

AGENDA
BOARD OF ADJUSTMENT
CITY OF CLIFTON
April 5, 2017
Commencing at 7 P.M.

Please take notice that formal action may be taken on the following applications on April 5, 2017.

PLEDGE OF ALLEGIANCE
CONTINUED HEARINGS

1.

Use

Variances;

Variances

206 CLIFTON

PARTNERS LLC

Weiner Lesniak, LLP

(CONTINUED

TO 4/19/17)

206 Delawanna Avenue

Block 60.14,

Lots 13 and 33

the M-2 and M-3 zones whereas residential uses are not permitted in these zones and a use variance under N.J.S.A. 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 N.J.S.A. 40:55D-46 and N.J.S.A. 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 N.J.S.A. 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.

2. Use Variance; Variances	CLIFTON CHEDER, INC. 1333 Broad Street Block 76.01, Lot 5 Gerald G. Friend, Esq. (CONTINUED TO SPECIAL MEETING 5/10/17)	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.
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3. Use Variance; Variances	PASSAIC CLIFTON COMMUNITY KOLLEL CONGREGATION 411 Main Avenue Block 59.03, Lot 17 Thomas P. DeVita, Esq. (CONTINUED TO 4/19/17)	B-B	Applicant proposes to convert an existing chiropractor's office to a Rabbinical Study/School Center. The lot also contains an attached two-family structure. Following variances are required: 1) Conditional use variance for School (Existing lot does not meet bulk requirements). 2) Use variance required for more than one use on lot (School and residential use, prior use was a two family house and an office). 3) 9 parking spaces supplied and 16 required (1 staff, 11 student, 4 residential). 4) Lot coverage proposed at 27.52 where a maximum of 20% is permitted. 5) Parking spaces proposed at 9' x 18' where 9' x 19' are required. 6) Site plan approval required. 7) Such other variances as may be required.
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NEW HEARINGS

1. Variance	JAN KIEDZIUCH 180 Doherty Drive Block 53.03, Lot 2	RA2	Variance required to extend driveway: 1) Driveway proposed 3' in front of the house in an area not serving a garage. (PLANS SENT TO COMRS.)
2. Use Variance; Variance	LYLLY BEAUTY AND NAIL SALON LLC/ ANALILIA ESPEJO 1 Madison Avenue Block 8.01, Lot 13 Victor Urbaez, Esq.	RB1	Applicant proposes to convert the first floor commercial space from a Herb-A-Life store to a nail salon.

Use variance required as property is located within a RB-1 residential zone, and for two uses on a lot (Three apartments and a commercial space). Nine parking spaces required and none provided (2 per dwelling unit 3 x 2 = 6 and 1 per 250 sq. ft. of commercial space. (PLANS SENT TO COMRS.)

3.
Use
Variance;
Variances

**MOUNT PROSPECT
PARK, LLC**
David Kessler,
Esq.

62-66 Mt. Prospect Ave. B-A Preliminary and
Block 36.01, Lot 11.01 final site plan
approval and
variances.

This application is to demolish the existing one (1) story building and remove all concrete curbing, concrete sidewalks, fencing, asphalt, and fencing and to permit construction of a three (3) story residential building consisting of one (1) bedroom units, and an additional three (3) story residential building consisting of one (1) bedroom and two (2) bedroom units. Applicant proposes associated site improvements consisting of asphalt parking areas, concrete curbing, concrete sidewalks, ADA curb ramps, concrete patios, walls, drainage, utilities, landscaping, and lighting. In addition, the applicant proposed two (2) shared parking easements and one (1) water utility easement. An application has been filed for the following variances in regard to this matter:

- Use - applicant proposes a residential use in the B-A zone, where such uses are not listed as being permitted;
- Rear Yard Setback - 10.83 feet proposed, whereas 30 feet is required;
- Building Height - 3 stories/38.8 feet is proposed whereas 2 stories/30 feet is permitted;
- Parking - applicant's plan proposes parking spaces for the proposed residences not in compliance with the minimum required by the City's Code;
- and any or all other variances and/or waivers as may be deemed necessary by the Zoning Board for the processing of this application;
- Parking Lot Landscaping - applicant cannot meet the Code requirement of 20 square feet of interior parking lot landscaping for each parking space. (PLANS IN BINS)

CONTINUED RESOLUTION

1. GRANTED the application of EKATERINA BYKOVA for use variance, conditional use variance, and parking variance for a dance studio and school at 227 Lakeview Avenue, Block 2.11, Lot 67. (WAITING FOR RECORDED EASEMENT) B-C

RESOLUTIONS

1. DENIED the application of DARKO RALOSKI for use and bulk variances for a three-story structure, three-fixture bathroom in basement, and two finished rooms in basement at 105 Van Riper Avenue, Block 3.04, Lot 2. RB2

ADOPTION OF MINUTES

1. Minutes of the March 8, 2017, special meeting.
2. Minutes of the March 15, 2017, regular meeting.