this application to allow further consideration of a revised site plan depicting a realigned driveway. (REVISED PLANS IN COMRS BINS)
--------------------------------------	---	--	---

3. **JOELY ROSA T/A GRANDPA'S TREAT** 288-290 Lakeview Avenue B-C Site Plan, Use, and Bulk Variances, so as to permit a take-out ice cream shop in a retail store front.
Use Alan J.
Variance; Mariconda, Esq.
Variances

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.

NEW HEARINGS

1. **WOYCIECH AND EWA WILK** 226 Abbe Lane RA3 Variances required to expand the driveway:
Variances

1) Driveway proposed to be 0' from right lot line where a minimum of 5' is required.
2) Driveway proposed 3' into the front of the house, in an area not serving a garage.

2. **LOUAI KOURANI** 21 Dawson Avenue RB1 Proposed second floor addition requires the following variances:
Variances

1) Front yard proposed at 22.5' where 25' is required.
2) Left side yard proposed at 3.88' where a minimum of 6' is required.
3) Combined side yards proposed at 12' where a minimum 16' is required.

3. **eCUBe 237 LLC** 237 Dayton Avenue PD1 Application for the construction of a building containing:
Use Block 4.23, Lot 1.00
Variance; Commercial and seven residential units, minor
Minor Sub. subdivision, use variance required for residential use in a PD-1 Zone and such other variances as may be required.

CONTINUED RESOLUTION

1. 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

RESOLUTIONS

1. GRANTED the application of TURABDIN REALTY, LLC for preliminary and final site plan approval, use variance, conditional use variance, and bulk variances for number of parking spaces, parking located in front yard, maneuvering areas located in the front yard, parking and maneuvering areas within 10 feet of side lot line, maximum driveway width, driveway separation from intersection, and free-standing sign setback for a CVS Pharmacy with a drive-thru at 635 Lexington Avenue, Block 2.12, Lot 18 and 19. RB1 and BC

2. GRANTED the application of AL-3 PROPERTIES CORPORATION % ALAN LOPEZ for use variance for expansion of a non-conforming use, front yard setback, street side yard setback, and variance for a free-standing sign within front and side yard to renovate and expand an existing restaurant at 2 South Parkway, Block 60.05, Lot 17. M2

APPOINTMENTS FOR 2017 **(FOR MEETING OF DECEMBER 7, 2016)**

1. Counsel Secretary.
2. Planner.
3. Engineer.
4. Landscape Architect.
5. Traffic Consultant.
6. Cell Tower/Telecommunications.
7. Certified Shorthand Reporter.

COMMUNICATIONS

1. Proposed Legal Notice for 2017 with dates for Clifton Zoning Board of Adjustment meetings for review and approval by the Board.