



CODE ENFORCEMENT DEPT.

THOMAS J. EVANS
Director of Revenue and Finance

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 27, 2024

Luis Cruz
3 Cathedral Avenue
Nutley, NJ 07110

RE: Convert One (1) Family to Two (2) Family Dwelling
B-1 Zoning District
3 Cathedral Avenue
Block/Lot: 300/56

Dear Mr. Cruz,

Your request for a permit at the above referenced address, to convert the existing legal non-conforming one (1) family dwelling into a two (2) family dwelling located in a B-1 zoning district, as shown on the plans prepared by Salvatore Corvino Architect & Planner dated June 21, 2024, is denied for the following reasons:

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

Chapter 700, Article V, Section 700-7 A of the Codes of Nutley states no building shall hereafter be erected and no existing building shall be moved, altered, added to or enlarged, nor shall any land or building be used, designed or arranged to be used for any purpose other than is included among the uses listed in this article as permitted in the district in which such building or land is located nor in any manner contrary to any of the requirements specified in this article.

Chapter 700, Article V, Section 700-15 of the Codes of Nutley lists the permitted uses in a B-1 zoning district, a two-family dwelling is not a listed permitted use.

Please see below a list of previous uses per Township records:

1. 1957 permit card—dwelling and doctor office
2. 1996 CCO—professional office building
3. 2000 CCO—one family dwelling
4. 2019 CCO—one family dwelling

A non-refundable use variance fee of \$550 plus an escrow fee of \$1,000 for professional review is required in connection with your appeal and is to be paid to the Code Enforcement Office in order to begin the application process. Additional fees for professional review may be required by the Board in accordance with the Township Escrow Ordinance. 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 Jessica D'Onofrio at jdonofrio@nutleynj.org or (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 to the applications being returned to the Code Enforcement Office. No changes can be made once the application is received by this office.

Sincerely,

Dave Berry
Zoning Official
DB/d



TOWNSHIP OF NUTLEY, NEW JERSEY

ZONING BOARD OF ADJUSTMENT APPLICATION FORM

Docket No: ZBA-24-0039

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: \$ 550 (on denial letter)

Date of Denial Letter: 8/27/24

Section I: SUBJECT PROPERTY

Address: 3 Cathedral Avenue

Block: 300 Lot: 50 Zone: B-1

	District Requirements	Proposed
Lot Area	<u>5,000 sf</u>	<u>6,947 sf</u>
Lot Width	<u>50'</u>	<u>62.90'</u>
Lot Depth	<u>100'</u>	<u>100'</u>
Front Yard	<u>20'</u>	<u>38.95'</u>
Side Yard	<u>0'</u>	<u>0.00''</u>
Rear Yard	<u>25'</u>	<u>26.6'</u>
Other		

Section II: APPLICANT INFORMATION

Name: Luis Cruz

Address: 3 Cathedral Av.

Telephone: 201-240-8356

Email Address: luis.maderna@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	<u>1</u>	<u>2</u>
Total existing and total proposed professional offices	_____	_____
Total existing and total proposed parking spaces	_____	_____

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? yes

If yes, state the nature, date and the disposition of each such matter: A variance was granted on May 18, 2020 to construct a new roof canopy over the existing patio in the rear yard, on the existing non-conforming property, located in a B-1 district.

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 01' topographic conditions).

X N/A

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

X N/A

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

X Because It was a prime for office rental and it was on the market for over a year and could not be rented, and it is more easy to rent for a apartment.

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.

X N/A

CERTIFICATION

STATE OF NEW JERSEY }
COUNTY OF ESSEX } ss.

LUIS CRUZ, 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.

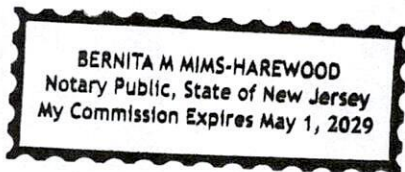
Luis Cruz

Applicant/Applicant's Authorized
Officer or Representative

Subscribed and sworn to before me
this 29 day of Aug, 2024.

