



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 5, 2020

Mr. & Mrs. Joe & Michelle Martins
16 Evelyn Place
Nutley, NJ 07110

**Re: Proposed 1-Car Garage
16 Evelyn Place
Block/Lot: 6401/22**

Dear Mr. & Mrs. Joe & Michelle Martins:

Your request for a permit, at the above referenced premises, to construct a new 1-car garage, having a two (2') foot side and rear yard setback, as shown on the site plan, dated July 22, 2020, and on the architectural plans prepared by Mark Roselli, dated June 7, 2020, is denied for the following reason:

This property is located in an R-1 district as shown on the Nutley Zoning Map.

Chapter 700, Article XI, Section 700-67 B (1) of the Codes of Nutley, entitled "Accessory buildings and uses," states that "no detached accessory building or accessory use shall be located nearer than three feet or ½ the height of such building up to a distance of six feet, whichever is greater, to a side or rear lot line." ***The proposed garage will have a two (2') foot side and rear yard setback.***

A non-refundable filing fee of \$175.00 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-20-0038

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: \$ 175.00 (on denial letter)

Date of Denial Letter: 8/12/2020

Section I: SUBJECT PROPERTY

Address: 16 Eveyln Place

Block: 6401 Lot: 22 Zone: R-1

	District Requirements	Proposed
Lot Area	<u>5,000 SF</u>	<u>Complies - No change</u>
Lot Width	<u>50'</u>	<u>Complies - No change</u>
Lot Depth	<u>100'</u>	<u>Complies - No change</u>
Front Yard	<u>25'</u>	<u>Complies - No change</u>
Side Yard	<u>6' (and 6')</u>	<u>Complies - No change</u>
Rear Yard	<u>30'</u>	<u>Complies - No change</u>
Other (*)	<u>6' (*)</u>	<u>2' (*)</u>

Accessory Structure - Detached Garage, 2' from side and rear property lines in lieu of 6'

Section II: APPLICANT INFORMATION

Name: Joe & Michele Martins

Address: 16 Evelyn Place, Nutley NJ 07110

Telephone: 201-981-4400

Email Address: mjmartins16@gmail.com

Applicant is a:

☐ Corporation ☐ Partnership ☐ LLC ☒ Individual

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

Owner Name: N/A

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: N/A

Address: _____

Interest: _____

Name: N/A

Address: _____

Interest: _____

Name: N/A

Address: _____

Interest: _____

Section IV: PROPERTY INFORMATION

	Existing	Proposed
Total existing and total proposed dwelling units	<u>1</u>	<u>1</u>
Total existing and total proposed professional offices	<u>N/A</u>	<u>N/A</u>
Total existing and total proposed parking spaces	<u>N/A</u>	<u>N/A</u>

Present use of premises: Residential, Single-Family

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? No

If yes, state the nature, date and the disposition of each such matter: N/A

Section V: PROFESSIONAL INFORMATION

Applicant's Attorney

Name: N/A

Address: _____

Telephone: _____ Fax: _____

Email Address: _____

Applicant's Architect

Name: Mark Roselli, RA

Address: 18 Tennis Place

Nutley NJ 07110

Telephone: 201-452-2343 Fax: _____

Email Address: MarkRoselliArchitect@gmail.com

Applicant's Engineer

Name: N/A

Address: _____

Telephone: _____ Fax: _____

Email Address: _____

Applicant's Planning Consultant

Name: N/A
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: N/A
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).

Narrowness of lot would force the proposed 1-car garage too far into the
center of the yard if held off property lines at 6'. These constraints
would deter us from building the garage all together

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

If the proposed garage was held off the property lines at 6' (rear and side),
then the approach to the garage door would be less than ideal, and it would
force the garage to possibly be angled so that the new garage door would align
with the approach. The back yard would be greatly impacted as well with further
reduction of usable space.

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

Because of the impact that the garage would have if held off 6' from rear and side property lines, the practicality of the garage itself would be compromised and we would more than likely not build the garage all together.

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.

In this neighborhood, there are a number of detached garages that are located in the corner of the properties, much like what is being requested here. The proposed garage (1-car detached) would be similar in character and scale to those in the neighborhood and there would be no detrimental affect to surrounding properties.

CERTIFICATION

STATE OF NEW JERSEY }
COUNTY OF ESSEX } ss.

Joe Martins, being duly sworn, hereby certify (*check one*)

➤ X that I am the applicant

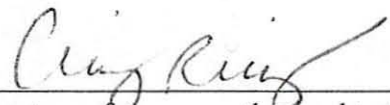
or

➤ _____ 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.


Applicant/Applicant's Authorized
Officer or Representative

Subscribed and sworn to before me
this 25th day of September, 2020.


Signature of person authorized to take oaths

CINDY REILLY
Notary Public, State of New York
No. 01RE6359531
Qualified in New York County
Commission Expires 05/30/2021



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

CERTIFICATION OF PROPERTY OWNERS WITHIN 200 FEET

.....

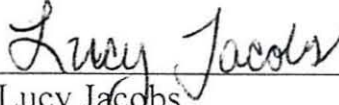
Docket Number: ZBA-20-0038

Work Site Location: 16 Evelyn Place

Applicant: Joe & Michelle Martins

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

1 to 3, as of August 4, 2020.



