



THOMAS J. EVANS
Director of Revenue and Finance

CODE ENFORCEMENT DEPT.

TOWNSHIP OF NUTLEY

1 KENNEDY DRIVE
NUTLEY, NEW JERSEY 07110

BUILDING
PLUMBING
ELECTRICAL
FIRE
ZONING

DAVID BERRY
Construction Official
Zoning Official

TELEPHONE: (973) 284-4957 · FACSIMILE: (973) 284-0071

August 11, 2020

Maria McGarry
3 Burnett Place
Nutley, NJ 07110

Re: Fence/Corner Property
3 Burnett Place
Block/Lot: 4000/14

Dear Mrs. McGarry:

Your request for a permit, at the above referenced premises, to install a six (6') foot solid fence located in the side yard of the corner property along Walnut Street, which is in the front yard of the adjoining property along Walnut Street, and without having consent from the neighbor, as shown on the property survey prepared by Gluckler & Den Bleyker, dated October 11, 2018, 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 XI, Section 700-71 D of the Codes of Nutley, entitled "Fences and retaining walls," states that "a fence erected on any corner lot shall conform to the fence requirements for the adjoining properties." ***The proposed fence will be located in the side yard on the street side which is in the front yard of the adjoining property.***

Chapter 700, Article XI, Section 700-71 A of the Codes of Nutley, entitled "Fences and retaining walls," states that "no fences of any type shall be permitted in any front yard." ***The proposed fence will be located in the side yard on the street side which is in the front yard of the adjoining property.***

Chapter 700, Article XI, Section 700-71 H of the Codes of Nutley requires written consent of the adjoining property owner or owners when a privacy fence with no open construction may be erected. ***The proposed fence does not have the written consent of the neighbor residing at 165 Walnut Street.***

A non-refundable filing fee of \$75.00 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 to 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-20-0040

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: \$ 75 (on denial letter)

Date of Denial Letter: Aug 4, 2020

Section I: SUBJECT PROPERTY

Address: 3 Burnett Place

Block: 4000 Lot: 14 Zone: _____

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

please see survey

Section II: APPLICANT INFORMATION

Name: Maria McGarry

Address: 3 Burnett Place

Telephone: 347-968-1224

Email Address: mariamcgarry2018@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	_____	_____
Total existing and total proposed professional offices	_____	_____
Total existing and total proposed parking spaces	_____	_____

Present use of premises: Residential

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).

corner property

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

corner property

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

- A fenced yard will promote safety for my family.

- Lose a lot of our property

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.

- A fenced yard will promote safety for the neighborhood.

- Tall privacy bushes on left side of property



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

CERTIFICATION OF PROPERTY OWNERS WITHIN 200 FEET

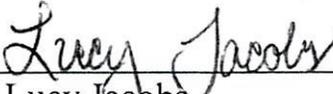
.....

