

AGENDA
BOARD OF ADJUSTMENT
CITY OF CLIFTON
May 17, 2017
Commencing at 7 P.M.

Please take notice that formal action may be taken on the following applications on May 17, 2017.

PLEDGE OF ALLEGIANCE
CONTINUED HEARINGS

1. Use Variances; Variances

206 CLIFTON PARTNERS LLC
Weiner Lesniak, LLP
(CONTINUED TO 6/7/17)

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.
1. Use variance & under N.J.S.A. 40:55D-70d(1) to permit multi-family residential uses in

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 B-A Variances required for religious elementary school:
- Gerald G. Friend, Esq.
- (CONTINUED TO SPECIAL MEETING 5/10/17)**
- 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.
- Note: Agenda distributed 5/9/17**
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3. Use Variance; Variances **MOUNT PROSPECT PARK, LLC** 62-66 Mt. Prospect Ave. Block 36.01, Lot 11.01 B-A Preliminary and final site plan approval and variances.
- David Kessler, Esq.
- (CONTINUED TO 6/7/17)**
- 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.

NEW HEARINGS

- | | | | | |
|-----------------|---|--|-----|--|
| 1.
Variance | KASANG THING | 36 Standish Drive
Block 39.09, Lot 17 | RA2 | Applicant proposes to build a rear deck and wheelchair ramp on the rear of the home. Variance required for rear yard setback proposed at 21' where 35' is required. (PLANS IN BINS LAST MEETING) |
| 2.
Variances | AMIE & JOSEPH KOLODZIEJ | 109 McCosh Road
Block 62.05, Lot 4 | RA1 | Variances required for proposed additions and deck:
1) Existing nonconforming lot width and area.
2) Front yard proposed at 28.9' where 35' is required.
3) Right side yard proposed at 5.5' at the home and 3.8' at the deck where 10' is required.
4) Combined side yards proposed at 18.5' where 24' is required.
5) Rear of structure proposed at three stories, due to grade, where 2 stories are permitted.
(PLANS IN BINS LAST MEETING) |
| 3.
Variances | DANIEL SCHIMEL AND NICOLE KATZ | 44 Annabelle Avenue
Block 71.02, Lot 11 | RA3 | Variances required for a proposed second floor addition and two-story rear addition:
1) Combined side yards proposed at 12.56' where 16' is required.
2) Lot coverage proposed at 28.9% where a maximum of 27% is permitted.
(PLANS IN BINS LAST MEETING) |
| 4.
Variance | TOM MC LAUGHLON | 2 Burlington Road
Block 68.09, Lot 4 | RA3 | Applicant proposes to install a 5' high, solid fence along Allwood Road where a 4' high, 50% open fence is permitted. (PLANS IN BINS LAST MEETING) |
| 5.
Variances | LESZEK AND MARIA TOKARCZYK
Celentano, Stadtmauer & Walentowicz, LLP | 135 Beverly Hill Road
Block 55.05, Lot 25 | RA3 | Variances required for a two-story addition and second floor addition:
1) Combined side yards proposed at 12.9' where 16' is required.
2) Right side yard proposed at 4.8' where 6' is required (existing condition).
3) Front yard proposed at 24.9' where 25' is required (existing condition).
(PLANS SENT TO COMRS.) |

6. Variance	AVRAHAM SACKTON 35 Belmont Avenue Block 70.03, Lot 19	RA3 Variance required to build a rear deck: 1) Rear yard proposed at 31' where a minimum of 35' is required. (PLANS IN BINS LAST MEETING)
7. Use Variance; Variances; Site Plan	CLIFTON CHICKEN 6 Main Avenue LLC d/b/a Block 82.06, Lot 15 POPEYE'S LOUISIANA KITCHEN Lawrence A. Calli, Esq.	P-MU Use variance relief relief pursuant to N.J.S.A.40:55D-70d, bulk variance relief pursuant to N.J.S.A.40:55D-70c and site plan approval.

The property is presently developed with a one-story commercial structure (currently unoccupied, previously utilized as a bank with drive-thru lanes) and accessory paved/parking areas. Per Chapter 461 of the City of Clifton Zoning Ordinance, restaurants with drive-through facilities or counter service is not a permitted use in the zone. The applicant proposes to improve the property and utilize the existing structure as a dine-in and drive-thru restaurant. Accessory improvements (inclusive of façade improvements, site lighting, installation of exterior businessss signage, shrubs/planted areas, fencing repair, and parking area striping) are also proposed. The applicant seeks the following variance relief from the Board:

- Use variance relief for the proposed restaurant and its associated drive-thru use, business signage / menu order boards (use not permitted in zone); and
- bulk variance relief for the proposed front yard setback along Main Ave. (29.1' proposed, 35' required); improved lot coverage (77% proposed, 75% permitted; open space (23% proposed, 25% minimum required); parking setback in corner/side yard (1' proposed, 10' required); and parking setback in rear (2.4' proposed, 5' required).
- The Applicant will also seek any additional variances, waivers, interpretation or relief that may be required by the Board at the time of the public hearing. (PLANS IN BINS LAST MEETING)

RESOLUTIONS

1. GRANTED the application of THE CATHOLIC COMMUNITY OF SAINT BRENDANS AND SAINT GEORGE for a minor subdivision to subdivide the former parish house from the parking lot; use variance for a parking lot as a principal use; front yard setback, rear yard setback, and side yard setback variances for the new lot created at 155 East 1st Street, Block 1.06, Lot 1. RB1
2. GRANTED the application of RAMON INOA for variances for lot coverage, right side yard, combined side yards, and rear yard setback for a second floor rear deck at 26 East Clifton Avenue, Block 3.01, Lot 16. RB2
3. DENIED the application of ANGEL CLASE for a use variance for a three-fixture bathroom consisting of water closet, sink, and stall shower in the basement at 143 Roosevelt Avenue, Block 1.10, Lot 10. RB1