

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

September 1, 2020

Peter Russo  
45 Hope Street  
Nutley, NJ 07110

Re: Front Portico Roof  
45 Hope Street  
Block- Lot: 8803/9

Dear Mr. Russo:

Your request for a permit, at the above referenced premises, to construct a portico roof over the existing stairway platform, having an approximate front yard setback of five (5') feet, as shown on the plans submitted by owner, and on the property survey by George J. Anderson, LLC, dated March 14, 2000, is denied for the following reasons:

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

Chapter 700, Article VIII, Section 700-46 B (4) of the Codes of Nutley, entitled "Schedule of Regulations as to Bulk, Height, and Other Requirements," refers to "extensions of a structure into a **required** front or rear yard." *The proposed portico roof will be constructed over an existing stairway platform that does not have the required front yard setback.*

Chapter 700, Article VIII, Section 700-46 B (4) (d) of the Codes of Nutley, entitled "Schedule of Regulations as to Bulk, Height, and Other Requirements," states that "extensions of a structure into a required front or rear yard shall be permitted as follows: by any terrace or porch having its floor level no higher than the floor level of the first story of the building and having no railing or other member higher than three feet above floor level: six feet." *The proposed portico roof encroaches approximately 66", but the premises do not have the required front yard setback per the regulations.*

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](mailto: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-20-0044

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 (on denial letter)

Date of Denial Letter: 9-1-2020

### Section I: SUBJECT PROPERTY

Address: 45 Hope St.

Block: 67 Lot: 28 Zone: \_\_\_\_\_

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

### Section II: APPLICANT INFORMATION

Name: Peter and Michele Russo

Address: 45 Hope St.  
Nutley, NJ 07110

Telephone: 973-902-8582

Email Address: Michele.rus71@aol.com

Applicant is a:

\_\_\_\_ Corporation

\_\_\_\_ Partnership

\_\_\_\_ LLC

X 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	_____	_____
Total existing and total proposed professional offices	_____	_____
Total existing and total proposed parking spaces	_____	_____

Present use of premises: 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? yes

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

Fence early 2000s

Pool early 2000s

**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).

the stair where the overhang will be placed isn't the appropriate footage from the curb.

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

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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

The overhang will protect us and our stairs from weather conditions.

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.

it will not affect the public in a negative way at all. If anything it will make our house look nice and will add beauty to the neighborhood.

**CERTIFICATION**

STATE OF NEW JERSEY }  
COUNTY OF ESSEX }

SS.

Michelle Russo, being duly sworn, hereby certify (check one)

> MR that I am the applicant

or

> MR that I am the owner of 45 Hope St.,  
(Title) (Company Name)

the Applicant, and that I am duly empowered and authorized to make this representation

on behalf of 45 Hope St.;  
(Company Name)

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

Michelle Russo  
Applicant/Applicant's Authorized  
Officer or Representative

Subscribed and sworn to before me  
this 2ND day of September, 2020.

[Signature]  
Signature of person authorized to take oaths

**YRENE AVILES**  
NOTARY PUBLIC OF NEW JERSEY  
MY COMMISSION EXPIRES JUNE 20, 2023



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

**CERTIFICATION OF PROPERTY OWNERS WITHIN 200 FEET**

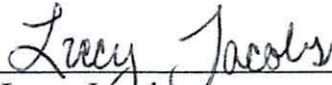
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Docket Number: ZBA-20-0044

Work Site Location: 45 Hope Street

Applicant: Peter Russo

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

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**Target Parcel(s):** Block-Lot: 8803-9  
RUSSO, PETER & MICHELE  
45 HOPE STREET

