



THOMAS J. EVANS
Director of Revenue and Finance

CODE ENFORCEMENT DEPT.

DAVID BERRY
Construction Official
Zoning Official

TOWNSHIP OF NUTLEY

1 KENNEDY DRIVE
NUTLEY, NEW JERSEY 07110

BUILDING
PLUMBING
ELECTRICAL
FIRE
ZONING

TELEPHONE: (973) 284-4957 · FACSIMILE: (973) 284-0071

October 22, 2020

Mr. Francisco Mafla
111 East Centre Street
Nutley, NJ 07110

Re: **Addition/Expansion of Non-Conforming Use**
111 East Centre Street
Block/Lot: 9604/3

Dear Mr. Mafla:

Your request for a construction permit, at the above referenced premises, to build a two-story addition at the rear of your property, which will be approximately 946 square feet, having a four (4') foot side yard setback on the east side, and to install an A/C condenser in the east side yard, as shown on the plans prepared by Rui Amaral, Architect, dated August 12, 2020, is denied for the following reasons:

This property is located in an B-4 district as shown on the Nutley Zoning Map.

Chapter 700, Article XVI, Section 700-113 A of the Codes of Nutley, entitled "Nonconforming Uses and Structures," states that "no nonconforming use nor structure nor any lawful use on a nonconforming lot shall be enlarged, extended, reconstructed or structurally altered, except that such structure or use may be structurally altered to correct an unsafe condition. A nonconforming structure or a lawful structure on a nonconforming lot may be restored or repaired in the event of partial destruction thereof." *The proposed addition is an extended use of a nonconforming lot.*

Chapter 700, Article VIII, Section 700-46 A of the Codes of Nutley, entitled "Schedule of Regulations as to Bulk, Height and Other Requirements," requires in a B-4 zone that a side yard be half ($\frac{1}{2}$) the height of the main structure. *The main structure is 24.6' high; the required setback is 12.3 feet. The proposed setback is four (4') feet for the side yard to the existing main structure.*

Chapter 700, Article III, Section 700-3 of the Codes of Nutley, entitled "Definitions; word usage," defines a "side yard" as "an open **unobstructed** space between the building and the side line of the lot extending through from the front to the rear yard or to another street, into which space there is no extension of the building above the grade level." *The east side yard will be obstructed by the proposed A/C condenser.*

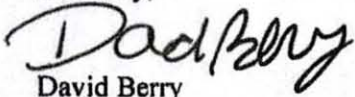
In 2000, a variance was granted to this property by the Zoning Board of Adjustment to convert the existing one-family into a two-family, to erect a fence, and to install an A/C condenser in the side yard.

A non-refundable filing fee of \$550.00 in connection with your appeal is to be paid to the Code Enforcement Office in order to begin the application process. All tax and water bills must be paid to date prior to the processing of a variance fee.

Information on procedures for an appeal of this decision to the Board of Adjustment can be obtained from Lucy Jacobs, at 973-284-4951 x2236 or ljacobs@nutleynj.org. It should be noted that, under State Statute, notice of appeal of this decision must be filed with this office no later than twenty (20) calendar days from the date of this notice.

Any changes to the proposed plans must be submitted prior the applications being returned to the Code Enforcement Office. No changes can be made once the application is received by this office.

Sincerely,



David Berry
Zoning Official
DB/vlw



TOWNSHIP OF NUTLEY, NEW JERSEY

ZONING BOARD OF ADJUSTMENT APPLICATION FORM

Docket No: ZBA-20-0051

TO ALL APPLICANTS: This application form is designed to obtain from your information necessary for the processing of your application by the Zoning Board of Adjustment.

Application Fee: \$ 550.00 (on denial letter)

Date of Denial Letter: OCT 22, 2020

Section I: SUBJECT PROPERTY

Address: 111 EAST CENTRE STREET NUTLEY NJ 07110

Block: 9604 Lot: 3 Zone: B-4

	District Requirements	Proposed
Lot Area	<u>5,000 S.F.</u>	<u>5,187.5 S.F.</u>
Lot Width	<u>50'</u>	<u>50'</u>
Lot Depth	<u>100'</u>	<u>103.7' / 103.8'</u>
Front Yard	<u>20'</u>	<u>7.1'</u>
Side Yard	<u>15'</u>	<u>5.00' / 21.14'</u>
Rear Yard	<u>10'</u>	<u>33.5'</u>
Other / HEIGHT	<u>14.2' MAX</u>	<u>24.6'</u>

Section II: APPLICANT INFORMATION

Name: FRANCISCO MAFLA

Address: 111 EAST CENTRE STREET
NUTLEY NJ 07110

Telephone: 973 207 7144

Email Address: RUBIO91F@GMAIL.COM

Applicant is a:

☐ Corporation ☐ Partnership ☐ LLC ☒ Individual

If the owner is not the applicant, the following must be provided:

Owner Name: _____

Address: _____

Telephone: _____

Email Address: _____

Section III: DISCLOSURE STATEMENT

Pursuant to N.J.S. 40:55D-48.1 the names and address of all persons owning 10% of the stock in a corporation or a 10% interest in any partnership must disclosed by the applicant. In accordance with N.J.S. 40:55D-48.2, that disclosure requirement applies to any corporation or partnership which owns more than 10% interest.