Lucy Jacobs
Clerk



Nutley

Parcel Offset List

Target Parcel(s): Block-Lot: 6401-22
MARTINS, JOE & MICHELLE
16 EVELYN PLACE

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

Block-Lot: 6400-13

RUEDA, ERNESTO & CHRISTINA
285 PASSAIC AVE
NUTLEY, NJ 07110
RE: 285 PASSAIC AVENUE

Block-Lot: 6401-14

QUINONES, RALPH & SHERI T
15 SHEPARD PL
NUTLEY, NJ 07110
RE: 15 SHEPARD PLACE

Block-Lot: 6401-15

DELIZIO, JOSEPH & BRENDA M.
13 SHEPARD PL
NUTLEY, NJ 07110
RE: 13 SHEPARD PLACE

Block-Lot: 6401-17

THOMSON, FREDERICK & GAINER, KAREN A
307 PASSAIC AVE
NUTLEY, NJ 07110
RE: 307 PASSAIC AVENUE

Block-Lot: 6400-11

OLIVO, JOSEPH D. & ANN MARIE
15 EVELYN PL
NUTLEY, NJ 07110
RE: 15 EVELYN PLACE

Block-Lot: 6400-12

STEWART, BRIAN
9 EVELYN PL
NUTLEY, NJ 07110
RE: 9 EVELYN PLACE

Block-Lot: 6401-18

FOGEL, MICHAEL D. & MELISSA M.
303 PASSAIC AVE
NUTLEY, NJ 07110
RE: 303 PASSAIC AVENUE

Block-Lot: 6401-23

MEHTA, MANAS
24 EVELYN PL
NUTLEY, NJ 07110
RE: 24 EVELYN PLACE

Block-Lot: 4200-1

GRUTTADAURIA, JOSEPH M. & SHARYN
326 GRANT AVE
NUTLEY, NJ 07110
RE: 326 GRANT AVENUE

Block-Lot: 6402-17

TEESE, LINDA A. & JAMES B.
22 SHEPARD PL
NUTLEY, NJ 07110
RE: 22 SHEPARD PLACE

Block-Lot: 6402-16

HASSELBROOK, JAMES P. & AUDREY C.
18 SHEPARD PL
NUTLEY, NJ 07110
RE: 18 SHEPARD PLACE

Block-Lot: 6402-15

SHRESTHA, RAJAN & LAMA, URMILA
12 SHEPARD PLACE
NUTLEY, NJ 07110
RE: 12 SHEPARD PLACE

Block-Lot: 6401-25

WALSH, RAYMOND A. & MAUREEN F.
30 EVELYN PL
NUTLEY, NJ 07110
RE: 30 EVELYN PLACE

Block-Lot: 6401-24

ALBRIGHT, ELIZABETH
26 EVELYN PL
NUTLEY, NJ 07110
RE: 26 EVELYN PLACE

Block-Lot: 6401-13

SCHIPPER, JANICE
319 PASSAIC AVE
NUTLEY, NJ 07110
RE: 319 PASSAIC AVENUE

Block-Lot: 6401-10

MCGLONE, ANNMARIE
31 SHEPARD PL
NUTLEY, NJ 07110
RE: 31 SHEPARD PLACE

Block-Lot: 6401-11

CAPRIO, ELEANORE M.
27 SHEPARD PL
NUTLEY, NJ 07110
RE: 27 SHEPARD PLACE

Block-Lot: 6401-12

DYLEWSKI, E & GIORDANO, C
23 SHEPARD PLACE
NUTLEY, NJ 07110
RE: 23 SHEPARD PLACE

Block-Lot: 6401-13

ALAGNA, KATHERINE J. & NICHOLAS
19 SHEPARD PL
NUTLEY, NJ 07110
RE: 19 SHEPARD PLACE

Block-Lot: 6401-16

MITOLA, ASHLEY E & ANTHONY A
9 SHEPARD PLACE
NUTLEY, NJ 07110
RE: 9 SHEPARD PLACE

Block-Lot: 6401-26

ECKERT, PATRICIA
34 EVELYN PL
NUTLEY, NJ 07110
RE: 34 EVELYN PLACE

Block-Lot: 6401-21

NUGIEL, TIMOTHY & MARIELET
12 EVELYN PL
NUTLEY, NJ 07110
RE: 12 EVELYN PLACE

Block-Lot: 6401-20

COLLINS, JOHN & SUSAN
8 EVELYN PL
NUTLEY, NJ 07110
RE: 8 EVELYN PLACE

Block-Lot: 6401-19

HUTLER, DAVID & CATHERINE
299 PASSAIC AVE
NUTLEY, NJ 07110
RE: 299 PASSAIC AVENUE

Block-Lot: 6400-6

FERRANTE, STEPHEN & CHRISTINE TRUST
33 EVELYN PL
NUTLEY, NJ 07110
RE: 33 EVELYN PLACE

Block-Lot: 6400-7

SMITH, GARY & MARGIT
31 EVELYN PL
NUTLEY, NJ 07110
RE: 31 EVELYN PLACE

Block-Lot: 6400-8

PIRO, LAUREN M.
27 EVELYN PLACE
NUTLEY, NJ 07110
RE: 27 EVELYN PLACE

Block-Lot: 6400-9

BROGAN, SUZANNE M. & WILLIAM M.
21 EVELYN PL
NUTLEY, NJ 07110
RE: 21 EVELYN PLACE

Block-Lot: 6400-10

PATELLA, JOSEPH & CHRISTINE M.
19 EVELYN PL
NUTLEY, NJ 07110
RE: 19 EVELYN PLACE

Block-Lot: 6101-2

ESSEX COUNTY PARK COMMISSION
115 CLIFTON AVE
NEWARK, NJ 07104
RE: 120 VINCENT PLACE

Block-Lot: 6402-18

NOVAK, STANLEY & CHERYL
24 SHEPARD PL
NUTLEY, NJ 07110
RE: 24 SHEPARD PLACE

Block-Lot: 4200-2.01

LAM, DEREK Z & SUR, BINA
302 PASSAIC AVE
NUTLEY, NJ 07110
RE: 302 PASSAIC AVENUE

16 EVELYN PLACE - BLOCK 6401, LOT 22
NUTLEY, NEW JERSEY

PROJECT INFORMATION:

EXISTING ONE-FAMILY HOUSE W/ ATTACHED GARAGE
RESIDENTIAL DISTRICT R-1 / NON-CORNER LOT (INTERNAL)

- PROPOSED GARAGE CONSTRUCTION
- 1-CAR, DETACHED
- SIZE: 16'-0" X 22'-0"
- EXTEND EXISTING ASPHALT DRIVEWAY TO CONNECT TO PROPOSED GARAGE
- RESURFACE EXISTING ASPHALT DRIVEWAY WITH NEW ASPHALT

NOTE: PROPOSED GARAGE NON-COMPLIANT TO SIDE YARD SETBACK.

BECAUSE OF THE LOCATION OF THE PROPOSED GARAGE AND THE PROXIMITY OF THE GARAGE TO BOTH THE SIDE AND REAR PROPERTY LINES, A VARIANCE IS BEING SOUGHT. THEY ARE AS FOLLOWS:

CHAPTER 700 ARTICLE XI, SECTION 700-67 B (1) OF THE CODES OF NUTLEY, ENTITLED "ACCESSORY BUILDINGS AND USES," STATES THAT "NO DETACHED ACCESSORY BUILDING OR ACCESSORY USE SHALL BE LOCATED NEARER THAN THREE FEET OR 1/2 THE HEIGHT OF SUCH BUILDING UP TO A DISTANCE OF SIX FEET, WHICHEVER IS GREATER, TO A SIDE OR REAR LOT LINE"

Variance #1:
Setback Side Yard = 2.00' *Min. Required 6.00'

Variance #2:
Setback Rear Yard = 2.00' *Min. Required 6.00'

C.100 INDEX PAGE, COVER PAGE, CALCULATIONS, ETC.
C.101 PROPOSED OVERALL PROPERTY PLAN
A.101 PROPOSED FOUNDATION AND FLOOR PLAN
A.102 PROPOSED ROOF PLAN AND EXTERIOR ELEVATIONS
A.103 PROPOSED EXTERIOR ELEVATIONS AND SECTIONS



