

AGENDA
BOARD OF ADJUSTMENT
CITY OF CLIFTON
September 5, 2018
Commencing at 7 P.M.

Please take notice that formal action may be taken on the following applications on September 5, 2018.

PLEDGE OF ALLEGIANCE

CONTINUED HEARINGS

1.
Variances

**YESHIVA KTANA
OF PASSAIC, INC.**

288, 292, 296, 300 & 304 RB2
South Parkway,
Gail L. Price, Block 59.01, Lots 8, 11,
Esq. 13, 15 & 17
**(CONTINUED TO
10/17/2018)**

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
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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.	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.
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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.

NEW HEARINGS

1. Variance	SHAWN ERICKSON	44 Hutton Road Block 47.05, Lot 35	RA2	Applicant proposes to install a 5'high solid fence on the right side yard lot line where a 4'high 50% open fence is permitted. (PLANS SENT TO COMRS.)
2. Variance	JUAN CASTILLO	18 Burlington Road Block 68.09, Lot 8	RA3	Homeowner proposes to build an open pergola over the existing wood patio. ~A variance is required for the rear yard setback proposed at 33' where 35' is required. (PLANS SENT TO COMRS.)
3. Variances	RAMON & BERNADETTE ORTIZ	7 Hamil Court Block 32.02, Lot 85	RA3	Applicant proposes to enclose and reconstruct the front porch and add a second floor addition. ~The existing porch is 4" from the left side yard and 10" is proposed where 6' is required. ~Combined side yards proposed at 12'8" where 16' is required. (PLANS SENT TO COMRS.)

4.
Variances

DEJAN PANDZA & JACQUELINE PANDZA

167 Abbe Lane
Block 33.09, Lot 17

RA3

Applicant proposes to expand driveway to the left side lot line and build a rear yard deck.

~Driveway proposed at 0' from left side where 5' is required.
~Rear yard deck is proposed 11' from the rear lot line where 26' is required, and 5' from the right side yard where 6' is required. (PLANS SENT TO COMRS.)
5.
Variances

RACHEL BESSER

126 Allwood Place
Block 50.09, Lot 38

RA2

Applicant proposes to construct a rear addition, and the following variances are requested:

1) Rear yard proposed at 32.4' where 35' is required.
2) Combined side yards proposed at 15.6' where 16' is required. (PLANS SENT TO COMRS.)

RESOLUTIONS

1.

GRANTED the application of MT. PROSPECT PARK, LLC for use variance to demolish existing building on the site and construct one 2-story building with 36 residential uits and 68 parking spaces at 62-66 Mt. Prospect Avenue, Block 36.01, Lots 10.01 and 11.01. B-A
2.

GRANTED the application of MIRIAM/ONE LLC for variances for lot coverage, street side yard, left side yard, combined side yards, and minimum lot area for a two-family dwelling at 94 Highland Avenue, Block 4.21, Lot 12. RB3
3.

DENIED the application of CESAR AND PATRICIA SALMONE for use variance to convert a single-family dwelling with eight bedrooms for use by Montclair State students as a rooming house at 1299 Valley Road, Block 74.09, Lot 18. RA1
4.

GRANTED the application of YITZCHAK I. LAX for variances to expand the existing house with a second floor add-a-level at 141 South Parkway, Block 60.09, Lot 11. RA3