Docket Number: ZBA-20-0040

Work Site Location: 3 Burnett Place

Applicant: Maria McGarry

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

Target Parcel(s): Block-Lot: 4000-14
COSTA, MARIA
3 BURNETT PLACE

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

Block-Lot: 3900-1.01

TAPIA, JOSE J
158 WALNUT STREET
NUTLEY, NJ 07110
RE: 158 WALNUT STREET

Block-Lot: 3900-1.02

HEGEL, KENNETH C. JR. & JANINE M.
162 WALNUT STREET
NUTLEY, NJ 07110
RE: 162 WALNUT STREET

Block-Lot: 4001-20

GRISANTI, PHILIP & DONNA
1 POMANDER WALK
NUTLEY, NJ 07110
RE: 1 POMANDER WALK

Block-Lot: 4000-17

SEMEL, KATHERINE
159 WALNUT ST
NUTLEY, NJ 07110
RE: 159 WALNUT STREET

Block-Lot: 3900-2

DIAPALO, LISA ANN
166 WALNUT ST
NUTLEY, NJ 07110
RE: 166 WALNUT STREET

Block-Lot: 4000-19

PILGRIM, DUKE & KRIS MARIN PILGRIM
154 GRANT AVENUE
NUTLEY, NJ 07110
RE: 154 GRANT AVENUE

Block-Lot: 4000-18

PROTICH, YAKOV & SVETLANA
142 GRANT AVENUE
NUTLEY, NJ 07110
RE: 142 GRANT AVENUE

Block-Lot: 3900-37

TORTORELLO, MICHELE ET AL
124 GRANT AVE
NUTLEY, NJ 07110
RE: 124 GRANT AVENUE

Block-Lot: 4001-41

EVANGELOU, JOHN & PAT
26 BURNETT PL
NUTLEY, NJ 07110
RE: 26 BURNETT PLACE

Block-Lot: 4001-36.01

FRENCH, ANDREW A. & SANDRA T.
189 WALNUT ST
NUTLEY, NJ 07110
RE: 189 WALNUT STREET

Block-Lot: 4001-40

SOLTIS, JAMES A. & COURTNEY
22 BURNETT PL
NUTLEY, NJ 07110
RE: 22 BURNETT PLACE

Block-Lot: 3900-7

RUSIGNUOLO, JAMES & CAROL
192 WALNUT ST
NUTLEY, NJ 07110
RE: 192 WALNUT STREET

Block-Lot: 4001-39
HACZYK, BRYAN
18 BURNETT PL
NUTLEY, NJ 07110
RE: 18 BURNETT PLACE

Block-Lot: 4001-38
DONATIELLO, JOSEPH R. & KATHY ANN
14 BURNETT PL
NUTLEY, NJ 07110
RE: 14 BURNETT PLACE

Block-Lot: 3900-6
RIO REALTY CO.
PO BOX 407
KEARNY, NJ 07032
RE: 182 WALNUT STREET

Block-Lot: 4001-37
HOGAN, KEVIN & JAMIE HOGAN