MRAD

Sept 14
2020

Martins Garage
16 Evelyn Place
Nutley, NJ

C100
COVER SHEET

DRAWING 1 OF 5

PROJECT NO. 2020-01

EXISTING-
5,000 SF LOT

26.98% EXISTING LOT COVERAGE

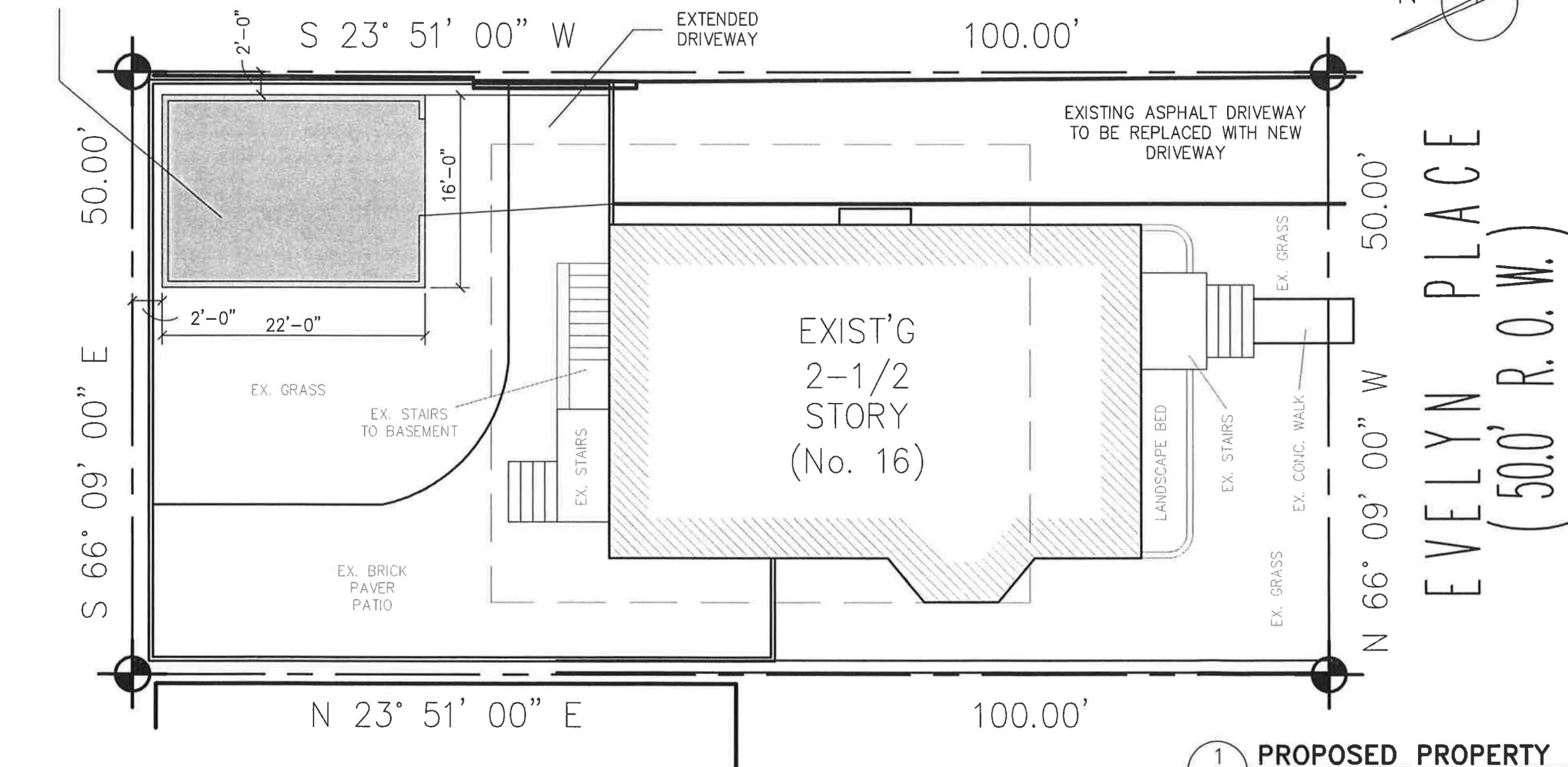
PROPOSED 22'X16' GARAGE = 352 SF

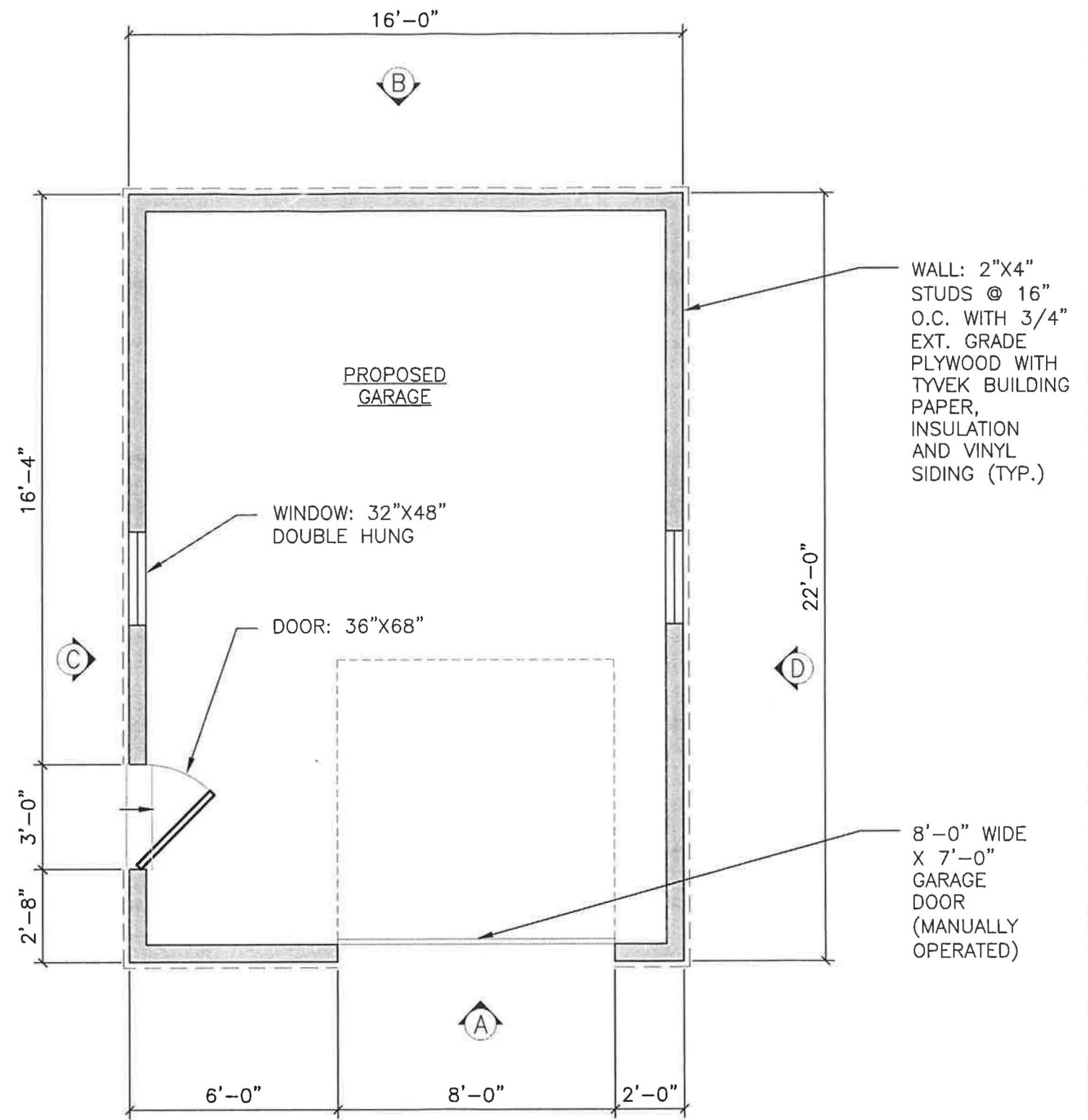
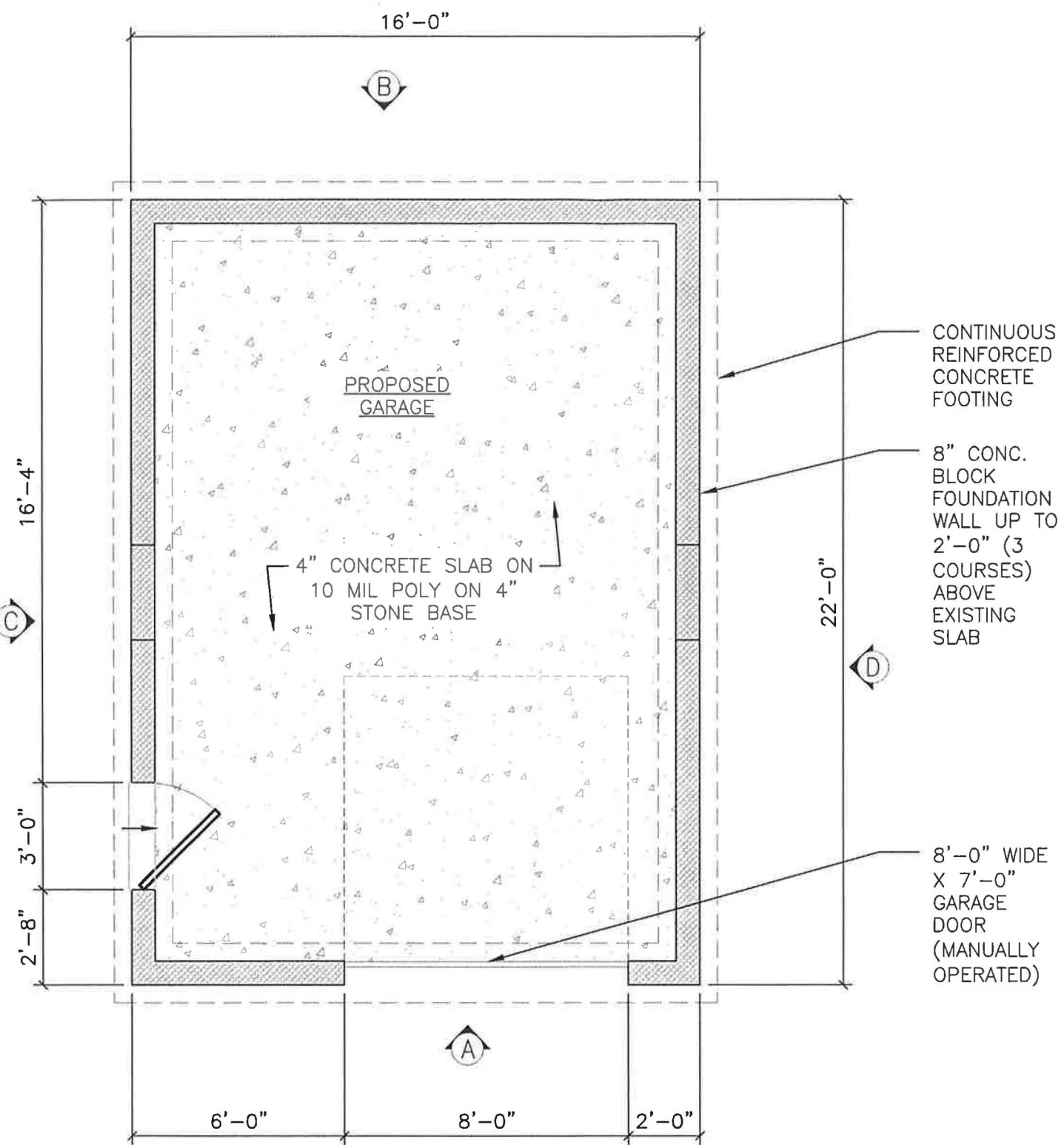
PROPOSED LOT COVERAGE: 1,751 SF
35% LOT COVERAGE (MAX. 35%) - COMPLIES

PROPOSED IMPERVIOUS COVERAGE: 3,446 SF
68.92% IMPERVIOUS (MAX. 70%) - COMPLIES

