

THERE WILL BE A \$25.00 FEE WHEN SUBMITTING APPLICATION

Township of Lyndhurst  
APPLICATION FOR ZONING APPROVAL

Application is hereby made by the undersigned for a Zoning Certificate to be issued in accordance with the requirements of the Township of Lyndhurst. All plans, drawings, surveys and other documentation submitted with this application are deemed to be part of this Application. The undersigned hereby agrees to comply with all of the Ordinances and Regulations of the Township of Lyndhurst. If any use of building or structure applied for herein shall be in violation of the aforesaid Ordinances or Regulations, the Zoning Officer shall have the right to stop such use or work on the premises until such violations shall have been corrected, and there shall be no liability on the part of the Township of Lyndhurst because of such stoppage.

APPLICANT: Manzo Doran Park Ave LLC FOR OFFICE  
Name: 14-16 Howe Ave. 2nd floor USE ONLY  
Address: Roselle NJ 07068 913-7A-6666 Fee Paid: Yes:   
Tel No. No:

PROPERTY ADDRESS: 1 Stuyvesant Ave. + 18 Park Ave.  
BLOCK: 6 LOTS: 1 + 38

PROPERTY OWNER: (if different from Applicant)  
Name: 1 Stuyvesant Ave, LLC  
Address: 1 Bridge Plaza  
Tel No. Fort Lee, NJ 07605  
201-214-7522

ZONE: Lot 1 - B1 Lot 38 - R-C  
CURRENT USE: VACANT Former Bank  
INTENDED USE: retail coffee shop with walk-up and drive-in  
EXPLAIN IN DETAIL THE PROPOSED CONSTRUCTION: New 255 sq. ft. building with outdoor seating and walk-up window, retaining large flag pole at intersection of Park + Stuyvesant  
SIZE OF NEW CONSTRUCTION (sqft):

(Attach survey showing present condition and proposed construction)

CERTIFICATION OF APPLICANT  
I, Richard N. Doran Jr., being of full age, certify as follows:  
Print Your Name

- I am the owner of the above property or, in the alternative I have permission from the owner to make this application
- The use of the property and occupancy of the property will be in accordance with all of the Ordinances and Regulation of the Township of Lyndhurst and all other authorities.
- I certify that the above statements and the statements in this Application and any attachments hereto are true to the best of my knowledge. I am aware that if they are willfully false, I am subject to punishment

Date: 2-10-21

Signature of Applicant

APPROVED

Date: 2/23/21

Zoning Officer

**DENIAL OF ZONING CERTIFICATE:** (if applicable)

The Zoning Certificate is denied for following

reasons: See attached

**Address Of Building:**

1 Stuyvesant / 18 Park Ave.

**How Many Employees?** 5-6 per shift

**Hours & Days Of Operation?**

7 days per week operation

6:00 A.M. to 10:00 P.M.

**How Many Parking Spaces?** 9

**If A Food Establishment How Many Seats?** \_\_\_\_\_

No indoor seats,  
Outdoor patio.

TOWNSHIP OF LYNDHURST  
 OFFICE OF THE  
 CONSTRUCTION DEPARTMENT

TO: PLANNING BOARD  
 FROM: CONSTRUCTION DEPARTMENT  
 SUBJECT: REFUSAL OF ZONING  
 APPLICATION

This is to advise that on February 19<sup>th</sup>, 2021 a zoning permit was denied to Richard Doren  
 for premises located on 1 Stuyvesant Ave., Block # 6, Lot # 1 & 3B  
 Zone B (Business) for the (use, erection) of a retail coffee shop with walk up & drive thru  
 Does not comply with the Township Ordinance # 2067 because of: Ordinance 2067 - a conditional use  
Approval section 21-4.5 b.1.  
2) Site plan approval is required Ord. 2067 section 21-7.1

\*\*\*\*\*

		<u>Conforms</u>			
		Yes	No		
1. Lot Area:	<u>22,467 sq Ft</u>	Area Required:	<u>4000 sq Ft</u>	X	
2. Lot Frontage:	<u>174.40</u>	Frontage Required:	<u>40'</u>	X	
3. Lot Depth:	<u>0-121'</u>	Depth Required:	<u>100'</u>	X	X
4. Front Yard Set Back:	<u>much more than 0</u>	Min. Set Back Req.:	<u>0'</u>	X	
5. Side Yard Set Back:	<u>more than required</u>	Min. Side Yard Req.:	<u>10' ea. 20 combined</u>	X	
6. Rear Yard Set Back:	<u>12'</u>	Min. Rear Yard Req.:	<u>10'</u>	X	
7. Parking Spaces:	<u>10</u>	Min. Parking Spaces Req.:	<u>1 space per 3 seats</u>	X	
8. Lot Coverage:	<u>much less than 60%</u>	Maximum Permitted:	<u>60%</u>	X	
9. Height of Building:	<u>1 story</u>	Max. Height of Building:	<u>3 stories / 35'</u>	X	

\*\*\*\*\*

REMARKS: 1) lot is triangular in shape & borders two streets 2) Application states 2 lots but does not indicate if 2 lots will merge into one lot  
3) Survey supplied was not to scale therefore the above remarks were just states as "more than required" due to the unusual shape of the lot  
4) Applicant does not indicate if general public will be allowed to enter the building.

