

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

July 29, 2020

Mr. & Mrs. Kevin & Alison Milazzo
119 Cedar Street
Nutley, NJ 07110

Re: Above-Ground Pool
119 Cedar Street
Block- Lots: 5207/6

Dear Mr. & Mrs. Kevin & Alison Milazzo:

Your request for a permit, at the above referenced premises, to install a 12'x17'x54" above-ground pool, which will increase the total lot coverage to 37%, as shown on the property survey prepared by Rodolfo Pierri P.L.S., dated January 21, 2010, 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 VIII, Section 700-46 A of the Codes of Nutley, entitled "Schedule of Regulations as to Bulk, Height, and Other Requirements," requires that, in an R-1 zone, the lot coverage is not to exceed 35%. ***The proposed lot coverage will be 37%.***

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. 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
PLANNING BOARD

CERTIFICATION OF PROPERTY OWNERS WITHIN 200 FEET

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Docket Number: ZBA-20-0035

Work Site Location: 119 Cedar Street

Applicant: Kevin & Alison Milazzo

I do hereby certify to the ownership of the properties listed on pages
1 to 4, as of May 29, 2020.



Lucy Jacobs
Clerk



Nutley Parcel Offset List

Target Parcel(s): Block-Lot: 5207-6
MILAZZO, KEVIN & ALISON
119 CEDAR STREET

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

Block-Lot: 5205-14

LUPO, ANGELO & JANICE
193 BEECH ST
NUTLEY, NJ 07110
RE: 193 BEECH STREET

Block-Lot: 5207-14

GOLDMAN, PAUL & HURRING, ROSEMARY
187 RIDGE ROAD
NUTLEY, NJ 07110
RE: 187 RIDGE ROAD

Block-Lot: 5207-10

NETZKE, ROBERT H.
103 CEDAR STREET
NUTLEY, NJ 07110
RE: 103 CEDAR STREET

Block-Lot: 5207-18

SALISBURY, KRISTEN
196 BEECH ST
NUTLEY, NJ 07110
RE: 196 BEECH STREET

Block-Lot: 5207-11

LOVE, ARTHUR R. & KAREN
95 CEDAR ST
NUTLEY, NJ 07110
RE: 95 CEDAR STREET

Block-Lot: 5207-17

RIVERA, JACLYN
192 BEECH STREET
NUTLEY, NJ 07110
RE: 192 BEECH STREET

Block-Lot: 5206-10

VICIDOMINI, RALPH & JOANNE
181 RAYMOND AVE
NUTLEY, NJ 07110
RE: 181 RAYMOND AVENUE

Block-Lot: 5206-19

ROBERTO, ROBERT & ROSEMARY
118 CEDAR ST
NUTLEY, NJ 07110
RE: 118 CEDAR STREET

Block-Lot: 5207-8

LYNCH, JESSE R & SPEER, ALEXA J
111 CEDAR STREET
NUTLEY, NJ 07110
RE: 111 CEDAR STREET

Block-Lot: 5205-15

CHASMER, DAVID J.
189 BEECH ST
NUTLEY, NJ 07110
RE: 189 BEECH STREET

Block-Lot: 5205-16

DE PERSIO, ANTHONY & MARY BETH
185 BEECH ST
NUTLEY, NJ 07110
RE: 185 BEECH STREET

Block-Lot: 5205-17

SOLIMO, ROBERT N. & MARIE L.
175 RIDGE RD
NUTLEY, NJ 07110
RE: 175 RIDGE ROAD

Block-Lot: 5206-18

YANDUN, NELLY
114 CEDAR ST
NUTLEY, NJ 07110
RE: 114 CEDAR STREET

Block-Lot: 5206-7

STAUBLE, MARYANN M. & STEVEN L.
191 RAYMOND AVE
NUTLEY, NJ 07110
RE: 191 RAYMOND AVENUE

Block-Lot: 5206-8

IANUZZELLI, VICTORIA
187 RAYMOND AVE
NUTLEY, NJ 07110
RE: 187 RAYMOND AVENUE

Block-Lot: 5206-21

MC CANN, JAMES S.
126 CEDAR ST
NUTLEY, NJ 07110
RE: 126 CEDAR STREET

