

AGENDA
BOARD OF ADJUSTMENT
CITY OF CLIFTON
August 21, 2019
7 P.M. REGULAR MEETING

Please take notice that formal action may be taken on the following applications on August 21, 2019.

PLEDGE OF ALLEGIANCE

CONTINUED HEARING

1. **CLIFTON IL, LLC** 782 & 784 Valley Road R-A1 Use and Bulk
 Use Frank A.Carlet, Block 44.01, Lots 14 & 11 Variance and Site
 Variance; Esq. Plan Approval
 Variances required for the
 construction of a
 31 unit garden
 apartment develop-
 ment limited to
 residents 55 years
 of age and older.

The bulk variances required are for minimum side yard (10' proposed, 8.5' provided and 24' total proposed and 18.5' provided), maximum building height (30' required, 35' proposed), maximum density (7 dwelling units permitted per acre, 25 units per acre proposed) and parking space size (9' x 9' required, 9' x 18' proposed). Bulk variances from steep slope district required as follows:

	Average Slope	Maximum Building Coverage	Maximum Impervious Surface in Addition to Buildings	Minimum Open Space
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Permitted:	0-15%	25%	30%	30%
	15.1-25%	15%	25%	
	25.1-30%	10%	25%	
	Over 30%	0%	0%	100%
Proposed:	0-15%	51%	80%	20%
	15.1-25%	27%	43%	
	25.1-30%	31%	42%	
	Over 30%	9%	16%	84%

Soil shall be excavated, removed, deposited, or disturbed within an area of slope in excess of 30%, which is not permitted. The uppermost point of a cut slope shall be higher than the top of the nearest downhill structure or building and the vertical cut shall be greater than 15' which is not permitted. Such other variances or waivers as may be determined to be required in the course of hearing the application.

2.
Use
Variances;
Variances

TUFF SHED, INC. 552 NJ-Route 3
Stephen F. Block 82.01, Lot 43
Hehl, Esq.

B-D Preliminary and
Final Site Plan,
D(1) Use Variance
and Bulk Variance
Approvals:

The property is improved with a one-story block and stucco commercial building (the "Existing Building") which will remain. The property is currently leased to a month-to-month tenant, which operates an automotive upholstery shop and is owned by James R. Stafford. The Applicant's business involves the manufacture, sale and installation of storage buildings, garages and cabin sheds. The Applicant proposes to convert the Existing Building into a Tuff Shed branded Retail facility. The building conversion will involve exterior aesthetic improvements and interior renovations. The proposed retail use is permitted in the B-D zone. As part of the proposal, the Applicant also seeks to create four outdoor shed display areas on the Property to display its products. The outdoor storage of inventory and/or finished products is prohibited in the B-D zone. Therefore, a D(1) Use Variance is required. The Applicant requires the following Preliminary and Final Site Plan, D(1) Use Variance and Bulk Variance Approvals:

-Site Plan: The conversion of the Existing Building into a Tuff Shed branded retail facility, including Outdoor display areas as described above;

-D(1)Use Variance: Outdoor Storage: The outdoor storage of inventory and finished products is not permitted in the B-D Zone and the outdoor storage/display of the Applicant's products is proposed (461.16.A):

-Bulk Variances:

Front Yard Setback - Detached Accessory Structure: No detached accessory structure shall be located within 60 feet of the front lot line, 30' x 10' proposed shed display area located with required front yard setback (461-46.D(2));

Front Yard Setback - Detached Accessory Structure: No detached accessory structure shall be located within 60 feet of the front lot line, 60'-x 10' proposed shed display area located Within required front yard setback (461-46.D(2));

Distance from Main Building - Detached Accessory Structure: Minimum of 10 feet required, 30' x 10' proposed shed display area located less than 10 feet from main building (461-46.D(5));

Distance from Main Building - Detached Accessory Structure: Minimum of 10 feet required, 10' x 10' proposed shed display area located less than 10 feet from main building (461-46.D(5));

-Off-Street Parking: 7 off-street parking spaces required, 6 off-street parking spaces proposed (461-60.1):

-Parking Space Dimensions: 9' x 19' required, 9' x 18' proposed (461-60.P);
 -Screening: The Property's rear lot line abuts the R-B1 Zone District and therefore it is required to be screened with evergreens or a fence within a 6-foot-wide buffer area, no buffer area is proposed (461-52);
 -Minimum Front Yard Setback - Principal Building: 60 feet required, 33 feet existing and proposed (461-13);
 -Minimum Side Yard Setback - Principal Building: 10 feet required, 5.8 feet existing and proposed (461-13);
 -Minimum Rear Yard Setback - Principal Building: 20 feet required, 4.9 feet existing and proposed (461-13);
 -and for such other variances, exemptions, relief, deviations and/or waivers that may be required upon an analysis of the plans and testimony.

