

AGENDA
ZONING BOARD OF ADJUSTMENT
CITY OF CLIFTON
JUNE 21, 2023
7 P.M. REGULAR MEETING

Please take notice that formal action may be taken on the following applications at the Regular Meeting on June 21, 2023.

PLEDGE OF ALLEGIANCE

REMANDED HEARING

- | | | |
|---|--|--|
| 1. Use Variance; Variance; Site Plan | JOHN RADER Ira E. Weiner, Esq. (CONTINUED TO 07/19/2023) | 817-825 Clifton Ave., Block 35.06, Lot 16 – B-C Site plan approval required to remove the existing MOONEY AUTO REPAIR GARAGE, to enlarge the building housing the existing DUNKIN DONUTS building, to create an additional store, two vestibule entrances to the two stores and a drive-in facility. A bulk variance is required to permit the use of lighting other than the ordinance required high-pressure sodium lighting, because it is no longer manufactured. A use variance is required to permit the drive-in window. All other nonconformities are pre-existing and do not required variances. DENIED DECEMBER 2, 2021 – COURT-ORDERED REMAND. |
|---|--|--|

CONTINUED HEARINGS

- | | | |
|----------------------------------|--|--|
| 1. Variances; Use Variance | 522 VALLEY ESTATES LLC Jason R. Tuvel, Esq. (CONTINUED TO 06/21/2023) | 522 Valley Road, Block 32.01, Lot 12 – Steep Slope Dist The Applicant seeks approval to demolish the existing building and construct a new residential complex consisting of six (6) townhouse/multifamily dwelling units, along with related site improvements, including but not limited to parking, landscaping and lighting. The Applicant seeks use variance relief pursuant to N.J.S.A. 40:55D-70(d)(6) for building height greater than permitted (35 ft. permitted; 39.38 ft. proposed). The Applicant also seeks bulk variance relief pursuant to N.J.S.A. 40:55D-70(c) and design waiver/exception relief, including: (1) Number of stories greater than permitted (3 stories permitted; 4 stories proposed); (2) Open space consisting of less than 25 ft. and located within 10 ft. of side or rear Property lines proposed where same is not permitted; (3) Soil proposed to be excavated in excess of 30% and on the cliff face where same is not permitted; (4) Building coverage for over 30% slope area greater than permitted (0% permitted; 1.7% proposed); (5) Impervious surface (lot) coverage for 0-15% slope area greater than permitted (30% permitted; 31% proposed); (6) Open space for over 30% slope area less than required (100% required; 98% proposed); (7) Ground sign proposed where same is not permitted; and (8) Ground sign setback from Valley Road less than required (40 ft. required; 17.4 ft. proposed). The Applicant also seeks any additional deviations, exceptions, design waivers, submission waivers, variances, use variances, conditional use variances, interpretations, de minimis exceptions to the State of New Jersey Residential Site Improvement Standards, continuations of any pre-existing non-conforming conditions, modifications of prior imposed |
|----------------------------------|--|--|

conditions and other approvals reflected on the filed plans (as same may be further amended or revised from time to time without further notice) and as may be determined to be necessary during the review and processing of the Application. (PLANS SENT TO COMRS.)

- | | | | |
|----------------------------|--|--|--|
| 2. | | 833 CLIFTON AVE PARTNERS, LLC Glenn Peterson, Esq. (CONTINUED TO 06/21/2023) | 833 Clifton Avenue, Block 35.07, Lot 1 - BC Preliminary and final site plan approval, use variance, bulk variances and exterior LED lighting. The applicant seeks approval to construct a 3-story residential apartment building containing 26 one-bedroom units. Any and all additional variances that may be required. (PLANS SENT TO COMRS.) |
| Variances; Use Variance | | | |
- | | | | |
|---------------------------------|-------------|--|---|
| 3. | | MAIN FOOT AND ANKLE LLC Glenn Peterson, Esq. (CONTINUED TO 06/21/2023) | 1610 Main St. & 80 W. 2 nd St., Block 9.07, Lots 25 and 36 – B-C (Lot 26) and M-2 (Lot 25) – The applicant is proposing a consolidated subdivision of 1610 Main Avenue and 80 West 2 nd Street. The applicant further proposes a 3-story mixed use building for medical offices and a retail pharmacy. A D1 use variance is requested in addition to any and all other variances as may be required. (PLANS SENT TO COMRS.) |
| Variances; Variance; Plan | Use Site | | |
- | | | | |
|-----------|--|--------------------|---|
| 4. | | SASAN IMANI | 32 Lorrie Lane, Block 71.03, Lot 24 – RA3 – The applicant is proposing a second-floor expansion and 3rd story addition which requires the following variances, side yard setbacks proposed at 4.9' and 4.5' where 6' is required, combined side yard setback proposed at 9.4' where 16' is required, proposing conversion of attic to 3rd story where 2 stories are permitted. (PLANS SENT TO COMRS.) |
| Variances | | | |
- | | | | |
|---------------------------------|-------------|---|---|
| 5. | | DHF REALTY LLC Glenn Peterson, Esq. | 618-630 Rte 46, Block 24.05, Lot 1 - M-2 with PDO-1 Overlay–The applicant is requesting a use variance and site plan approval to store 148 unregistered new and used motor vehicles in connection with an offsite automobile dealership as well as on site fleet maintenance. Applicant is also looking for relief from the following variances, parking in front yard where not permitted, parking areas no closer than 5' side lot line where 0.5' is being proposed, and any other variances, waivers, exceptions, or other relief that may be necessary. (PLANS SENT TO COMRS.) |
| Variances; Variance; Plan | Use Site | | |

