

RESOLUTION  
JERSEY CITY ZONING BOARD OF ADJUSTMENT  
CASE # Z19-068  
MINOR SITE PLAN with "D" and "C" VARIANCES

IN THE MATTER OF THE APPLICATION OF:  
ANGEL ORTIZ  
260 PALISADE AVENUE  
BLOCK 6001, LOT 29  
HEARING DATE: DECEMBER 19, 2019

---

WHEREAS, ANGEL ORTIZ, the Applicant, is the owner of the subject property in the City of Jersey City; and,

WHEREAS, the Applicant has applied to the Zoning Board of Adjustment of the City of Jersey City for Minor Site Plan approval with a Use Variance pursuant to N.J.S.A.40-55D-70(d) and Bulk Variances pursuant to N.J.S.A. 40-55D-70(c), to permit the expansion of a nonconforming three (3) residential unit building with one apartment on each of the three floors; and,

WHEREAS, the Applicant has provided proof that all required fees have been paid and all required notices have been given; and,

WHEREAS, the Board has heard, considered and reviewed the application presented by the Applicant, comments of counsel and expert witnesses for the Applicant, comments of the Board's staff, and no other interested parties appearing; and,

WHEREAS, the Board has made the following findings of fact and conclusions based upon said evidence:

FINDINGS OF FACT

1. The Applicant, Angel Ortiz has made an application to the Zoning Board of Adjustment of the City of Jersey City for Minor Site Plan approval with deviations pursuant to N.J.S.A 40:55(d) (use) and N.J.S.A. 40:55(c) (floor to ceiling height on all levels and maximum building coverage).
2. The parcel is currently located within the R-1 zone.
3. The purpose of this application is to expand an existing a three (3) unit residential building to contain one apartment on each of three floors, one of which floors is on the basement level. The proposed expansion is consistent with the character of the adjoining

properties and promotes the public health, safety and welfare; population density is appropriate; and, a desirable visual environment is promoted.

4. As part of this application, the Applicant is seeking the following deviations:

a. Floor to ceiling height on basement and first floor levels which continues, and is consistent with the existing floor to ceiling height of the basement and first floor levels, being 8' 10" and 8' 11" respectively. The top floor will have 13' 8" floor to ceiling height where the building code permits a maximum floor to ceiling height of 12'.

b. Building Coverage. In terms of building coverage of 65% where 60% is the maximum allowed, this is not a substantial detriment or substantial change.

5. Negative Criteria. There is no substantial detriment to the public welfare as the subject project is very consistent with what is immediately on the block. So there is no substantial detriment to the general welfare. There is no substantial detriment to the intent and purpose of the zone plan in terms of the density and intensity of development. Thusly, there is no substantial detriment to either the zone plan or general welfare.

NOW, THEREFORE, BE IT RESOLVED BY THE ZONING BOARD OF

ADJUSTMENT OF THE CITY OF JERSEY CITY THAT the Application of

ANGEL ORTIZ for "D" and "C" Variances and Minor Site Plan

Approval is hereby granted, subject to the following conditions:

1. All materials and color selections shall be shown on Final Plans. No change to the facade 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 planning staff and approval by planning board.
2. Applicant shall provide an affidavit from the architect of record representing that the constructed project is consistent with final approved plans.
3. All street trees and landscaping shall be installed in accordance with the Jersey City Forestry Standards prior to issuance of a Certificate of Occupancy.

BE IT FURTHER RESOLVED THAT this Board's secretary shall provide a copy of this

Resolution to the Applicant's attorney and to all who request a copy of same.

**RESOLUTION  
JERSEY CITY ZONING BOARD OF ADJUSTMENT  
CASE # Z19-068  
VARIANCE**

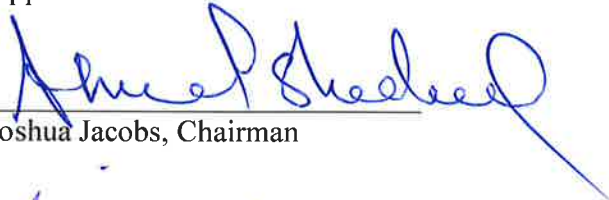
IN THE MATTER OF THE APPLICATION OF:  
ANGEL ORTIZ  
260 PALISADE AVENUE  
BLOCK 6001  
LOT 29

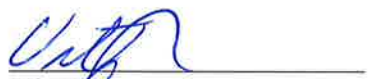
---

**ROLL CALL**

	In favor	Opposed	Abstained
Chairman Jacobs	X		
Commissioner Donnelly	X		
Commissioner Shedeed	X		
Commissioner McCormack	X		
Commissioner Rothman	X		
Commissioner Vilardo	X		
Commissioner Mitchell	X		

Approved: 7-0

  
Joshua Jacobs, Chairman

  
Vincent LaPaglia Esq.  
Approved as to Legal Form.

  
Lindsey Sigmund, Board Secretary

Date Application Approved:  
Date Application Memorialized:

December 19, 2019  
January 23, 2020