REF. TO SURVEY (JOB # 2006-0041)
DATED 2/13/2006 BY GEORGE J.
ANDERSON, LLC, PROFESSIONAL LAND
SURVEYORS LIC. # 36706, 641-B
FRANKLIN AVENUE, NUTLEY, NJ 07110.
TEL (973) 667-0713, FAX (973)
667-0517

PROPOSED 1-CAR GARAGE





1 PROPOSED FOUNDATION PLAN
A101 SCALE: 1/4" = 1'-0"

2 PROPOSED FLOOR PLAN
A101 SCALE: 1/4" = 1'-0"

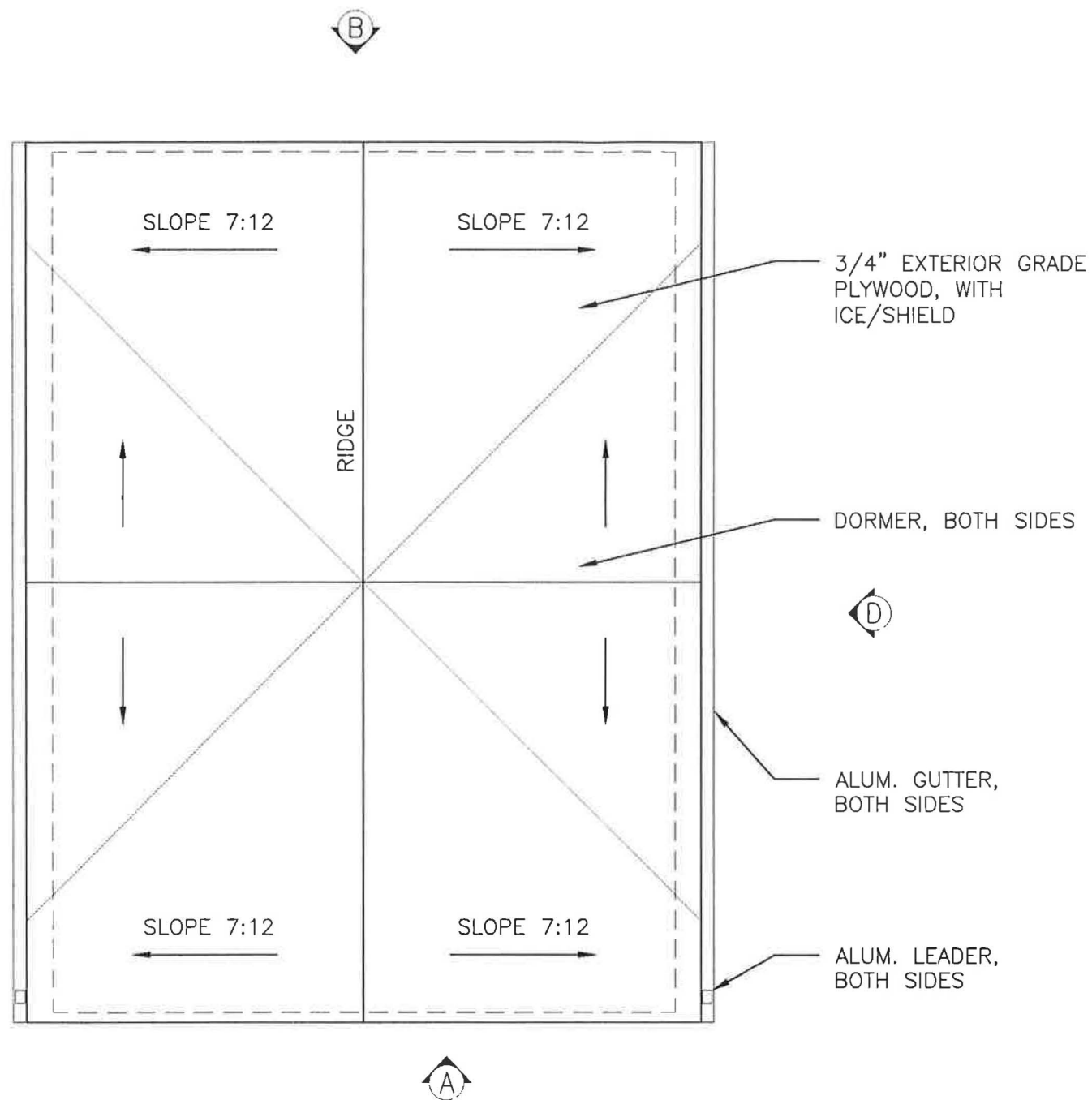
Mark Roselli, RA
NJ License # 21A101852100
201-452-2343
MarkRoselliArchitect@gmail.com