[Signature]

Signature of person authorized to take oaths





Nutley

Parcel Offset List

Target Parcel(s): Block-Lot: 300-56
CRUZ, LUIS & MARISELA ALTAGRACIA
3 CATHEDRAL AVENUE

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

Block-Lot: 2000-1

PB NUTCLIF MASTER, LLC
340 KINGSLAND ST
NUTLEY, NJ 07110
RE: 247 KINGSLAND STREET

Block-Lot: 2000-2

RADO, TODD & ZDANOWICZ, JILL
243 KINGSLAND ST
NUTLEY, NJ 07110
RE: 243 KINGSLAND STREET

Block-Lot: 405-8

VILLA, GERALD J. & D'ANGELO, DANIELLE
20 CATHEDRAL AVE
NUTLEY, NJ 07110
RE: 20 CATHEDRAL AVENUE

Block-Lot: 405-7

SACHETTA, CARLOS A.
16 CATHEDRAL AVE
NUTLEY, NJ 07110
RE: 16 CATHEDRAL AVENUE

Block-Lot: 406-1

254 J & I, LLC
254 KINGSLAND ST
NUTLEY, NJ 07110
RE: 254 KINGSLAND STREET

Block-Lot: 2101-1

PB NUTCLIF MASTER, LLC
340 KINGSLAND ST
NUTLEY, NJ 07110
RE: 299 KINGSLAND STREET

Block-Lot: 300-1

PB NUTCLIF MASTER, LLC
340 KINGSLAND ST
NUTLEY, NJ 07110
RE: KINGSLAND STREET

Block-Lot: 300-27

MERCADO, THERESA & ABNER
49 MONTCLAIR AVE
NUTLEY, NJ 07110
RE: 49 MONTCLAIR AVENUE

Block-Lot: 300-28

MENDOZA, ANNA JHOANNA SARENAS
45 MONTCLAIR AVE
NUTLEY, NJ 07110
RE: 45 MONTCLAIR AVENUE

Block-Lot: 300-31

PAKHRIN, NGIMA T. & GURUNG, GANGA D
37 MONTCLAIR AVENUE
NUTLEY, NJ 07110
RE: 37 MONTCLAIR AVENUE

Block-Lot: 300-30

FRANCISCO, ANTHONY & LILA
39 MONTCLAIR AVE
NUTLEY, NJ 07110
RE: 39 MONTCLAIR AVENUE

Block-Lot: 300-29

CARAMUCCI, GAETANO & LINDA
41 MONTCLAIR AVE
NUTLEY, NJ 07110
RE: 41 MONTCLAIR AVENUE

Block-Lot: 300-58

MENDEZ, MILTON B. & CLAUDIA
278 KINGSLAND ST
NUTLEY, NJ 07110
RE: 278 KINGSLAND STREET

Block-Lot: 300-57

DUFFY, MARY ANN S ET AL.
274 KINGSLAND ST
NUTLEY, NJ 07110
RE: 274 KINGSLAND STREET

Block-Lot: 300-52

BARRIENTOS, VICTOR & MARTHA
21 CATHEDRAL AVE
NUTLEY, NJ 07110
RE: 21 CATHEDRAL AVENUE

Block-Lot: 300-53

CASTILLO, MARCIA & GOMEZ, RICARDO
15 CATHEDRAL AVE
NUTLEY, NJ 07110
RE: 15 CATHEDRAL AVENUE

Block-Lot: 300-54

ALGIERI, DEBRA
11 CATHEDRAL AVE
NUTLEY, NJ 07110
RE: 11 CATHEDRAL AVENUE

Block-Lot: 300-55

RUBIN, DAVID & BERISH, BONNIE
7 CATHEDRAL AVE
NUTLEY, NJ 07110
RE: 7 CATHEDRAL AVENUE



UTILITIES

(A)

AT & T
Corporate Office
P.O. Box 7207
Bedminster, NJ 07921-7207

(B)