Name: _____

Address: _____

Interest: _____

Name: _____

Address: _____

Interest: _____

Name: _____

Address: _____

Interest: _____

Section IV: PROPERTY INFORMATION

	Existing	Proposed
Total existing and total proposed dwelling units	<u>2</u>	<u>2</u>
Total existing and total proposed professional offices	<u>N/A</u>	<u>N/A</u>
Total existing and total proposed parking spaces	<u>3</u>	<u>3</u>

Present use of premises: 2-FAMILY DWELLING

Has there been any previous appeal, request, or application to this or any other Township of Nutley Board or the Construction Code Official involving these premises? YES

If yes, state the nature, date and the disposition of each such matter: _____

IN 2000, VARIANCE GRANTED FOR CONVERSION OF DWELLING
FROM 1 TO 2 FAMILY. A/C CONDENSED INSIDE YARD

Section V: PROFESSIONAL INFORMATION

Applicant's Attorney

Name: _____

Address: _____

Telephone: _____ Fax: _____

Email Address: _____

Applicant's Architect

Name: RUI AMARAL ARCHITECT

Address: 27B NOB Hill DRIVE

ROSELAND NJ 07068

Telephone: 973 482 8795 Fax: 973 566 9278

Email Address: RAMARALRAC@OL.COM

Applicant's Engineer

Name: _____

Address: _____

Telephone: _____ Fax: _____

Email Address: _____

Applicant's Planning Consultant

Name: _____

Address: _____

Telephone: _____ Fax: _____

Email Address: _____

***List any other expert who will submit a report or who will testify for the applicant.
(Attach additional sheets, if necessary)***

Name: _____

Address: _____

Telephone: _____ Fax: _____

Email Address: _____ Field of Expertise: _____

Section VI: GENERAL INFORMATION

In the space below, state the nature of the constraints imposed by the physical characteristics of the land under consideration (i.e. exceptional narrowness, shallowness or topographic conditions). ***HARDSHIPS:***

- 1- EXISTING RESIDENTIAL USE IS NONCONFORMING TO B-4 ZONE. PROPOSED ADDITION REQUIRED VARIANCE.***
- 2- REQUIRED ZONING SETBACK FOR HEIGHT NOT APPROPRIATE FOR RESIDENTIAL. PROPOSED ADDITION EXTENDS EXISTING DWELLING ROOF.***
- 3- SIDE YARD PLACEMENT OF CONDENSERS WAS BOARD APPROVED.***

In the space below, state any other extraordinary or exceptional situation or condition of the land involved which would constrain development in accordance with Zoning Regulations

PROPERTY IS LOCATED IN THE B-4 DISTRICT. HOWEVER PROPERTY IS USED AS RESIDENTIAL. AND ITS NOT ONLY RESIDENCE ON THE STREET. THE PROPOSED ADDITION IS A B-4 DISTRICT VIOLATION WHICH IS A HARDSHIP

Explain how not granting this variance request would impose peculiar and exceptional practical difficulties or exceptional or undue hardship upon you.

VARIANCE REQUEST IS TO IMPROVE LIVING CONDITION. BOTH
APARTMENTS ARE NOT RENTAL. DUE TO FAMILY GROWTH,
ADDITION TO BOTH UNITS WILL PROVIDE NECESSARY BEDROOMS,
LIVING ROOM AND BATHS

Explain how the granting of this variance will not detrimentally affect the public good or substantially impair the intent and purpose of the Zone Plan and Zoning Ordinance.

PROPOSED ADDITION TO RESIDENCE IS AT REAR OF EXISTING
BUILDING. THEREFORE IMPACT TO NEIGHBORHOOD IS MINIMAL
VISUALLY. THE USE IS EXISTING AND NOT THE ONLY
ONE ON THE STREET, THEREFORE NO ADDITIONAL
DETRIMENT

CERTIFICATION

[illegible]

Francisco Mafra, being duly sworn, hereby certify (check one)

➤ X that I am the applicant

or

➤ _____ that I am the _____ of _____,
(Title) (Company Name)
the Applicant, and that I am duly empowered and authorized to make this representation
on behalf of _____;
(Company Name)

and that the information presented in this application is true, complete and accurate.

Francis Mafu
Applicant/Applicant's Authorized
Officer or Representative

Subscribed and sworn to before me
this OCTOBER day of 28th, 2020.

Bradford Hunter
Signature of person authorized to take oaths





TOWNSHIP OF NUTLEY, NEW JERSEY
ZONING BOARD OF ADJUSTMENT
PLANNING BOARD

CERTIFICATION OF PROPERTY OWNERS WITHIN 200 FEET

.....