Block-Lot: 5206-9

URBANOVICH, ROBERT T. & JOAN M.
185 RAYMOND AVE
NUTLEY, NJ 07110
RE: 185 RAYMOND AVENUE

Block-Lot: 5206-20

MURRAY, THOMAS O. & SUSAN M.
122 CEDAR ST
NUTLEY, NJ 07110
RE: 122 CEDAR STREET

Block-Lot: 5207-12

BISHOP, WILLIAM & GRAHAM, VINETTE
195 RIDGE RD
NUTLEY, NJ 07110
RE: 195 RIDGE ROAD

Block-Lot: 5205-11

MELILLI, JANET
205 BEECH ST
NUTLEY, NJ 07110
RE: 205 BEECH STREET

Block-Lot: 5207-15

GIRIDHARAN, N & PANKAJALAKSHMI, S
184 BEECH STREET
NUTLEY, NJ 07110
RE: 184 BEECH STREET

Block-Lot: 5206-3

O'DRISCOLL, ELIZABETH
205 RAYMOND AVE
NUTLEY, NJ 07110
RE: 205 RAYMOND AVENUE

Block-Lot: 5206-4

MORALES, GEORGE L & RAVEN, LARISSA
201 RAYMOND AVE
NUTLEY, NJ 07110
RE: 201 RAYMOND AVENUE

Block-Lot: 5206-5

SCARPELLI, JOSEPH P. & SUZANNE H.
197 RAYMOND AVE
NUTLEY, NJ 07110
RE: 197 RAYMOND AVENUE

Block-Lot: 5206-6

DEY, PHYLENE A.
51 EMILYS PINTAIL DRIVE
BRIDGEVILLE, DE 19933
RE: 193 RAYMOND AVENUE

Block-Lot: 5206-1

RODRIGUEZ, WILLIAM & ROSEMARY
134 CEDAR ST
NUTLEY, NJ 07110
RE: 134 CEDAR STREET

Block-Lot: 5206-17

BUDINE, JONATHAN R. & SUSIE L.
110 CEDAR ST
NUTLEY, NJ 07110
RE: 110 CEDAR STREET

Block-Lot: 5207-2

COHEN, KAREN WEISS
135 CEDAR ST
NUTLEY, NJ 07110
RE: 135 CEDAR STREET

Block-Lot: 5206-12

MARINO, SAMUEL & JENNIFER WOLFE
213 RIDGE RD
NUTLEY, NJ 07110
RE: 213 RIDGE ROAD

Block-Lot: 5206-16

BARBOSA, STACEY & GABINO BARBOSA
106 CEDAR ST
NUTLEY, NJ 07110
RE: 106 CEDAR STREET

Block-Lot: 5207-3

BARTHOLOMEW, ROBERT & MARGARET
16 HERBERT STREET
WHIPPANY, NJ 07981
RE: 131 CEDAR STREET

Block-Lot: 5206-15

ROMERO, VIRGINIA
102 CEDAR ST
NUTLEY, NJ 07110
RE: 102 CEDAR STREET

Block-Lot: 5207-4

ARLOTTA, ARTHUR & LAURA ARLOTTA
127 CEDAR ST
NUTLEY, NJ 07110
RE: 127 CEDAR STREET

Block-Lot: 5206-13

SHAW, KATAYOON & JASON & GHAZALE
207 RIDGE RD
NUTLEY, NJ 07110
RE: 207 RIDGE ROAD

Block-Lot: 5207-5

CHAVES, OSCAR E + RAIMONDO CHAVES, JESS
123 CEDAR STREET
NUTLEY, NJ 07110
RE: 123 CEDAR STREET

Block-Lot: 5207-1

CORNISH, ROBERT V. & MARY ELLEN A.
208 BEECH ST
NUTLEY, NJ 07110
RE: 208 BEECH STREET

Block-Lot: 5206-14

TERHUNE, WILLIAM B. & MARIA L.
205 RIDGE RD
NUTLEY, NJ 07110
RE: 205 RIDGE ROAD

Block-Lot: 5207-7

STASIO, ALICE ANNE
115 CEDAR ST
NUTLEY, NJ 07110
RE: 115 CEDAR STREET

Block-Lot: 5207-20

MAJEWSKI, CATHERYNE MAHDI
204 BEECH STREET
NUTLEY, NJ 07110
RE: 204 BEECH STREET

Block-Lot: 5207-19

O'NEILL, SANDRA
200 BEECH ST
NUTLEY, NJ 07110
RE: 200 BEECH STREET

Block-Lot: 5207-9

JACOBSEN, VIRGINIA YOUNG & NEIL D.
107 CEDAR ST
NUTLEY, NJ 07110
RE: 107 CEDAR STREET

Block-Lot: 5207-16

LUPO, JARROD & NICOLE
188 BEECH ST
NUTLEY, NJ 07110
RE: 188 BEECH STREET

Block-Lot: 5206-12

TIBALDO, DOMENICK R. & JOANNE
201 BEECH ST
NUTLEY, NJ 07110
RE: 201 BEECH STREET

Block-Lot: 5207-13

MOSESON, CHERYL GARCIA
191 RIDGE RD
NUTLEY, NJ 07110
RE: 191 RIDGE ROAD

Block-Lot: 5206-13

OBLAK, ESTER

197 BEECH ST

NUTLEY, NJ 07110

RE: 197 BEECH STREET