NJ Dept. of Transportation
1035 Parkway Avenue
CN-600
Trenton, NJ 08625

(C)

Essex County Planning Board
Public Works Building
900 Bloomfield Avenue
Verona, NJ 07044

(D)

PSE&G Company
Manager-Corporate Properties
80 Park Plaza, T6B
Newark, NJ 07102

(E)

North Jersey District Water Supply Co.
1 F.A. Orechio Drive
Wanaque, NJ 07465

(F)

Passaic Valley Water Co.
1525 Main Avenue
Clifton, NJ 07011

(G)

Verizon
540 Broad Street, Room 305
Newark, NJ 07101

(H)

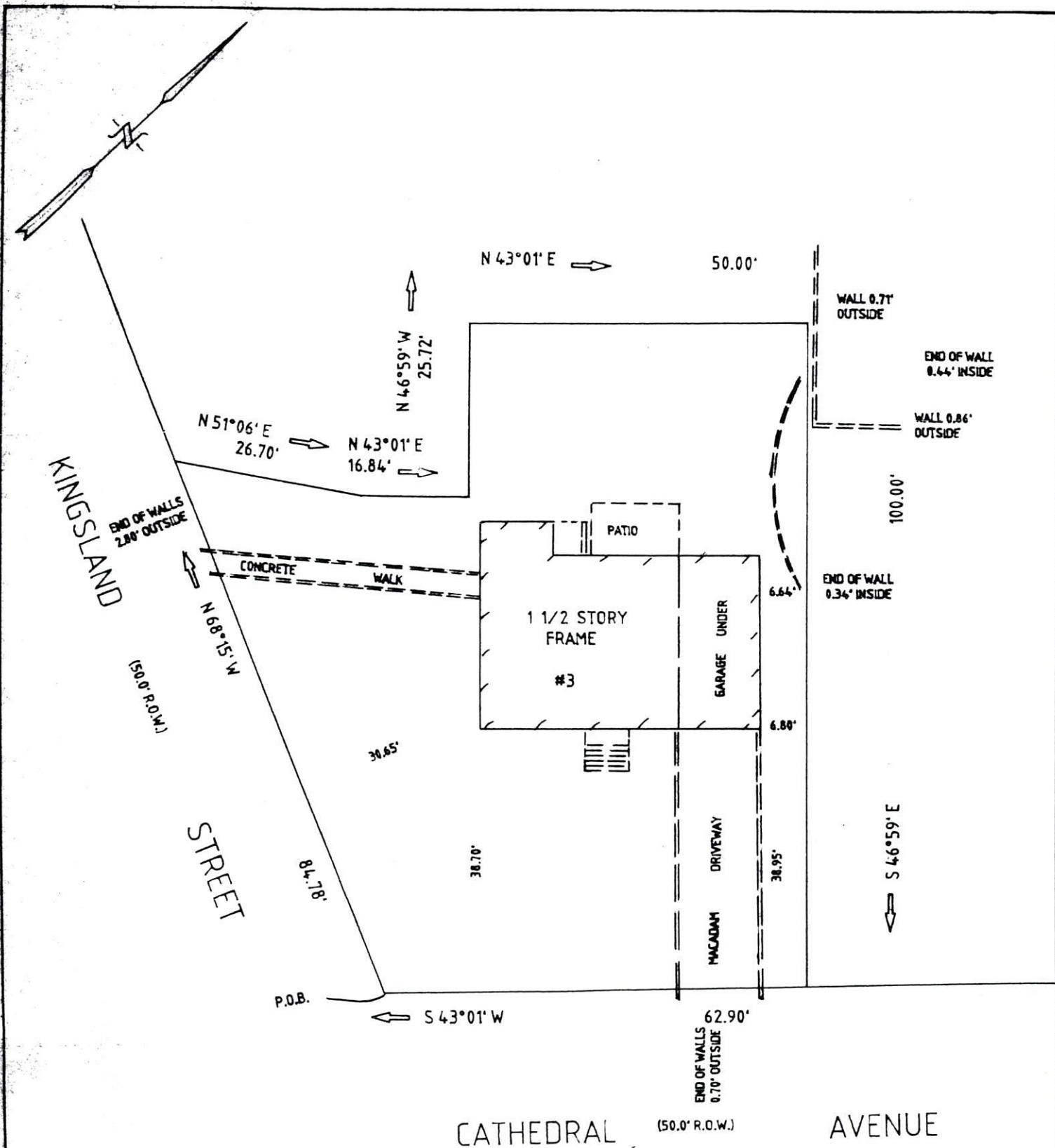
TCI of Northern New Jersey
40 Potash Road
Oakland, NJ 07436
Attn: Dan Gannon

