

AGENDA
BOARD OF ADJUSTMENT
CITY OF CLIFTON
August 15, 2018
Commencing at 7 P.M.

Please take notice that formal action may be taken on the following applications on August 15, 2018.

PLEDGE OF ALLEGIANCE

REMANDED HEARING

- | | | | |
|-------------------------------------|--|---|---|
| 1.
Use
Variance;
Variances | MOUNT PROSPECT
PARK, LLC
Robert A.
Gaccione, Esq. | 62-66 Mt. Prospect Ave.
Block 36.01, Lots 10.01
& 11.01 | B-A To demolish an
existing one-story
building and construct
in its place a
two-story building for multi-family residential
use to include 36 total residential dwelling units
(28 one-bedroom units and 8 two-bedroom units).
Proposed multi-family residential use is not
permitted in the zone. In order to develop and use
the subject property as proposed, the applicant is
seeking preliminary and final major site plan
approval, a use variance to permit the multi-family
residential use, bulk variances for minimum required
parking spaces and minimum parking stall size and a
de minimus exception from the New Jersey Residential
Site Plan Improvement Standards for minimum number
of visitor parking spaces in addition to any and all
other variances or waivers the Board deems necessary
for approval of this application.
(2 SETS OF PLANS IN BINS) |
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CONTINUED HEARINGS

- | | | | |
|-----------------|---|---|--|
| 1.
Variances | YESHIVA KTANA
OF PASSAIC, INC.
Gail L. Price,
Esq.
(CONTINUED TO
10/17/2018) | 288, 292, 296, 300 & 304 RB2
South Parkway,
Block 59.01, Lots 8, 11,
13, 15 & 17 | Preliminary and
Final Site Plan
Approval with
associated
conditional and/
or use variance
and other related
waiver and variance
relief, property
approximately 0.745
acres improved with
5 residential
dwellings, 4 of
which are owned by
the applicant and 1
of which is under
contract of sale
with the applicant.

The Applicant seeks to demolish the homes and
construct and utilize a parking area consisting
73 spaces, together with associated landscaping,
fencing and other site enhancements, all to be
accessory to the Applicant's inherently
beneficial religious and educational school
facility, which is located in the City of Passaic
and which is adjacent to the Property. |
|-----------------|---|---|--|

All vehicular ingress and egress is proposed to be through the Applicant's property in Passaic, other than a 20' "clear" opening gate solely for emergency access from South Parkway (southwestern corner of property) for use by emergency personnel as requested by the Clifton Fire Department. Certain other plan amendments have been made at the request of the Fire Department, including but not limited to installation of a new hydrant on school property, addition of a 4' wide swing gate in the southeastern corner of the property for emergency responder access (non-vehicular), provision for Knox padlocks for Fire Department perimeter area access and creation/labeling of "fire lane - no parking" areas.

The Applicant requests relief from the following Code provisions for the accessory parking:

- (1) §461-47A(1) - fence along front and side property lines to rear of main structure to be no more than 4' height and to be 50% open - proposed: fence 6' height board-on-board construction with 50% open along side (no building on Property);
- (2) §461-47A(2) - fence erected along the side lines from the rear line of the main structure to the rear property line and along said rear property line shall not exceed 5' and may be solid or in the nature of stockade or basket weave construction - proposed: 6' board-on-board fence with 50% open space proposed along side property lines;
- (3) §461-60(E) - no parking to be located within front yard - proposed: parking within front yard setback;
- (4) §461-60(F) - no parking to be located within 10' of rear line - proposed: parking within rear yard setback;
- (5) §461-60(J) - no parking or standing of automobiles within front, rear or side yards in residential districts - proposed: parking within front yard setback;
- (6) §461-60(N) - parking lot in excess of 10,000 sf to provide interior landscaping (20 sf/space) - proposed: no interior landscaping but significant side and front perimeter buffer;
- (7) §461-29; §461-27A - minimum lot size 1 acre for conditional school use - proposed: minimum lot size 34.456 sf in Clifton (compliant with split municipal boundary consideration);
- (8) §461-29; §461-27-A - minimum lot depth 150' - proposed: minimum lot depth 118.03' in Clifton (compliant with split municipal boundary consideration).

In addition to the foregoing described relief, the Applicant will also seek approval for any and all variances, exceptions, waivers, and other incidental relief that may be required or deemed necessary by the Board after or during its review of this Application, together with any further relief that may be deemed necessary by the

Applicant during the hearing process, including that which may be generated by way of revised plans and submission of same. Measurements, percentages and other calculations provided in this notice are in accordance with the development plans filed with the Application. Please note that to the extent plan and/or Application revisions are made during the hearing process, these measurements, percentages and other calculations will likely change, as may the associated relief required per the City Code. The Applicant reserves the right to amend its application accordingly.