MRAD

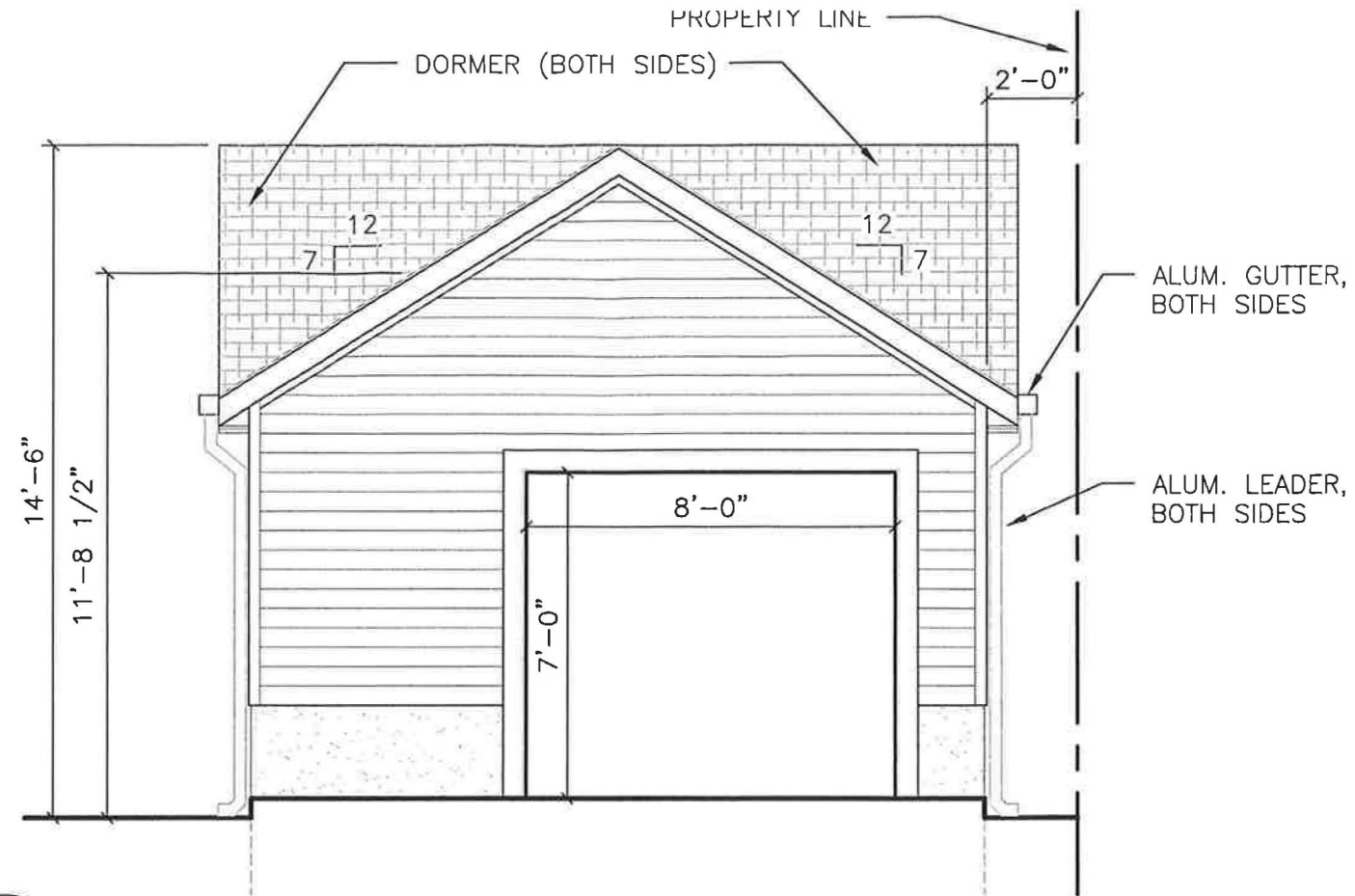
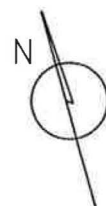
Sept 14
2020