(I)

Essex County Utilities Authority
Leroy R. Smith Jr. Public Safety Building
60 Nelson Place – 6th Floor
Newark, NJ 07102

(J)

Norfolk Southern Railway
125 County Road
Jersey City, NJ 07307



THIS SURVEY IS CERTIFIED TO JORB WORLD, L.L.C.; COMMONWEALTH ALL SERVICE TITLE AGENCY (AS002355); KENNETH L. ROSE, ESQ.; ADVANCE FINANCIAL SERVICES, INC., ITS SUCCESSORS AND/OR ASSIGNS AS THEIR INTERESTS MAY APPEAR. AND ALL PARTIES IN INTEREST

This certification is made only to the 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.

This is a location Survey. Property corners were not staked by contractual agreement.

MAP OF PROPERTY SITUATED AT -
3 CATHEDRAL AVENUE, TOWNSHIP OF NUTLEY
ESSEX COUNTY, NEW JERSEY

SURVEY NO. - 2000.827 SCALE - 1"=20.0'

BLOCK 317 LOT(S) 4 TAX MAPS

FILED MAP -

DESCRIPTION	DR	CK	DATE
LOCATION SURVEY	LA	GA	11/07/00

GEORGE J. ANDERSON, L.L.C.

PROFESSIONAL LAND SURVEYORS

(RECORDS OF SHEPARD & SHEPARD, INC.)

22 CHERRY PLACE - NUTLEY, NEW JERSEY 07110

TEL-(973) 667-0713 FAX-(973) 667-0517

George J. Anderson
GEORGE J. ANDERSON

LIC. NO. - 36706

PROPOSED RESIDENTIAL UNIT MAIN LEVEL
3 CATHERDAL AVENUE
NUTLEY, NEW JERSEY

LOUIS CRUZ
3 CATHERDAL AVENUE
NUTLEY, NEW JERSEY

SALVATORE CORVINO, ARCHITECT + PLANNER
111 BROOKFIELD AVENUE
NUTLEY, NJ 07110

SALVATORE CORVINO
ARCHITECT & PLANNER, LLC

architecture • planning • interior design
111 BROOKFIELD AVENUE NUTLEY, NEW JERSEY 07110
PHONE: 973.667.0751 MOBILE: 973.943.5026
NY LIC. NO. 018126 NYSA
NJ LIC. NO. 09815 AIA
NJ P.P. LIC. NO. 04536 NJSA

