

RESOLUTION OF THE PLANNING BOARD OF JERSEY CITY

APPLICANT: 244 Clinton Investment LLC

FOR: PRELIMINARY AND FINAL SITE PLAN APPROVAL WITH “C”
BULK VARIANCES
244 CLINTON AVENUE, JERSEY CITY, NEW JERSEY 07304
BLOCK 18302, LOT 51

CASE NUMBER: P20-006

WHEREAS, the Applicant, **244 Clinton Investment LLC**, per **Peter Cecinini, Esq.** **appearing**, made application to the Planning Board of the City of Jersey City, County of Hudson and State of New Jersey, for Minor Subdivision and Site Plan approval with “c” bulk variances pursuant to N.J.S.A. 40:55D-70(c) to subdivide a 50X90 lot and build a new 2-family house on the new lot of the property located at 244 Clinton Avenue, Jersey City, New Jersey 07304, also known on the Jersey City Tax Maps as Block 18302, Lot 51; and

WHEREAS, due notice of a hearing before the Planning Board of the City of Jersey City, on November 17, 2020 at 6:30 p.m., was duly published as prescribed in the land use Ordinance of the City of Jersey City and in accordance with NJ MLUL; and

WHEREAS, the application was heard by the Planning Board on November 24, 2020; and

WHEREAS, the Applicant has submitted proof that it has complied with the applicable procedural requirements including the payment of fees and public notices; and

WHEREAS, all testimony having been formally heard for this application; and

WHEREAS, after consideration of the application, the testimony presented at the meeting, and the oral and written comments and recommendations of the Division of Planning professional staff, the Planning Board has made the following findings of fact:

FINDINGS OF FACT

1. The Applicant, 244 Clinton Investment, LLC, filed an application to the Planning Board of the City of Jersey City, County of Hudson and State of New Jersey, for Minor Subdivision and Site Plan approval with bulk variances pursuant to N.J.S.A. 40:55D-70(c), to subdivide a 50X90 lot and build a new 2-family house on the new lot of the property located at 244 Clinton Avenue, Jersey City, New Jersey 07304, also known on the Jersey City Tax Maps as Block 18302, Lot 51.

2. The parcel is located within R-1, One and Two Family Housing District.
3. As part of the application, the Applicant is seeking "c" bulk variances as it relates to lot area and lot depth. Although initially a variance for rear-yard set-back was also requested, on consultation with Jersey City Senior Planner Cameron Black the applicant moved the proposed footprint of the new construction forward in the final plans submitted. Therefore no variance for rear-yard set-back is required.
4. The current zoning requires a lot to be at least 100' in depth and to have at least 2500 square feet of area.
5. The subject property is an existing rectangular lot, measuring 50 feet by 90 feet and located on Clinton Avenue in zone R-1. This pre-existing lot does not have the required 100' in depth, and the subsequent proposed lots would not have at least 2500 square feet each.
6. Due to the exceptional and unique shallowness of the pre-existing lot, the strict application of the ordinance would result in exceptional difficulties to, and undue hardships upon, the developer of the property. These conditions are unique to the subject property, and there is no reasonable or practical way for the developer to cure the deficient length of the lot. The variances being requested are the reasonable minimum needed.
7. Granting the requested bulk variances and site plan approval would not cause substantial detriment to the public good, and would not substantially impair the intent and purpose of the zone plan and zoning ordinance.

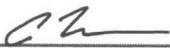
NOW, THEREFORE, BE IT RESOLVED that the Planning Board of the City of Jersey City, County of Hudson and State of New Jersey, for the foregoing reasons, approves the within application for Minor Subdivision and Site Plan approval with bulk variances pursuant to N.J.S.A. 40:55D-70(c), to subdivide a 50X90 lot into two 25X90 lots and build a new 2-family house on the new unimproved lot, at the property located at 244 Clinton Avenue, Jersey City, New Jersey 07304, also known on the Jersey City Tax Maps as Block 18302, Lot 51, in accordance with the plans and subdivision survey submitted by the applicant, subject to the following conditions:

1. The architect of record shall be retained during construction and shall submit a signed and sealed affidavit affirming that site construction was consistent with approved plans prior to the issuance of any Certificate of Occupancy.
2. All materials and color selections shall be shown on Final Plans.


3. No change to the façade and site design, including materials as well as any changes that may be required by the Office of Construction Code, shall be permitted without consultation with and approval by planning staff.
4. All testimony given by the Applicant and their expert witnesses in accordance with this application shall be binding upon approval.
5. All street trees shall be installed in accordance with 345-66, prior to the issuance of the certificate of occupancy.

APPLICANT: 244 CLINTON DEVELOPMENT LLC
FOR: MINOR SUBDIVISION AND SITE PLAN APPROVAL WITH "C"
VARIANCES
244 CLINTON AVENUE, JERSEY CITY, NEW JERSEY
BLOCK 18302 LOT 51.
CASE NUMBER: P20-006

COMMISSIONER:	YES	NO	ABSTAIN	ABSENT
Christopher Langston, Chairman	X			
Dr. Orlando V. Gonzalez, Vice Chairman	X			
Geoffrey Allen, Commissioner	X			
Vidya Gangadin, Commissioner	X			
Peter Horton, Commissioner	X			




Christopher Langston (Jan 20, 2021 14:56 EST)
CHRISTOPHER LANGSTON, CHAIRMAN
JERSEY CITY PLANNING BOARD



erica baptiste (Jan 20, 2021 09:07 EST)
ERICA BAPTISTE, SECRETARY
JERSEY CITY PLANNING BOARD

APPROVED AS TO LEGAL FORM:



Santo T. Alampi (Jan 20, 2021 10:10 EST)
Santo T. Alampi, ESQ.
Attorney for Planning Board

DATE OF HEARING:

November 24, 2020

DATE OF MEMORIALIZATION:

January 19, 2021