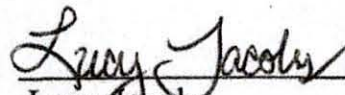
Docket Number: ZBA-20-0051

Work Site Location: 111 East Centre Street

Applicant: Francisco Mafla

I do hereby certify to the ownership of the properties listed on pages

1 to 2, as of October 6, 2020.



Lucy Jacobs
Clerk



Nutley *Parcel Offset List*

Target Parcel(s): Block-Lot: 9604-3
MAFLA, FRANCISCO
111 EAST CENTRE STREET

18 parcels fall within 200 feet of this parcel(s).

Block-Lot: 9604-2.01

TOWNSHIP OF NUTLEY
1 KENNEDY DRIVE
NUTLEY, NJ 07110
RE: 113A EAST CENTRE STREET

Block-Lot: 9603-10

90 EAST CENTRE REALTY, LLC
92 E CENTRE ST
NUTLEY, NJ 07110
RE: 90 EAST CENTRE STREET

Block-Lot: 9604-2

CENTERLINE INVESTMENT GROUP, LLC
119 E CENTRE ST
NUTLEY, NJ 07110
RE: 119 EAST CENTRE STREET

Block-Lot: 9603-9

92 EAST CENTRE REALTY, LLC
92 E CENTRE ST
NUTLEY, NJ 07110
RE: 92 EAST CENTRE STREET

Block-Lot: 9603-7

GACCIONE, DANIEL WILLIAM
102 EAST CENTRE STREET
NUTLEY, NJ 07110
RE: 102 EAST CENTRE STREET

Block-Lot: 9603-8

FALDUTO & PAPARATTO
73 PASSAIC AVE
NUTLEY, NJ 07110
RE: 98 EAST CENTRE STREET

Block-Lot: 9603-4

CAFONE, ROSINA
140 E CENTRE ST
NUTLEY, NJ 07110
RE: 120 EAST CENTRE STREET

Block-Lot: 9604-13

SSEF, LLC
P.O. BOX 6
ESSEX FIELDS, NJ 07021
RE: 113 EAST CENTRE STREET

Block-Lot: 9604-4

99 EAST CENTRE ST LLC
95 PARK AVENUE
NUTLEY, NJ 07110
RE: 105 EAST CENTRE STREET

Block-Lot: 9603-6

104 E. CENTRE ST. CORPORATION INC.
104 E CENTRE ST
NUTLEY, NJ 07110
RE: 104 EAST CENTRE STREET

Block-Lot: 9604-1

127 E CENTRE RJ LLC,
127 E CENTRE ST
NUTLEY, NJ 07110
RE: 127 EAST CENTRE STREET

Block-Lot: 6902-7

WASHINGTON AVENUE GROUP LLC
126 WASHINGTON AVE
NUTLEY, NJ 07110
RE: 124-126 WASHINGTON AVENUE

Block-Lot: 9604-5

99 EAST CENTRE ST LL,
95 PARK AVENUE
NUTLEY, NJ 07110
RE: 99 EAST CENTRE STREET

Block-Lot: 9604-6

REYNOLDS, DANIEL S
93 EAST CENTRE ST.
NUTLEY, NJ 07110
RE: 93 EAST CENTRE STREET

Block-Lot: 9604-7

MOHRBUTTER, BARBARA & ROBERT
63 WESTON ST
NUTLEY, NJ 07110
RE: 89 EAST CENTRE STREET

Block-Lot: 6902-5

TOWNSHIP OF NUTLEY
1 KENNEDY DR
NUTLEY, NJ 07110
RE: 75 PARK AVENUE

Block-Lot: 9603-3

INNELLI, CHRIS & SASSO, DANIELLE
124 E CENTRE ST
NUTLEY, NJ 07110
RE: 124 EAST CENTRE STREET

Block-Lot: 9603-5

CANTANZARITE, ROSARIO & DEAN
104 E CENTRE ST
NUTLEY, NJ 07110
RE: 118 EAST CENTRE STREET

Premises shown on this plat surveyed in accordance with the deed description and follows instructions contained in regulation.

