

AGENDA
BOARD OF ADJUSTMENT
CITY OF CLIFTON
JUNE 22, 2022
COMMENCING AT 7 P.M.

SPECIAL MEETING

Please take notice that formal action may be taken on the following application on June 22, 2022.

PLEDGE OF ALLEGIANCE
CONTINUED HEARING

(AS REVISED FOR 6/22/22):

- | | | | |
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| 1.
Use
Variance;
Variances | TFJ HAZEL LLC
Meryl A. G.
Gonchar, Esq. | 252 Hazel Street &
237 West 3 rd Street
Block 16.11, Lots 1 & 2 | RB2
Preliminary and Final
Major Site Plan approval,
Minor Subdivision (lot
consolidation) approval,
d(1) use variance, d(5) density variance, and bulk
("c") relief to construct a three (3)-story mid-rise
(two (2) stories over parking), multi-family
residential building containing fifty-four (54)
dwelling units (currently proposed to contain
twenty (20), one (1)-bedroom units; thirty-four
(34), two (2)-bedroom units)and resident amenities
(the "Proposed Building"), along with 104 on-site
parking spaces (seventy-six (76) covered/under the
Proposed Building and twenty-eight (28) surface
parking spaces), and related site improvements
(all proposed improvements collectively referenced
as the "Project") on the "Property." |
|-------------------------------------|--|--|--|

Lot 1 (+/- 71,752 square feet) is currently improved with a vacant, nonconforming manufacturing/ industrial building that was formerly operated as a textile dyeing and finishing facility (International Veiling Corp.).

Lot 2 (+/- 3,500 square feet) is improved with a vacant, one-family residential dwelling. As part of the application, the existing lots will be consolidated (combined) to form a new lot consisting of +/- 75,252 square feet and the existing improvements will be removed.

The Project is proposed to be accessed by a full-movement driveway along 7th Avenue and a full-movement driveway at the intersection of 7th Avenue and West 4th Street. An on-site loading zone is being proposed for resident, delivery, and refuse collection. Proposed site improvements include, but are not necessarily limited to, an electrical transformer and associated concrete pad, grading and drainage, stormwater management, underground utilities, lighting, landscaping, a monument sign near the proposed driveway on Seventh Avenue, directional/wayfinding signage, building identification signage, electric vehicle charging stations, paving and striping, curbing, and walkways/sidewalks.

The Property is in the R-B2 (Residential, One- and Two-Family and Garden Apartments) Zone District (the "R-B2 Zone"), which does not permit mid-rise, multi-family residential buildings.

In connection with the preliminary and final major site plan approval related to the Project, the Applicant is seeking the following variances pursuant to N.J.S.A. 40:55D-70(d), from the City of Clifton Zoning Ordinance (the "Ordinance"), as follows:

1. From Section 461-13.1.E "Use Regulations" for the R-B2 Zone - To permit a mid-rise, multi-family residential building in the R-B2 Zone, where mid-rise, multi-family residential buildings are not permitted.
2. From Section 461-13, Attachment 1 "Schedule of Regulations as to Bulk, Height and Other Requirements Residential Zone" - Minimum Lot Area per Dwelling Unit - To permit a lot area per dwelling unit of 1,393.6 square feet, where a minimum lot area per dwelling unit of 3,351 square feet is required.

In connection with the preliminary and final major site plan approval related to the Project, the Applicant is seeking the following variances pursuant to N.J.S.A. 40:55D-70(c), from the Ordinance, and/or waivers / exceptions from the Residential Site Improvement Standards (RSIS), N.J.A.C. 5:21-4.14, as follows:

1. From Section 461-13, Attachment 1 "Schedule of Regulations as to Bulk, Height and Other Requirements - Residential Zone" - Minimum Rear Yard Setback - To permit a rear yard setback (measured to the Garden State Parkway right-of-way) of 4.7 feet, where a minimum rear yard setback of 40 feet is required.
2. From Section 461-13, Attachment 1 "Schedule of Regulations as to Bulk, Height and Other Requirements - Residential Zone" - Minimum Side Yard Setback - To permit a side yard setback of 12 feet (along Hazel Street (CR702)), where a minimum side yard setback of 20 feet is required.
3. From Section 461-13, Attachment 1 "Schedule of Regulations as to Bulk, Height and Other Requirements - Residential Zone" - Minimum Combined Side Yard Setback - To permit a combined side yard setback of 33.6 feet (12' as measured from Hazel Street (CR702) and 21.6' as measured from the property line adjoining Block 16.11, Lot 17), where a minimum combined side yard setback of 40 feet is required.

4. From Section 461-13, Attachment 1 "Schedule of Regulations as to Bulk, Height and Other Requirements - Residential Zone" - Maximum Lot Coverage of Principal Building - To permit a maximum lot coverage of 43.4%, where a maximum lot coverage of 25% is permitted.

5. From Section 461-60.1.A, "Requirements for off-street parking and loading spaces" - To permit 104 parking spaces to be provided, where 135 parking spaces are required under the Ordinance, but not under RSIS which controls.

6. From Section 461-42.A, "Additional requirements" - To permit pole-mounted, building-mounted, and/or site light-emitting diode (LED) lighting fixtures, where high-pressure sodium vapor lights are required.

7. From Section 461-60.A, "Standards for parking spaces and areas" - To permit off-street parking spaces sized 9' wide by 18' deep, where parking spaces are required to be 9' wide x 19' deep under the Ordinance, but not under RSIS which controls.

While the Applicant believes that except as stated above, the application is in conformance with the Ordinance, the Applicant recognizes that the Property has multiple street frontages along Hazel Street, West Third Street, Seventh Avenue, West Fourth Street, and the Garden State Parkway, and it may be determined during the review and processing of the application and/or based upon an analysis of the plans and testimony at the public hearing, that the Property has multiple front yards. In the event that it is determined that the Property has multiple front yards, the application may require additional variances from the Ordinance for minimum front yard setback (minimum of 25 feet required), minimum rear yard setback (minimum of 40 feet required), and/or minimum side yard setback (each, minimum of 20 feet required; combined/both, minimum of 40 feet required). If it is determined that the application requires such additional minimum front yard setback(s), minimum rear yard setback(s), and/or minimum side yard setback(s) the Applicant is hereby requesting same as part of the application.

The Applicant also requests any other approvals, waivers, variances, deviations and/or exceptions from the Ordinance, the City of Clifton General Ordinances, and/or RSIS as may be determined to be required for the Project during the review and processing of the application and/or based upon an analysis of the plans and testimony at the public hearing.