

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

February 6, 2020

Mr. Carmen Alvarado  
40 Colonial Terrace  
Nutley NJ 07110

RE: SEMI IN/GROUND POOL  
40 Colonial Terrace  
Block/Lot: 3002/6

Dear Mr. Alvarado

Your request for a permit at the above referenced premises, to install a 12' by 24' semi in ground pool having a seven (7') foot side yard setback, a four (4') foot rear yard setback and an eight (8') foot setback to the main dwelling, as shown on the survey by Nutley code enforcement received, December 12, 2018 is denied for the following reason:

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

Chapter 700, Article V, Section 700-9 D (2) of the Codes of Nutley requires a pool to have an eight (8') foot rear and side yard setback. ***The proposed pool will have a seven (7') foot side yard setback and a four (4') foot rear yard setback.***

Chapter 700, Article XI, Section 700-67 C of the Codes of Nutley states no detached accessory building shall be located nearer than 10 feet to a main building. ***The proposed pool will be eight (8') feet from the main building.***

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 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 not 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-19-0005

TO ALL APPLICANTS: This application form is designed to obtain from you 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: 2/6/20 revised

### Section I: SUBJECT PROPERTY

Address: 40 Colonial Terrace

Block: 302 Lot: 6 Zone: RIAA

	<u>Pool</u> District Requirements	Proposed
Lot Area		
Lot Width		
Lot Depth		
Front Yard		
Side Yard	<u>8'</u>	<u>7'</u>
Rear Yard	<u>8'</u>	<u>4'</u>
Other <u>house/pool</u>	<u>10'</u>	<u>8'</u>

### Section II: APPLICANT INFORMATION

Name: Carmen Alvarado

Address: 40 Colonial Terrace  
Nutley NJ 07110

Telephone: 973-985-1253

Email Address: mariano@verizon.net

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 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? \_\_\_\_\_

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).

None.

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

None.

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

will effect my kids and family with being able to enjoy summers in a pool with family and friends. A pool will assist in relieving stress and provide a relaxing environment

7 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 pool will be in the enclosed yard to our one family dwelling. The five foot fencing provides privacy and will not cause detriment to my neighbors and will respect the parameters of the Zoning Plan/Ordinance. However, my neighbors are excited to come over and enjoy summers with us in our pool. We are looking forward in having them.

**CERTIFICATION**

STATE OF NEW JERSEY }

}

ss.

COUNTY OF ESSEX }

}

Carmen M. Alvado, being duly sworn, hereby certify (check one)

➤ ☒ that I am the applicant

or

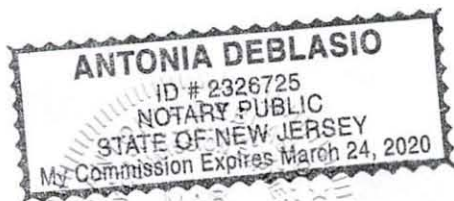
➤ \_\_\_\_\_ that I am the \_\_\_\_\_ of \_\_\_\_\_,  
(Title) (Company Name)  
the Applicant, and that I am duly empowered and authorized to make this representation  
on behalf of \_\_\_\_\_;  
(Company Name)

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

[Signature]  
Applicant/Applicant's Authorized  
Officer or Representative

Subscribed and sworn to before me  
this 14<sup>th</sup> day of February, 2020.

Antonia DeBlasio  
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**

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Docket Number: ZBA-19-0005

Work Site Location: 40 Colonial Terrace

Applicant: Alvarado

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

1 to 3, as of 1/6/2020.

*Antonette DeBlasio*

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





## Nutley

### Parcel Offset List

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**Target Parcel(s):** Block-Lot: 3002-6  
ALVARADO, CARMEN M  
40 COLONIAL TERRACE