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

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**Block-Lot: 8803-17**

HRUBASH, LUCILLE A.  
43 CRESTWOOD AVE  
NUTLEY, NJ 07110  
RE: 43 CRESTWOOD AVENUE

**Block-Lot: 8800-22**

CERAMI, DOMENICA  
42 HOPE ST  
NUTLEY, NJ 07110  
RE: 42 HOPE STREET

**Block-Lot: 8800-21**

SMITH, CHARLES J.  
46 HOPE STREET  
NUTLEY, NJ 07110  
RE: 46 HOPE STREET

**Block-Lot: 8803-15**

SCUTTARO, ARTHUR  
51 CRESTWOOD AVE  
NUTLEY, NJ 07110  
RE: 51 CRESTWOOD AVENUE

**Block-Lot: 8803-11**

PESSOA, JOSE A. & LURDES O.  
53 HOPE ST  
NUTLEY, NJ 07110  
RE: 53 HOPE STREET

**Block-Lot: 8803-12**

CHAVEZ, CESAR & ROSIBEL  
57 HOPE ST  
NUTLEY, NJ 07110  
RE: 57 HOPE STREET

**Block-Lot: 8803-13**

PATEL, VINODCHANDRA & PARULBEN  
65 HOPE ST  
NUTLEY, NJ 07110  
RE: 65 HOPE STREET

**Block-Lot: 8803-16**

KHAN, AYAZ M & DINDIAL, TIFFANY  
47 CRESTWOOD AVENUE  
NUTLEY, NJ 07110  
RE: 47 CRESTWOOD AVENUE

**Block-Lot: 8803-18**

MARRANO, JOSEPH & MONZERRATE  
39 CRESTWOOD AVENUE  
NUTLEY, NJ 07110  
RE: 39 CRESTWOOD AVENUE

**Block-Lot: 8803-19**

MARFINO, RICHARD III  
35 CRESTWOOD AVE  
NUTLEY, NJ 07110  
RE: 35 CRESTWOOD AVENUE

**Block-Lot: 8803-6**

ZHANG, DANNY QUN  
540 PASSAIC AVE  
NUTLEY, NJ 07110  
RE: 31 HOPE STREET

**Block-Lot: 8803-1**

TOWNSHIP OF NUTLEY  
1 KENNEDY DR  
NUTLEY, NJ 07110  
RE: 50 BLOOMFIELD AVENUE

**Block-Lot: 8803-7**

DILKES, JOHN F. & CHRISTINA E.  
33 HOPE ST  
NUTLEY, NJ 07110  
RE: 33 HOPE STREET

**Block-Lot: 8800-5**

ELLIS, TINA MARIE & BURROW, THOMAS  
26 JEFFERSON ST  
NUTLEY, NJ 07110  
RE: 26 JEFFERSON STREET

**Block-Lot: 8800-6**

RAN, EUGENE & GLORIA  
30 JEFFERSON ST  
NUTLEY, NJ 07110  
RE: 30 JEFFERSON STREET

**Block-Lot: 8800-7**

MANDARAKAS, ADAM & GEORGETTE  
18 HILLTOP RD  
MILLINGTON, NJ 07946  
RE: 32 JEFFERSON STREET

**Block-Lot: 8800-8**

MOLINARI, CRISTINA  
40 JEFFERSON ST  
NUTLEY, NJ 07110  
RE: 40 JEFFERSON STREET

**Block-Lot: 8800-9**

HUYNH, PAUL & BECKY  
44 JEFFERSON ST  
NUTLEY, NJ 07110  
RE: 44 JEFFERSON STREET

**Block-Lot: 8800-26**

CAFONE, JAMES N. & ELIZABETH  
24 HOPE ST  
NUTLEY, NJ 07110  
RE: 24 HOPE STREET

**Block-Lot: 8800-10**

SACCENTE, LAWRENCE M. & MELODY L.  
48 JEFFERSON ST  
NUTLEY, NJ 07110  
RE: 48 JEFFERSON STREET

**Block-Lot: 8800-25**

FIGUEIREDO, MANUEL & DORIS  
28 HOPE ST  
NUTLEY, NJ 07110  
RE: 28 HOPE STREET

**Block-Lot: 8800-24**

BENEDETTO, VITO & ANGELA  
32 HOPE ST  
NUTLEY, NJ 07110  
RE: 32 HOPE STREET

**Block-Lot: 8800-23**

DAIDONE, ALBERT T. & DOHERTY, JULIE  
36 HOPE ST  
NUTLEY, NJ 07110  
RE: 36 HOPE STREET

**Block-Lot: 8800-20**

FRUM, RANDY & EMERALINO, ARLENE  
50 HOPE ST  
NUTLEY, NJ 07110  
RE: 50 HOPE STREET

**Block-Lot: 8800-19**

ROMANELLI, RUSSELL & EVONNE  
54 HOPE ST  
NUTLEY, NJ 07110  
RE: 54 HOPE STREET

**Block-Lot: 8800-18**

DANELIA, ZURAB & NINO  
58 HOPE ST  
NUTLEY, NJ 07110  
RE: 58 HOPE STREET

**Block-Lot: 8803-5**

MESSINA, NICHOLAS T. II & ELIZABETH  
23 HOPE STREET  
NUTLEY, NJ 07110  
RE: 23 HOPE STREET

**Block-Lot: 8800-17**

ORR, JOHN F. & LINDA L.  
14417 N GALATEA DR UNIT B  
FOUNTAIN HILLS, AZ 85268  
RE: 62 HOPE STREET

**Block-Lot: 8803-8**

SPAGNUOLO, ROBERT W. & LINDA

39 HOPE ST

NUTLEY, NJ 07110

RE: 39 HOPE STREET

**Block-Lot: 8803-10**

VICARI,SALVATORE+BIFULCO,MARGHERITA

49 HOPE STREET

NUTLEY, NJ 07110

RE: 49 HOPE STREET

