

AGENDA  
**ZONING BOARD OF ADJUSTMENT**  
**CITY OF CLIFTON**  
**September 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 September 15, 2021.

PLEDGE OF ALLEGIANCE  
CONTINUED HEARING

- |                                     |  |  |   |
|-------------------------------------|--|--|---|
| 1.<br>Use<br>Variance;<br>Variances | <b>J &amp; I CHIMICHANGA, LLC a/k/a EL MEXICANO CLIFTON</b><br>Franklin S. Montero, Esq.<br><b>(CONT'D. TO 10/20/21)</b> | 1293 Main Avenue BC<br>Block 11.07, Lot 16 | RA2<br>Variance application for expansion of existing restaurant for covered outdoor dining.<br><br>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.<br><br>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. |
|-------------------------------------|--|--|---|

NEW HEARINGS

- |                |                         |   |   |
|----------------|-------------------------|---|---|
| 1.<br>Variance | <b>WAEL EL-ZIND</b>     | 16 Trella Terrace<br>Block 33.07, Lot 4 | RA2<br>Applicant requires a variance for a deck that was under construction.<br><br>The deck is proposed with a rear yard setback of 21' where a minimum of 32' is required.<br>(PLANS SENT TO COMRS) |
| 2.<br>Variance | <b>JONATHAN KUSHNIR</b> | 99 Campbell Ave.<br>Block 42.13, Lot 31 | RB1<br>A variance is requested for an air conditioning unit installed less than 1' from the left side property line where 6' is required.<br>(PLANS SENT TO COMRS)                                    |

3. **CHERI ALBANESIUS** 111 Vreeland Ave. RB1 A variance is requested  
Variance Block 17.02, Lot 20 to install 6' high fence  
in the rear yard where a  
5' high fence is  
permitted.  
(PLANS SENT TO COMRS)
4. **HIREN** 187 Abbe Lane RA3 Applicant proposes to  
Variance **CHANDRATRE** Block 33.09, Lot 14 expand the driveway to  
right approximately 8'.  
A variance is requested for the portion of the  
driveway that will be in front of the house in an  
area not serving a garage. (PLANS SENT TO COMRS)
5. **DANIEL NOWAK &** 19 West 1<sup>st</sup> Street M-2 Applicant proposes to  
Use **MEHMET DIKCE** Block 9.07, Lot 7 convert an existing  
Variances single family home to a  
two-family home.  
Home is located within an M-2 Zone. The following  
variances are requested:  
1) Use variance required for a residential use  
within the M-2 zone;  
2) Use variance required for a proposed two  
fixture powder room in the basement with direct  
access to the exterior. (PLANS SENT TO COMRS)
6. **JOHAN KAFIL &** 453-463 Lexington Ave. BC Preliminary and Final  
Preliminary **TSUNGAS** Block 7.15, Lots 10 & 11 Site Plan approvals,  
& Final Site **PETROLEUM, INC.** to permit the  
Plan David C. Dixon, Esq. demolition and removal  
of an existing gasoline  
service station &  
derelict three-family  
residential structure,  
and construct thereon a mixed use, retail &  
multi-family residential structure, containing  
up to nine (9) residential units. In addition,  
this Applicant will request such variances,  
waivers, permits, approvals, or licenses that  
the Board deems necessary or appropriate.  
(PLANS SENT TO COMRS)
7. **CLIFTON IL, LLC** 782,784,810 & 818 RA1 This is an application  
Use Frank A. Valley Road for a subdivision to  
Variance; Carlet, Esq. Block 24.01, Lots 11, divide parts of Lot 15  
Variances 14, 15 & 18 and 18 from the existing  
lots and make those two  
sections part of  
existing Lot 14;  
For use variances as follows:  
1. A D1 Use Variance use not permitted in the  
zone.  
2. A D5 Density Use Variance (7 dwelling units  
permitted, 13.25 dwelling units proposed).  
3. A D6 Height Variance for a height higher than  
10% of the permitted height in the zone  
(41'5" proposed, 30' permitted).  
For bulk variances as follows:

1. Maximum impervious lot coverage as follows:
    - a. In the 15% slope area, 30% permitted, 47.2% proposed.
    - b. In the 15.1% to 25% slope area, 25% permitted, 48.8% proposed.
    - c. In the 25.1% to 30% slope area, 25% permitted, 25.3% proposed;
    - d. In the over 30% slope area, 0% permitted, 2.4% proposed.
  2. Maximum impervious coverage, 0% permitted, 12.6% proposed.
  3. Excavation in slopes in excess of 30%.
  4. Uppermost point of a cut slope higher than the top of the nearest downhill structure or building;
- And a waiver is required for the number of parking spaces as provided per RSIS (68 spaces proposed, 79 spaces required, but the application far exceeds the number of spaces required by the Zoning Ordinance (17 spaces required, 68 spaces provided). (PLANS SENT PREVIOUSLY)

### **RESOLUTIONS**

1. GRANTED the application of JIM BEIRNE for right and left side yard setback variances, combined side yard setback variances, and rear yard setback variances to construct a second floor addition over the existing attached garage and a rear addition and deck at 35 Englewood Road, Block 68.11, Lot 18. RA3

2. GRANTED the application of THOMAS GORDON for variance approval for a 4-foot-high solid fence with a 1-foot-high lattice on top for a total of 5 feet along the right side yard along John Street at 32 Livingston Street, Block 23.06, Lot 20. RA2

3. GRANTED the application of RYAN CARROLL & JORDAN MERA for approval for a 20 foot wide curb cut at 130 Abbe Lane, Block 33.08, Lot 4. Raw

4. GRANTED the application of DOMINGO MARTINEZ for variance approval for conversion of a garage into living space, for a driveway in front of a house not serving a garage, at 41 Sussex Road, Block 68.09, Lot 27. RA3

5. GRANTED the application of N. MURILLO MEDICAL CENTER for variance approval to enclose the existing front porch to create an additional office space and parking variance at 463 Clifton Avenue, Block 12.08, Lot 14. BC

6. GRANTED the application of CORE DEVELOPMENT GROUP for minor site plan, use variance, lot area and rear yard setback variances for the purpose of installing solar carport facilities at 100 Delawanna Avenue, Block 61.03, Lot 27. M3

7. DISMISSED WITHOUT PREJUDICE the application of EMPIRE REALTY MANAGEMENT CORP. to demolish the Allwood Theater and replace with three retail stores and 4-story apartment building with 42 housing units at 94-96 Market Street, Block 68.03, Lot 43. BC