

AGENDA
BOARD OF ADJUSTMENT
CITY OF CLIFTON
September 4, 2019
7 P.M. REGULAR MEETING

Please take notice that formal action may be taken on the following applications on September 4, 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. **CLIFTON IL, LLC** 782 & 784 Valley Road R-A1 In addition to the
 Use Frank A.Carlet, Block 44.01, Lots 14 & 11 Notice previously
 Variance Esq. 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.

NEW HEARINGS

1. **ERIC POLICASTRO** 102 Huron Avenue RB1 Applicant proposes
 Variances Block 42.13, Lot 5 to build a rear
 yard deck. The
 following variances
 are requested:
 1) Rear yard setback proposed at 20' where 35'
 is required.
 2) Left side yard proposed at 4' and right side
 yard proposed at 3.1' where 6' is required.
 3) Combined side yards proposed at 7.1' where
 16' is required.
 4) Lot coverage proposed at 51.8% where 27% is
 permitted. (PLANS SENT TO COMRS.)

2. **EDGAR TORRES** 20 Spencer Avenue RB2 Applicant proposes
 Variance Block 42.04, Lot 12 to build a rear
 yard single story
 addition. Addition
 is proposed 20'
 from rear lot line
 where 35' is req'd.
 (PLANS SENT TO
 COMRS.)

3. **BAKER ASSAF** 93 DeMott Avenue RB1 Applicant proposes
 Variance Block 12.19, Lot 1 to install a 6'
 high solid fence
 along the street
 side yard where a
 4' high, 50% open
 fence is permitted
 and in the back
 yard where a 5'
 high fence is
 permitted.
 (PLANS SENT TO
 COMRS.)

4. **KHAL PARK AVE. LLC** 219 Rutherford Blvd. M-2 Applicant seeks to utilize the second floor of an existing two-story office building as a meeting room for prayer services.
 Use Block 60.07, Lot 1
 Variance Glenn Peterson, Esq.
- No change will be made to the exterior of the premises. Room will only be used on weekends and religious holidays. A use variance is required for a house of worship in a M-2 zone and for two uses on one lot. 18 parking spaces required and none provided. Together with any other relief as the Board deems necessary and proper. (PLANS SENT TO COMRS.)
5. **MARIA ARNONE** 1074 Main Avenue BC Applicant proposes to convert an existing retail space into a **HERB-A-LIFE** store, preparing shakes for the clients. The following variances are requested:
 Use Unit 1074A
 Variances Block 8.02, Lot 1
- 1) Conditional use variance, site does not meet bulk and parking requirements for a take-out restaurant.
 2) Use variance for mixed use building.
 (PLANS SENT TO COMRS.)
6. **MUBEEN RANA** 573-575 Clifton Avenue B-A1 Applicant proposes to add take-out food to an existing retail/grocery store. This store front received BOA approval on 9/3/2008 for take-out restaurant but the use was abandoned. Current tenant requests the following variances:
 Use Block 20.12, Lot 8
 Variances;
 Variances
- 1) Use variance for a take-out restaurant in a B-A zone.
 2) Use variance for a mixed use property.
 3) Existing, nonconforming bulk and parking requirements. (PLANS SENT TO COMRS.)

RESOLUTIONS

1. GRANTED the application of TUFF SHED, INC. for preliminary and final site plan approval, use variances and bulk variances to operate a Tuff Shed retail facility at 552 NJ-Route 3, Block 82.01, Lot 43. B-D
2. GRANTED the application of GABRELLIAN ASSOCIATES (Clifton Towne Square - OLD NAVY) for variance to install single façade sign on the easterly side of the building at Route 3 West/225-259 Allwood Road, Block 80.01, Lots 23 and 30. Pd-HC
3. GRANTED the application of STUART BRODY for variances for left side yard, combined side yards, and rear yard setbacks for a deck at 39 Norman Avenue, Block 22.07, Lot 28. RB1
4. GRANTED the application of VLADIMIR CANO for front yard setback variance for a roof over the front stoop and steps at 85 Elm Street, Block 36.15, Lot 9. RB1
5. DENIED the application of KIRTAN PATEL for a left side yard setback variance for a driveway at 89 Van Riper Avenue, Block 3.05, Lot 8. RB2
6. GRANTED the application of 51 CHESTER REALTY, INC. for lot coverage and right side yard setback variance approval for a back-up generator at 51 Chester Street, Block 10.05, Lot 5. M-2
7. GRANTED the application of SHARON SCHWARTZMAN for rear yard setback, left side yard setback, and combined side yard setback variances for a previously built rear yard deck at 25 Grant Avenue, Block 17.07, Lot 11. RA3