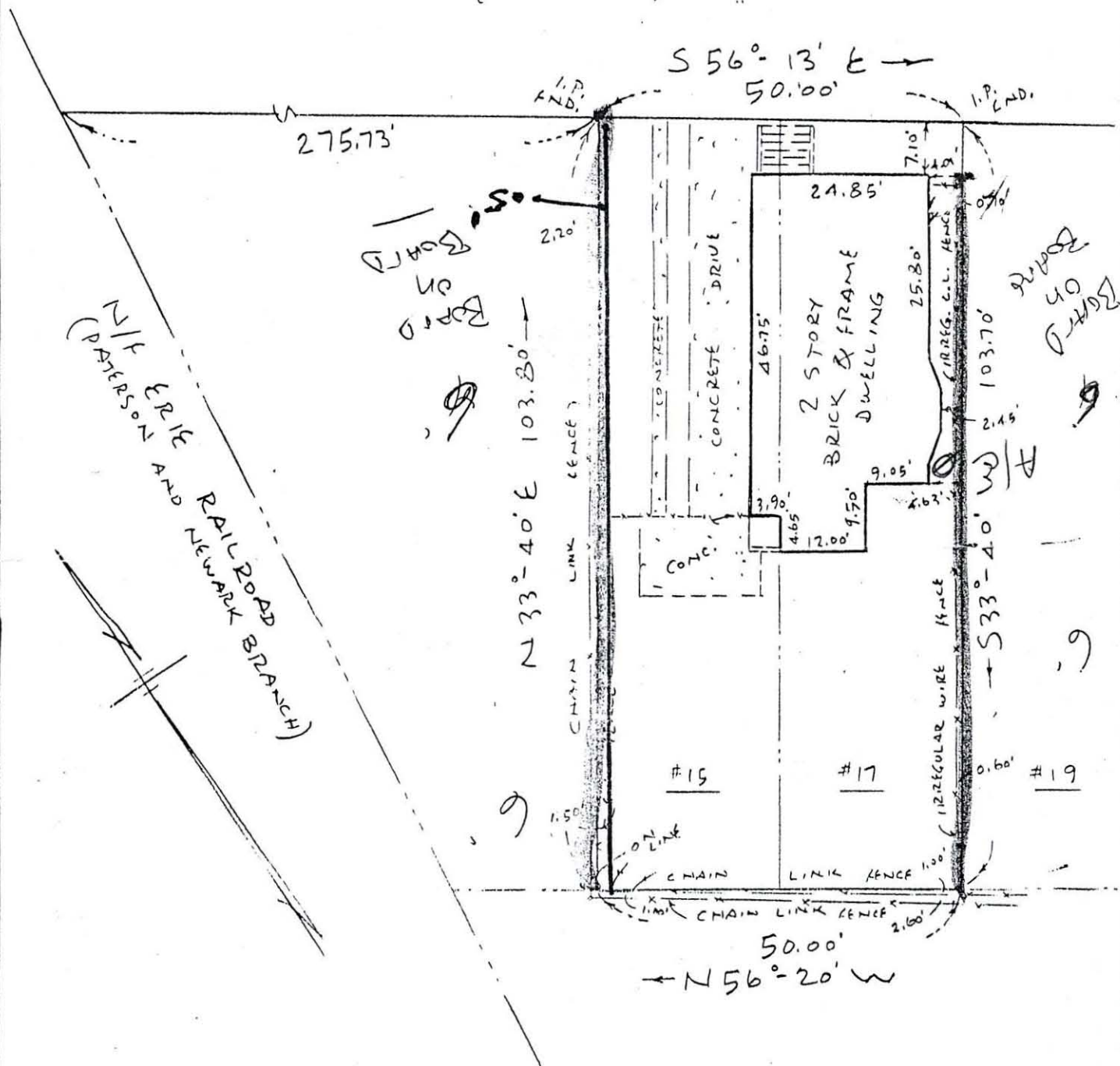
FROM: SANCHEZ, SANCHEZ & SANTOLIVUDDO, ESQS.

This certification is made only to hereon named parties for purchase and/or mortgage of herein delineated property by named purchaser. No responsibility or liability is assumed by Surveyor for use of survey for any other purpose including, but not limited to, use of survey for survey affidavit, resale of property, or to any other person not listed in certification, either directly or indirectly.

CERTIFIED TO: FRANCISCO MALFA, MARRIED;

SANCHEZ, SANCHEZ & SANTOLIVUDDO, ATTORNEYS;
FIRST AMERICAN TITLE INSURANCE COMPANY;
AMERICAN SAVINGS BANK OF N.J.

EAST CENTRE STREET
(R.O.W. 50')



BEING ALSO KNOWN AS LOTS #15 AND #17 AS SHOWN ON "MAP OF GARIBAUDI TERRACE, PROPERTY OF KING-MARSAC COMPANY, NUTLEY, NEW JERSEY."

(ALSO KNOWN AS LOTS #1 AND #2, BLOCK # 396, PAGE # 68, TAX MAP)