DATED: 2/23/21  
 \_\_\_\_\_  
 Zoning Official

**§ 21-7.1. Compliance with Site Plan. [Ord. No. 2067; Ord. No. 2567, § 3]**

No building shall be erected, altered or expanded on any lot in any district requiring site plan approval and no building permit shall be issued in connection with any use of such lot except in accordance with all the regulations of this section and in accordance with the site plan for such lot reviewed by the planning board or board of adjustment as permitted by N.J.S.A. 40:55D-76, in the light of the standards set forth in this chapter.

**§ 21-7.2. Required Site Plan Approval. [Ord. No. 2067]**

Site plan approval shall be required for all uses in all districts except that no site plan approval shall be required for single-family and two-family homes, unless attached at the lot line to a building on an adjacent lot.

In cases where the building permit applied for covers renovations only without increasing the floor area, affecting the number of dwelling units, or affecting the off-street parking requirements, the construction official may waive the full requirements for site plan approval. This exemption shall not apply to a conditional use application.

**§ 21-7.3. Filing of Plans for Site Plan Approval. [Ord. No. 2067]**

Twelve copies of the required plans for site plan approval shall first be filed with the construction official for review as to compliance with all provisions of this chapter and all other applicable codes and regulations. If the application complies with all applicable codes and regulations other than the Zoning Ordinance, the construction official shall within five days after receipt of such plans or following any additional length of time as agreed to by the applicant, file the site plans with the planning board or the board of adjustment as the case may be for review and recommendations in the manner set forth below. The clerk of the building department shall distribute copies of the plans to the township engineer, planning consultant, chief fire inspector, traffic safety officer, and for all uses permitted in the B, M-1, M-2 or CGI zones, to the hazardous chemical control board. A list of all corrosive, combustible toxic or flammable chemicals to be used or stored at the site shall accompany plans for uses in such zones.

**§ 21-7.4. Objectives in Considering the Site Plan. [Ord. No. 2067]**

In considering and approving the site plan, the municipal agency shall take into consideration, the public health, safety and general welfare, the comfort and convenience of the public in general and the residents of the immediate neighborhood, and shall make any appropriate conditions and safeguards in harmony with the general purposes and intent of this chapter and particularly with regard to achieving the following objectives:

- a. Maximum safety of traffic access and egress, and access by pedestrians to buildings on the lot.

21-4.5 Uses Permitted in Business District.

a. *Uses Allowed by Right.*

1. Retail stores, markets and shops for the conducting of any retail business, except those specifically prohibited under subsection 21-4.5c.
2. Service establishments as defined by this chapter, excluding automotive, laundry and dry cleaning establishments where laundry and dry cleaning is done on the premises and drive-in windows or facilities.  

Coin operated laundries and dry cleaners are permitted provided there is an attendant present whenever the establishment is open. A hand laundry is permitted provided that no more than three persons are employed and provided that the laundry is housed in a fully enclosed structure.
3. Business, professional and governmental offices.
4. Banks, without drive-in facilities.
5. Nursery schools and day care centers.

b. *Conditional Uses.* The following uses may be established as conditional uses subject to approval by the planning board.

1. **Drive-in windows** for financial institutions provided that:
  - (a) The applicant demonstrates that there is sufficient space on the site to provide for the maximum line of cars that may be reasonably expected; and
  - (b) Measures to increase traffic safety recommended in reports from the police department and planning consultant be considered and may be made a condition of approval.
2. Automobile sales rooms provided that automotive repair or servicing not normally incidental to the sale of automobiles is prohibited.
3. Telephone exchanges and other public utility substations provided they are housed in a building or suitably enclosed to harmonize with the character of the neighborhood.
4. Funeral parlors.
5. Fully enclosed theaters.
6. Gasoline stations, and repair garages in accordance with the following conditions:
  - (a) No gasoline station shall have an entrance or exit for vehicles within 200 feet along the same side of a street of any school, playground, church, hospital, public building, or institution, except where such property is in another block or abuts another street which the lot in question does not abut.
  - (b) No gasoline station or repair garage shall be permitted where any oil draining pit or visible appliance for any purpose (other than gasoline filling pumps or air pumps) is located within 50 feet of any existing or future street line or within 150 feet of any residential district. All such appliances or pits other than gasoline filling pumps or air pumps, shall be within a building.  