TOWNSHIP OF NUTLEY, NEW JERSEY

ZONING BOARD OF ADJUSTMENT APPLICATION FORM

Docket No: ZBA-20-0035

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: \$ 175⁰⁰ (on denial letter)

Date of Denial Letter: 7-29-2020

Section I: SUBJECT PROPERTY

Address: 119 Cedar Street Nutley, NJ 07110

Block: 5207 Lot: 6 Zone: R-1

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

Section II: APPLICANT INFORMATION

Name: Kevin & Alison Milazzo

Address: 119 Cedar St. Nutley NJ 07110

Telephone: 801-232-6552

Email Address: Hubman01@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	<u>1 Existing</u>	<u>1 Proposed</u>
Total existing and total proposed professional offices	_____	_____
Total existing and total proposed parking spaces	_____	_____

Present use of premises: 1 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? NO

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).

In the Township of Nutley, the average home/lot size is 50x100. Our lot size is exceptionally smaller and is a legally non conforming lot size of 40x100

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 our property lot is smaller than the average, normal, lots in the Township of Nutley, we are therefore, requesting to install an above ground pool.

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

Since, March 2020 - Our family has been sheltering, social distancing, working, teaching and going to school, due to a pandemic. We cancelled our extended family vacation and decided to buy a pool, instead. Since, we are currently, still, in a pandemic, we as a family, need to keep busy and having a pool will not only occupy us, but help with our daily exercise. This is not only a purchase for one year. This pool

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 is only over 70 sq. ft over the legal limits. I, personally, believe that none of my neighbors surrounding my home will suffer from any negative effects from our family installing a pool.

It will be something we will continually enjoy over many more summers,

CERTIFICATION

STATE OF NEW JERSEY }
COUNTY OF ESSEX }

ss.

Kevin Milazzo, being duly sworn, hereby certify (check one)

➤ ☒ that I am the applicant

or

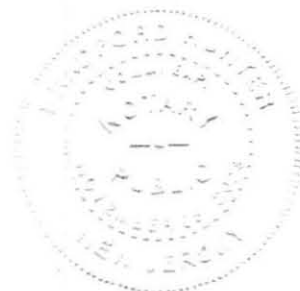
➤ _____ that I am the _____ of _____,
(Title) (Company Name)
the Applicant, and that I am duly empowered and authorized to make this representation
on behalf of _____;
(Company Name)

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

K. Milazzo
Applicant/Applicant's Authorized
Officer or Representative

Subscribed and sworn to before me
this 31st day of JULY, 2020.

Bradford Hunter
Signature of person authorized to take oaths



NOTES: THE OFFSETS SHOWN ARE NOT TO BE USED FOR THE CONSTRUCTION OF ANY STRUCTURE, FENCE, PERMANENT ADDITION, ETC.
THIS SURVEY IS SUBJECT TO ANY FACTS AN ACCURATE TITLE SEARCH MAY DISCLOSE.
WAIVER OF SETTING CORNER MARKERS OBTAINED FROM
ULTIMATE USER PURSUANT TO N.J.A.C. 13:40-5.1(d)