2. Use Variance; Variances

CLIFTON CHEDER
Stephen A.
Geffner, Esq.
(CONTINUED TO
09/05/2018)

1333 Broad Street
Block 76.01, Lot 5

B-A The Applicant seeks preliminary and final site plan approval and a (D) (3) conditional use variance for a private elementary school in the B-A Zone District.

The following conditions of the conditional use are not being met and require variances as follows:

- ~With respect to the lot width, pursuant to Section 461-27, a lot width of 150 ft. is required and 133 ft. is existing and proposed.
- ~With respect to the maximum lot coverage, pursuant to Section 461-27, 20% is the maximum permitted and 24.74% existing and proposed.
- ~With respect to the minimum side yard, 20 ft. for one (1) and 40 ft. for both, pursuant to Section 461-27 is required, and 18.87 ft. for one (1) and 42.74 ft. for both is existing and proposed.

This application to the Board of Adjustment is being made for a (D) (3) conditional use variance for a private elementary school and noticed to the public pursuant to N.J.S.A.40:55(D) (3).

The Applicant will also request such other variances, waivers, and interpretations as may be required which may arise during the course of the public hearing or at the request of the Board of Adjustment. The Application, Plans and papers in connection with the Application are available for public inspection at the Zoning Division of the City of Clifton, Clifton, New Jersey, between the hours of 9 A.M. and 3 P.M. Any interested party may appear at said hearing and participate therein in accordance with the rules of the Board of Adjustment.

3. **MIRIAM/ONE LLC** 94 Highland Avenue RB3 Applicant owns a
Variances A. William Block 4.21, Lot 12 vacant lot that is
Sala, Jr., Esq. 4998 square feet.
Applicant proposes a two-family dwelling with
four off street parking spaces. The following
variances are required:
1) Lot coverage proposed at 35% where 25% is
permitted.
2) Street side yard proposed at 6' where 10' is
required.
3) Left side yard proposed at 10' where 12' is
required.
4) Combined side yards proposed at 16' where 24'
is required.
5) Minimum lot area for a two-family is 7500 sq.
ft. and 4998 sq. ft. provided.
6) Such other variances as may be required by
law. (PLANS SENT TO COMRS.)

NEW HEARINGS

1. **CESAR AND** 1299 Valley Road RA1 Applicant's home
Use **PATRICIA** Block 74.09, Lot 18 was until recently
Variance **SALMONE** an approved rooming
A. William house utilized
Sala, Jr., Esq. primarily by
Montclair State
University students.
The prior owner passed away leaving a building
that had numerous violations. The heir sold the
house as a single family which considering that
the house has nine bedrooms is unusual. Applicant
requests a use variance to return the premises to
a rooming house for use of Montclair State
students. Two parking spaces provided and nine
are required. Any and all violations of any kind
will be taken care of. Such other variances as
may be required by law. (PLANS SENT TO COMRS.)

2. **YITZCHAK I. LAX** 141 South Parkway RA3 Applicant is
Variances A. William Block 60.09, Lot 11 proposing to expand
Sala, Jr., Esq. the existing house
with a second floor
add-a-level.
-Variances are required for front yard setback
24.1' existing and proposed where 25' is
required.
-Right side yard setback 4.6' existing and
proposed where 6' is required.
-Left side yard setback 4.8' existing and
proposed where 6' is required.
-Combined side yard setback 9.4' existing and
proposed where 16' is required.
-Roof over front stoop proposed at 20.1' where
21' is required. (PLANS SENT TO COMRS.)

MINUTES

- 1. Minutes of special meeting of July 25, 2018.
- 2. Minutes of regular meeting of July 18, 2018.

RESOLUTIONS

1. DENIED the application of CLIFTON CHICKEN LLC d/b/a POPEYE'S LOUISIANA KITCHEN for use variance and bulk variances for a dine-in restaurant facility at 6 Main Avenue, Block 82.06, Lot 15. P-MU

2. GRANTED the application of CLIFTON SAFE STORAGE, LLC for a use variance and bulk variances for a self-storage facility at 1204 Broad Street (County Route 509), Block 64.03, Lot 2. B-D

3. GRANTED the application of CUENCA CORONEL REALTY, LLC for conditional use and use variance for a storage and maintenance facility for a construction trucking business at 87-109 Wabash Avenue, Block 5.07, Lot 9 and 11. M-2

4. GRANTED the application of IVO & KANIA RODRIGUEZ for use variance approval for an auto body shop with merger of Lot 11 into Lot 5 and demolition of existing structure on Lot 11 at 214 Trimble Avenue, Block 6.16, Lot 5. B-C