Gasoline and air pumps shall be permitted within the required front yard space of a gasoline station, but shall be no closer than 20 feet to any existing or future street line.
  - (c) No abandoned or unregistered motor vehicle shall be permitted on the premises of any gasoline station or repair garage unless within a closed and roofed building. Six motor vehicles may be located upon any gasoline station or repair garage outside of a closed or roofed building for a reasonable time while the motor vehicles are awaiting repair by the gasoline station or repair garage.
7. Fully enclosed eating and drinking establishment where food and drink is served within the building only, or where take out customers constitute less than 50 percent of the total customers.
8. Hospitals and nursing homes, subject to the provisions of subsection 21-5.10 and subsection 21-5.11.
9. Emergency medical treatment centers provided that an off-street space for an ambulance is provided.
10. Private and commercial schools.
11. Body art, including permanent cosmetics, tattooing and body piercing, as defined in this chapter, subject to the following conditions:
  - (a) Compliance with all requirements of the township department of health, pursuant to Section 22-9 et seq. of the Township ordinance.
  - (b) Compliance with all requirements of the State Department of Health pursuant to N.J.S.A. 26:1A-7 et seq., and the regulations promulgated thereunder pursuant to N.J.A.C. 8:27-1 et seq.

c. *Excluded Uses.* The following uses are specifically excluded from Business District:

1. Hotels, motels and motor inns.
2. Shooting galleries, skating rinks, bowling alleys, billiard parlors, dance halls, discotheques, model slot car racing, amusement arcades and other similar amusements, drug paraphernalia sales and fortune tellers.
3. Automobile laundries.
4. Automotive storage or repair garage.
5. Used car lots.
6. Boarding of animals.
7. Truck terminals.
8. Manufacturing, processing and assembly enterprises.
9. Building or construction supply business.
10. Milk depots.
11. Warehouse and similar storage facilities.
12. Wholesale establishments.
13. Dwellings.
14. Outdoor storage.
15. Check cashing facilities.

- d. All business uses must be buffered from any adjacent residential use or zone with a six foot high evergreen or decorative fence screen, except that within ten feet of a public sidewalk, the buffer shall be no more than two and one-half feet in height.  
(Ord. No. 2067; Ord. No. 2351, §1; Ord. No. 2394, §1; Ord. No. 2567, §3; Ord. No. 2618, §1; Ord. No. 2840-12; Ord. No. 2872-12, §4)

**SCHEDULE OF REGULATIONS**  
**TOWNSHIP OF LYNDHURST, NEW JERSEY**  
**ZONING, CHAPTER XXI**  
 (Section 21-6)

District	Minimum Lot Dimensions			Minimum Yard Dimensions			STREET SIDE (Corner Lot) Feet	Maximum Principal Building Coverage	Feet	MAXIMUM HEIGHT Stories
	AREA Sq. Feet	WIDTH Sq. Feet	DEPTH Feet	FRONT Feet	REAR Feet	SIDE Feet (Interior Lot)				
R-A One Family Dwelling	5,000	50	100	20 <sup>3</sup>	20 <sup>4</sup>	6 each	10 <sup>6</sup>	30% <sup>5</sup>	32 <sup>8</sup>	2-1/2
R-B One Family Dwelling	5,500 <sup>1</sup>	55 <sup>1</sup>	100	20 <sup>3</sup>	20 <sup>4</sup>	6 each	10 <sup>6</sup>	30% <sup>5</sup>	32	2-1/2
R-B Two Family Dwelling										
R-C Three and Four Family Dwelling	6,000	60	100	20	20	15 both <sup>2</sup>	10 <sup>6</sup>	30% <sup>5</sup>	32	2-1/2
R-C Multi Family Dwelling And Garden Apartment	15,000	100	125	20	20	6 each 15 both <sup>2</sup>	10 <sup>6</sup>	30%	35	3
B Business	4,000	40	100	0	10	10 each <sup>7</sup>	10	30%	35	3
M-1 Light Industrial	10,000	100	100	25	25	10 each	25	60%	40	4
M-2 Heavy Industrial	10,000	150	200	25	25	10 each	25	50%	40	4
C-GI Commercial - General Industrial	4 Acres	200	200	50	50	25 each	50	50%	40	4

<sup>1</sup> These regulations shall not apply to any existing lots of record as of the effective date of Ordinance No. 2336, adopted November 10, 1997. For such existing lots the bulk requirements are as follows:  
 Minimum lot area five thousand (5,000) square feet.  
 Minimum fifty (50) foot frontage width.