SURVEY OF
111 EAST CENTRE STREET
TOWNSHIP OF NUTLEY
ESSEX COUNTY, NEW JERSEY

PAUL J. RINALDI
LAND SURVEYOR

P.O. BOX 250
ELIZABETH, N.J. 07207-0250

BY *Paul J. Rinaldi*
N.J. LIC. NO. 12819

SCALE 1"=20' DATE 11-8-99

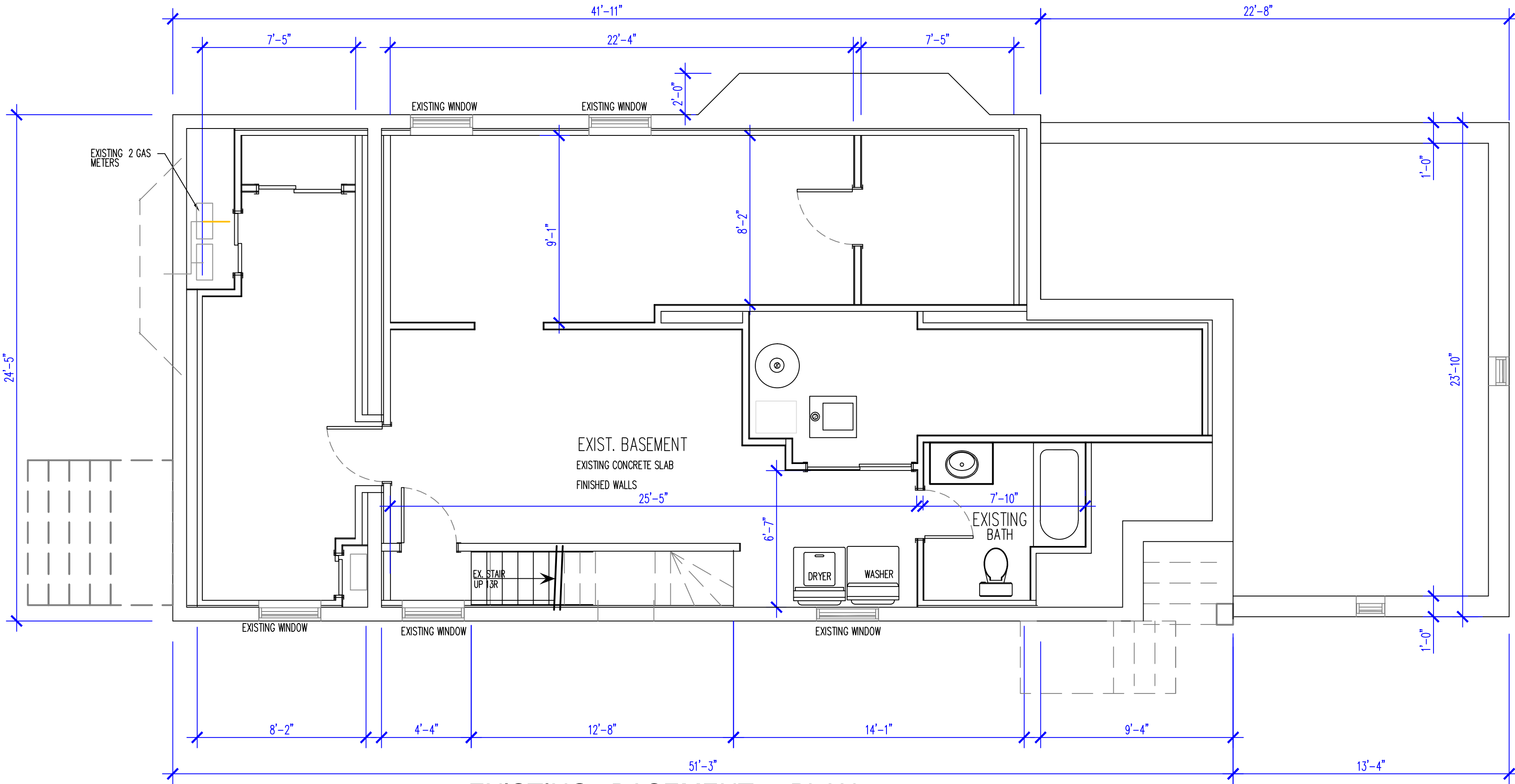
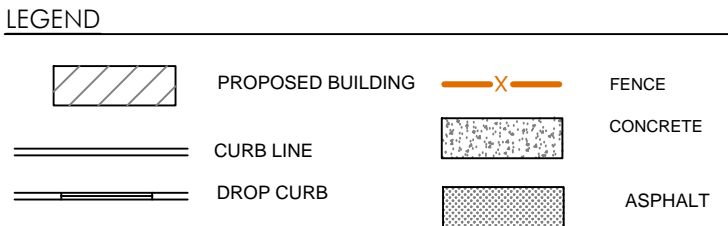


