

AGENDA

**BOARD OF ADJUSTMENT
CITY OF CLIFTON
January 18, 2017
Commencing at 7 P.M.**

Please take notice that formal action may be taken on the following applications on January 18, 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		
	DATE)		

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 (CONTINUED TO 02/01/07)	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. 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
Bennett
Wasserstrum, Esq.
**(CONTINUED TO
02/01/07)**

237 Dayton Avenue
Block 4.23, Lot 1.00

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.
Gerald G.
Friend, Esq.
**(CONTINUED TO
02/01/07)**

1333 Broad Street
Block 76.01, Lot 5

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

THE LACKLAND COMPANIES
Frank A.
Carlet, Esq.

196 Piaget Avenue
Block 10.17, Lot 20

M-2
A parking variance
for number of
parking spaces
(59 required, 42
proposed),
in order to comply with the Fire Department's
requirement that the fire lane surrounding
the previously approved proposed self-storage
warehouse facility be at least 20 feet wide.
In all other respects, the previously approved
Site Plan will be unchanged. The 42 proposed
parking spaces far exceed the number of spaces
recommended by Parking Generation, 4th Edition,
published by the Institute of Transportation
Engineers, which requires for the peak hour .14
spaces per 1,000 square feet of building, or
16.24 spaces, rounded to 17. Therefore, more
than two and one-half times the number of
recommended spaces is provided. In addition, an
amendment to the previously approved Site Plan
is required to reflect the change in number of
parking spaces proposed. [as published by
attorney for applicant] (PLANS IN BINS)
2.

Variance

SASHO MOMIROSKI

62 Rowland Avenue
Block 50.03, Lot 58

RB1
Variance required
for the installa-
tion of a new
driveway:
1) Driveway proposed 1.1' from the left side lot
line where 5' is required. (PLANS IN BINS)

3. Use Variance; Variances	EKREM GUVEN A. William Sala, Jr., Esq.	303 Crooks Avenue Block 5.05, Lot 5	B-C	Applicant owns a two-family home on Crooks Avenue. He wants to live on the second floor and use the first floor as a barber shop. Applicant is a licensed New Jersey barber. Use variance required for two principal uses on property; two parking spaces provided, seven spaces required; nonconforming lot width; and such other variances as may be required by law. (PLANS IN BINS LAST MEETING)
4. Variances	RISTO NIKOLOVSKI Joseph C. Petriello, Esq.	30 Vernon Avenue Block 6.23, Lot 21	RB1	Bulk variances requested in connection with an addition to a single family dwelling: 1) a left side yard setback variance to allow 2.7 feet where 12 feet is required; 2) a combined side yard setback variance to allow 16.31 feet where 24 feet is required; 3) a front yard setback variance to allow 21.5 feet where 25 feet is required; 4) a lot coverage variance to allow 28.76% where 25% is permitted; 5) a lot area variance to allow the existing non-conforming 5,000 square feet to continue where 7,500 square feet is required; 6) a lot width variance to allow the existing non-conforming 50 feet to continue where 75 feet is required; and 7) such other variances, if any, relating to the application as the same may be amended. (PLANS IN BIN LAST MEETING)
5. Use Variance	JAMES MONTELBANO	55 Walman Avenue Block 24.08, Lot 9	M1	Applicant proposes to use the first floor of this industrial use building for the office and storage for an electrical contractor. A use variance is required as the proposed use is a conditional use in an M-2 zone. Existing, nonconforming lot width and building setbacks. (no changes proposed) (PLANS IN BINS LAST MEETING)

RESOLUTION

1. GRANTED the application of TAHIR KHAN for front yard setback variance to construct a new home at 640 Grove Street, Block 52.05, Lot 14. RA1