



CODE ENFORCEMENT DEPT.

THOMAS J. EVANS
Director of Revenue and Finance

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 7, 2020

Mr. Joseph Martinez
104 East Passaic Avenue
Nutley, NJ 07110

Re: Side Yard Fence
104 East Passaic Avenue
Block- Lots: 8501/7

Dear Mr. Martinez:

Your request for a permit, at the above referenced premises, to install a six (6') foot solid type fence located in both of the side yards, as shown on the property survey received by Code Enforcement on June 29, 2020, is denied for the following.

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

Chapter 700, Article XI, Section 700-71 B of the Codes of Nutley states a fence erected along the side lines from the front line of a main structure to the rear line of such structure and within such lines shall not exceed four feet in height and shall be not less than two feet in height and shall be of 50% open construction (i.e., the open spaces in the fence shall be at least the same width of each picket, slat or other construction element of such fence). The setback for any such fence shall be in line with the furthest setback of the adjacent property or the property upon which the fence is being erected, whichever setback is greater.

A non-refundable filing fee of \$75.00 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 Antonette DeBlasio, at (973) 284-4957. 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/adb



TOWNSHIP OF NUTLEY, NEW JERSEY

ZONING BOARD OF ADJUSTMENT APPLICATION FORM

Docket No: ZBA-20-0027

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: \$ 75 (on denial letter)

Date of Denial Letter: 6/30/20

Section I: SUBJECT PROPERTY

Address: 104 EAST PASSAIC Ave

Block: 8501 Lot: 7 Zone: R-1

	District Requirements	Proposed
Lot Area	_____	_____
Lot Width	_____	_____
Lot Depth	_____	_____
Front Yard	<u>N/A</u>	<u>N/A</u>
Side Yard	_____	_____
Rear Yard	_____	_____
Other	_____	_____

Section II: APPLICANT INFORMATION

Name: Joseph Martinez

Address: 104 E. Passaic Ave
Nutley, NJ. 07110

Telephone: 201-951-8356

Email Address: jmarti1976@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>1</u>	<u>1</u>
Total existing and total proposed professional offices	<u>-</u>	<u>-</u>
Total existing and total proposed parking spaces	<u>✓</u>	<u>-</u>

Present use of premises:

One Family Home

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? _____

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

Section V: PROFESSIONAL INFORMATION

Applicant's Attorney

Name: _____

Address: _____

Telephone: _____ Fax: _____

Email Address: _____

Applicant's Architect

Name: _____

Address: _____

Telephone: _____ Fax: _____

Email Address: _____

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).

There are no constraints.

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

*There are no conditions in which would
constrain development.*

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

X We have two small children who are able to climb a 4 foot fence. Our next door neighbor has a big dog. We also have an active driveway next to our backyard. We are requesting the variance for the safety of our kids.

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.

The fence will be on our own property. Our yard already has a 6 ft. fence on 2 sides of our property. We also have signed letters from our neighbors giving us the Okay for installing this fence.

CERTIFICATION

STATE OF NEW JERSEY }
COUNTY OF ESSEX } SS.

8 Joseph Martinez, being duly sworn, hereby certify (*check one*)

8 > JM 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.

8 JM
Applicant/Applicant's Authorized
Officer or Representative

6 Subscribed and sworn to before me
this 25 day of SEPTEMBER, 2020.

Bradford H. 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-20-0027

Work Site Location: 104 East Passaic Avenue

Applicant: Martinez

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

1 to 2, as of 5/29/2020.