Martins Garage
16 Evelyn Place
Nutley, NJ

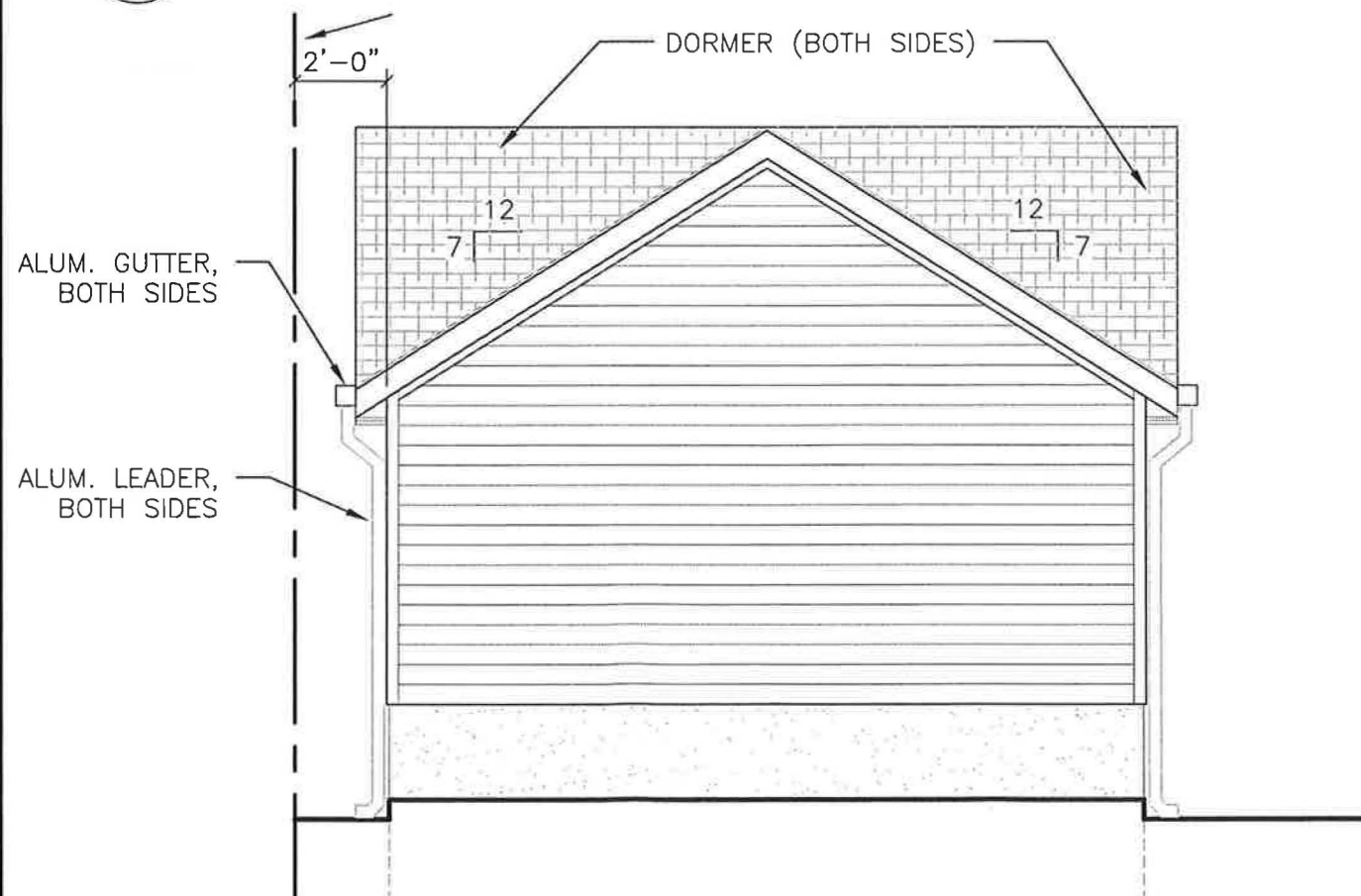
A101
PROPOSED
GARAGE FOOTING
AND FLOOR PLAN
DRAWING 3 OF 5



1 PROPOSED ROOF PLAN
A102 SCALE: 1/4" = 1'-0"



A PROPOSED FRONT ELEVATION
A102 SCALE: 1/4" = 1'-0"



B PROPOSED REAR ELEVATION
A102 SCALE: 1/4" = 1'-0"

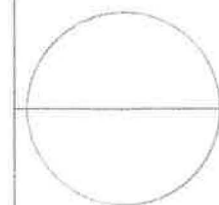
Mark Roselli, RA
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MarkRoselliArchitect@gmail.com

