

**AGENDA**  
**ZONING BOARD OF ADJUSTMENT**  
**CITY OF CLIFTON**  
**FEBRUARY 7, 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 February 7, 2024.

**PLEDGE OF ALLEGIANCE**

**CONTINUED HEARINGS**

- |                                                                        |                                                  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
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| 1.<br>Preliminary &<br>Final Site Plan<br>with Use &<br>Bulk Variances | <b>GEELAND, LLC</b><br>Michael<br>Sullivan, Esq. | 811-813 Rt 46, Block 34.03, Lots 75 and 77 – R-A2 –<br>D. The applicant proposes to raze the existing<br>commercial building and construct a 4-story 125,200<br>sq ft self storage facility, parking, lighting,<br>landscaping, stormwater management, and related site<br>improvements. The applicant seeks relief as follows:<br>1. A variance pursuant to N.J.S.A. 40:55D-70d(1) to<br>permit a self-storage facility use which is not a<br>permitted use in the R-A2 Zone District contrary to<br>Section 461-13.1.C. 2. A variance pursuant to N.J.S.A.<br>40:55D-70d(6) to permit building height of 39.8 feet<br>where a maximum of 30 feet is allowed pursuant to<br>Section 461 Attachment 1. 3. A variance pursuant to<br>N.J.S.A. 40:55D-70c to permit a 4-story building<br>where a maximum of 2 stories is allowed pursuant to<br>Section 461 Attachment 1. 4. A variance pursuant to<br>N.J.S.A. 40:55D-70c to permit 14 parking spaces<br>where a minimum of 67 parking spaces are required<br>pursuant to Section 461-60.1.A. 5. A variance<br>pursuant to N.J.S.A. 40:55D-70c to permit 2 loading<br>spaces where a minimum of 13 loading spaces are<br>required pursuant to Section 461-60.1B. 6. A variance<br>pursuant to N.J.S.A. 40:55D-70c to permit a ground<br>sign 2 feet from the right-of-way line where a<br>minimum of 30 feet is required pursuant to Section<br>461-55.C. The applicant seeks such other approvals,<br>variances, waivers or design exceptions that may be<br>deemed necessary. |
| 2.<br>Variances                                                        | <b>ASHER &amp;<br/>ALIZA WITTY</b>               | 20 Parson Rd., Block 57.01, Lot 11 – RA3 – The<br>applicant is proposing to expand an existing one story<br>home to include a second floor as well as a rear<br>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.

3.  
Variances  
  
**(CONTINUED  
TO 3/6/24)**

**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.  
Preliminary &  
Final Site Plan  
w/ Use and Bulk  
Variances  
  
**(CONTINUED  
TO 3/6/24)**

**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. 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] 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. 3] 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. 4] Front Yard- where 25 ft is required, and 5.0 ft is proposed. 5] Rear Yard- where 35 ft is required, and 7.70 ft is proposed. 6] Side Yard- where 12 ft is required for each side yard and 5 ft exists. 7] Side Yard Street Side- where 10 ft is required on the street side and 5 ft exists 8] Lot Coverage- where 25% is allowed, 31.3% is proposed. 9] 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. 10] For isle width where 25 ft is required and 24 ft is proposed. 11] For electric vehicle station requirements, number of onsite parking stalls as the Board of Adjustment may require and parking stall size. 12] For minimum parking stall length where 19 feet for each stall is required and 18 feet for each stall is proposed. 13] Preliminary and final site plan approval with associated “c” and “d” variances; 14] 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).

5. **QUICKS REALTY LLC**  
 Bifurcated Use Variance; Bulk Variances  
 Peter G. Aziz, Esq.  
**(CONTINUED TO 3/20/24)**

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).

**NEW HEARINGS**

1. **ELIDIA PEREZ**  
 Minor Subdivision; Use variance to expand a nonconforming use; bulk variances  
 Matthew Capizzi, Esq.

147 Huron Ave., Block 49.02, Lot 19 – RB1 –  
 The Applicant is seeking subdivision approval to divide the Property into two fully conforming building lots; (1) Proposed Lot 19.01 which will contain a two-family residence and (2) Proposed Lot 19.02 which will contain the existing VFW Building.

As to the VFW Building, the Applicant seeks a "use" variance pursuant to N.J.S.A. 40:55D-70(D)(2), as Proposed Lot 19.02 contains a lot area less than

existing Lot 19 and the reduction of lot area upon which the VFW Building will sit results in a technical identification of the non-conforming use.

As to the two-family residence at Proposed Lot 19.01, pursuant to N.J.S.A. 40:55D-70(c)(1) & (c)(2), the Applicant seeks a variance to exceed Maximum Number of Stories (2.5 Stories Maximum Allowed. v. 3 Stories Proposed). Furthermore, as to the VFW Building at Proposed Lot 19.02, pursuant to N.J.S.A. 40:55D-70(c)(1) & (c)(2), the Applicant seeks a variance to exceed Maximum Building Coverage (25% Maximum Allowed v. 56.8% Proposed). In addition, the Applicant is also before the Board seeking ratifications of existing non-conforming conditions at Proposed Lot 19.02 as follows: • Minimum Front Yard Setback: (25' Minimum Required v. 21.8' Existing and Proposed); • Minimum Side Yard Setback: (6' Minimum Required v. 3.1' Existing and Proposed); and • Minimum Rear Yard Setback: (35' Minimum Required v. 3.6' Existing and Proposed). (PLANS SENT TO COMRS).

### **ADOPTION OF RESOLUTIONS/MINUTES**

1. Minutes of the January 17, 2024 Regular Meeting