CONSULTANTS

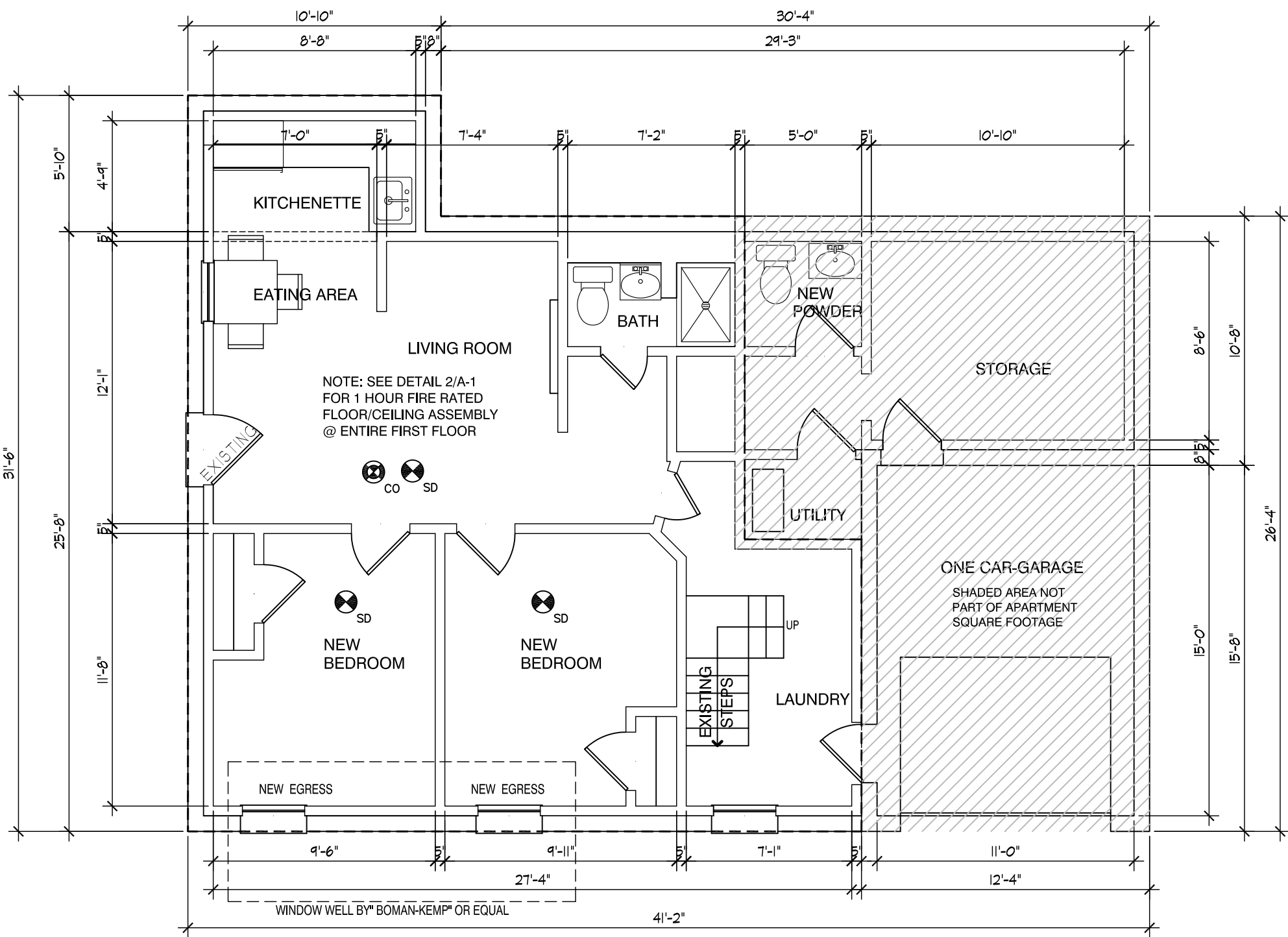
T-1 PROJECT INFORMATION DRAWING LIST, SCOPE OF WORK, CODE DATA &, SITE PLAN,
PROPOSED MAIN & UPPER LEVEL FLOOR PLANS.

TO PROPOSE A CONVERSION OF AN EXISTING MAIN LEVEL (STREET LEVEL) RESIDENTIAL USE IN AN EXISTING RESIDENTIAL USED BUILDING (ONE FAMILY DWELLING) TO A NEW PROPOSED TWO BEDROOM UNIT FOR A PROPOSED TWO FAMILY DWELLING IN A B-1 ZONE REQUIRING A USE VARIANCE

ALL WORK SHALL BE DONE IN ACCORDANCE WITH THE MOST CURRENT EDITION OF THE NEW JERSEY UNIFORM CONSTRUCTION CODE, NJ 2021 IBC INCLUDING ALL APPLICABLE SUBCODES AND ALL LOCAL CODES, ORDINANCES & REQUIREMENTS. SEE LIST OF APPLICABLE CODES BELOW. THE CONTRACTOR IS TO FILE & PAY FOR ALL PERMITS.

