

AGENDA
BOARD OF ADJUSTMENT
CITY OF CLIFTON
December 6, 2017
Commencing at 7 P.M.

Please take notice that formal action may be taken on the following applications on December 6, 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. | 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
(CONTINUED 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. Thomas P. DeVita, Esq. (CONTINUED TO 01/17/2018)	492 Clifton Avenue Block 12.01, Lot 24	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 Bennett Wasserstrum, Esq. (REQUESTING ADJOURNMENT)	247/245 Parker Avenue Block 4.16, Lot 33/31	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 Frank A. Carlet, Esq. (CONTINUED TO 01/03/2018)	299 Route 3 East Block 83.01, Lot 2.01	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.

6.

Use
Variance;
Variance

AHUVA & YEHELA
WILLIG
Bennett
Wasserstrum, Esq.

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).
7.

Use
Variance;
Variances

UPPER MONTCLAIR
COUNTRY CLUB
Thomas P.
DeVita, Esq.
(SPECIAL MEETING HELD 11/29/2017)

177 Hepburn Road
Block 77.01, Lot 1

RA1

Applicant seeks to expand the golf course clubhouse which requires a

Use Variance for the expansion of a non-conforming use in an RA1 zone. Bulk variances are required for building height, curb cut width, parking stall dimensions, numbers of parking spaces, parking in front area and such other variances as may be required. (NOTE: THIS AGENDA PREPARED 11/28/17).

NEW HEARINGS

1.

Variance

JAMES & DAWN
ENZE

10 Sperling Road
Block 38.02, Lot 5

RA3

Applicant has a lot that fronts on Sperling Road and the rear lot line is on Valley Road. Applicant proposes to erect a 6' high solid fence along the rear of the property against Valley. (PLANS GIVEN TO COMRS)
2.

Variance

LAUREN SHEHATA

67 Merselis Avenue
Block 2.06, Lot 21

RB1

Applicant proposes to install a driveway on the left side of the property. Driveway is proposed at 0' from the left side yard lot line where 5' is required. (PLANS GIVEN TO COMRS)

3. Variances	ISAAC FELICIANO (DEFECTIVE NOTICE - CONTINUE TO 12/20/2017)	103 Harding Avenue Block 12.03, Lot 2	RB1	Applicant proposes to extend the front of the detached garage roof to create a carport area. The following variances are requested: 1) Garage and proposed roof are a total of 800 sq.ft. where a maximum of 700 sq.ft. is permitted. 2) Roof is proposed at 8.5' from the house where 10' is required. 3) Garage and proposed roof is 1.8' from the right side lot line where 5' is required. (PLANS GIVEN TO COMRS)
4. Variance	65 INDUSTRIAL CLIFTON, LLC Frank A. Carlet, Esq.	65 Industrial South & 35 Bloomfield Ave. Block 56.08, Lots 4 & 13	M-1	Height variance required for a portion (21,778 feet on the left side of the building of a total of 204,560 feet contained in the building) of the building (40 feet permitted - 40.07 feet proposed) and amended site plan approval. (PLANS GIVEN TO COMRS)

RESOLUTIONS

1. GRANTING the application of BEN ZANGARA for right side yard and combined side yard variances for an addition to serve as a garage to the front of the dwelling at 23 Calstan Place, Block 51.07, Lot 4. RA1
2. DENIED the application of RIMA TAHER for variances for a 10-foot-wide driveway in front of the home not serving a garage and for a driveway not 19 feet in length at 293 Harding Avenue, Block 20.04, Lot 5. RB1
3. GRANTED the application of SETH A. DAMSKI for combined side yard setback variance for a front addition at 478 South Parkway, Block 58.01, Lot 4. RA1

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.