

PRIOR RESOLUTIONS

WHEREAS, COMMERCIAL TRUST COMPANY OF NEW JERSEY, a corporation of the State of New Jersey, made an Application to the Board of Adjustment of the City of Bayonne for a variation from the requirements of Article 4, Section 402; Article 8, Section 801 a, e, h, i; Article 8, Section 804, and Article 12, Section 1207, of the Zoning Ordinance of the City of Bayonne, and further pursuant to R.S. 40:55-39 (a), (c) and (d), so as to permit the extension of driveway and canopy on the premises commonly known as Nos. 937-939 Broadway and No. 10 West 45th Street, Bayonne, New Jersey, being also known as Lots 33, 34, 35 and 36A, in City Block 101 (conditionally consolidated as Lot 36B, in City Block 101); and

WHEREAS, a hearing on said application was held on July 16, 1973, before the Board of Adjustment of the City of Bayonne; and

WHEREAS, Jerome J. Rose, Esq., of the firm Rose & Rose, Esqs., appeared as attorney for the applicant; and

WHEREAS, Robert R. Cueman, Architect; Roger A. Sherman, Vice President of the Commercial Trust Company of New Jersey, and John J. McLaughlin, a qualified real estate expert, appeared and gave sworn testimony in support of the said application; and

WHEREAS, Calvin Smith, Judith Stark, Hannah Stark and Rita Dichiaro appeared and opposed the granting of the said application; and

WHEREAS, it is the opinion of the Board and it finds:

- (1) That an administrative error was committed by the Zoning Officer in that the testimony and proofs reveal that Article 8, Section 801, subsections a, e, h, and i, are not applicable, as well as Article 8, Section 804, said section and subsections relate to, in the main, off-street parking and parking requirements; the same reasoning applies to Article 12, Section 1207. However, the Board further finds that Article 4, Section 402, is applicable and the Board shall concern itself and relate its findings to Article 4, Section 402.

- (2) The Board also finds that the proofs and testimony indicate that the approval of the proposed drive-in construction for banking purposes will eliminate the existing hazardous and traffic congestions by the easier and more accessible use to the general public for banking facilities.
- (3) That the proposed construction will provide more open spaces and will upgrade the area in question by the demolition of the premises which is to the rear of the applicant's present premises.
- (4) That the proposed construction will be conducive to the general welfare of the community at large and in the best interests of its inhabitants;

and

WHEREAS, it is the further opinion of this Board that the extension of driveway and canopy on the premises commonly known as Nos. 937-939 Broadway and No. 10 West 45th Street, Bayonne, New Jersey, being also known as Lots 33, 34, 35 and 36A, in City Block 101 (conditionally consolidated as Lot 36B, in City Block 101), in accordance with the plans filed with the Board of Adjustment, will not be detrimental to the public safety, health and general welfare; will not be hazardous to the surrounding properties and the people residing in the neighborhood, and will not be contrary to the property interests, and will not substantially impair the intent and purpose of the zone plan and Zoning Ordinance; be it, therefore,

RESOLVED, That the Board of Adjustment recommends to the Municipal Council of the City of Bayonne that the Application of COMMERCIAL TRUST COMPANY OF NEW JERSEY for a variation from the requirements of the Zoning Ordinance of the City of Bayonne be granted, provided that the applicant starts the said extension of driveway and canopy within twelve (12) months after final approval by the Municipal Council of the City of Bayonne and provided further, that the requirements and regulations of the Building Department, Building Code, Health Code, Fire Department, and the Ordinances of the City of Bayonne pertaining

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thereto, be complied with and further provided, that proper policing and housekeeping procedures be strictly adhered to.

DATED: July 16, 1973.

The above resolution was adopted by the Board of Adjustment of the City of Bayonne at its meeting held on July 16, 1973.



CHARLES A. KOLAKOWSKI
Chairman