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

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**Block-Lot: 3002-19**

VISCO, NORVIC & BORDA, KAREN  
193 HILLSIDE AVE  
NUTLEY, NJ 07110  
RE: 193 HILLSIDE AVENUE

**Block-Lot: 3002-22**

ZABLOCKI, DAVID  
181 HILLSIDE AVENUE  
NUTLEY, NJ 07110  
RE: 181 HILLSIDE AVENUE

**Block-Lot: 3100-11**

NORA, FRANK EDWARD & NORA, DENICE  
194 HILLSIDE AVENUE  
NUTLEY, NJ 07110  
RE: 194 HILLSIDE AVENUE

**Block-Lot: 3000-18**

OKABE, MASAMI & NOBUKO  
39 COLONIAL TER  
NUTLEY, NJ 07110  
RE: 39 COLONIAL TERRACE

**Block-Lot: 3002-16**

LONGO, NICHOLAS G. & LORI ANN F.  
207 HILLSIDE AVE  
NUTLEY, NJ 07110  
RE: 207 HILLSIDE AVENUE

**Block-Lot: 3000-17**

TANGORRA, ROSANNA, CAROL & WILLIAM  
43 COLONIAL TER  
NUTLEY, NJ 07110  
RE: 43 COLONIAL TERRACE

**Block-Lot: 3100-8**

DI FRANCO, DOMINICK JR.  
180 HILLSIDE AVE  
NUTLEY, NJ 07110  
RE: 180 HILLSIDE AVENUE

**Block-Lot: 3000-21**

COLUCCI, JOSEPH & LEVENDUSKY, JAMES  
19 COLONIAL TER  
NUTLEY, NJ 07110  
RE: 19 COLONIAL TERRACE

**Block-Lot: 3002-5**

VONROTH, BRENT A. & JENNIFER  
32 COLONIAL TER  
NUTLEY, NJ 07110  
RE: 32 COLONIAL TERRACE

**Block-Lot: 3002-20**

ZEPKA, RITA JAN  
191 HILLSIDE AVE  
NUTLEY, NJ 07110  
RE: 191 HILLSIDE AVENUE

**Block-Lot: 3002-21**

BERGEN, JOHN JR.  
187 HILLSIDE AVE  
NUTLEY, NJ 07110  
RE: 187 HILLSIDE AVENUE

**Block-Lot: 3100-12**

KOZELEK, BRADLEY S. & SUSAN NATALE  
198 HILLSIDE AVE  
NUTLEY, NJ 07110  
RE: 198 HILLSIDE AVENUE

**Block-Lot: 3002-4**

ROSSI, TAMMY J.  
28 COLONIAL TER  
NUTLEY, NJ 07110  
RE: 28 COLONIAL TERRACE

**Block-Lot: 3002-3**

AZIERSKI, MARK & DELGADO, ELIZABETH  
22 COLONIAL TERRACE  
NUTLEY, NJ 07110  
RE: 22 COLONIAL TERRACE

**Block-Lot: 3100-10**

PELLICANO, PHILLIP  
188 HILLSIDE AVE  
NUTLEY, NJ 07110  
RE: 188 HILLSIDE AVENUE

**Block-Lot: 3002-23**

VALLADARES, GUILLERMO J.  
177 HILLSIDE AVE  
NUTLEY, NJ 07110  
RE: 177 HILLSIDE AVENUE

**Block-Lot: 3100-9**

BLASI, MICHAEL J. & PATRICIA C.  
184 HILLSIDE AVE  
NUTLEY, NJ 07110  
RE: 184 HILLSIDE AVENUE

**Block-Lot: 3002-24**

FELD, BENNETT & JANET SAIA-FELD  
173 HILLSIDE AVENUE  
NUTLEY, NJ 07110  
