

AGENDA
ZONING BOARD OF ADJUSTMENT
CITY OF CLIFTON
December 15, 2021
7 P.M. REGULAR MEETING

Please take notice that formal action may be taken on the following applications at the Regular Meeting on December 15, 2021.

PLEDGE OF ALLEGIANCE
CONTINUED HEARING

1.
Use
Variance;
Variances

J & I CHIMICHANGA, LLC a/k/a EL MEXICANO CLIFTON
Franklin S. Montero, Esq.
(CONTINUED TO 01/19/22)

1293 Main Avenue BC Block 11.07, Lot 16

Variance application for expansion of existing restaurant for covered outdoor dining.

The variances include rear yard proposed at 8' and 10' required. Left side yard proposed at 8" and 7'5" required (half the building height). Lot coverage proposed at 92% and 60% permitted. 46 parking spaces required plus one per employee required and none provided. The restaurant has an existing, nonconforming lot width and area. The Variance application is to permanently extend the current outdoor dining/drinking area further back into the parking lot area to their home site at 1293 Main Avenue, Clifton, NJ 07011, Block No. 11.07, Lot No. 16, located in the B-C business zone, Main Avenue Overlay District. Relief is requested to seek variance to extend the outdoor dining/drinking area further back into the parking lot area. The subject property is located within the Business Zone.

The subject property is located east of the Main Avenue and Hilton Street intersection. The property is bound by residential properties to the west, by Main Avenue to the east, and by commercial properties to the south and north. The Existing Lot is currently developed with an existing one-story building, an existing enclosed outdoor dining area and a temporary dining area behind the building. There will be noise dampening materials added to the structure to address the noise concerns.

2.
Prelim. &
Final Major
Site Plan

BOTANY VILLAGE PROPERTY LLC
Jason R. Tuvel, Esq.
(CONTINUED TO 01/05/2022)

254 Dayton Avenue Block 4.18, Lot 21

PD1

For preliminary and final major site plan approval, use variance, bulk variance and design waiver/exception relief.

The property is located in a PD-1 Zoning District. The Applicant seeks approval to demolish the existing building on the Property and construct a new mixed-use building consisting of six (6) residential dwelling units within three (3) stories above ground floor commercial (restaurant/tavern) space and related site improvements. The Applicant seeks use variance relief pursuant to N.J.S.A. 40:55D-70(d)(1) for a non-permitted use, as residential use is not permitted in the PD-1 Zoning District and a
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height variance pursuant to N.J.S.A. 40:55D-70 (d) (6) for building height greater than permitted (30 ft. permitted; 40 ft. proposed). To the extent necessary, Applicant seeks a parking variance for providing less than required number of parking spaces and seeks a conditional use approval or conditional use variance for not providing parking on the same lot as the principal use/principal structure. The Applicant further seeks bulk variance relief pursuant to N.J.S.A. 40:55D-70(c) with respect to (1) front yard setback less than required (15 ft. required; 0.37 ft. proposed); and (2) number of building stories greater than permitted (2 stories permitted; 4 stories proposed).

The Applicant also seeks any additional deviations, exceptions, design waivers, submission waivers, variances, use variances, conditional use variances, interpretations, continuations of any pre-existing non-conforming conditions, modifications of prior imposed conditions, and other approval reflected on the filed plans (as same may be further amended or revised from time to time without further notice) and as may be determined to be necessary during the review and processing of the Application.

3. Use Variance; Variance	680 CLIFTON, LLC David C. Dixon, Esq. (CONTINUED TO 01/19/22)	680 Route 3 Block 80.01, Lot 70 (and adjoining Lot 30)	B-C	For Minor sub-division, bulk variance (pre-existing non-conformance), and use variance (expansion of a pre-existing non-conforming use) approvals, to permit the expansion, subdivision, and assemblage of a strip of land, containing approximately 9,752.4 sf, with the current lot, containing approximately 3.43 ac., including bulk variance for maximum lot coverage (pre-existing non-conformance; 50% required, 92.5% existing, and 91.75% requested (adjoining lot: 86.1% existing, 86.2% requested)), and use variance (expansion of a pre-existing non-conforming use; <u>N.J.S.A. 40:55D-70.d(2)</u>). In addition, this Applicant will request such variances, waivers, permits, approvals, or licenses that the Board deems necessary or appropriate.
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NEW HEARINGS

