

**AGENDA**  
**ZONING BOARD OF ADJUSTMENT**  
**CITY OF CLIFTON**  
**June 2, 2021**  
**7 P.M. REGULAR MEETING**

Please take notice that formal action may be taken on the following applications at the Regular Meeting on June 2, 2021.

**PLEDGE OF ALLEGIANCE**  
**CONTINUED HEARINGS**

1. Use Variance; Variances

**LEXINGTON PARTNERS, LLC**  
Frank A. Carlet, Esq.  
**(CONTINUED TO 07/21/2021)**

340 Lexington Ave. RB3 Applicant requests Block 8.22, Lots 37 & 39 the following:

1. A D.6 (Height Use Variance 3 stories and 35' Permitted, 4 stories and 48' Proposed) is required.
2. Bulk variance for minimum lot area per dwelling unit (2178 square feet required, 558' proposed).
3. Minimum lot width (100' required, 69.97' proposed).
4. Minimum front yard setback (25' required, 1.34' proposed).
5. Minimum rear yard setback (48.5' required, 5.01' proposed).
6. Minimum side yard setback (10' required, 5.56' proposed).
7. Minimum side yard setback for both side yards (22' required, 11.12' proposed).
8. Minimum street side yard setback (15' required, 5.56' proposed).
9. Lot coverage (25% permitted, 82.86% proposed).
10. Parking spaces (56 spaces required, 42 spaces proposed).
11. 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 of said setbacks is proposed, high pressure sodium site lighting fixtures required but no longer manufactured. Therefore, the Applicant proposes fluorescent fixtures similar in size, shape and lighting quality to that which is required and all off street parking areas having 10,000 or more square feet of paved area shall provide landscaping for the interior parking lot areas at a minimum of 20 square feet of interior lot landscaping for each parking space with a minimum landscape dimension of 5'x5' which the applicant does not provide and for which it seeks a variance.

NOTE: AMENDED NOTICE-CHANGES UNDERLINED.

**NEW HEARINGS**

1. **JOSEPH AND MARIE HERTILUS** 171 Charles Street RA1 Applicant proposes to  
Variance Block 62.05, Lot 9 install a 5' high, solid fence behind their house along Churchill Drive where a 4' high, 50% open fence is permitted.  
(PLANS SENT TO COMRS.)
  
2. **NENA DIMAANO** 739 Bloomfield Ave. RA3 Applicant proposes to  
Variance Block 57.01, Lot 3 install a 5' solid fence alongside the house and in the yard on the Parson Road side where a 4' high, 50% open fence is permitted.  
(PLANS SENT TO COMRS.)
  
3. **LILLIAN BARNHART & CHARLIE VELEHRADSKY** 70 Christie Avenue RB1 Applicant proposes to  
Variances Block 2.10, Lot 69 install a 6' high, solid fence along the right side of the house where a 4' high, 50% open fence is permitted. Also 6' high fence is proposed in rear yard, right side, where a 5' high fence is permitted.  
(PLANS SENT TO COMRS.)
  
4. **LEOAN MENDEZ** 403 Highland Avenue RB2 Applicant proposes a  
Variances Block 21.08, Lot 10 rear two-story addition. The following variances are required:  
1) Right side yard is 3'3" where 12' minimum is required;  
2) Existing non-conforming lot width.  
(PLANS SENT TO COMRS.)
  
5. **DAWN BARTOLOZZI** 21 Emma Place RB1 Applicant proposes a  
Variances Block 43.11, Lot 09 second story addition and rear deck. The following variances are requested:  
1) Right side yard is 1.2' where 6' is required.  
2) Combined side yards are 5.47' where 16' is required.  
3) Lot coverage proposed at 28.7% where 27% is permitted.  
4) Front yard setback is 10.3' where 25' is required.  
(PLANS SENT TO COMRS.)

