

DATE _____

BOARD OF ADJUSTMENT

PLANNING BOARD

PROOF OF PAYMENT OF TAXES

FEE Variance _____

Site Plan _____

Conditional use _____

Subdivision _____

Tax Collector

**CITY OF CLIFTON
APPLICATION FOR DEVELOPMENT AND/OR APPEAL
TO BE COMPLETED BY THE APPLICANT**

Site Location 340 Lexington Avenue Block 8.22 Lot 37 & 39

1. Name of Applicant: Lexington Partners, LLC

Address: 50 Mt. Prospect Avenue, Clifton, NJ 07013 Telephone: 973-471-6100

Relation to Owner if not same as Owner: Contract Purchaser

2. Name of Owner (if other than Applicant): Estate of Joseph C. Fila

Address: 340 Lexington Avenue, Clifton, NJ 07011 Telephone: 973-546-6999

3. The applicant is Corporation A Partnership Individual

Other (please specify): Limited Liability Company

If the applicant is a corporation or partnership, please attach a list of names and addresses of persons having a 10% interest or more in the corporation or partnership.

CORPORATIONS MUST BE REPRESENTED BY AN ATTORNEY-AT-LAW

4. Name of Architect or Engineer: Seth A. Leeb, AIA Architect

Address: 1719 Route 10 East, Suite 100, Parsippany, NJ 07054 Telephone: 973-267-4201

5. Name of Attorney: Frank A. Carlet, Esq.

Address: 1135 Clifton Avenue, Suite 104, Clifton, NJ 07013 Telephone: (973) 777-6200

6. Has this property been the subject of a hearing before the Board of Adjustment or Planning Board

Yes No Disposition

7. Deed restrictions that apply or are contemplated: YES NO

(If yes, attach copy)

DESCRIPTION OF PREMISES

8. Corner Interior Zone District RB-3 Lot Size 17,295

9. Lot Dimensions: Front 69.97' Rear 69.96' R. Side 246.59' L. Side 247.84'

BUILDING/OR STRUCTURE SETBACKS

10. Existing: Front 12.5' Rear 140' R. Side 10.9' L. Side 14.9'

11. Proposed: Front 1.34' Rear 6.01' R. Side 5.56' L. Side 5.56'

Present Use: Funeral Home

Proposed Use: Mid-Rise Multi-Family Residential Apartment Building

The Administrative Officer has declined to issue a permit and has made the following decision regarding the zone status of this application:

TYPE OF APPLICATION

Site Plan

Conditional Use

"A" Variance

"B" Variance

"C" Variance

"D" Variance (Use)

Preliminary & Final

IMPORTANT: MUST BE ANSWERED BY ALL APPLICANTS:

Type(s) of Variance Requested and how relief can be granted without substantial detriment to Public good or Clifton's Zone Plan See Rider Attached.

OFFICE USE ONLY

BOARD OF ADJUSTMENT

PLANNING BOARD

Date of Hearing _____

Board action required by _____
Date

Application declared complete on _____
Date

Final Decision Rendered on _____
Date

APPROVED

APPROVED WITH CONDITIONS

DENIED

WITHDRAWN OR DISMISSED

DEED RESTRICTION

Being duly sworn, says that he is the applicant or one of the applicants in the above action: that the application, if filed as an appeal from any order or decision of the Zoning Officer, has been filed within the time required by law, and that all of the matters and facts set forth in the foregoing application are true. Lexington Partners, LLC

By: 
Jeffrey Cape APPLICANT

State of New Jersey

County of: Passaic

Sworn to and subscribed before me

this 16TH day of June 2020


SIGNATURE OF OFFICER ADMINISTERING OATH (Notary)

FRANK A. CARLET

Attorney at Law
OFFICE OF SUCH OFFICER
of the State of New Jersey

If the applicant is not the owner of the property, have the owner sign below consent or file with the application a letter signed by the owner consenting to the application.

The foregoing application is hereby consented to this _____ day of June 2020

Estate of Joseph C. Fila

By: 
Jodie Fila, ^{Owner} Executrix

Sworn and subscribes before me

this 23rd day of June 2020


SIGNATURE OF OFFICER ADMINISTERING OATH (Notary)

DONNA NAZZARO
A Notary Public of New Jersey
My Commission Expires Nov. 4, 2024

TITLE OF SUCH OFFICER

State of New Jersey

County of: Passaic

**RIDER TO APPLICATION
FOR DEVELOPMENT AND/OR APPEAL
Crest Development
340 Lexington Avenue
Clifton, New Jersey**

A D.6 (Height Use Variance 3 stories and 35' Permitted, 4 stories and 52' Proposed) is required. Bulk variances for minimum lot area per dwelling unit (2178 square feet required, 456.9' proposed), minimum lot width (100' required, 69.97' proposed) minimum front yard setback (25' required, 1.34' proposed), minimum rear yard setback (48.5' required, 5.01' proposed), minimum side yard setback (10' required, 5.56' proposed), minimum side yard setback for both side yards (22' required, 11.12' proposed), minimum street side yard setback (15' required, 5.56' proposed), lot coverage (25% permitted, 82.86% proposed), parking spaces (62 spaces required, 36 spaces proposed) off-street parking and loading spaces, parking aisles and maneuvering areas not to be located in any required front yard and within ten feet of a required corner side lot line within 10' of a rear lot line permitted but encroachments into each said setbacks is proposed which require bulk variances.

The variances can be granted without any substantial detriment to the public good and the Clifton Zone Plan because of the location of the property. It is in the Botany Village Section of the City which is fully developed and with none of the property located in the RB-3 zone being developed with structures which meet the bulk requirements of the Zoning Ordinance. The proposed apartment building will replace a non-conforming funeral home use with a permitted use that will provide much needed housing in the area. It will also replace an old structure with a much more up-to-date and modern structure in brand new condition. All of this will be to the betterment of the City rather than to its detriment.