

**AGENDA**  
**BOARD OF ADJUSTMENT**  
**CITY OF CLIFTON**  
**June 21, 2017**  
**Commencing at 7 P.M.**

Please take notice that formal action may be taken on the following applications on June 21, 2017.

**PLEDGE OF ALLEGIANCE**  
**CONTINUED HEARINGS**

|                                      |                                                                                                                                  |                                                        |                 |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
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| 1.<br>Use<br>Variances;<br>Variances | <b>206 CLIFTON</b><br><b>PARTNERS LLC</b><br>Weiner Lesniak, Lots 13 and 33<br>LLP<br><b>(CONTINUED TO</b><br><b>07/19/2017)</b> | 206 Delawanna Avenue<br>Block 60.14,<br>Lots 13 and 33 | M-2<br>&<br>M-3 | 1. Use variance<br>under <u>N.J.S.A.</u><br>40:55D-70d(1) to<br>permit multi-family<br>residential uses in<br>the M-2 and M-3 zones whereas residential uses<br>are not permitted in these zones and a use<br>variance under <u>N.J.S.A.</u> 40:55D-70d(6) to permit a<br>building height of 46.33 feet whereas only 40<br>feet is permitted; 2. Preliminary and final site<br>plan approval pursuant to <u>N.J.S.A.</u> 40:55D-46<br>and <u>N.J.S.A.</u> 40:55D-50 to allow a four (4) story,<br>eighty (80) unit apartment building consisting<br>of sixty-six (66) one-bedroom apartment units<br>and eight (8) two-bedroom apartment units with a<br>total of 146 off-street parking spaces<br>(as required by and conforming with the<br>Residential Site Improvement Standards);<br>3. In addition, applicant seeks bulk/dimensional<br>variances under <u>N.J.S.A.</u> 40:55D-70c for the<br>following:<br>(1) to permit a lot area of 4.3 acres for<br>buildings 41 to 80 feet in height within the<br>M-3 zone whereas a minimum of 5 acres is<br>required;<br>(2) to permit a lot width of 125.5 feet<br>whereas a minimum of 250 feet is required;<br>(3) to permit a monument sign to be installed<br>fifteen (15) feet from the front property line<br>and within the front yard setback, whereas signs<br>are required to have a 30 foot front yard<br>setback;<br>(4) to permit lighting levels in off-street<br>parking areas to exceed 0.0 foot-candles at the<br>property line;<br>(5) to allow LED lighting for exterior lighting<br>fixtures instead of the required high pressure<br>sodium lighting;<br>(6) to provide internal parking lot landscaping<br>less than the required 20 square feet for each<br>proposed parking space; and<br>(7) to provide trees of 2 inch to 2.5 inch<br>caliper which is less than the minimum 4 inch<br>to 4.5 inch caliper required.<br>The applicant may also apply for such<br>variance relief, exceptions, waivers, permits,<br>approvals or licenses that are deemed necessary<br>or appropriate by the applicant or the Board,<br>and which may arise during the course of the<br>hearing process. A public hearing on this<br>application was held by the Zoning Board of<br>Adjustment ("Board") on May 18, 2016. |
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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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| 2.<br>Use<br>Variance;<br>Variances                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | <b>MOUNT PROSPECT<br/>PARK, LLC</b><br>Robert A. Gaccione,<br>Esq. | 62-66 Mt. Prospect Ave.    B-A<br>Block 36.01, Lot 11.01 | Preliminary and<br>final site plan<br>approval and<br>variances. |
| <p>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:</p> <ul style="list-style-type: none"><li>-Use - applicant proposes a residential use in the B-A zone, where such uses are not listed as being permitted;</li><li>-Rear Yard Setback - 10.83 feet proposed, whereas 30 feet is required;</li><li>-Building Height - 3 stories/38.8 feet is proposed whereas 2 stories/30 feet is permitted;</li><li>-Parking - applicant's plan proposes parking spaces for the proposed residences not in compliance with the minimum required by the City's Code;</li><li>-and any or all other variances and/or waivers as may be deemed necessary by the Zoning Board for the processing of this application;</li><li>-Parking Lot Landscaping - applicant cannot meet the Code requirement of 20 square feet of interior parking lot landscaping for each parking space.</li></ul> <p><b>(REVISED PLANS IN BINS)</b></p> |                                                                    |                                                          |                                                                  |