1. Variance	SALLY ANN FERNANDEZ	88 Hadley Avenue Block 12.23, Lot 33	RB1	Applicant requests a 6' solid fence already installed around the backyard where only 5' solid fence is permitted. (PLANS SENT TO COMRS)
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2. **ELIZABETH** 74 Luddington Ave. RB1 Applicant already
Variance **SAHARIG-ROMERO** Block 18.06, Lot 19 installed a gazebo to
the left side of their
home and the following
variances are requested:
1) Gazebo is 3' from the home where a minimum of
10' is required;
2) Gazebo is 36'2" from front lot line where 60'
is required. (PLANS SENT TO COMRS.)

RESOLUTIONS

1. GRANTED the application of JEFFREY AVILA for a front yard setback variance to build a two-story addition on the left side of the home at 61 Craig Place, Block 51.06, Lot 7. RA1

2. GRANTED the application of VYOMESH SHAH for right side yard, combined side yard, and front yard setback variances for a rear addition at 12 Beverly Hill Road, Block 65.07, Lot 20. RA3

3. GRANTED the application of HANSEL PENA for a 5-foot-high solid fence with a 1-foot-high lattice, for a total of 6 feet, along the left side yard and a 6-foot-high solid fence along the rear yard lot line at 92 Rock Hill Road, Block 38.09, Lot 27. RA3

4. GRANTED the application of NARENDRA RANA for a 4-foot-high solid fence with a 1-foot-high lattice on top, for a total of 5 feet, along the street side yard at 171 South Parkway, Block 60.09, Lot 1. RA3

5. GRANTED the application of JAMIE LYNNE SALEK for variance for a two-story accessory structure and height variance to replace an existing garage with a two-story "Barn" accessory structure at 1239 Valley Road, Block 74.06, Lot 17. RA1

6. GRANTED the application of DAUGHTERS OF MIRIAM for a minor subdivision, use variance, and bulk variances to permit subdivision of Block 24.07, Lot 1, into two lots at 155 Hazel Street, Block 24.07, Lot 1. R-HR

7. GRANTED the application of AURELIJE & ELIZABETA ZOVKO for use variance and bulk variances to remodel the exterior of the building and add a porch/deck in the front of the existing use as well as modify the rear yard to include four parking spaces with access from Van Houten Avenue at 944 Van Houten Avenue, Block 35.11, Lot 17. B-C

8. ADOPTED the Resolution APPROVING the Legal Notice of the Clifton Zoning Board of Adjustment listing the meeting dates for the calendar year 2022.

9. APPOINTING JOHN D. POGORELEC, ESQ. as COUNSEL SECRETARY to the Clifton Zoning Board of Adjustment for the calendar year 2022.

10. APPOINTING GRAVIANO & GILLIS ARCHITECTS & PALNNERS, LLC, NICHOLAS A. GRAVIANO, PP, AICP, JD, as PLANNER to the Clifton Zoning Board of Adjustment for the calendar year 2022.

11. APPOINTING NEGLIA ENGINEERING ASSOCIATES, LLC as ENGINEER to the Clifton Zoning Board of Adjustment for the calendar year 2022.

12. APPOINTING NEGLIA ENGINEERING ASSOCIATES, LLC as LANDSCAPE ARCHITECT to the Clifton Zoning Board of Adjustment for the calendar year 2022.

13. APPOINTING NEGLIA ENGINEERING ASSOCIATES, LLC as TRAFFIC CONSULTANT to the Clifton Zoning Board of Adjustment for the calendar year 2022.

14. APPOINTING LAURA A. CARUCCI, CSR, RPR, LLC as CERTIFIED SHORTHAND REPORTER to the Clifton Zoning Board of Adjustment for the calendar year 2022.