

AGENDA
BOARD OF ADJUSTMENT
CITY OF CLIFTON
November 15, 2017
Commencing at 7 P.M.

Please take notice that formal action may be taken on the following applications on November 15, 2017.

PLEDGE OF ALLEGIANCE
CONTINUED HEARINGS

1.
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.
(CONT'D. TO
12/06/2017)

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 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.**

2.
Use
Variance;
Variance

CARLOS SUAREZ & 42 Paterson Avenue
NELY ALTAMIRANO Block 82.02, Lot 64
(CONT'D. TO
01/03/2018)

RA3 Applicant proposes a rear addition on to an existing nonconforming two-family home. A use variance is required for the expansion of a nonconforming use. A new detached garage is also proposed at 440 sq. ft. where a maximum of 300 sq. ft. is permitted.

3. Use Variance; Variances	UNITED AMERICAN MUSLIM ASSOCIATION, INC. 492 Clifton Avenue Block 12.01, Lot 24 Thomas P. DeVita, Esq.	BC	Applicant seeks to eliminate one apartment and create a study area for cultural and enrichment programs for young students: 1) Conditional use variance required (lot and building do not meet conditional use requirements. 2) Use variance required for mixed use building (residential on second floor) Accessory use. 3) Bulk variances for existing conditions including a) parking within front yard setback; b) parking isles deficient; c) parking within rear yard setback; d) parking stalls deficient in size. 4) Such other variances as may be required.
4. Use Variances; Variances	E CUBE 240 LLC & AMERICAN ANALYTICAL ASSOCIATION, LLC 247/245 Parker Avenue Block 4.16, Lot 33/31 Bennett Wasserstrum, Esq. (CONTINUED TO 12/06/17)	PD-1	Applicant proposes to renovate and build additions to the existing appliance store and Bank building to create a four story mixed use property. Applicant also proposes to merge lots 31 and 33. Building will consist of 3 retail stores on the first floor and 29 apartments. The following variances are required: 1) Use variances required for mixed use and residential in a PD-1 Zone. 2) Rear yard setback proposed at 0' where 10' is required. 3) Lot coverage proposed at 100% where 90% is permitted. 4) Building height proposed at 40'7" where 30' is permitted. 5) 4 stories proposed where 2 stories are permitted. 6) Such other variances as may be required.
5. Use Variance	299 ROUTE 3 EAST, LLC 299 Route 3 East Block 83.01, Lot 2.01 Frank A. Carlet, Esq.	M-3 or P-MU option	A use variance to permit two (2) principal uses on the same lot being the existing gas station and conversion of the existing automobile service building into a coffee shop.

NEW HEARINGS

1. Variances	BEN ZANGARA	23 Calstan Place Block 51.07, Lot 4	RA1	Applicant proposes an addition to the front of the house for an attached garage. The following variances are requested: 1) Right side yard proposed at 3.0' where 10.0' is required. 2) Combined side yards proposed at 16.6' where 24' is required.
2. Variance	RIMA TAHER	293 Harding Avenue Block 20.04, Lot 5	RB1	Applicant requests variances for a 10' wide driveway in front of the home not serving a garage, and for a driveway not 19' in length.
3. Use Variance; Variance	AHUVA & YEHELA WILLIG	128 Edgewood Avenue Block 57.07, Lot 24	RA3	Applicant is renovating and expanding the existing home and the following variances required: 1) Driveway proposed in front of the house not serving a garage. 2) Use variance required for proposed attic powder room (water closet and lavatory).
4. Variance	SETH A. DAMSKI	478 South Parkway Block 58.01, Lot 4	RA1	Variance required for a front addition: 1) Combined side yards proposed at 19.37' where 24' is required.

RESOLUTIONS

1. DENIED the application of 206 CLIFTON PARTNERS LLC for D(1) use variance for use not permitted in zone, D(6) height variance, and preliminary and final site plan approval for a 4-story 80-unit multi-family residential partment building and bulk variances for lot area, lot width, monument sign in front yard setback, permit lighting levels in off-street parking areas, allow LED lighting for exterior lighting fixtures, provide internal parking lot landscaping less than required, and provide trees of a caliper which is less than minimum required at 206 Delawanna Avenue, Block 60.14, Lots 13 and 33. M-2 and M-3

2. GRANTED the application of EDGAR Y. RUIZ & ROSA VALENTIN-RUIZ for variance to expand driveway 1 foot from the right side lot line at 342 Union Avenue, Block 19.16, Lot 33. RA3

3. GRANTED the application of SCOTT BARRETT for right and left side yard setback approval, combined side yards for a rear, second floor dormer at 32 Peru Road, Block 55.13, Lot 17. RA3

4. GRANTED the application of MANOJ DESAI for right side yard setback and combined side yard setback variances for a rear right side addition at 407 Mt. Prospect Avenue, Block 55.05, Lot 77. RA2

5. APPOINTED LOUIS R. SLABY, P.E., PP, of Slaby Engineering Associates, Inc. as its engineer for the application of YESHIVA KTANA OF PASSAIC, INC., 288, 292, 296, 300 AND 304 South Parkway, Block 59.01, Lots 8, 11, 13, 15, and 17.

APPOINTMENTS FOR 2018
(FOR MEETING OF DECEMBER 6, 2017)

1. Counsel Secretary.
2. Planner.
3. Engineer.
4. Landscape Architect.
5. Traffic Consultant.
6. Cell Tower/Telecommunications.
7. Certified Shorthand Reporter.

COMMUNICATIONS

1. Proposed Legal Notice for 2018 with dates for Clifton Zoning Board of Adjustment meetings for review and approval by the Board.