

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

May 18, 2020

Mr. & Mrs. Brendan McMullen
198 Lakeside Drive
Nutley NJ 07110

RE: ABOVE GROUND POOL
198 Lakeside Drive
Block/Lot: 1902/33

Dear Mr. & Mrs. McMullen:

Your request for a permit at the above referenced premises, to install a 12' x 20' x 54" above ground pool which is attached to the existing deck; therefore, will have a 10' rear yard setback to the rear line, and three (3') foot setback to the existing garage which will reduce the total lot coverage, as shown on the property survey prepared by George Anderson, dated October 8, 1996, 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 D of the Codes of Nutley states an attached accessory structure or accessory use shall be considered to be a part of the main building.

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.


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 a 30' rear yard setback. *The attached deck/pool will have a 10' 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 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-20-0016

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: 5/18/2020

Section I: SUBJECT PROPERTY

Address: 198 Lakeside Drive

Block: 1902 Lot: 33 Zone: R1

	District Requirements	Proposed
Lot Area	_____	_____
Lot Width	_____	_____
Lot Depth	_____	_____
Front Yard	_____	_____
Side Yard	_____	_____
Rear Yard	_____	_____
Other	_____	_____

Section II: APPLICANT INFORMATION

Name: Brendan McMullen

Address: 198 lakeside drive

Nutley NJ 07110

Telephone: 201 478 0006

Email Address: Brenmc1010@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 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).

*Due to the fact that we have an irregular lot,
there is only one place the pool can be
constructed.*

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

*Due to the fact that our lot is under-sized
(narrow), there is only one place the pool
can be positioned.*

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

The current pool is 15+ years old and needs to be replaced. Due to the current COVID-19 social restrictions, it would be impracticable to not replace it. Removing the existing deck ~~the~~ ~~probably~~ would incur hardship.

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.

Granting this variance will not detrimentally affect public good or impair the intent or purpose of the ordinance. Our entire yard is fenced and the entrance to the pool is gated.

CERTIFICATION

STATE OF NEW JERSEY }
COUNTY OF ESSEX } ss.

Brendan McAllen, 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 21 day of MAY, 2020.

[Signature]
Signature of person authorized to take oaths

DANIELLE M ESPOSITO
ID # 2334674
NOTARY PUBLIC
STATE OF NEW JERSEY
My Commission Expires September 19, 2020



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

CERTIFICATION OF PROPERTY OWNERS WITHIN 200 FEET

Docket Number: ZBA-20-0016

Work Site Location: 198 Lakeside Drive

Applicant: McMullen

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

1 to 3, as of 3/19/2020.

Antonette DeBlasio

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



Nutley

Parcel Offset List

Target Parcel(s): Block-Lot: 1902-33
MCMULLEN, BRENDAN & VICTORIA
198 LAKESIDE DRIVE