REVISED: Remove 30' x 10' display area and increase the size of the 10' x 12' shed display area to 10' x 22'.

3. Variance	GABRELLIAN ASSOCIATES (Clifton Towne Square) Bruce R. Rosenberg, Esq.	Route 3 West/ 225-259 Allwood Road Block 80.01, Lots 23 and 30	Pd- HC	Seeking a permit for OLD NAVY who is currently renovating space within the Center to install identification signage along the Route 3 façade which is permitted, and to install one single façade sign on the easterly side of the building which requires a C variance, and any variances or waivers that may be required by the Board during the course of the hearing.
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NEW HEARINGS

1. Use Variance	CLIFTON IL, LLC Frank A. Carlet, Esq.	782 & 784 Valley Road Block 44.01, Lots 14 & 11	R-A1	In addition to the Notice previously published, this is a supplemental application for a temporary use variance to permit parking of a trailer on Lot 14 in Block 44.01 adjoining the assisted living facility presently under construction on Lot 14 in said Block 44.01 to process applications for admission to said assisted living facility until April 30, 2020. (PLANS PREVIOUSLY HANDED OUT.)
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2. Variances	STUART BRODY	39 Norman Avenue Block 22.07, Lot 28	RB1	Deck proposed on left side of the house requires the following variances: 1) Left side yard proposed at 5.1' where 6' is required. 2) Combined side yards proposed at 12.6' where 16' is required. 3) Rear yard setback proposed at 30' where 35' is required. (PLANS SENT TO COMRS.)
3. Variance	VLADIMIR CANO	85 Elm Street Block 36.15, Lot 9	RB1	Applicant proposes to install a roof over the front stoop. A variance is requested for the front yard setback proposed at 17.4' where 21' is required. (PLANS SENT TO COMRS.)
4. Variance	KIRTAN PATEL	89 Van Riper Avenue Block 3.05, Lot 8	RB2	Applicant proposes to install a driveway on the left side of the lot. A variance is requested for the driveway to be installed 0' from the left side lot line where 5' is required. (PLANS SENT TO COMRS.)
5. Variances	51 CHESTER REALTY, INC. A. William Sala, Jr., Esq.	51 Chester Street Block 10.05, Lot 5	M-2	Applicant proposes to install a back-up generator on the right side of the building. Set back from the right side yard is required to be 15' and 6.1' is proposed. Lot coverage is proposed at 61% where 60% is permitted. Generator has a cover to enhance the appearance and reduce the sound. (PLANS SENT TO COMRS.)

6. **SHARON** 25 Grant Avenue RA3 Applicant has a
Variances **SCHWARTZMAN** Block 17.07, Lot 11 rear yard deck that
Leonard J. was built about 12
Andriuzzi, Esq. years ago. No
permits on file,
and the following
variances are
required:
1) Rear yard setback is 23.5' where 35' is
required.
2) Left side yard is 5.8' where 6' is required.
3) Combined side yards is 12' where 16' is
required. (PLANS SENT TO COMRS.)

RESOLUTIONS

1. GRANTED the application of STEVEN D'ANTHONY for variance approval for a 4-foot-high solid fence with a 1-foot-lattice for a total of 5 feet along both sides of the home at 27 Wester Place, Block 75.08, Lot 12. RA1

2. GRANTED the application of HILDA PEREZ for front yard setback and left side yard setback variances for a rear addition and second story addition at 49/51 Lotz Hill Road, Block 38.08, Lot 5. RA3

3. GRANTED the application of ZACHERY GROSS for left side yard setback and combined side yard setback variances to rebuild an existing one-family dwelling at 22 Virginia Avenue, Block 50.12, Lot 6. R-1A (SUBJECT TO RECEIPT OF DEED RESTRICTION - ONE-FAMILY)

4. GRANTED the application of TERESA ORTEGA for lot coverage and rear yard setback variances for a gazebo at 90 East 3rd Street, Block 5.14, Lot 34. RB1

5. GRANTED the application of SAI GROUP (Target Corp.) for use variance, amended preliminary and final site plan approval, and bulk variances to permit the installation of six electric vehicle charging stations together with a utility transformer and screened equipment area at 30 Kingsland Road, Block 83.01, Lot 1.02. P-MU