6. **AVRAHAM KATZ** 119 South Parkway RA3 Applicant proposes to  
 Variances Block 60.09, Lot 23 build a two-story, rear  
 addition and renovate  
 the existing home. The  
 following variances are  
 requested:
- 1) Street side yard setback is 8' 10" where 10'  
 is required;
  - 2) Lot coverage is proposed at 28.2% where 27%  
 is permitted;
  - 3) Attached garage will be reduced to 13'4" where  
 19' is required for a parking space.
- A variance is required for a driveway leading to  
 the house not serving a garage.  
 (PLANS SENT TO COMRS.)
7. **MIGUEL** 46 East Clifton Ave. RB2 Applicant proposes to  
 Variances **RODRIGUEZ** Block 7.04, Lot 39 build a second floor  
 addition, rear deck and  
 roof over front stoop.  
 The following variances  
 are requested:
- 1) Front yard setback is 6.2' to the house and  
 2.2' to the roof over the stoop where 25' is  
 required;
  - 2) Rear yard setback is proposed at 34.26' to  
 the deck where 35' is required;
  - 3) Right side yard is 4.0' where 6' is required.
  - 4) Lot coverage proposed at 28% where 27% is  
 permitted.
- (PLANS SENT TO COMRS.)
8. **AARON YOUNGER** 94 Rutherford Blvd. RA3 Applicant proposes a  
 Variances Block 60.10, Lot 20 two-story, rear addition  
 and a second floor  
 addition over the  
 existing attached  
 garage. The following  
 variances are requested:
- 1) Left side yard is 4.41' where 6' is required.
  - 2) Front yard is 21.42' where 25' is required.
  - 3) Combined side yards are 10.58' where 16' is  
 required.
  - 4) Proposed lot coverage is 27.44' where 27% is  
 permitted.
- (PLANS SENT TO COMRS.)

9. **STEVEN BAHO-** 750 Van Houten Ave. B-C Applicant seeks approval  
Use **750 VAN HOUTEN,**Block 36.13, Lots 27 to operate a sit-down  
Variance **LLC** and 29 Gong Cha "Bubble Tea"  
Bianca P. restaurant. A "d" 3  
Pereiras, Esq. conditional use variance  
is required as the  
existing building does  
not meet bulk  
requirements.

If approved, the Bubble Tea Shop will operate in the area previously used by a hair salon and next to the Carvel Ice Cream Shop. The Applicant is also seeking such additional or other variances, exceptions, approvals, permits, waivers or relief from or pursuant to the Ordinance, including waivers of design standards and/or submission requirements, as may be determined to be necessary to develop the Premises in the manner indicated in the application, plans and materials.

#### RESOLUTIONS

1. GRANTED the application of PALESTINIAN AMERICAN COMMUNITY CENTER for conditional use variances and preliminary and final major site plan approval for a community center at 386 Lakeview Avenue, Lot 15; and an art gallery at 390 Lakeview Avenue, Lot 12, at 386 and 390 Lakeview Avenue, Block 5.24, Lots 12 and 15. B-C

2. GRANTED the application of ANDREW CARELL for variance for a 0-foot-setback between driveway and side yard line to install a 12.5-foot-wide driveway on the right side of the property at 80 Warren Street, Block 22.12, Lot 11. RA3

3. GRANTED the application of MELANA MALLAH for a variance for a 5-foot-high solid fence with 1-foot lattice on top, for a total of 6 feet, in the rear yard at 34 Oak Ridge Road, Block 41.14, Lot 7. RA2

4. GRANTED the application of JAMIE LYNNE SALEK for variances for two-story accessory structure and height variance to replace an existing garage with a two-story "barn" accessory structure at 1239 Valley Road, Block 74.06, Lot 17. RA1

5. GRANTED the application of MAIN AVENUE CHICKEN LLC (POPEYE'S) for preliminary and final major site plan approval, use variance, conditional use variance, bulk variances to utilize a portion of one of the existing commercial buildings for a proposed restaurant with counter space at 16 Main Avenue, Block 82.06, Lots 7 and 14. PMU