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

Block-Lot: 1902-41

BANKS, COLLEEN
187 LAKESIDE DRIVE
NUTLEY, NJ 07110
RE: 187 LAKESIDE DRIVE

Block-Lot: 1902-30

D'ANGELO, FRANK J JR. & CHRISTINE S
192 LAKESIDE DR
NUTLEY, NJ 07110
RE: 192 LAKESIDE DRIVE

Block-Lot: 1902-29

MONASTERIO, FRANK J & REA, CONCETTA
188 LAKESIDE DR
NUTLEY, NJ 07110
RE: 188 LAKESIDE DRIVE

Block-Lot: 1902-47

KASTNER, JOSEPH & PATRICIA
50 YANTACAW PL
NUTLEY, NJ 07110
RE: 50 YANTACAW PLACE

Block-Lot: 1902-36

MACKEMULL, PAUL & CARL & SMALLIDGE, M
201 LAKESIDE DR
NUTLEY, NJ 07110
RE: 201 LAKESIDE DRIVE

Block-Lot: 1902-17

RAPP, MICHAEL
18 FITTING PL
NUTLEY, NJ 07110
RE: 18 FITTING PLACE

Block-Lot: 1902-53

CONNOR, NOEL & MAUREEN
72 ELM PL
NUTLEY, NJ 07110
RE: 72 ELM PLACE

Block-Lot: 1902-32

MCALOON, JACQUELINE
196 LAKESIDE DR
NUTLEY, NJ 07110
RE: 196 LAKESIDE DRIVE

Block-Lot: 1902-23

HASSAN, OMAR
9 FITTING PL
NUTLEY, NJ 07110
RE: 9 FITTING PLACE

Block-Lot: 1902-31

CHANG, KUO SH & PING YEUNG
194 LAKESIDE DR
NUTLEY, NJ 07110
RE: 194 LAKESIDE DRIVE

Block-Lot: 1902-42

AMLUNG, CHRIS
185 LAKESIDE DR
NUTLEY, NJ 07110
RE: 185 LAKESIDE DRIVE

Block-Lot: 1902-55

STREMEL, MAURICIO & KARINA
78 ELM PLACE
NUTLEY, NJ 07110
RE: 78 ELM PLACE

Block-Lot: 1902-19

TOMASZEWSKI, JOHN C. & FARAH M.
22 FITTING PLACE
NUTLEY, NJ 07110
RE: 22 FITTING PLACE

Block-Lot: 1902-18

GRODKIEWICZ, THOMAS & MARY
20 FITTING PL
NUTLEY, NJ 07110
RE: 20 FITTING PLACE

Block-Lot: 1902-54

TOLVE, GERARD & SHERRIE
76 ELM PL
NUTLEY, NJ 07110
RE: 76 ELM PLACE

Block-Lot: 1902-37

LONG, MICHAEL WILLIAM & JIMINEZ, B
197 LAKESIDE DRIVE
NUTLEY, NJ 07110
RE: 197 LAKESIDE DRIVE

Block-Lot: 1902-27

LUPINACCI, ANTHONY & LOIS
182 LAKESIDE DR
NUTLEY, NJ 07110
RE: 182 LAKESIDE DRIVE

Block-Lot: 1902-57

MICO, MARIO R. & LORENZA
86 ELM PL
NUTLEY, NJ 07110
RE: 86 ELM PLACE

Block-Lot: 1902-56

DODDS, JOHN & JAIME
82 ELM PLACE
NUTLEY, NJ 07110
RE: 82 ELM PLACE

Block-Lot: 1902-20

NIECZKOWSKI, STEFANIE
21 FITTING PLACE
NUTLEY, NJ 07110
RE: 21 FITTING PLACE

Block-Lot: 1902-52

DE AMORIN, JOSEPH & JO-ANN
68 ELM PL
NUTLEY, NJ 07110
RE: 68 ELM PLACE

Block-Lot: 1902-51

ROSALES, LUIS F.
66 ELM PL
NUTLEY, NJ 07110
RE: 66 ELM PLACE

Block-Lot: 1902-16

SANTIAGO, JOSE
14 FITTING PLACE
NUTLEY, NJ 07110
RE: 14 FITTING PLACE

Block-Lot: 1902-15