REAR VIEW PHOTO



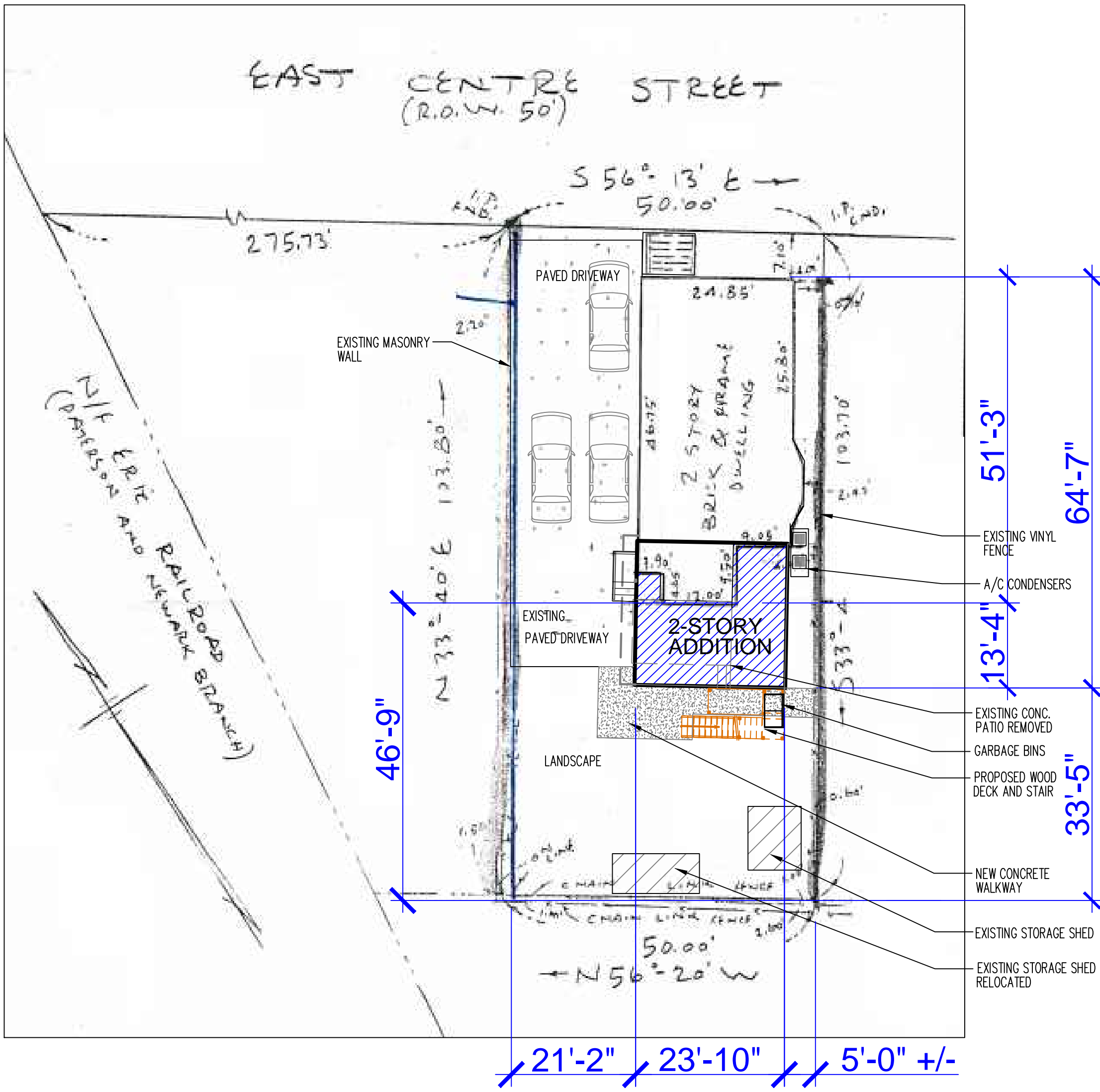
KEY MAP

N.T.S.



EXISTING BASEMENT PLAN

SCALE 1/4" = 1'-0"



PLOT PLAN

SCALE 1" = 15'-0"

PLOT PLAN INFORMATION TAKEN FROM SURVEY
PREPARED BY PAUL RINALDI LAND SURVEYOR
DATED NOV. 8, 1999

PROJECT DATA

ZONE	B-4	GENERAL BUSINESS AND LIGHT ASSEMBLY		
	REQUIRED	EXISTING	PROPOSED	VARIANCE
OCCUPANCY	ONE FAMILY	TWO FAMILY	no change	NO
LOT AREA	5,000 sq. ft.	5,187.5 sq. ft.	existing	NO
LOT WIDTH	50'	50.0'	existing	NO
LOT DEPTH	100'	103.70', 103.80'	existing	NO
SETBACKS: FRONT	20'	7.1'	existing	NO
SIDES	15'	4.01', 21.14'	5.0', 21.14'	YES
BOTH SIDES	30'	25.15'	26.14'	existing
REAR	10'	46.2' ±	33.5'	NO
HEIGHT (1/2 BLDG. HT.)	14.2'	27'-10"	28'-5"	YES
STORIES	2	2	2	NO
MAX. LOT COVERAGE	60% for buildings and storage areas	(22.6%) 1,170 sq. ft.	(30.5%) 1,581 sq. ft.	NO
MAX. IMPERVIOUS AREA	85%	(65.8%) 3,410 sq. ft.	(72.2%) 3,746 sq. ft.	NO
PARKING	2	3	3	NO

ADDITION TO NONCONFORMING USE

YES

AREAS

	EXISTING	ADDITION	TOTAL
FIRST FLOOR AREA	1,170 sq. ft.	411 sq. ft.	1,581 sq. ft.
SECOND FLOOR AREA	860 sq. ft.	535 sq. ft.	1,395 sq. ft.
TOTAL	2,030 sq. ft.	946 sq. ft.	2,976 sq. ft.

