

AGENDA
ZONING BOARD OF ADJUSTMENT
CITY OF CLIFTON
JANUARY 17, 2024
7:00 P.M. REGULAR MEETING

Please take notice that formal action may be taken on the following applications at the Regular Meeting on January 17, 2024.

PLEDGE OF ALLEGIANCE

CONTINUED HEARINGS

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| 1.
Variances; Use
Variance; Site
Plan | GEELAND,
LLC
Michael D.
Sullivan, Esq.
(CONTINUED
TO 02/07/2024) | 811-813 Rt 46, Block 34.03, Lots 75 and 77 – R-A2 –
The applicant proposes to raze the existing commercial building and construct a 4-story 125,200 sq ft self storage facility, parking, lighting, landscaping, stormwater management, and related site improvements. The applicant seeks relief as follows: 1. A variance pursuant to N.J.S.A. 40:55D-70d(1) to permit a self-storage facility use which is not a permitted use in the R-A2 Zone District contrary to Section 461-13.1.C. 2. A variance pursuant to N.J.S.A. 40:55D-70d(6) to permit building height of 39.8 feet where a maximum of 30 feet is allowed pursuant to Section 461 Attachment 1. 3. A variance pursuant to N.J.S.A. 40:55D-70c to permit a 4-story building where a maximum of 2 stories is allowed pursuant to Section 461 Attachment 1. 4. A variance pursuant to N.J.S.A. 40:55D-70c to permit 14 parking spaces where a minimum of 67 parking spaces are required pursuant to Section 461-60.1.A. 5. A variance pursuant to N.J.S.A. 40:55D-70c to permit 2 loading spaces where a minimum of 13 loading spaces are required pursuant to Section 461-60.1B. 6. A variance pursuant to N.J.S.A. 40:55D-70c to permit a ground sign 2 feet from the right-of-way line where a minimum of 30 feet is required pursuant to Section 461-55.C. The applicant seeks such other approvals, variances, waivers or design exceptions that may be deemed necessary. |
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**2. ASHER & ALIZA WITTY
(CONTINUED TO 02/07/2024)**

20 Parson Rd., Block 57.01, Lot 11 – RA3 – The applicant is proposing to expand an existing one story home to include a second floor as well as a rear addition and front porch which require the following variances; lot coverage proposed at 34.10% where 27% required, side yard setback proposed at 5.44' where 6' required, front yard setback proposed at 18.10' where 25' required, and proposing two offices and a playroom in the basement where one open recreation room is permitted.

NEW HEARINGS

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| 1.
Variances | EDDY
CORDOVA | 12 Milton Ave., Block 37.04, Lot 21 – RB1 – The applicant is proposing a 2.5 story addition which will require the following variances; combined yards proposed at 14.8' where 24' is permitted (PLANS SENT TO COMRS). |
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2. **QUICKS REALTY LLC**
Peter G. Aziz, Esq. 802 Van Houten Ave., Block 36.10, Lot 16 – BC – The applicant is seeking approval to convert the property presently used a shop/one family residence to a shop/two family residence. Applicant will seek any other variance, waivers or exceptions that are deemed to be necessary in connection with this application (PLANS SENT TO COMRS).
3. **DATA DELAY DEVICES, INC.**
John Pogorelec Esq. 11 Penobscot Street., Block 30.11 Lot 30,50,60 – M2 - Applicant is seeking variances for: minimum front yard where 40 feet is required, 6.44 feet is existing, and 6.00 feet is proposed; minimum side yard where 40 feet is required, 2.93 feet is existing, and 2.93'/4.0' is proposed; minimum side yard (both) where 40 feet is required, 22.36 feet is existing, and 10.0 feet is proposed; minimum rear yard where 40 feet is required, 0.00 feet is existing, and 0'/4.0' is proposed; maximum building coverage where 60% is required, 56.27% is existing, and 68.83% is proposed; maximum building height (story) 4 story required, 2 story existing, and 2 story proposed; maximum building height (ft.) 40 feet required, 38 feet existing, and 38'/30.5' provided; and parking where 57 spaces are required, 12 spaces are existing, and 34 spaces (on site) and 35 spaces (NJ Transit Lot) are proposed and for any and all such other approvals, variances, waivers and/or exceptions as may be set forth in the application documents or as may be determined to be required by the Zoning Board of Adjustment. (PLANS SENT TO COMRS).
- 4. **I.R. PROPERTY MANAGEMENT LLC**
Gary Cohen, Esq. 5 Milton Ave., Block 37.05, Lot 15 – RB1 – . Applicant is seeking to combine the use of the 2 lots (one lot in Passaic and one lot in Clifton), and to construct a new 3,241 square foot 2 story 26.75 foot height 6 unit residential apartment building, with each apartment to have 2 bedrooms, with 12 parking spaces including 1 handicapped parking space. The Passaic lot would only contain the parking lot portion of the development. The Attorney for the Applicant is Gary E. Cohen, Esq., 180 Main Ave., Passaic, N.J. 07055, telephone number 973-472-7088. The application in question requires the following approval/relief from the City of Clifton Zoning Board of Adjustment as per the Clifton Zoning Ordinance: Variances for: 1] Allowing a D1 use variance, pursuant to N.J.S.A. 40:55D-70.d (1), in that the proposed six unit residential building principal structure that the Applicant is seeking to build is not permitted in that the R-B1 Zone District in Clifton, rather only one or two family houses are permitted in that zoning district. 2] Allowing D1 use variance, pursuant to N.J.S.A. 40:55D-70.d (1), in that the proposed six unit residential building principal structure that the Applicant is seeking to build is not permitted in that the C Zone District in Passaic, rather only commercial structures are permitted in that zoning district. 3] Allowing D1 use variance, pursuant to N.J.S.A. 40:55D-70.d (1), in that for the City of Passaic, Stand-Alone Parking Lots are not permitted in the Zone. 4] Width of Lot- where 75 ft lot width is required, the Clifton lot has a width of 56.04 ft, but the combined two lots shall have a width 95.52 ft, an existing condition. 5] Width of Lot- where 75 ft lot