DMITRZAK, ANDREW W JR & GE, PEINAN
10 FITTING PL
NUTLEY, NJ 07110
RE: 10 FITTING PLACE

Block-Lot: 1902-50

GOLDRICK, RICHARD & MARION
64 ELM PL
NUTLEY, NJ 07110
RE: 64 ELM PLACE

Block-Lot: 1902-21

BUTLER, DAVID & EMMANUELLE BUTLER
19 FITTING PLACE
NUTLEY, NJ 07110
RE: 19 FITTING PLACE

Block-Lot: 1902-34

MCMULLEN, ROBERT G. & LINDA
200 LAKESIDE DR
NUTLEY, NJ 07110
RE: 200 LAKESIDE DRIVE

Block-Lot: 1902-35

WINDHEIM III, FRED THOMAS
211 LAKESIDE DR
NUTLEY, NJ 07110
RE: 211 LAKESIDE DRIVE

Block-Lot: 1902-22

TENORIO, DENNIS S & MYLENE I
15 FITTING PL
NUTLEY, NJ 07110
RE: 15 FITTING PLACE

Block-Lot: 1902-28

SWISTOK, JOSEPH & BARBARA M.
186 LAKESIDE DR
NUTLEY, NJ 07110
RE: 186 LAKESIDE DRIVE

Block-Lot: 1902-38

SCORSONE, CHARLES & LINDA
195 LAKESIDE DR
NUTLEY, NJ 07110
RE: 195 LAKESIDE DRIVE

Block-Lot: 1902-39

DAMURJIAN, RICHARD J. & JOAN A.
193 LAKESIDE DR
NUTLEY, NJ 07110
RE: 193 LAKESIDE DRIVE

Block-Lot: 3202-1

NUTLEY BOARD OF EDUCATION
375 BLOOMFIELD AVE
NUTLEY, NJ 07110
RE: 20 YANTACAW PLACE

Block-Lot: 1902-40

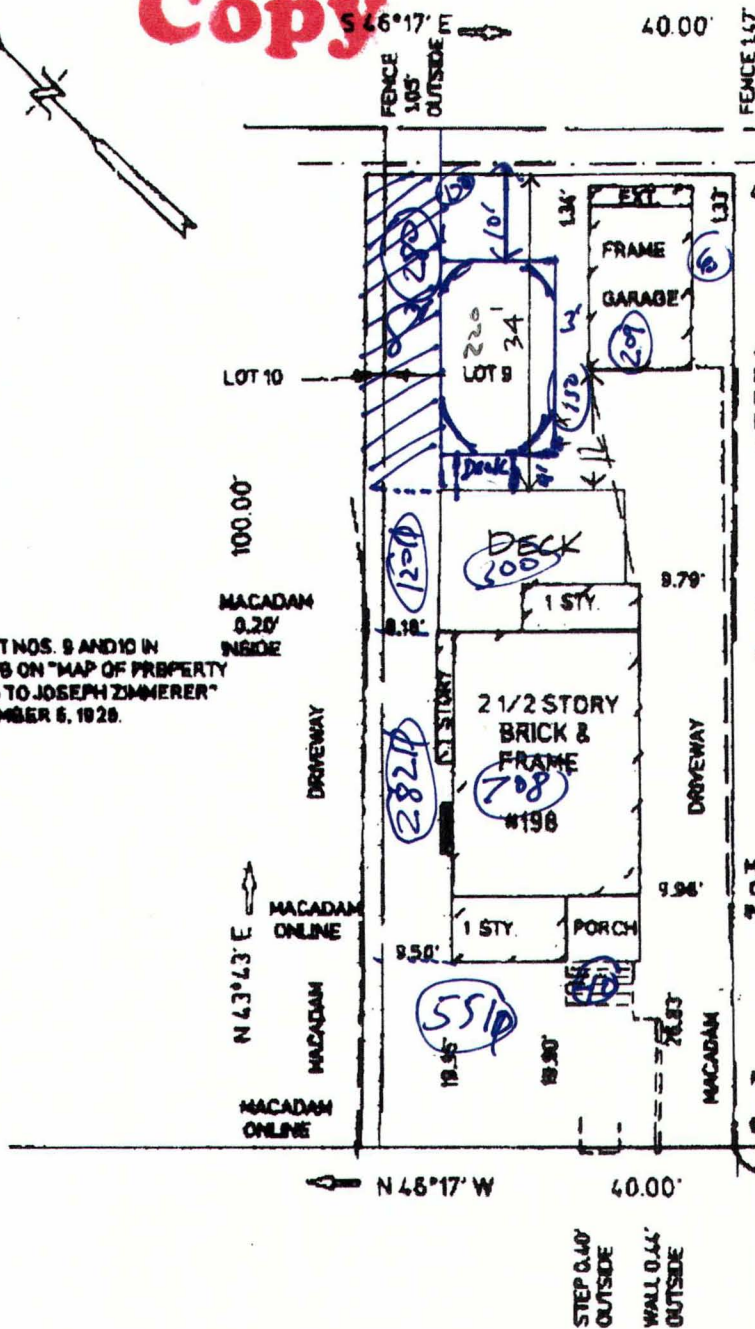
TROVATO, BRIAN & JODI
191 LAKESIDE DR
NUTLEY, NJ 07110
RE: 191 LAKESIDE DRIVE

Bldg Dept Copy

Lot area $40' \times 100' =$
4000 ϕ

35% = 1400 ϕ
70% = 2800 ϕ
30% = 1200 ϕ

PART OF LOT NOS. 9 AND 10 IN
BLOCK 331-B ON "MAP OF PROPERTY
BELONGING TO JOSEPH ZIMMERER"
DATED NOVEMBER 6, 1928.



LAKE SIDE (50.0' R.D.W.) DRIVE

THIS SURVEY IS CERTIFIED TO PAUL JULIANO AND KAREN JULIANO, HIS
REALTY TITLE AGENCY, INC., GREENWICH HOME MORTGAGE CORP., ITS
THEIR INTERESTS MAY APPEAR.

35% lot coverage
209 ϕ
300 ϕ
708 ϕ
40 ϕ
1257 ϕ
+ Pool? $\phi = 220 \phi$
1477 ϕ

30% - Required Permits
(coverage)
551
282
120
280
150
60
150
20
1613 ϕ OK

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

This is a location survey. Property corners were not marked by contractual agreement.

RECEIVED

JAN 2 2002

TOWNSHIP OF NUTLEY
CODE ENFORCEMENT DEPT.

SHEPARD & SHEPARD, INC.
PROFESSIONAL LAND SURVEYORS

22 CHERRY PLACE

NUTLEY, N.J. 07110

TEL 973-667-0713

FAX 973-667-0517

MAP OF PROPERTY SITUATED AT:
198 LAKE SIDE DRIVE, TOWNSHIP OF NUTLEY
ESSEX COUNTY, NEW JERSEY

SURVEY NO. 980630

BLOCK 331-B LOT(S) 9 TAX MAPS

SCALE 1"=20.0'

DRAWN BY LA CHECKED BY GJA

GEORGE J. ANDERSON
PROFESSIONAL LAND SURVEYOR - LIC. NO. 36706

George J. Anderson

DATE(S) 10/08/98