Antonette DeBlasio

ANTONETTE DEBLASIO
Technical Assistant/ZBA-PB
Township of Nutley, NJ



Nutley

Parcel Offset List

Target Parcel(s): Block-Lot: 8501-7
MARTINEZ, JOSEPH
104 EAST PASSAIC AVENUE

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

Block-Lot: 8501-12

ZOPPI, PETER & JOANN
174 MILTON AVE
NUTLEY, NJ 07110
RE: 174 MILTON AVENUE

Block-Lot: 8501-6

FLORES, SERGIO
108 E PASSAIC AVE
NUTLEY, NJ 07110
RE: 108 EAST PASSAIC AVENUE

Block-Lot: 8501-14

SHCHUR, VASYL & MARIYA
166 MILTON AVE
NUTLEY, NJ 07110
RE: 166 MILTON AVENUE

Block-Lot: 8501-8

NUTLEY HEIGHTS
100 EAST PASSAIC AVENUE
NUTLEY, NJ 07110
RE: 100 EAST PASSAIC AVENUE

Block-Lot: 8501-5

BORJA, CARLOS LUIS
112 E PASSAIC AVE
NUTLEY, NJ 07110
RE: 112 EAST PASSAIC AVENUE

Block-Lot: 8501-9

MICKELWAITE, RONALD & ELAINE
96 E PASSAIC AVE
NUTLEY, NJ 07110
RE: 96 EAST PASSAIC AVENUE

Block-Lot: 8501-10

DUDA, WALTER S. & MADELINE
90 E PASSAIC AVE
NUTLEY, NJ 07110
RE: 90 EAST PASSAIC AVENUE

Block-Lot: 8501-11

KON ORR
62 HOPE ST
NUTLEY, NJ 07110
RE: 80 EAST PASSAIC AVENUE

Block-Lot: 8501-13

PAGHDAL, GIRISH V. & CHARU G.
170 MILTON AVE
NUTLEY, NJ 07110
RE: 170 MILTON AVENUE

Block-Lot: 8501-3

PANAGOPOULOS, MENELAOS & PETER
120 EAST PASSAIC AVENUE
NUTLEY, NJ 07110
RE: 120 EAST PASSAIC AVENUE

Block-Lot: 8501-4

CETRULO, DESIREE
116 E PASSAIC AVE
NUTLEY, NJ 07110
RE: 116 EAST PASSAIC AVENUE

Block-Lot: 8500-1

COUNTY OF ESSEX
HIGH STREET AT W. MARKET
NEWARK, NJ 07102
RE: EAST PASSAIC AVENUE

Block-Lot: 8501-8-C0102

ROSA, MARSHA J.
100 E PASSAIC AVE APT A2
NUTLEY, NJ 07110
RE: 100 E. PASSAIC AVE. CA-2

Block-Lot: 8501-8-C0103

KEHOE, PATRICK & GENCHI, KRISTAN D.
100 E PASSAIC AVE APT A3
NUTLEY, NJ 07110
RE: 100 E. PASSAIC AVE. CA-3

Block-Lot: 8501-8-C0104

NADAVALLURU, PRATAP
100 EAST PASSAIC AVENUE
NUTLEY, NJ 07110
RE: 100 E. PASSAIC AVE. CA-4

Block-Lot: 8501-8-C0201

LYPOWY, JACQUELINE M
100 EAST PASSAIC AVE, CB-1
NUTLEY, NJ 07110
RE: 100 E. PASSAIC AVE. CB-1

Block-Lot: 8501-8-C0202

KERKE, GARY & CLARA
100 E PASSAIC AVE APT B2
NUTLEY, NJ 07110
RE: 100 E. PASSAIC AVE. CB-2

Block-Lot: 8501-8-C0203

GEDIK, ARZU H
100 E PASSAIC AVE
NUTLEY, NJ 07110
RE: 100 E. PASSAIC AVE. CB-3

Block-Lot: 8501-8-C0204

GEHA, RONALD J. & BARBARA L.
100 E PASSAIC AVE APT B4
NUTLEY, NJ 07110
RE: 100 E. PASSAIC AVE. CB-4

Block-Lot: 8501-8-C0205

ADUBATO, MICHELE
100 E PASSAIC AVE APT B5
NUTLEY, NJ 07110
RE: 100 E. PASSAIC AVE. CB-5

Block-Lot: 8501-8-C0206

CALABRESE, CARMELA
100 EAST PASSAIC AVE CB-6
NUTLEY, NJ 07110
RE: 100 E. PASSAIC AVE. CB-6

Block-Lot: 8501-8-C0301

CHOJNACKI, ARKADIUSZ & GRAZYNA
100 E PASSAIC AVE APT C1
NUTLEY, NJ 07110
RE: 100 E. PASSAIC AVE. CC-1

Block-Lot: 8501-8-C0101

MARCHESINI, JOSEPH V. & MARY ANN
100 E PASSAIC AVE APT A1
NUTLEY, NJ 07110
RE: 100 E. PASSAIC AVE. CA-1

ADJACENT PROPERTY LISTING
TAXING DISTRICT 02 BLOOMFIELD TWP

PAGE 1
COUNTY 07 ESSEX

PROPERTY ID	PROPERTY LOCATION	CLASS	OWNERS NAME & ADDRESS
830 37	75 KETNER STREET	2	TRAINOR, WENDELIN 75 KETNER STREET BLOOMFIELD, NJ 07003
830 40	52 FRITZ STREET	2	APONTE, ANNETTE & ROBERTO 52 FRITZ STREET BLOOMFIELD, NJ 07003
830 42	50 FRITZ STREET	2	ROBLES, MIGUEL & KAFALA, TODOR 50 FRITZ ST BLOOMFIELD, NJ 07003
919 32	70-74 KETNER ST	2	GIALLORETO, MICHAEL & SOLANGE 70-74 KETNER STREET BLOOMFIELD, NJ 07003

References:

1. KNOWN AND DESIGNATED as Lot 7 Block 8501 as shown on the current Tax Assessment Map, Township of Nutley, Essex County, New Jersey.
2. Deed Book 12393 Page 5932

Notes:

1. This survey is for title purpose only.
2. Only surface conditions are shown on this map. The surveyor takes no responsibility for buried pipes, wires, wells, and other utilities.
3. Property subject to easements and restrictions of record and findings of a current title report.
4. Property corners have not been set pursuant to N.J.A.C. 13:40-5.2.