depth is required, the Passaic lot has a width of 39.48 ft, but the combined two lots shall have a width 95.52 ft, an existing condition. 6] Depth of Lot- In the event that either Board determines the depth of either of the Lots are insufficient 7] Density- where it is required to have 3,750 sq ft of lot area for each dwelling unit, and proposed is 1,724 sq ft of lot area for each dwelling unit. 8] Front Yard- where 25 ft is required, and 5.0 ft is proposed. 9] Rear Yard- where 35 ft is required, and 7.70 ft is proposed. 10] Side Yard- where 12 ft is required for each side yard and 5 ft exists. 11] Side Yard Street Side- where 10 ft is required on the street side and 5 ft exists 12] Lot Coverage- where 25% is allowed, 31.3% is proposed. 13] Parking- where 12 on site parking spaces are required, 12 onsite parking spaces are proposed, but subject to the input of the Board of Adjustment as to any additional onsite parking spaces that may be required. 14] For isle width where 25 ft is required and 24 ft is proposed. 15] For electric vehicle station requirements, number of onsite parking stalls as the Board of Adjustment may require and parking stall size. 16] For minimum parking stall length where 19 feet for each stall is required and 18 feet for each stall is proposed. 17] Preliminary and final site plan approval with associated “c” and “d” variances; 18] Granting all other relief, waivers, variances and approvals that may be required or may be raised during the course of the hearing. The application in question requires the following approval/relief from the City of Passaic Zoning Board of Adjustment as per the Passaic Zoning Ordinance: Variances for: 1] For site plan approval; 2] The Passaic City portion to be developed as a parking lot with a portion of the lot to be used for ingress and egress into the property, except that the lot will service a 6 apartment unit residential building on the adjacent lot located in Clifton, and thus should the City of Passaic Board determine this to be the applicable use, allowing D1 use variance, pursuant to N.J.S.A. 40:55D-70.d (1), in that the proposed six unit residential building principal structure that the Applicant is seeking to build is not permitted in that the C Zone District in Passaic, rather only commercial structures are permitted in that zoning district; and 3] The Passaic City portion in that Stand-alone Parking Lots are not permitted as a principle use in any zone, and Applicant seeks a D1 use variance, pursuant to N.J.S.A. 40:55D-70.d (1). 4] For electric vehicle station requirements, number of onsite parking stalls as the Board of Adjustment may require and parking stall size where parking stalls are to be 19ft x 9ft, and 18ft x 9ft is proposed. 5] For isle width where 25 ft is required and 24 ft is proposed. 6] Granting all other relief, waivers, variances and approvals that may be required or may be raised during the course of the hearing. (PLANS SENT TO COMRS).

ADOPTION OF RESOLUTIONS/MINUTES

1. Vidal Rodriguez, 56 Myrtle Ave., Block 84.02, Lot 1- Denial of application for variance relief (minimum rear yard setback, minimum lot width, maximum lot coverage) to convert an existing one-family dwelling to a two-family dwelling in the R-B1 zone.

2. Brad Perna & Mayra Munoz, 7 Clifton Terrace, Block 30.10, Lot 6- Denial of application for variance relief (minimum lot area, minimum side yard setback, minimum front yard setback) to convert an existing one-family dwelling to a two-family dwelling in the R-B2 zone.
3. Neil & Meryl Hillsberg, 54 Witherspoon Rd., Block 74.07, Lot 5- Approval of application for variance relief (minimum side yard setback) to construct an addition to an existing single-family residence in the RA-1 zone.
4. Peter Mastriano c/o Madeline Investments, LLC, 125 Madeline Ave., Block 42.04, Lot 12- Approval of application for site plan approval (bifurcated from use variance approved 9/20/23) and variance relief (minimum number of parking spaces, drive aisle width, parking lot setback, minimum landscaping requirements in parking area) in the RB-2 zone.
5. Call The Ball Billiards, Inc., 1142 Rt 46, Block 44.04, Lot 25- Approval of application for D(2) Use Variance to expand a legal nonconforming use, site plan approval, and variance from minimum number of parking spaces required for the addition of a kitchen and bar to an existing nonconforming billiards hall in the B-D zone.
6. Minutes of the January 3, 2024 Reorganization Meeting and Regular Meeting