

AGENDA

**BOARD OF ADJUSTMENT
CITY OF CLIFTON
January 4, 2017**

6:30 REORGANIZATION MEETING

7 P.M. REGULAR MEETING

Please take notice that formal action may be taken on the following applications on January 4, 2017.

PLEDGE OF ALLEGIANCE

CONTINUED HEARINGS

1.	YESHIVA KTANA	288,292,296,300 & 304	R-B2 Appeal or
Variances;	OF PASSAIC, INC.	South Parkway	application for a
Use	Gail L.	Block 59.01, Lots 8,11,	use variance
Variance	Price, Esq.	13,15 & 17	required to permit
	(CONTINUED		the demolition of
	WITHOUT	the existing houses on the lots listed above	
	DATE)	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.
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3.

Use
Variance;
Minor Sub.

eCUBe 237 LLC

237 Dayton Avenue
Block 4.23, Lot 1.00
Bennett
Wasserstrum, Esq.

PD1

Application for the
construction of a
building
containing:
Commercial and seven residential units, minor
subdivision, use variance required for
residential use in a PD-1 Zone and such other
variances as may be required.
4.

Use
Variance;
Variances

CLIFTON CHEDER, INC.

1333 Broad Street
Block 76.01, Lot 5
Gerald G.
Friend, Esq.

B-A

Variances required
for religious
elementary school:

1) Conditional use variance required.
2) Existing lot width is 133' where 150' is
required.
3) Existing lot coverage is 24.74% where 20% is
permitted.
4) Existing left side yard is 18.87' where 20' is
required.
5) Site plan approval required.
6) Any other variances deemed necessary by the
Board.

NEW HEARINGS

1.

Variance

TAHIR KHAN

640 Grove Street
Block 52.05, Lot 14

RA1

Applicant proposes
to remove the
existing house and
garage and
construct a new
home. The following
variance is
required: 1) Front
yard proposed at
20' where 35' is
required.

RESOLUTION

1.

GRANTED the application of DAVID JANUSZ for left side
yard setback variance to install an air-conditioning unit at 47
Orchard Drive, Block 68.12, Lot 33. RA3