<sup>2</sup> For lots which exceed 50' in width, the minimum side yard dimensions shall be as follows: (1) Lot width of 51'-7" each side, 16' both sides; (2) Lot width of 52'-8" each side, 17' both sides; (3) Lot width of 53'-9" each side, 18' both sides; (4) Lot width of 54'-9" each side, 19' both sides; (5) Lot width of 55' or greater: 10' each side, 20' both sides.

<sup>3</sup> Average Front Yard Setback Modifications: In such cases in the R-A and R-B residential zoning districts where the existing dwellings on the adjacent lots on each side form an existing setback line, the minimum front yard setback for a new dwelling or an addition to an existing dwelling shall be modified to the average setback of the existing dwellings on the adjacent lots or the required setback of twenty (20) feet, whichever is greater, but in no case shall it be required for the setback to exceed thirty-five (35) feet.

<sup>4</sup> Average Rear Yard Setback Modifications: In such cases in the R-A and R-B residential zoning districts where the existing dwellings on the adjacent lots on each side form an existing setback line, the minimum rear yard setback for a new dwelling or an addition to an existing dwelling shall be modified to the average setback of the existing dwellings on the adjacent lots or the required setback of twenty (20) feet, whichever is greater, but in no case shall it be required for the setback to exceed thirty-five (35) feet.

<sup>5</sup> The total lot coverage in R-A and R-B zones shall not exceed sixty (60%) percent. The maximum total lot coverage shall increase five (5%) percent for every 500 square feet in area over 5,500 square feet, but in no event shall exceed seventy (70%) percent.

<sup>6</sup> The yard requirements for a corner lot shall be ten feet (10') on the side facing the street. The yard dimensions on the other side shall be in accordance with the dimensions for interior lot.

<sup>7</sup> If adjacent to a residential zone, the minimum side yard dimensions shall be ten (10) feet from each side and twenty (20) feet for both sides.

<sup>8</sup> The maximum height for dwellings located in Zone AF on the flood maps adopted under Ordinance Section 23-3.2 shall be 35 feet.

(Ord. No. 2067; Ord. No. 2301; Ord. No. 2303; Ord. No. 2336, §§I-III; Ord. No. 2567, §3; Ord. No. 2653, §1; Ord. No. 2675, §1; Ord. No. 2679, §2; Ord. No. 2875-12, §2)

## 21-8.18 Schedule of Required Parking Spaces.

No building or premises shall be used nor shall any building be built or erected, nor shall any building be altered so as to expand its usable floor area, unless there is provided parking spaces upon the same premises upon which the use or structure is located in accordance with the following schedule:

Use	Required Number of Parking Spaces
Single-family dwelling	2 spaces
Two-family dwelling	4 spaces <sup>1</sup>
Multi-family dwelling	2 spaces per dwelling unit.
Dwellings with five or more units	1 visitor space per 5 units.
Retail stores	1 space per 200 square feet of sales area (in excess of 1,000 square feet).
Service establishments	1 space per 300 square feet of usable floor area.
Business, professional and governmental offices	1 space per 300 square feet of usable floor area.
Banks	1 space per 300 square feet of usable floor area.
Eating and drinking establishments	1 space per each 3 seats in excess of 10.
Bowling alleys	4 parking spaces per alley.
Theaters	1 space per each 2 seats.
Meeting rooms, clubs, places of public assembly	1 space per 50 square feet of seating area.
House of worship	1 space per each 2 seats.
Funeral homes	20 spaces per visiting room.
Elementary schools	1 space per classroom.
High schools	5 spaces per classroom.
Automobile showroom	1 space per 800 square feet of usable floor area.
Use	Required Number of Parking Spaces
Industrial uses	1 space per each 2 employees but not less than 1 space for each 500 square feet of usable floor area.
Warehouses	1 space per each 2 employees but not less than 1 space for each 2,000 square feet of floor area.
Motor inns and hotels	1 space per unit; plus 1 space for each 2 employees plus space for meeting rooms and restaurants as provided above.
Uses not listed above	According to that category which most nearly approximates the use.
More than one use on a premises	The sum of the component requirements.
Amusement arcades	3 spaces per electronic game or pinball machine.
Day care center (Ord. No. 2067; Ord. No. 2679, §1)	1 space per employee.

<sup>1</sup> The parking of more than two motor vehicles in tandem, or behind one another, shall not be permitted so as to satisfy off-street parking requirements. This is inclusive of garage parking.