10 BURNETT PLACE
NUTLEY, NJ 07110
RE: 10 BURNETT PLACE

Block-Lot: 3900-5
DANI, TIBOR & MAGDOLNA
180 WALNUT ST
NUTLEY, NJ 07110
RE: 180 WALNUT STREET

Block-Lot: 4000-10
GARCIA, JOEL & ALEXANDRA
19 BURNETT PL
NUTLEY, NJ 07110
RE: 19 BURNETT PLACE

Block-Lot: 4000-11
GONZALEZ, LISA
15 BURNETT PL
NUTLEY, NJ 07110
RE: 15 BURNETT PLACE

Block-Lot: 4000-12
LUTZ, EDWARD & ANITA
11 BURNETT PL
NUTLEY, NJ 07110
RE: 11 BURNETT PLACE

Block-Lot: 4000-13
GIGANTE, PAULO & PAULA
7 BURNETT PL
NUTLEY, NJ 07110
RE: 7 BURNETT PLACE

Block-Lot: 3900-4
IL GRANDE, VINCENZO & MARIANNE
178 WALNUT ST
NUTLEY, NJ 07110
RE: 178 WALNUT STREET

Block-Lot: 4000-21
GREENGROVE, ROBERT & CAROL G.
162 GRANT AVE
NUTLEY, NJ 07110
RE: 162 GRANT AVENUE

Block-Lot: 3900-3
MARQUES, MANNY
170 WALNUT STREET
NUTLEY, NJ 07110
RE: 170 WALNUT STREET

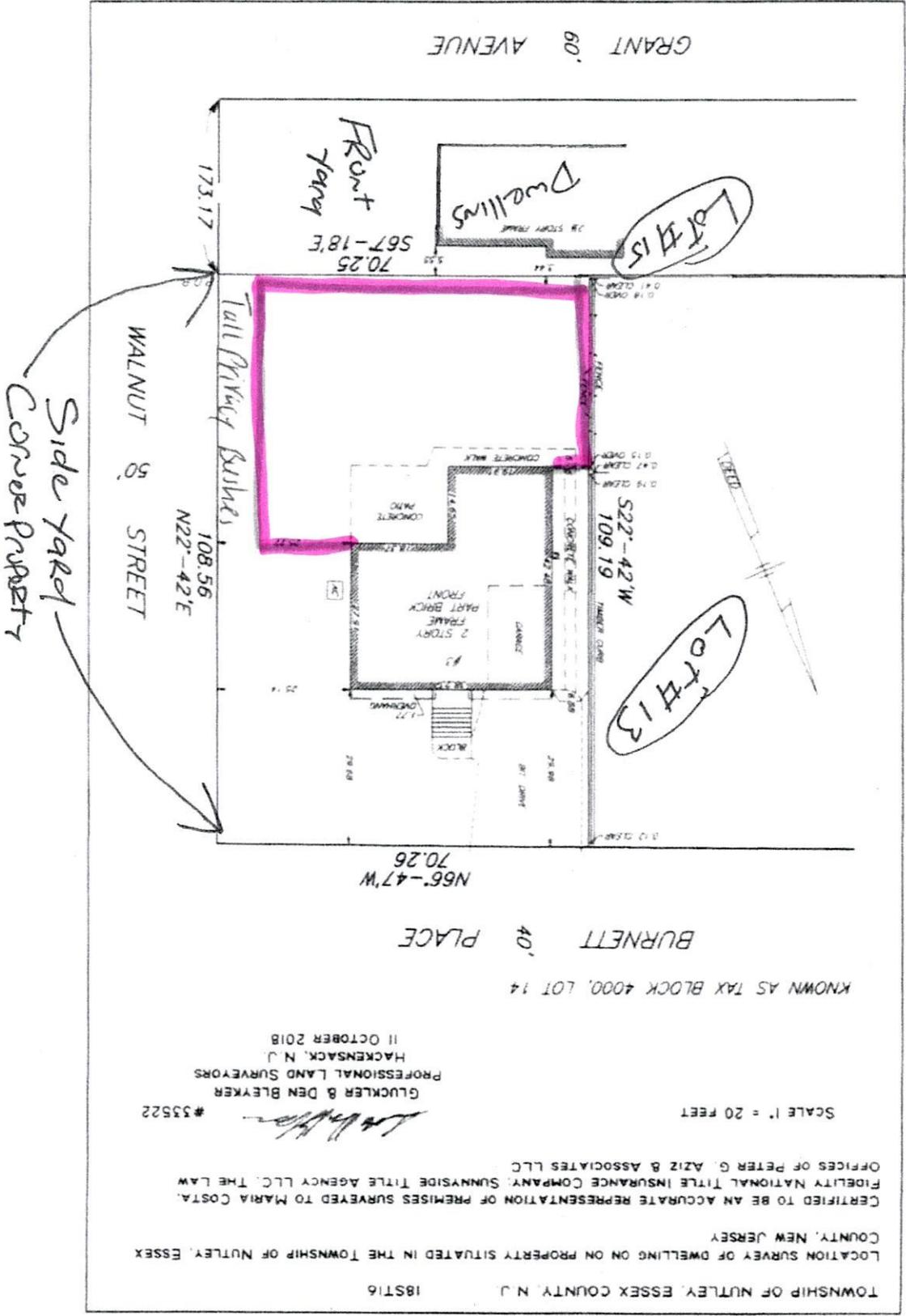
Block-Lot: 4000-15
BATTOGLIA, EDWARD J.
165 WALNUT ST
NUTLEY, NJ 07110
RE: 165 WALNUT STREET

Block-Lot: 4000-20
WILSON, RANDY & ELIZABETH
156 GRANT AVE
NUTLEY, NJ 07110
RE: 156 GRANT AVENUE

Block-Lot: 4000-16
PILIPSKI, DAMIEN & MAYRA
161 WALNUT ST
NUTLEY, NJ 07110
RE: 161 WALNUT STREET

Block-Lot: 4001-36.02
GAVAZI, ROLAND & ANILA
185 WALNUT ST
NUTLEY, NJ 07110
RE: 185 WALNUT STREET

Bldg Dept Copy



TOWNSHIP OF NUTLEY, ESSEX COUNTY, N.J. 18516
 LOCATION SURVEY OF DWELLING ON ON PROPERTY SITUATED IN THE TOWNSHIP OF NUTLEY, ESSEX COUNTY, NEW JERSEY
 CERTIFIED TO BE AN ACCURATE REPRESENTATION OF PREMISES SURVEYED TO MARIA COSTA FIDELITY NATIONAL TITLE INSURANCE COMPANY, SUNNYSIDE TITLE AGENCY LLC, THE LAW OFFICES OF PETER G. AZIZ & ASSOCIATES LLC
 SCALE 1" = 20 FEET
 #33522
 GUCKLER & DEN BLEYKER
 PROFESSIONAL LAND SURVEYORS
 HACKENSACK, N.J.
 11 OCTOBER 2018

KNOWN AS TAX BLOCK 4000, LOT 14

BURNETT PLACE