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| 3.<br>Variance | <b>KASANG THING<br/>(CONTINUED TO<br/>07/19/2017)</b> | 36 Standish Drive<br>Block 39.09, Lot 17 | RA2    Applicant proposes<br>to build a rear<br>deck and wheelchair<br>ramp on the rear of<br>the home. Variance<br>required for rear<br>yard setback<br>proposed at 21'<br>where 35' is<br>required. |
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| 4.<br>Use<br>Variance;<br>Variances;<br>Site Plan | <b>CLIFTON CHICKEN</b> 6 Main Avenue<br><b>LLC d/b/a</b> Block 82.06, Lot 15<br><b>POPEYE'S LOUISIANA</b><br><b>KITCHEN</b><br>Lawrence A. Calli, Esq.<br><b>(CONTINUED TO</b><br><b>07/19/2017)</b> | P-MU Use variance relief<br>relief pursuant to<br>N.J.S.A.40:55D-70d,<br>bulk variance<br>relief pursuant to<br>N.J.S.A.40:55D-70c<br>and site plan<br>approval. |
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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 business 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**

|                 |                            |                                            |     |                                                                                                                                                                                              |
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| 1.<br>Variance  | <b>ZALMAN GURKOV</b>       | 124 Edgewood Avenue<br>Block 57.07, Lot 23 | RA3 | Applicant proposes a two-story rear addition. The following variances are required:<br><br>1) Rear yard setback proposed at 32.4' where 35' is required. (PLANS SENT TO COMRS.)              |
| 2.<br>Variances | <b>GEORGE A. TUZZOLINO</b> | 57 Chelsea Road<br>Block 67.04, Lot 5      | RA3 | Variances required to build a rear addition:<br><br>1) Lot coverage proposed at 33.9% where a maximum of 27% is permitted.<br>2) Existing nonconforming lot width.<br>(PLANS SENT TO COMRS.) |

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| 3.<br>Use<br>Variance;<br>Variance  | <b>TRUCARE ADULT<br/>MEDICAL DAY<br/>CARE LLC</b><br>Frank A.<br>Carlet, Esq. | 1111 Paulison Avenue<br>Block 19.03, Lot 1                                                      | M-1 | Use variance to<br>permit an adult<br>medical day care<br>center and bulk<br>variances for<br>parking for a part<br>of the building.<br><br>Bulk variance required for parking<br>(107 spaces required, 80 spaces provided), and<br>site plan approval required.<br>(PLANS SENT TO COMRS.)                                                  |
| 4.<br>Use<br>Variance;<br>Variances | <b>TFJ KINGSLAND<br/>LLC</b><br>Frank A.<br>Carlet, Esq.                      | 1 Blanjen Terrace<br>Block 82.06, Lot 62<br>Clifton, NJ<br>and 10 Kingsland Road,<br>Nutley, NJ | M-1 | Use variance<br>required for a<br>self-storage<br>warehouse facility.<br><br>Bulk variances required for left side setback<br>(half the height of the building, but not less<br>than 15 feet required; 0 feet proposed); height<br>variance (2 stories permitted), 3 stories<br>proposed) and site plan approval.<br>(PLANS SENT TO COMRS.) |

**RESOLUTIONS**

1. GRANTED the application of GIUSEPPE & DANIELLE DE GENNARO for right side yard setback variance to extend driveway at 52 Tufts Road, Block 27.06, Lot 19.
2. DENIED the application of LUEAY HAMDEN for side yard setback variances for a rear addition and driveway in front of home not serving a garage at 225 Luddington Avenue, Block 19.13, Lot 11. RA3
3. GRANTED the application of HUSSEIN SHAQRA, M.D. for use variance and parking variance to erect a two-story addition on the left side of the building at 539 Clifton Avenue, Block 20.19, Lot 1. BA1