1. INTERNATIONAL RESIDENTIAL BUILDING CODE 2021 - NJ EDITION
2. NATIONAL STANDARD PLUMBING CODE 2021
3. NATIONAL ELECTRICAL CODE 2020
4. INTERNATIONAL ENERGY CONSERVATION CODE 2019
5. INTERNATIONAL MECHANICAL CODE 2021
6. INTERNATIONAL FUEL GAS CODE 2021
7. BARRIER FREE SUBCODE 2017

1. ALL WORK SHALL BE DONE IN ACCORDANCE WITH THE MOST CURRENT EDITION OF THE NEW JERSEY UNIFORM CONSTRUCTION CODE INCLUDING ALL THE APPLICABLE SUB CODES & ALL OF THE LOCAL CODES, ORDINANCES' AND REQUIREMENTS. THE CONTRACTOR IS TO FILE & PAY FOR ALL PERMITS.

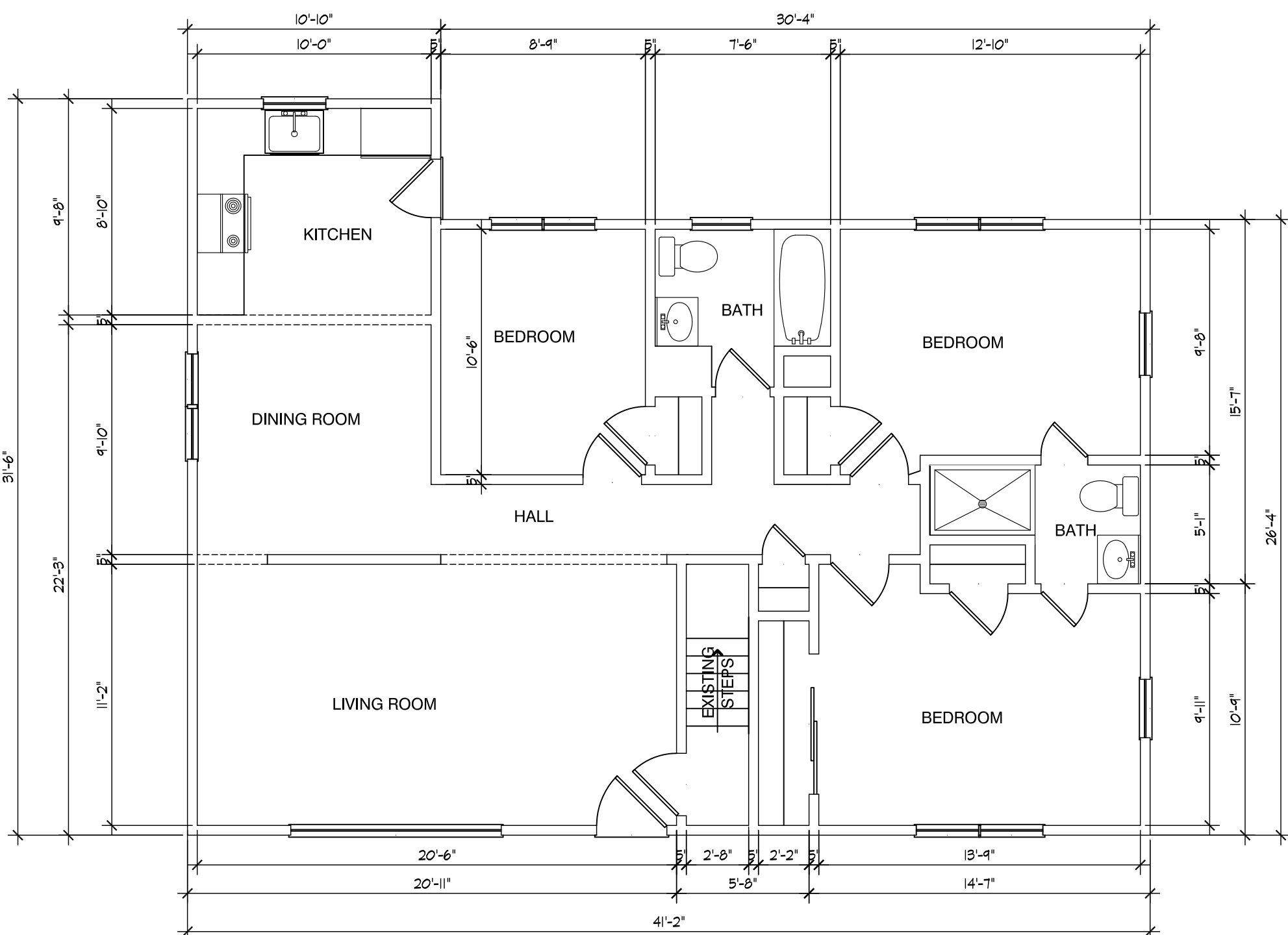
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EXISTING MAIN LEVEL FLOOR PLAN APT. 1 AREA = 746 SF