RE: 173 HILLSIDE AVENUE

**Block-Lot: 3002-25**

LOCKWOOD, JOAN R. & KELLY C.  
165 HILLSIDE AVE  
NUTLEY, NJ 07110  
RE: 165 HILLSIDE AVENUE

**Block-Lot: 3100-7**

COLLETT, STEVEN  
176 HILLSIDE AVE  
NUTLEY, NJ 07110  
RE: 176 HILLSIDE AVENUE

**Block-Lot: 3100-6**

SERRITELLA, JOSEPH  
172 HILLSIDE AVE  
NUTLEY, NJ 07110  
RE: 172 HILLSIDE AVENUE

**Block-Lot: 3002-17**

SMORTO, CLARA  
201 HILLSIDE AVE  
NUTLEY, NJ 07110  
RE: 201 HILLSIDE AVENUE

**Block-Lot: 3000-15**

CHOE, JUNE J. & CHEOL JONG OH  
53 COLONIAL TER  
NUTLEY, NJ 07110  
RE: 53 COLONIAL TERRACE

**Block-Lot: 3000-6**

SCHERBAN, BRUCE J. & DEITRE H.  
572 PROSPECT ST  
NUTLEY, NJ 07110  
RE: 572 PROSPECT STREET

**Block-Lot: 3002-9**

TUCCI, MAURO G. & LINDA A.  
56 COLONIAL TER  
NUTLEY, NJ 07110  
RE: 56 COLONIAL TERRACE

**Block-Lot: 3000-16**

DELITTA, MARK R. & MICHELLE  
49 COLONIAL TER  
NUTLEY, NJ 07110  
RE: 49 COLONIAL TERRACE

**Block-Lot: 3000-5**

SMITH, WALTER A. & SUZANNE  
568 PROSPECT ST  
NUTLEY, NJ 07110  
RE: 568 PROSPECT STREET

**Block-Lot: 3002-8**

GRUETER, JAMES J.  
52 COLONIAL TER  
NUTLEY, NJ 07110  
RE: 52 COLONIAL TERRACE

**Block-Lot: 3002-7**

MALANGA, VICTOR A. & DANA  
44 COLONIAL TER  
NUTLEY, NJ 07110  
RE: 44 COLONIAL TERRACE

**Block-Lot: 3000-19**

SANGEMINO, DIANE  
33 COLONIAL TER  
NUTLEY, NJ 07110  
RE: 33 COLONIAL TERRACE

**Block-Lot: 3000-20**

MOLONEY, LIAM & CARMEN  
29 COLONIAL TERR.  
NUTLEY, NJ 07110  
RE: 29 COLONIAL TERRACE

**Block-Lot: 3002-18**

FREY, LUISA A.  
197 HILLSIDE AVE  
NUTLEY, NJ 07110  
RE: 197 HILLSIDE AVENUE



$12 \times 24$ 

Semi, IG Pool

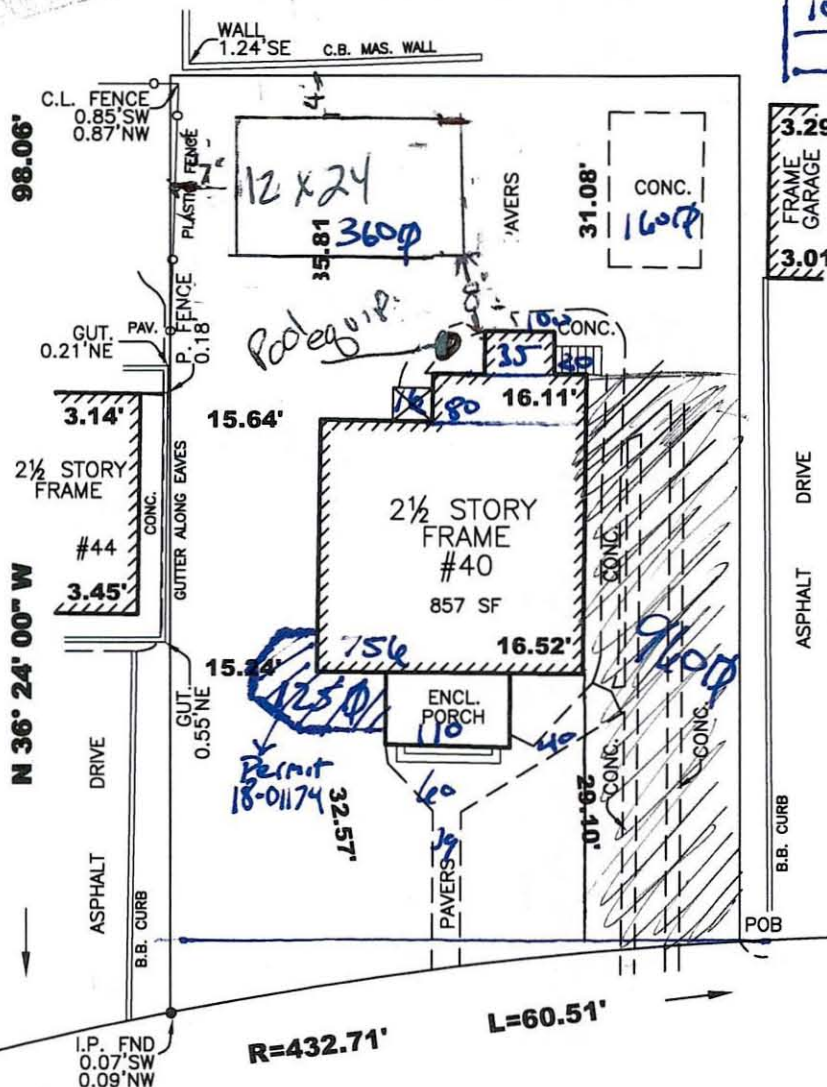
(4')

7' from Side & rear yard

8' from dwelling



**N 53° 36' 00" E      60.00'**


$$\frac{\text{lot area}}{35\%} = 5670 \text{ m}^2$$

Total lot coverage

Pool 360  $\Phi$   
House 1142  $\Phi$   
Porch 1502  $\Phi$   
OK

IMP. CONCEPTS

$$30\% = 1701 \text{ \pounds}$$
$$70\% = 3969 \text{ } \phi$$

→ PDR 04 29000  $\frac{E}{J}$  OK

## Variance

700-9.D(2)

34 Foot Side @  
Leas. Payoff

8' required

445.01

700-67.C

8' Foot approx. to main dwelling Proposed

10. Гектар

# COLONIAL

# TERRACE

**Bldg Dept  
Copy**