

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.

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

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.



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

CERTIFICATION OF PROPERTY OWNERS WITHIN 200 FEET

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

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

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

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

BEING KNOWN AS LOT 73 AND P/O LOT ON MAP ENTITLED:
 "MAP OF PROSPECT HEIGHTS, PROPERTY NUTLEY REALTY COMPANY,
 SITUATED AT NUTLEY, N.J." FILED JUNE 12, 1902 AS MAP NO. 349.

RECEIVED
 DEC 12 2018
 TOWNSHIP OF NUTLEY
 CODE ENFORCEMENT

12x24

Semi IG Pool

(4')
 7' from side & rear yard
 8' from dwelling



N 53° 36' 00" E 60.00'

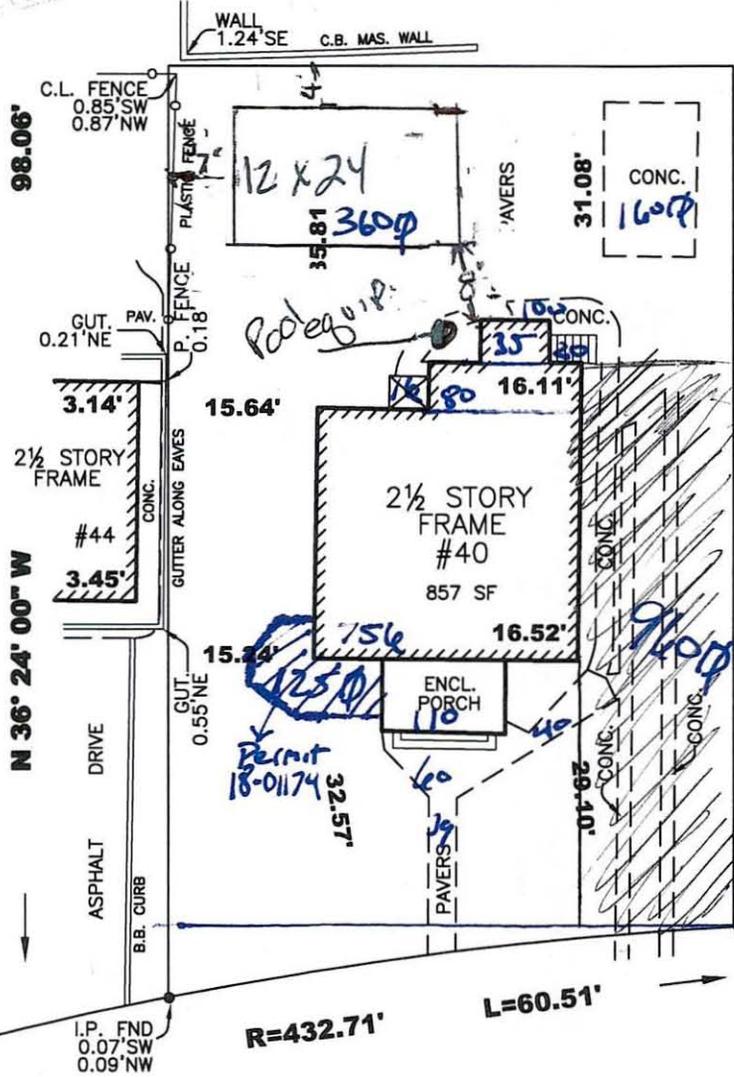
lot area 5670 sq ft
 35% = 1984.5 sq ft

Total lot coverage
 Pool 360 sq ft
 House 1142 sq ft
 Porch 1502 sq ft
 OK

Imp. Coverage
 30% = 1701 sq ft
 70% = 3969 sq ft
 - PDR 2900 sq ft OK

Variance
 700-9.D(2)
 4' Foot Side e
 rear, Proposed
 8' required

700-67.C
 8' Foot apprx. to
 main dwelling Proposed
 10' required



COLONIAL TERRACE

**Bldg Dept
 Copy**

NO RESPONSIBILITY OR LIABILITY IS ASSUMED BY SURVEYOR FOR USE OF SURVEY FOR ANY OTHER PURPOSE INCLUDING, BUT NOT LIMITED TO, USE OF SURVEY FOR SURVEY AFFIDAVIT, RESALE OF PROPERTY, OR TO ANY OTHER PERSON NOT LISTED IN CERTIFICATION, EITHER DIRECTLY OR INDIRECTLY. A WRITTEN WAIVER AND DIRECTION NOT TO SET CORNER MARKERS HAS BEEN OBTAINED FROM THE ULTIMATE USER PURSUANT TO P.L. 2003, c.14 (N.J.S.A. 45:8-36.3) AND N.J.A.C. 13:40-5.1(d) THIS SURVEY IS SUBJECT TO ANY FACTS THAT MAY BE DISCLOSED BY A FULL AND ACCURATE TITLE SEARCH.