SITE AREAS

	EXISTING	ADDITION	TOTAL
LOT AREA	5,187.5 sq. ft.		
BUILDING AREA	1,170 sq. ft.	411 sq. ft.	1,581 sq. ft.
PAVING/PORCH AREA	2,070 sq. ft.	-75 sq. ft.	1,995 sq. ft.
STORAGE SHEDS AREA	170 sq. ft.	-75 sq. ft.	170 sq. ft.
TOTAL IMPERVIOUS AREA	3,410 sq. ft.	336 sq. ft.	3,746 sq. ft.
LANDSCAPE AREA	1,777 sq. ft.		1,441 sq. ft.

PROPOSED ADDITION AND RENOVATION

Located at:

LOT 3 BLOCK 9604
111 EAST CENTRE STREET
TOWNSHIP OF NUTLEY, ESSEX CO., N. J.

Owner: Francisco Mafla

Revisions

No.	Date	Notes	By

Submittal

Drawing Title

PLOT PLAN, ZONING DATA

Date . . . AUG. 12, 2020 . . . Sheets
Scale . . . N. T. S. . . .
Drawn by . . . RA . . .
Checked by . . .
Job Of 3 Sheets

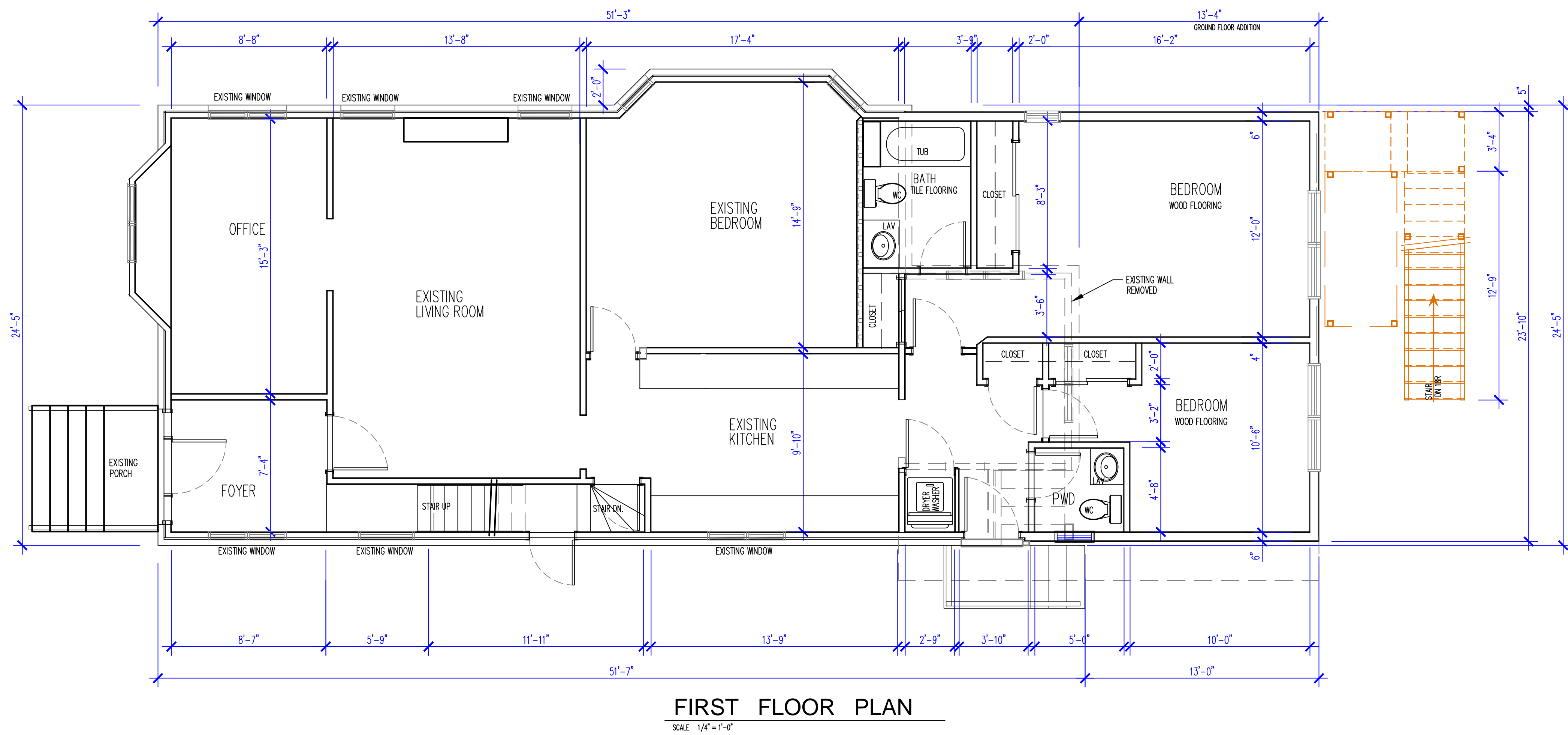
1

RUI AMARAL ARCHITECT

278 NOB HILL DRIVE ROSELAND, N.J. 07068
TEL 973 482-8795 FAX 973 566-9278
