

AGENDA
ZONING BOARD OF ADJUSTMENT
CITY OF CLIFTON
SEPTEMBER 20, 2023
7 P.M. REGULAR MEETING

Please take notice that formal action may be taken on the following applications at the Regular Meeting on September 20, 2023.

PLEDGE OF ALLEGIANCE

REMANDED HEARING

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| 1.
Use Variance;
Variance;
Site Plan | JOHN RADER
Ira E. Weiner, Esq.
(CONTINUED
TO 10/04/2023) | 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. |
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CONTINUED HEARINGS

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| 1.
Variances; Use
Variance; Site
Plan | MAIN FOOT
AND ANKLE
LLC
Glenn Peterson,
Esq.
(CONTINUED
TO 09/20/2023) | 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.) |
| 2.
Variances, Use
Variance, Site
Plan | CLIFTON
CHEDER INC
Jason Tuvel, Esq.
(CONTINUED
TO 09/20/2023) | 213-224 Barkley Ave., Block 19.10, Lot 1 and Block 19.08 Lot 13 – RB1 and B-D Zone – The Applicant seeks approval to convert the existing house of worship with accessory day care center at the Building Lot into a house of worship with private school, along with related site improvements, including but not limited to landscaping and lighting (the "Proposed Development"). The Applicant also seeks approval to utilize the Parking Lot for vehicular parking ancillary to the Proposed Development. The Applicant seeks use variance relief pursuant to N.J.S.A. 40:55D-70(d)(1) for proposing off-site parking associated with the Proposed Development, if deemed necessary. The Applicant seeks conditional use variance relief pursuant to N.J.S.A. 40:55D-70(d)(3) for the Proposed Development for failure to meet the following conditions; (1) minimum lot area (1 acre required; 0.67 acre existing/proposed); (2) number of stories (2 stories permitted; 2.5 stories existing/proposed); (3) maximum impervious coverage (20% permitted; 74.7% existing; 75% proposed); (4) minimum front yard setback (25 ft. required; 9.8 ft. existing/proposed); and (5) minimum side yard setback (25 ft. required; 7.4 ft. existing/proposed). To the extent necessary, and in the alternative, the Applicant seeks use |

variance relief pursuant to N.J.S.A. 40:55D-70(d)(1) for the Proposed Development, if deemed necessary. The Applicant also seeks bulk variance and design waiver/exception relief, including: (1) parking less than required (44 spaces required; 0 spaces existing/proposed on the Building Lot); (2) fence height in front yard and street side yard greater than permitted (4 ft. permitted; 6 ft. proposed); and (3) fence height in side yard greater than permitted (5 ft. permitted; 6 ft. proposed). The Applicant also seeks any additional deviations, exceptions, design waivers, submission waivers, variances, use variances, conditional use variances, interpretations, 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.)

NEW HEARINGS

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| 1.
Variances | HASAN
FERDOUS | 4 Gillies St., Block 14.23, Lot 8 – RB2 – The applicant is proposing to relocate front door and steps to add a driveway to the right side of the home which requires the following variance; side yard setback proposed at 0' where 5' is required, driveway proposed in front of the home where not permitted, and proposed length of driveway is approximately 12' where 19' is required. (PLANS SENT TO COMRS.) |
| 2.
Variances; Use
Variance | MEMET TOY | 489 Clifton Ave., Block 12.08, Lot 7 – B-C – The applicant is requesting a use variance to convert current commercial property into a mixed use building utilizing part of the second floor for one residential unit. Applicant is also requesting a parking variance for proposing one new parking space where two would be required for the residential unit. (PLANS SENT TO COMRS.) |
| 3.
Variances | MANUEL
ACOSTA | 177 Christie Ave., Block 6.15, Lot 23 – RB1 – The applicant is requesting to construct a 4'x8' platform with steps to a new house entrance which requires the following variances; side yard setback proposed at 4.2' where 12' required and lot coverage proposed at 35.3% where 25% required. (PLANS SENT TO COMRS.) |
| 4.
Variances | YAZAN
ALBAJES | 99 Arlington Ave., Block 14.23, Lot 8 – RB1 – The applicant is proposing to construct a detached garage in place of old sheds which require the following variances; garage proposed at 75' from the main dwelling where a maximum of 20' is required and proposing to extend existing driveway at 0' where 5' is required from side property line. (PLANS SENT TO COMRS.) |

5. **DAVID MIRIAM SHERIL** & 386 Rutherford Blvd., Block 58.07, Lot 38 – RA3 – The applicant is requesting a front porch addition to an existing single family home which requires the following variances; front yard setback proposed at 13.25' where 25' is required, combined yard setback proposed at 15.8' where 16' is required, lot coverage proposed at 38.45% where 27% required. (PLANS SENT TO COMRS.)
6. **MARLON ESTEFANIA MORA** & 119 Rutgers Pl., Block 27.10, Lot 58 – RA2 – Applicant proposes to convert the existing attached garage into living space. The garage door will remain and a variance is required for a driveway in front of the home not serving a garage. (PLANS SENT TO COMRS.)
7. **MAHMOUD ALHAJ** Dominic Iannarella, Esq. 21 Hillman St., Block 11.08, Lot 10 – RB2 – The applicant is proposing a second-floor addition which requires the following variances; front yard setback proposed at 19.3' where 25' is required, side yard setbacks proposed at 4.9' and 4.7' where 6' required, and combined yard setback proposed at 9.6' where 16' is required. (PLANS SENT TO COMRS.)
8. **SHUMEL FRAYDA GRUNBERGER** Dominic Iannarella, Esq. & 146 Rutherford Blvd., Block 60.09, Lot 28 – RA3 – The applicant is proposing an addition which include a second story and alterations to an existing single-family home which requires the following variances; front yard setback proposed at 17.2' where 25' is required, side yard setback proposed at 5.12' where 6' is required, combined side yard setback proposed at 10.36' where 16' is required, and lot coverage proposed at 35.3% where 27% is required. Applicant also proposes to convert the existing attached garage into living space. The garage door will remain and a variance is required for a driveway in front of the home not serving a garage, and elimination of one parking space where two is required. (PLANS SENT TO COMRS.)
9. **PETER MASTRIANO** Dominic Iannarella, Esq. 125 Madeline Ave., Block 16.16, Lot 7 – RB1 – The applicant is requesting a use variance for the conversion of an existing mixed use building to 4 residential apartments where as 2 residential units are permitted. A parking variance is also being requested for proposing 5 spaces and 8 are required. Any other variances, waivers, exceptions, or other relief that may be necessary are also being requested. (PLANS SENT TO COMRS.)

RESOLUTIONS

1. DENIED the application of SASAN IMANI for side yard and combined side yard variances to permit conversion of the attic to a 3rd story addition where 2 stories are permitted for premises located at 32 Lorrie Lane, Block 71.03, Lot 24.
2. GRANTED the application of KANOON RESTAURANT for variances to construct a fully enclosed, covered patio, covered walkway, and 160 sq ft shipping container for premises located at 349 Hazel Street, Block 15.13, Lot 7.
3. GRANTED the application of LORD AND SHEPHERD PROPERTIES LLC for preliminary and final site plan approval, use variance relief, and bulk variances to replace an existing furniture store with a restaurant and self storage space for premises located at 1500 Main Ave., Block 9.19, Lot 1.