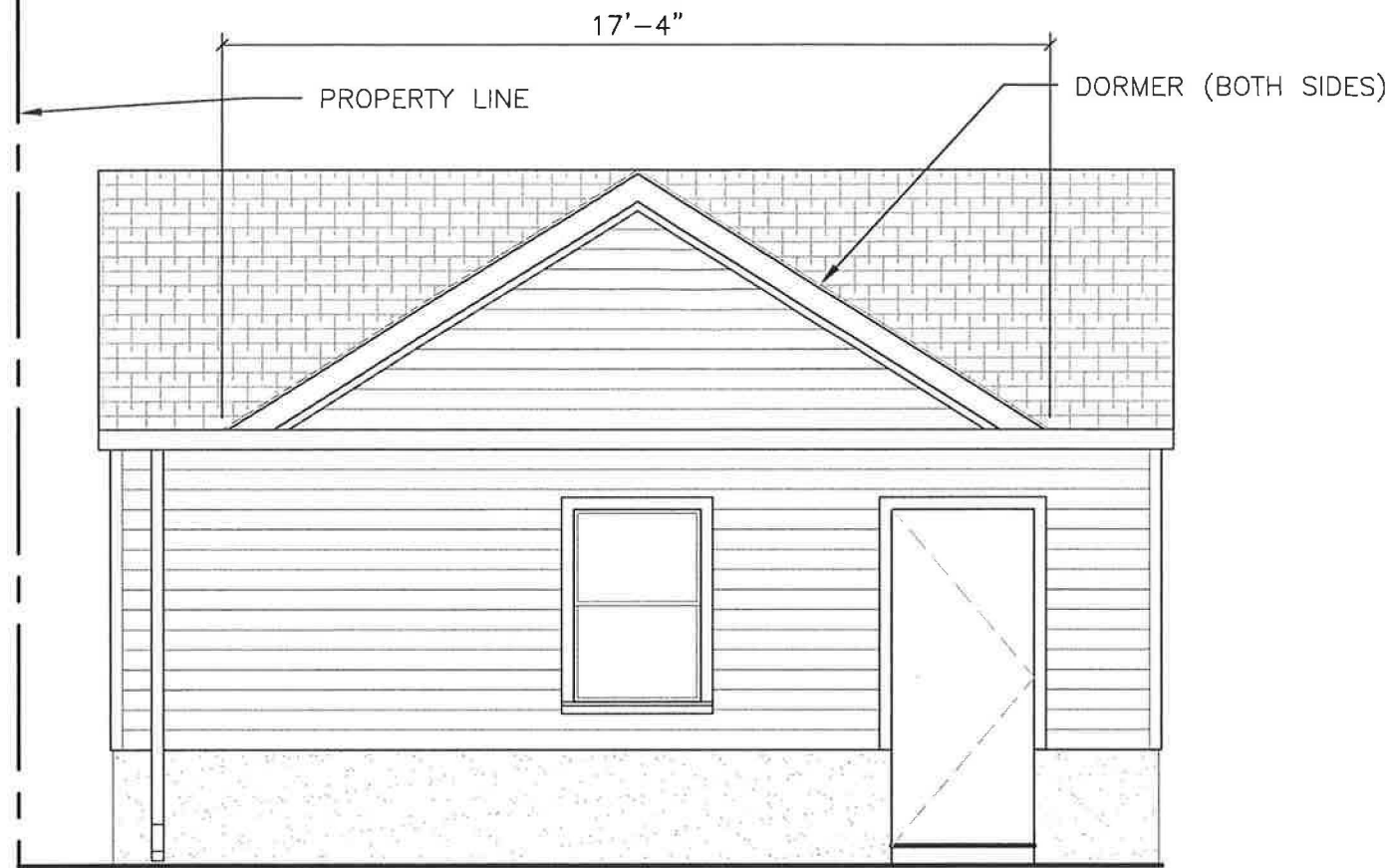
MRAD

Sept 14
2020

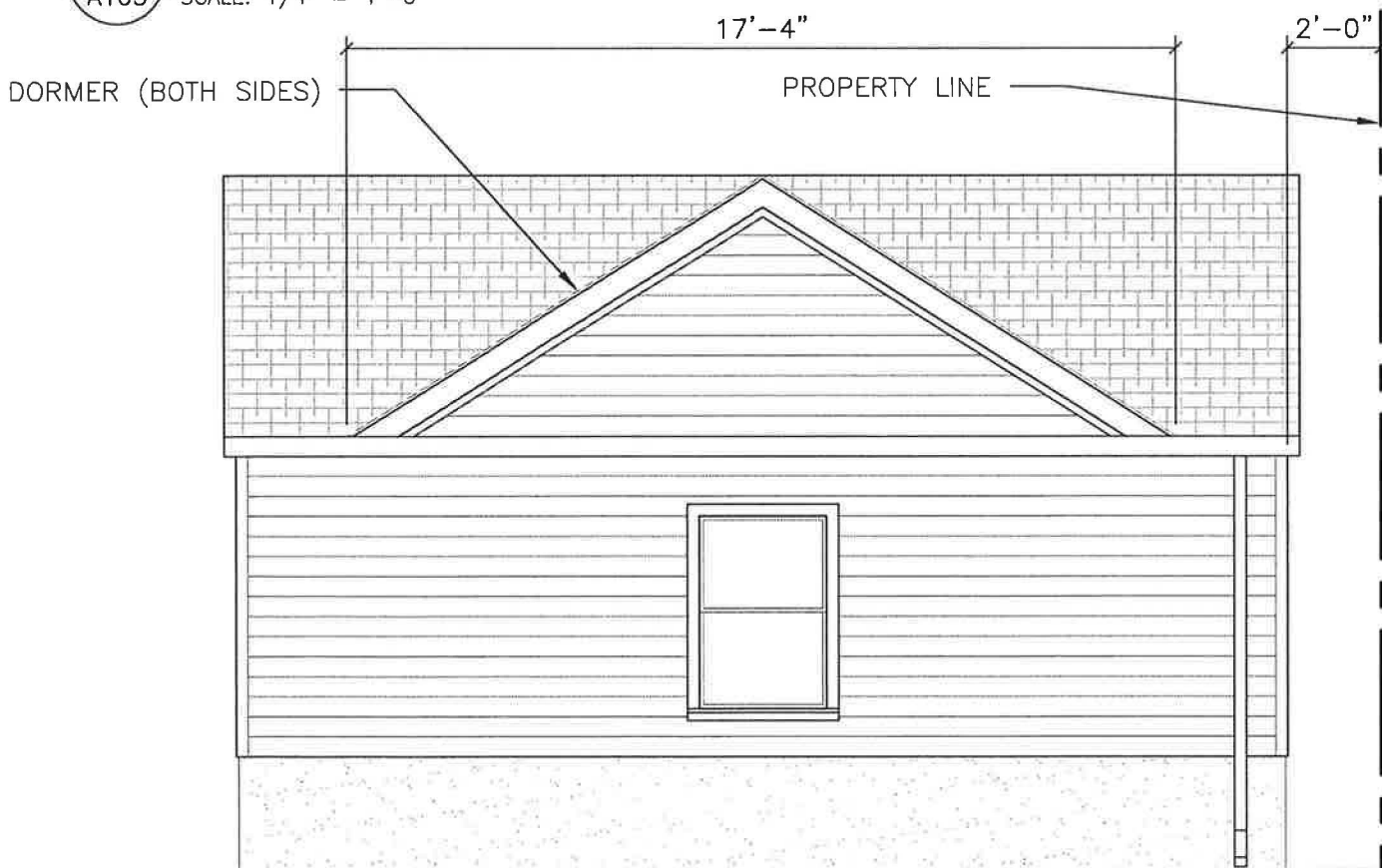
Martins Garage
16 Evelyn Place
Nutley, NJ

A102
PROPOSED
GARAGE ROOF &
EXT. ELEVATIONS
DRAWING 4 OF 5

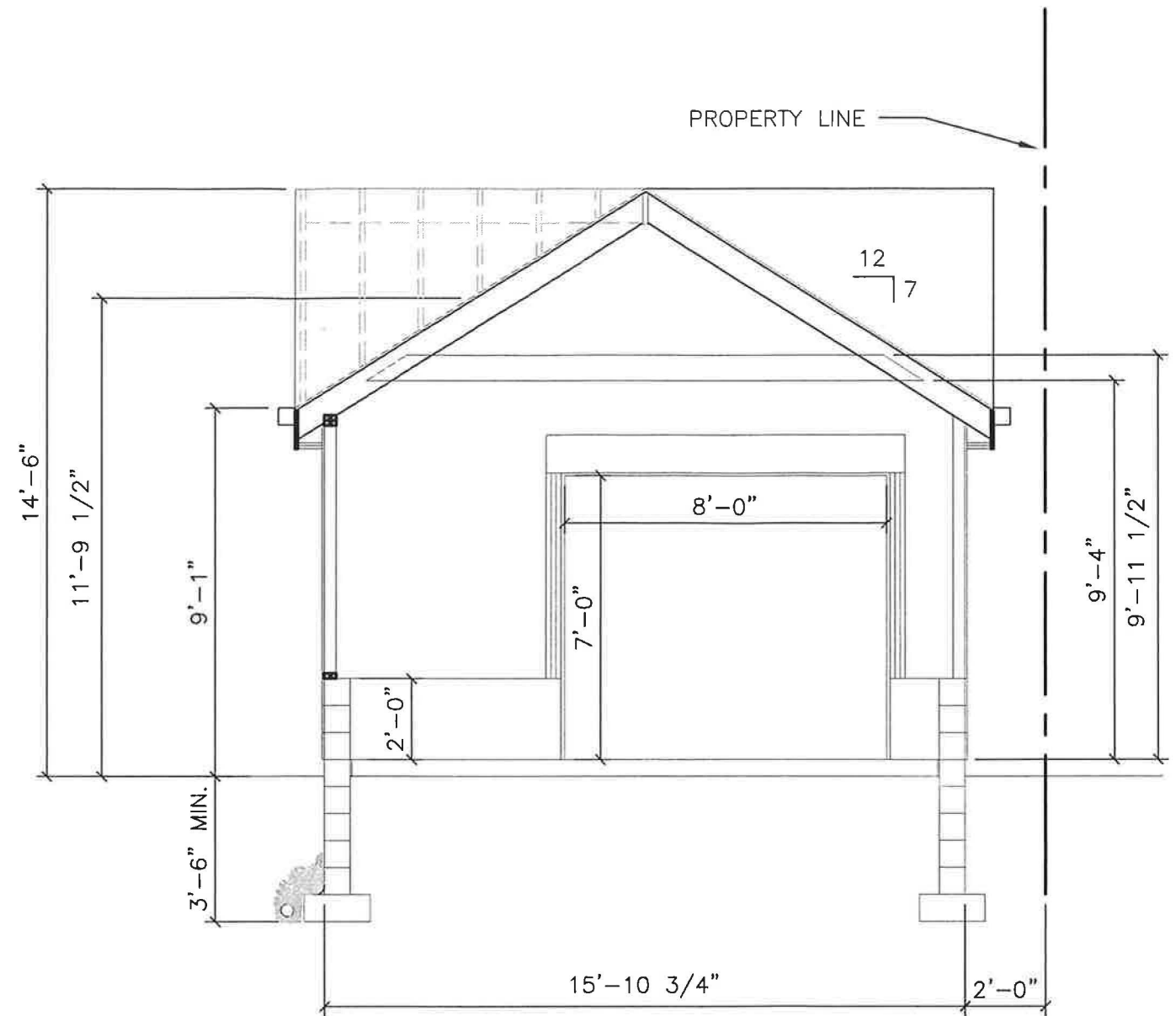




C PROPOSED SIDE ELEVATION (WEST)
A103 SCALE: 1/4" = 1'-0"