NEW HEARINGS

- | | | | |
|-----------|--|--------------------------------------|---|
| 1. | | KRISTY & ORLANDO MELENDEZ | 2 Orange Street, Block 91.13, Lot 12 – RA3 – The applicant is requesting to keep already existing 5’ solid fence along Princeton Place within 10’ of the street side yard property line where 4’ 50% open is required. (PLANS SENT TO COMRS.) |
| Variances | | | |
- | | | | |
|-----------|--|---|---|
| 2. | | GEZIM & NEZIRAJ VALBONA SECI | 38 Speer Ave., Block 43.06, Lot 20 - RB1 – The applicant is proposing to construct a deck on the side of the home which is an expansion of a nonconforming 3 family use. (PLANS SENT TO COMRS.) |
| Variances | | | |

3. Variances **ANGEL VALDEZ** 57 Speer Ave., Block 43.15, Lot 6 – RA3 - The applicant is proposing rear addition to existing home which requires the following variance; 10’ separation between home and garage where 8’ being proposed. (PLANS SENT TO COMRS.)
4. Variances; Use variance **SOMERSET PLACE, LLC**
Steven Schepis, Esq. 15 Somerset Pl., Block 56.07, Lot 11.01 – M-2 – The applicant proposes to add a level to the existing two-story masonry industrial-type building. The applicant also proposes an expansion of the existing office / warehouse use typically used by contractors in the various trades, together with a small, on-site parking lot, as required by Ordinance. The proposed uses are permitted conditionally within the Zone. Unfortunately, due to the size of the property, there are practical difficulties with regard to constructing the building in compliance with the setback requirements. As a result, the following bulk variances for the expanded building are requested, including but not limited to: 1. Rear yard setback-20 ft is required, 5.7 ft is existing, and 1 foot is proposed. 2. Side yard setback (west/left)-15 feet required, 11.8 ft existing, and 11.8 ft proposed 3. Side yard setback (east/right)-15 feet required, 3.6 ft existing and 3.6 ft proposed. The existing and proposed use of office, warehouse, storage, parking is conditionally permitted in the zone. The required conditions are as follows: 1. Frontage of principal access to such use shall be located on a collector or arterial street not less than 60 ft. in width, except if the Planning Board shall allow such use to be permitted on a collector or arterial street less the 60ft. in width provided that there was a finding that such street can reasonably carry the expected truck traffic and location of such use will not adversely affect adjacent properties and use of all the other requirements of the traffic. 2. The frontage of the lot on which such usage proposed could be located shall not be within a half-mile of a public or parochial school, or public park, or playground which abuts the same street as the proposed truck terminal, transportation or warehouse fronts except when it abuts State Highways number 3 and 46 measured from the center line of the street. 3. Use shall not be located on a lot any part of which is within a 100 ft. of residential district boundaries. 4. Use shall meet all area height and bulk requirements for industrial plans in the M-2 District and shall meet the off-street parking, loading and unloading and buffer requirements of this traffic as it pertains to industrial plans in the M-2 District. The proposed expanded use does not meet any of these conditions and as a result a conditional use variance is requested pursuant to NJS 40:55D-70d.(3). In addition, the applicant requests any other variance, waiver, or design exception as may be deemed necessary by the Zoning Board of Adjustment of the City of Clifton in order to secure approval of all plans, plats, and applications submitted. (PLANS SENT TO COMRS.)

RESOLUTIONS

1. GRANTED the application of KEVIN & KAREN URENA to keep already existing 4’ solid fence along MacArthur Drive and 5’ solid fence where 4; 50% open is required for premises located at 30 MacArthur Drive, Block 63.01, Lot 1.

2. DENIED the application of NANCY ASMAD to keep already constructed 6' solid fence in rear yard where 5' solid and 1' lattice is permitted and along a portion of the right side of the home where 5' solid is permitted for premises located at 146 6th Avenue, Block 9.05, Lot 2

3. GRANTED the application of ATEF HOUWAYEK for a rear yard setback variance to construct a rear addition for premises located at 678 Bloomfield Ave, Block 50.05, Lot 44.

4. GRANTED the application of CLIFTON ELKS LODGE 1569 for variances to keep a previously constructed metal ramp to provide ADA accessibility for premises located at 775 Clifton Avenue, Block 30.09, Lot 14 & 15.