RUIAMARAL@AOL.COM

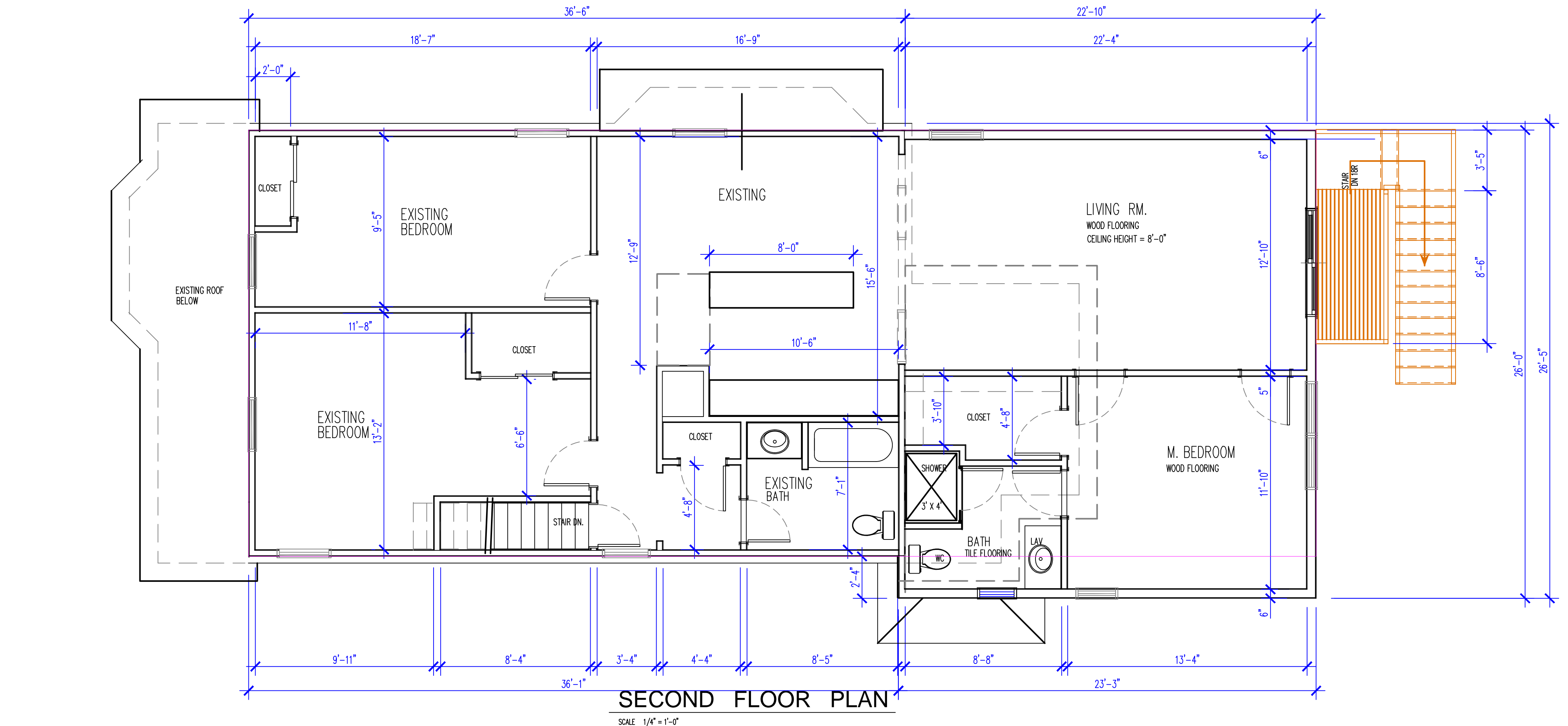
N.J. LIC. NO. 13326

THESE DRAWINGS ARE THE PROPERTY OF THE ARCHITECT. THE DESIGN IS SITE SPECIFIC AND NOT TO BE USED FOR CONSTRUCTION AT ANOTHER SITE. DRAWINGS NOT TO BE USED IF NOT SIGNED AND SEALED BY THE ARCHITECT.



FIRST FLOOR PLAN

SCALE 1/4" = 1'-0"



SECOND FLOOR PLAN

SCALE 1/4" = 1'-0"

PROPOSED ADDITION AND RENOVATION

Located at:
LOT 3 BLOCK 9604
111 EAST CENTRE STREET
TOWNSHIP OF NUTLEY, ESSEX CO., N.J.
Owner: Francisco Mafla

Revisions		
No.	Date	Notes
Submittal		
Drawing Title		
FLOOR PLANS, DETAILS		
Date: AUG. 12, 2020		
Scale: NOTED		
Drawn by: RA		
Checked by:		
Job:		
Of 3		
Sheets		

RUI AMARAL ARCHITECT

27B NORWELL DRIVE ROSELAND, N.J. 07068
TEL 973 482-8795 FAX 973 566-9278
RAMARALRA@AOL.COM

N.J. LIC. NO. 13326