D PROPOSED SIDE ELEVATION (EAST)
A103 SCALE: 1/4" = 1'-0"



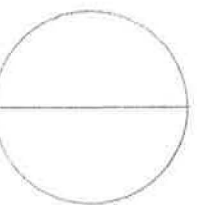
1 PROPOSED SECTION
A103 SCALE: 1/4" = 1'-0"

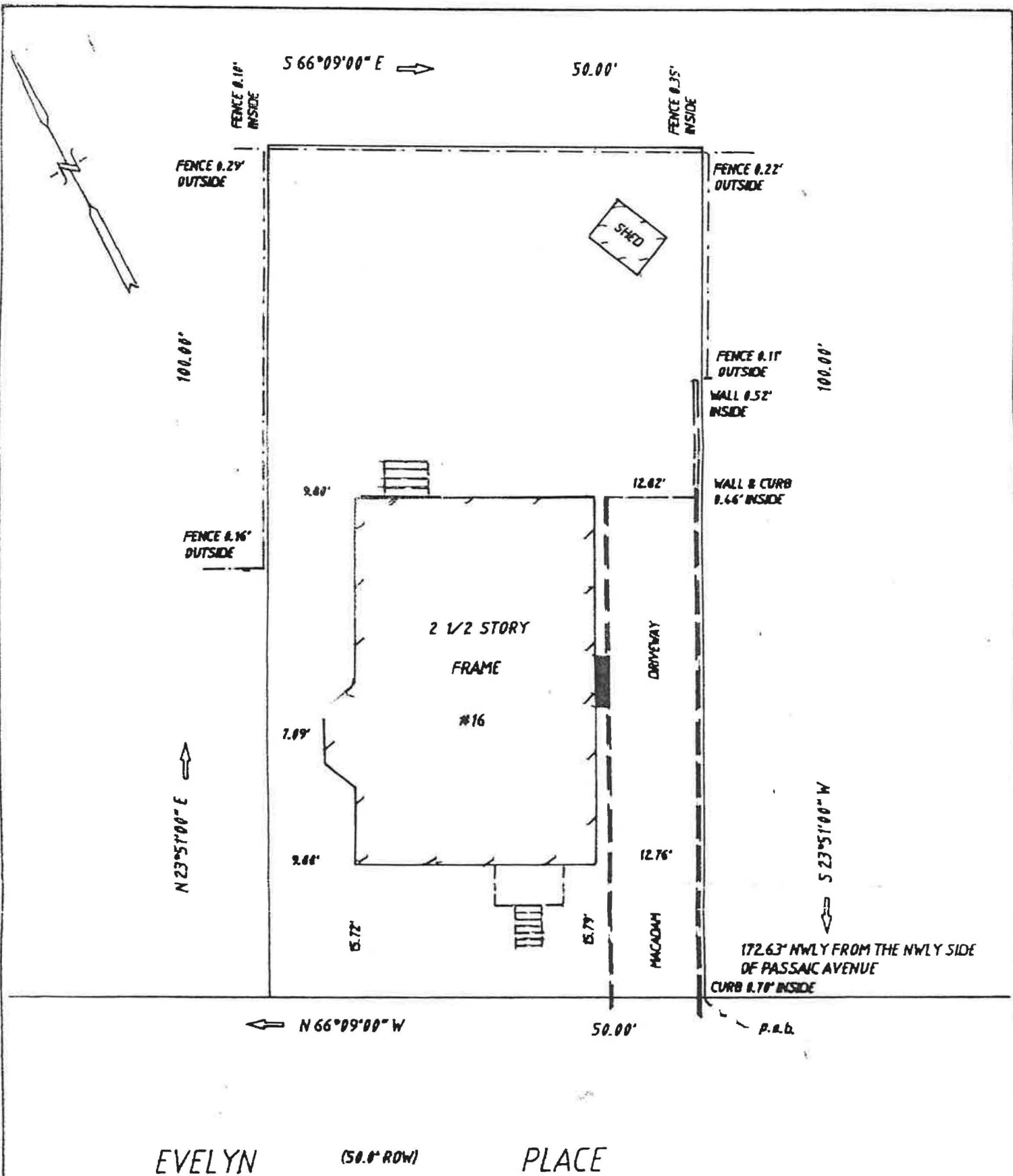
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NJ License # 21A101852100
201-452-2343
MarkRoselliArchitect@gmail.com

MRAD
Sept 14
2020

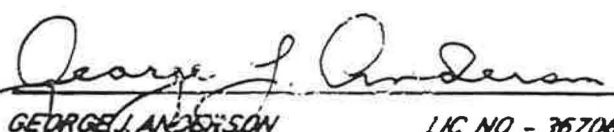
Martins Garage
16 Evelyn Place
Nutley, NJ

A103
PROPOSED EXT.
ELEVATIONS &
SECTION
DRAWING 5 OF 5





THIS SURVEY IS CERTIFIED TO JOE MARTINS AND MICHELLE MARTINS; JON KEARNEY, ESQ.; TRUSTED TITLE, L.L.C.; VALLEY NATIONAL BANK, ITS SUCCESSORS AND/OR ASSIGNS AS THEIR INTERESTS MAY APPEAR.

MAP OF PROPERTY SITUATED AT - 16 EVELYN PLACE, TOWNSHIP OF NUTLEY ESSEX COUNTY, NEW JERSEY				GEORGE J. ANDERSON, L.L.C. PROFESSIONAL LAND SURVEYORS (RECORDS OF SHEPARD & SHEPARD, INC.) 641-B FRANKLIN AVE. - NUTLEY, NEW JERSEY 07110 TEL-(973) 667-0713 FAX-(973) 667-0517		
SURVEY NO. - 2006.0061		SCALE - 1"=15.0'				
BLOCK 186		LOT(S) 3				
TAX MAPS						
FILED MAP - LOT NOS. 69 & 50 ON "MAP OF 137 LOTS BELONGING TO JERE JOHNSON, JR. CO. SITUATE IN THE FIRST WARD OF THE TOWN OF NUTLEY, ESSEX COUNTY, NEW JERSEY" FILED AT THE E.C.R.O. ON MAY 10, 1915 AS MAP NO. 691.				 GEORGE J. ANDERSON LIC. NO. - 36706		
DESCRIPTION		DR	CK			DATE
LOCATION SURVEY		LA	GA			02/13/2006

N:42660