

AGENDA
BOARD OF ADJUSTMENT
CITY OF CLIFTON
December 20, 2017
Commencing at 7 P.M.

Please take notice that formal action may be taken on the following applications on December 20, 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.
(CONTINUED TO
01/17/2018)

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. (CONTINUED TO 02/07/2018)	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. **ISAAC FELICIANO** 103 Harding Avenue RB1 Applicant proposes
Variances Block 12.03, Lot 2 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)

NEW HEARINGS

1. **KAITLYN PIRRELLO** 226 Edison Street RA3 Variances required
Variances Block 26.02, Lot 20 for a rear yard
deck:
1) Left side yard proposed at 3.5' where 6' is
required.
2) Rear yard proposed at 34' where 35' is
required.
(PLANS GIVEN TO COMRS)

RESOLUTIONS

1. DENIED the application of AHUVA & YEHELA WILLIG for use
variance for attic powder room and variance for driveway
proposed in front of the house not serving a garage at 128
Edgewood Avenue, Block 57.07, Lot 24. RA3
2. DENIED the application of JAMES & DAWN ENZE for a 6-
foot-high solid fence along the rear property line of the
premises at 10 Sperling Road, Block 38.02, Lot 5. RA3
3. GRANTED the application of LAUREN SHEHATA for variance
to install a driveway on the left side of the property line at
67 Merselis Avenue, Block 2.06, Lot 21. RB1
4. GRANTED the application of 65 INDUSTRIAL CLIFTON, LLC
for height variance and amended site plan approval for a
proposed commercial bakery at 65 Industrial South & 35
Bloomfield Avenue, Block 56.08, Lots 4 and 13. M-1
5. ADOPTED the Resolution appointing JOHN D. POGORELEC,
ESQ., as Counsel Secretary for the Zoning Board of Adjustment of
the City of Clifton for the calendar year 2018.
6. ADOPTED the Resolution appointing GREGORY ASSOCIATES,
LLC, as Planner for the Zoning Board of Adjustment of the City
of Clifton for the calendar year 2018 and to prepare the Annual
Report for 2017.
7. ADOPTED the Resolution appointing NEGLIA ENGINEERING
ASSOCIATES as Engineer for the Zoning Board of Adjustment of the

City of Clifton for the calendar year 2018.

8. ADOPTED the Resolution appointing NEGLIA ENGINEERING ASSOCIATES as Landscape Architect for the Zoning Board of Adjustment of the City of Clifton for the calendar year 2018.

9. ADOPTED the Resolution appointing NEGLIA ENGINEERING ASSOCIATES as Traffic Consultant for the Zoning Board of Adjustment of the City of Clifton for the calendar year 2018.

10. ADOPTED the Resolution appointing DR. BRUCE A. EISENSTEIN as Cell Tower/Telecommunications Expert for the Zoning Board of Adjustment of the City of Clifton for the calendar year 2018.

11. ADOPTED the Resolution appointing LAURA A. CARUCCI, C.S.R., R.P.R., LLC as Certified Shorthand Reporter for the Zoning Board of Adjustment for the City of Clifton for the calendar year 2018.

ADOPTION OF MINUTES

1. Special meeting of November 29, 2017.
2. Regular meeting of December 6, 2017.