Lot Coverage

Garage 250' ϕ
Deck 192' ϕ
House 795' ϕ
Step 42' ϕ
Pool 194' ϕ

1473' ϕ ✓

lot area $40' \times 100' =$

4000 SF

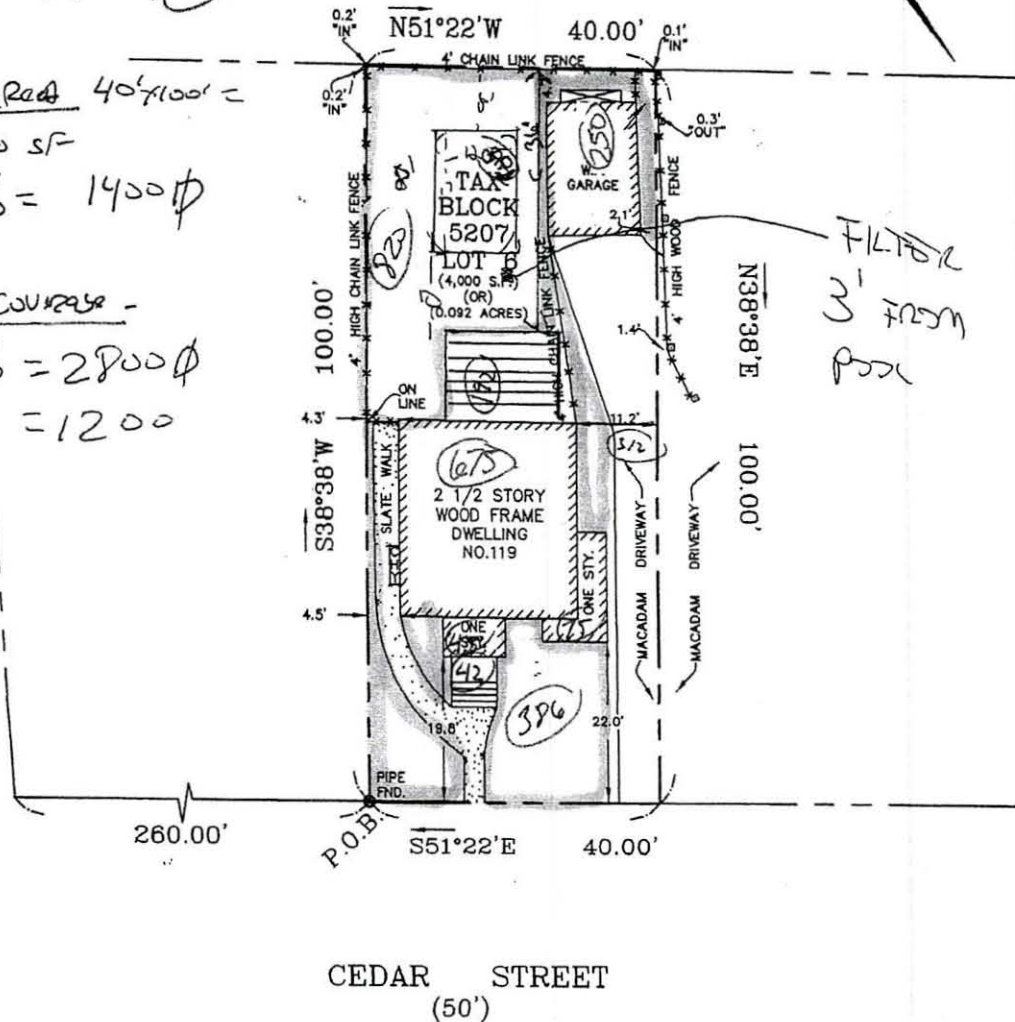
35% = 1400' ϕ

Imp coverage -

70% = 2800' ϕ

30% = 1200

RIDGE ROAD
(70')



THIS CERTIFICATION IS MADE TO ONLY HEREON 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 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. NO SUB-SURFACE UTILITIES SHOWN ON SURVEY.

CHECKED BY: R.P.
DRAWN BY: RON P.

RODOLFO
PIERRI P.L.S.

[Signature]

DATE OF SIGNATURE 1/28/10
PROFESSIONAL LAND SURVEYOR
N.J. LICENSE NO.24GS03880800

LOCATION SURVEY

OF PROPERTY OF
KEVIN MILAZZO AND ALISON MILAZZO, HUSBAND AND WIFE
SITUATED IN THE TOWNSHIP OF NUTLEY
ESSEX COUNTY NEW JERSEY U.S.A.

CERTIFIED AS MY PROFESSIONAL OPINION TO:
KEVIN MILAZZO AND ALISON MILAZZO, HUSBAND AND WIFE;
ANNETTE VERDESCO, ESQ.;
CHICAGO TITLE INSURANCE COMPANY;
TITLE AGENCY OF NEW JERSEY, INC.;
RESIDENTIAL HOME FUNDING CORP., ITS SUCCESSORS AND/OR ASSIGNS
AS THEIR INTEREST MAY APPEAR.

(PHONE) 201-265-3399
THREE SIXTY SURVEYING, INC.
EMERSON NEW JERSEY 07630
CERTIFICATE OF AUTHORIZATION NO. 24GA28018200
(FAX) 201-265-3399

SCALE: 1"=20'
DATE OF SURVEY 1/21/10
DRAWING NO.: 4271
SHEET NO.: 1