SCALE: 1/4" = 1'-0"

NOTE: PACK ALL PIPE PENETRATION W/ FIRE SAFE INSULATION (TYP.)

NOTE: BEDROOM WINDOWS TO MEET EGRESS REQUIREMENTS.



EXISTING UPPER LEVEL FLOOR PLAN APT. 2

NOTE: PACK ALL PIPE PENETRATION W/ FIRE SAFE INSULATION (TYP.)

TOWNSHIP OF NUTLEY, NJ GENERAL REGULATIONS : PERMITTED USES IN A B-1.

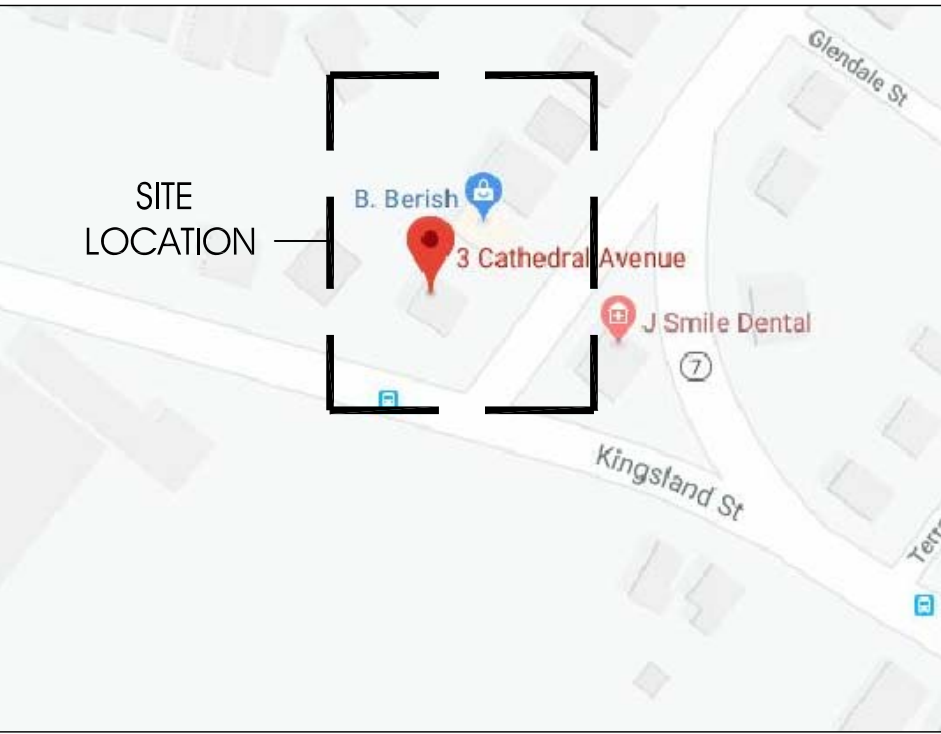
SECTION 700-15 PERMITTED USES IN B-1 ZONING DISTRICT
K. MIXED USE BUILDINGS FOR COMMERCIAL AND RESIDENTIAL USES SUBJECT TO SECTION 700-40.

