

AGENDA
BOARD OF ADJUSTMENT
CITY OF CLIFTON
July 19, 2017
Commencing at 7 P.M.

Please take notice that formal action may be taken on the following applications on July 19, 2017.

PLEDGE OF ALLEGIANCE

INSPECTION AND DECISION

1. Use Variance; Variance	TRUCARE ADULT MEDICAL DAY CARE LLC Frank A. Carlet, Esq.	1111 Paulison Avenue Block 19.03, Lot 1	M-1	Use variance to permit an adult medical day care center and bulk variances for parking for a part of the building.
		Bulk variance required for parking (107 spaces required, 80 spaces provided), and site plan approval required.		

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. (CONTINUED TO 08/16/2017)	62-66 Mt. Prospect Ave. B-A Block 36.01, Lot 11.01 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. (a/k/a CAPSTONE REALTY GROUP) <u>NOTE: 06/07/17 REVISED PLAN.</u>	Preliminary and final site plan approval and variances.
-------------------------------------	--	---	--

3.	KASANG THING	36 Standish Drive	RA2	Applicant proposes
Variance		Block 39.09, Lot 17		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.	CLIFTON CHICKEN	6 Main Avenue	P-MU	Use variance relief
Use	LLC d/b/a	Block 82.06, Lot 15		relief pursuant to
Variance;	POPEYE'S LOUISIANA			N.J.S.A.40:55D-70d,
Variances;	KITCHEN			bulk variance
Site Plan	Lawrence A. Calli, Esq.			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 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.

NOTE: 07/06/17 REVISED PLAN IN BINS.

5.	TFJ KINGSLAND	1 Blanjen Terrace	M-1	Use variance
Use	LLC	Block 82.06, Lot 62		required for a
Variance;	Frank A.	Clifton, NJ		self-storage
Variances	Carlet, Esq.	and 10 Kingsland Road,		warehouse facility.
	(CONTINUED TO	Nutley, NJ		
	08/16/2017)			

Bulk variances required for left side setback (half the height of the building, but not less than 15 feet required; 0 feet proposed); height variance (2 stories permitted), 3 stories proposed) and site plan approval.

NEW HEARINGS

1. Variances	JOHN TRAIER/ MARK PETERSON	15 East Parkway Block 58.05, Lot 8	RA1	Variances required for a fence/pool barrier: 1) Left side fence proposed at 6' high where a 4' high, 50% open fence is permitted; 2) Right side fence proposed at 6' high where a 5' high fence is permitted. (PLANS SENT TO COMRS)
2. Variance	MARIA TERESA DiZENZO	83 Rolling Hills Road Block 75.04, Lot 1	RA1	Variance required to install a 5' high solid fence along the Lester Place side of the property where a 4' high, 50% open fence is permitted. (PLANS SENT TO COMRS)
3. Variance	OLGA MORO	73 Larkspur Lane Block 40.05, Lot 54	RA3	Proposed rear yard deck requires a 30' rear yard setback and a 23' rear yard setback is proposed. (PLANS SENT TO COMRS)
4. Variance	KALMAN FRIEDMAN	462 South Parkway Block 58.01, Lot 7	RA1	Variance required for a rear deck: 1) Rear yard deck proposed 8.5' from the existing pool where 10' is required. (PLANS SENT TO COMRS)
5. Variances	DANIEL & GILA GEWIRTZ	207 Edgewood Avenue Block 57.08, Lot 1	RA3	Variances required to widen driveway: 1) Driveway proposed at 22' wide where a maximum of 20' is permitted; 2) Driveway proposed at 2' from left side lot line where 5' is required. (PLANS SENT TO COMRS)

RESOLUTIONS

1. GRANTED the application of ZALMAN GURKOV for rear yard setback variance for a two-story rear addition at 124 Edgewood Avenue, Block 57.07, Lot 23. RA3
2. GRANTED the application of GEORGE A. TUZZOLINO for lot coverage variance for a rear addition at 57 Chelsea Road, Block 67.04, Lot 5. RA3