



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

August 6, 2020

HuaPing Dong & XueRong Tang
3 Union Avenue
Nutley, NJ 07110

Re: Side Yard Fence
3 Union Avenue
Block- Lots: 9407/12

Dear HuaPing Dong & XueRong Tang:

Your request for a permit, at the above referenced premises, to install a five (5') foot solid fence with a one (1') foot lattice, for a total height of six (6') feet, in the side yard on the right side, and to install a gate of the same type in the left side yard, as shown on the property survey prepared by Butler Surveying & Mapping, Inc., dated November 1, 2016, is denied for the following reasons:

This property is located in an R-2 district as shown on the Nutley Zoning Map.

Chapter 700, Article XI, Section 700-71 B of the Codes of Nutley, entitled "Fences and retaining walls," states that "a fence erected along the side lines shall not exceed four feet in height ... and shall be of 50% open construction." *The proposed side yard fences are five (5') foot solid fences with a one (1') foot lattice, for a total of six (6') feet in height.*

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 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-20-0037

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: \$ 75.00 (on denial letter)

Date of Denial Letter: 08/06/2020

Section I: SUBJECT PROPERTY

Address: 3 Union Avenue, Nutley, NJ, 07110

Block: 9407 Lot: 12 Zone: R-2

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

Section II: APPLICANT INFORMATION

Name: Huaping Dong & Xue Rong Tang

Address: 3 Union Avenue Nutley NJ
07110

Telephone: 718-415-8216

Email Address: elcainedong@yahoo.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 be 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	_____ 1 _____	_____ 1 _____
Total existing and total proposed professional offices	_____	_____
Total existing and total proposed parking spaces	_____	_____

sent use of premises: one family dwelling

Has there been any previous appeal, request, or application to this or any other Township of
Municipality Board or the Construction Code Official involving these premises? yes

If yes, state the nature, date and the disposition of each such matter: 2015, new one
family dwelling

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).

A four foot fence is not enough to prevent our dog from jumping over since the dog will be playing within the fence. We want to prevent people from entering our home through the fence.

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

Our big dog would be able to jump over the four foot fence easily and a six foot fence can prevent that from happening. The six foot fence would be a safety net for our dog and to protect against unwanted visitors.

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

We have a big dog that likes to run around. With a four foot fence, the dog could possibly jump over the fence. We want to prevent this from happening when playing with the dog.

Also, we want to prevent any unwanted visitors since we arrive home late at night. 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.

Our dog would be able to stay within the fence, without him jumping over and roaming the streets. Our family works in the restaurant and arrives home late at night, so a six foot fence would prevent any unwanted visitors.



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

CERTIFICATION OF PROPERTY OWNERS WITHIN 200 FEET

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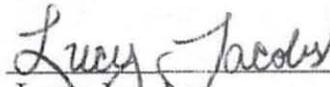
Docket Number: ZBA-20-0037

Work Site Location: 3 Union Avenue

Applicant: HuaPing Dong & XueRong Tang

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

1 to 2, as of August 4, 2020.



Lucy Jacobs
Clerk



Nutley
Parcel Offset List

Target Parcel(s): Block-Lot: 9407-12
DONG, HUA PING & TANG, XUE RONG
3 UNION AVENUE

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

Block-Lot: 9407-7

SAGBAY, CARLOS & LILIA
27 UNION AVE
NUTLEY, NJ 07110
RE: 27 UNION AVENUE

Block-Lot: 9407-1

SF NUTLEY PROPERTIES OWNER II, LLC
181 HANCOX AVENUE
NUTLEY, NJ 07110
RE: 30 YALE STREET

Block-Lot: 9407-10

MAXVCTRY, GEORGE
9 UNION AVE
NUTLEY, NJ 07110
RE: 9 UNION AVENUE

Block-Lot: 9406-10

SODA, VINCENT JR & RAQUEL & STEVEN
18 UNION AVENUE
NUTLEY, NJ 07110
RE: 18 UNION AVENUE

Block-Lot: 9406-5

ZITOLA, MICHAEL & DI GIACOMO, ROBYN
22 WESLEY PL
NUTLEY, NJ 07110
RE: 22 WESLEY PLACE

Block-Lot: 9407-11

BOLCATO, RICHARD J. & DONNA MARIA
7 UNION AVE
NUTLEY, NJ 07110
RE: 7 UNION AVENUE

Block-Lot: 9406-1

24 UNION AVENUE CONDOMINIUM
24 UNION AVENUE
NUTLEY, NJ 07110
RE: 24 UNION AVENUE

Block-Lot: 9407-8

SIMERAL, CAROL A.
23 UNION AVE
NUTLEY, NJ 07110
RE: 23 UNION AVENUE

Block-Lot: 9407-9

KAMEL, MESHEL & SHENOUDA, SHERY
21 UNION AVENUE
NUTLEY, NJ 07110
RE: 21 UNION AVENUE

Block-Lot: 9406-11

COFONE, ANTONIETTA
20 UNION AVE
NUTLEY, NJ 07110
RE: 20 UNION AVENUE

Block-Lot: 9406-9

16 UNION AVENUE, LLC.
45 RIDGE ROAD
ROSELAND, NJ 07068
RE: 16 UNION AVENUE

Block-Lot: 9406-6

SANCHEZ, MARITZA
5 WESLEY PL
NUTLEY, NJ 07110
RE: 5 WESLEY PLACE

Block-Lot: 9407-13

MCGEOWN, JOHN E. & KIMBERLEE
1 UNION AVE
NUTLEY, NJ 07110
RE: 1 UNION AVENUE

Block-Lot: 9406-7

PIENCZYKOWSKI, WTOLD & LUKE
61-13 BLEEKER ST
RIDGEWOOD, NY 11385
RE: 3 WESLEY PLACE

Block-Lot: 9406-8

SICONOLFI, SALVATORE
57 HOLSTER ROAD
CLIFTON, NJ 07013
RE: 4 UNION AVENUE

Block-Lot: 9406-1-C0004

VAZQUEZ, DAVID & SONIA
24 UNION AVENUE
NUTLEY, NJ 07110
RE: 24 UNION AVENUE C0004

