

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

Please take notice that formal action may be taken on the following applications on June 7, 2017.

PLEDGE OF ALLEGIANCE
CONTINUED HEARINGS

1. Use Variances; Variances	206 CLIFTON PARTNERS LLC Weiner Lesniak, LLP	206 Delawanna Avenue Block 60.14, Lots 13 and 33	M-2 & M-3	1. Use variance under <u>N.J.S.A.</u> 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.

2. Use Variance; Variances	MOUNT PROSPECT PARK, LLC Robert A. Gaccione, Esq.	62-66 Mt. Prospect Ave. B-A Block 36.01, Lot 11.01	Preliminary and 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.	
3. 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.

4. 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. (CONTINUED TO 07/19/2017)	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 businesss 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.

NEW HEARINGS

1. Variance	GIUSEPPE & DANIELLE DE GENNARO	52 Tufts Road Block 27.06, Lot 19 Proposed right side driveway setback is 2' where 5' is required.	RA2 Variance required to extend driveway to the right side of the property.
2. Variances	LUEAY HAMDAN A. William Sala, Jr., Esq.	225 Luddington Avenue Block 19.13, Lot 11 - 13.26' provided where 16' is required and front addition - 11.26' provided where 16' is required. Originally proposed garage has been eliminated, variance required for a driveway in front of the home not serving a garage. Existing, non-conforming lot width. Such other variances as may be required.	RA3 Applicant seeking combined side yard setback variance for rear addition

3.
Use
Variance;
Variances

HUSSEIN SHAQRA, 539 Clifton Avenue
M.D. Block 20.19, Lot 1
Thomas P. DeVita, Esq.

BA1

Applicant proposes to build a two-story addition on the left side of the building.

Use variance required for two uses on one lot, professional office on the first floor and a residence on the second floor. Eight parking spaces required for the office and two spaces required for the residential use, total ten spaces required and six provided. Existing, non-conforming parking lot area and a street side yard setback; any other relief deemed necessary by the Board.

ADOPTION OF MINUTES

- 1. Minutes of special meeting of May 10, 2017;
- 2. Minutes of regular meeting of May 17, 2017.

RESOLUTIONS

- 1. DISMISS WITHOUT PREJUDICE the application of CLIFTON CHEDER, INC. for a religious elementary school at 1333 Broad Street, Block 76.01, Lot 5. B-A
- 2. GRANTED the application of AMIE & JOSEPH KOLODZIEJ for variances for existing, non-conforming lot width and area, front yard, right side yard, combined side yards, and maximum building height (3 stories) for new addition, new deck, and new portico at 109 McCosh Road, Block 62.05, Lot 4. RA1
- 3. GRANTED the application of DANIEL SCHIMEL AND NICOLE KATZ for combined side yards and lot coverage variances to erect a second floor addition and two-story rear addition at 44 Annabelle Avenue, Block 71.02, Lot 11. RA3
- 4. GRANTED the application of TOM MC LAUGHLIN for variance to install a 5-foot-high solid wood fence along Allwood Road at 2 Burlington Road, Block 68.09, Lot 4. RA3
- 5. GRANTED the application of LESZEK AND MARIA TOKARCZYK for combined side yards, right side yard, and front yard variances to erect a two-story addition and second floor addition at 135 Beverly Hill Road, Block 55.05, Lot 25. RA3
- 6. GRANTED the application of AVRAHAM SACKTON for rear yard setback variance to build a rear yard deck at 35 Belmont Avenue, Block 70.03, Lot 19. RA3