

**AGENDA**  
**ZONING BOARD OF ADJUSTMENT**  
**CITY OF CLIFTON**  
**JULY 19, 2023**  
**7 P.M. REGULAR MEETING**

Please take notice that formal action may be taken on the following applications at the Regular Meeting on July 19, 2023.

**PLEDGE OF ALLEGIANCE**

**REMANDED HEARING**

- |   |  |  |
|---|--|--|
| 1.<br>Use Variance;<br>Variance;<br>Site Plan | <b>JOHN RADER</b><br>Ira E. Weiner, Esq.<br><b>(CONTINUED<br/>TO 07/19/2023)</b> | 817-825 Clifton Ave., Block 35.06, Lot 16 – B-C<br>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 require variances. DENIED DECEMBER 2, 2021 – COURT-ORDERED REMAND. (PLANS SENT TO COMRS.) |
|---|--|--|

**CONTINUED HEARINGS**

- |                                  |   |   |
|----------------------------------|---|---|
| 1.<br>Variances;<br>Use Variance | <b>522 VALLEY ESTATES LLC</b><br>Jason R. Tuvel, Esq.<br><b>(CONTINUED<br/>TO 07/19/2023)</b> | 522 Valley Road, Block 32.01, Lot 12 – Steep Slope Dist<br>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. **MAIN FOOT AND ANKLE LLC** 1610 Main St. & 80 W. 2<sup>nd</sup> 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<sup>nd</sup> 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.)  
 Variance; Use Variance; Site Plan Glenn Peterson, Esq.  
**(CONTINUED TO 07/19/2023)**
3. **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

**NEW HEARINGS**

1. **MOHAMMAD JUBRAN** 435 Lakeview Avenue, Block 1.10, Lot 35 – B-C – The applicant requests 1] Approving a variance as to Clifton Ordinance, Zoning Law, Article IV, Section 461-13.1 and allowing the three-fixture full bathroom, containing a stall shower, sink, and toilet, located in the basement of this two-family residential house to be approved, remain in the basement and be maintained where said Ordinance does not permit this bathroom. 2] Approving a variance as to Clifton Ordinance, Zoning Law, Article IV, Section 461-64, in order to allow the attic, which is part of this two-family house, connected to the house by way of a hallway, but not directly connected to the second floor apartment, and not used for sleeping, cooking, sanitary facilities, nor everyday living, to be sheet rocked and finished to be used for purposes of storage. The attic will not be connected to any heating and cooling systems, nor will the attic have any kitchen, bathroom or electrical system. 3] Allowing the issuance of the Certificate of Occupancy for the first floor apartment and for the second floor apartment. 4] 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.)  
 Variance; Use Variance Gary Cohen, Esq.
2. **LIHUA ZHOU** 605 Van Houten Avenue, Block 43.02, Lot 5 – B-C – The applicant is requesting a use variance to change the present use at the subject location from a salsa studio to a health spa which will include massage services. The new use is a conditional use in the zone that doesn't meet all the conditional use requirements. (PLANS SENT TO COMRS.)  
 Use Variance Dominic Iannarella, Esq.

- |                                  |   |  |
|----------------------------------|---|--|
| 3.<br>Variances                  | <b>10 JAMES ST LLC</b><br>Dominic<br>Iannarella, Esq. | 10 James St., Block 4, Lot 11 – RB3 - The applicant is requesting variance to keep already installed 6' electric fence in the front yard of the property where 4' 50% open is permitted. (PLANS SENT TO COMRS.)  |
| 4.<br>Variances; Use<br>variance | <b>ALEX MILICH</b><br>Dominic<br>Iannarella, Esq.     | 243 Parker Avenue, Block 4.16, Lot 34 – PD-1 – The applicant is proposing to construct a 3-story mixed use building consisting of a bakery with an administrative office and a residential apartment The applicant requests the following variances for this lot: 1. Lot area will be 1,494 sq. ft. which is already existing where 2,500 sq ft is required 2. Lot width will be 13.13 ft which is already existing where 25 ft is required. 3. The number of stories will be 3 where 2 are required and 1 is existing. 4. The lot coverage will be 91.3% where 90% is required and 58.7% is existing. 5. The use will be changed from an ice cream store to a mixed-use building with a bakery use and a residential apartment, and any other variances or waivers that the board may require. (PLANS SENT TO COMRS.) |

**COMMUNICATION**

1. Communication requesting an extension of variances granted to AVI & BAYLA GELLER, 15 East Parkway, Block 58.05, Lot 8, granted June 15, 2022, adopted July 20, 2022.

**RESOLUTIONS**

1. DISMISSED WITHOUT PREJUDICE the application of 833 CLIFTON AVE PARTNERS LLC for preliminary and final site plan approval and related variances to construct a 3 story residential apartment building containing 26 one bedroom units for premises located at 833 Clifton Avenue, Block 35.07, Lot 1.
2. GRANTED the application of DHF REALTY LLC for bulk variances, use variance, and site plan approval to store 148 new and used motor vehicles in connection with an offsite automobile dealership as well as onsite fleet maintenance for premises located at 618-630 Rte 46, Block 24.05, Lot 1.
3. GRANTED the application of KRISTY & ORLANDO MELENDEZ for a variance to retain an already existing 5’ solid fence where 4’ 50% open is required for premises located at 2 Orange Street, Block 91.13, Lot 12.
4. GRANTED the application of GEZIM NEZIRAJ & VALBONA SECI for a variance permitting construction of a side yard deck which expands a nonconforming 3 family use for premises located at 38 Speer Ave, Block 43.06, Lot 20.
5. GRANTED the application of ANGEL VALDEZ for a variance to construct a rear addition to existing home which provides for 8’ separation between home and garage where 10’ is required for premises located at 57 Speer Ave, Block 43.15, Lot 6.
6. GRANTED the application of SOMERSET PLACE, LLC for a conditional use variance and bulk variances in order to add a level to the existing two story building and expand offices and warehouse use for premises located at 15 Somerset Place, Block 56.01, Lot 11.01.
7. GRANTED the application of iLEARN SCHOOLS INC for preliminary and final major site plan approval, conditional use variance, and bulk variances related to the expansion of the existing elementary school building for premises located 400 Mt. Prospect Ave., Block 55.03, Lot 1.