ZONE: B-1 NEIGHBORHOOD BUSINESS MIXED USES BLOCK: 300, LOT: 56 (CORNER LOT) LOT SIZE: AREA WIDTH DEPTH FRONT YARD REAR YARD SIDE YARDS - ONE: SIDE YARDS - BOTH: <u>MAXIMUM AREA AND COVERAGE:</u> MAXIMUM LOT COVERAGE MAXIMUM IMPERVIOUS COVERAGE <u>MAXIMUM HEIGHT OF BUILDING:</u> MAX HEIGHT (STORIES) MAX HEIGHT (FEET)	<u>REQUIRED/ALLOWED</u> 5,000 SF 50.0' 100.0' 20.0' 25.0' 6.0' 10.0' 50% (2,500 S.F.) 80% (4,000 S.F.) 2.0 STORIES 25.0'	<u>EXISTING</u> 6,947 SF 62.90' 100.0' 38.95' 30.65' 26.6' 6.66' 37.31' 26% (1,778 SF) 26% (1,778 SF) 1.5 STORIES 20.67'	<u>PROPOSED</u> 6,947 SF (N/C) 62.90' (N/C) 100.0' (N/C) 38.95' (N/C) 30.65' (N/C) 26.6' (N/C) 6.66' (N/C) 37.31' (N/C) 26% (N/C) 26% (N/C) 1.5 STORIES (N/C) 20.67' (N/C)
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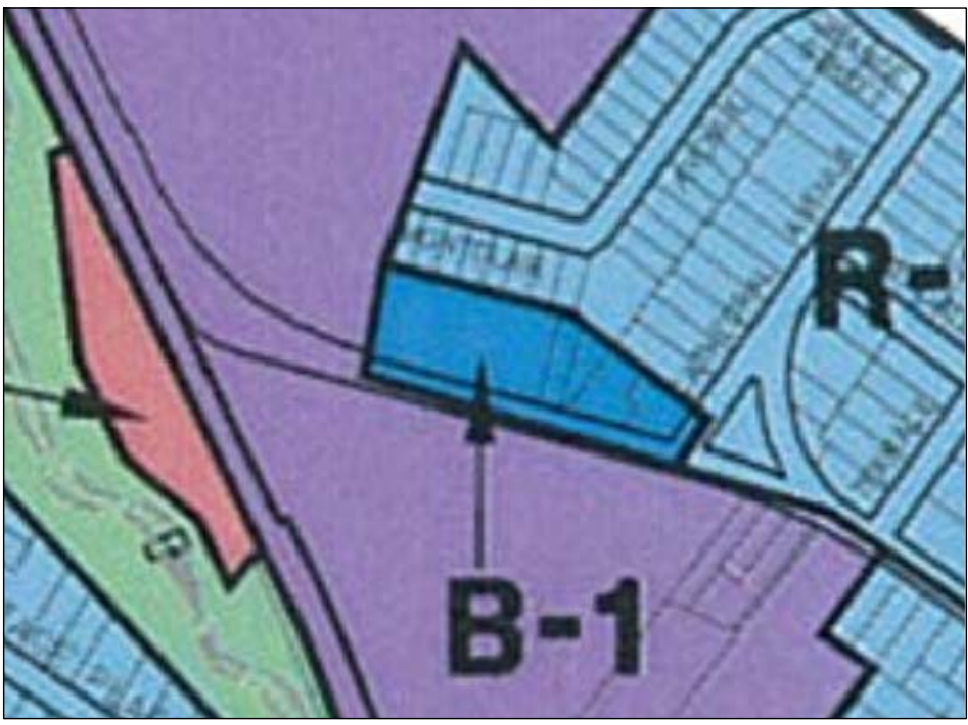
LEGEND

N/C = NO CHANGE
N/A = NOT APPLICABLE

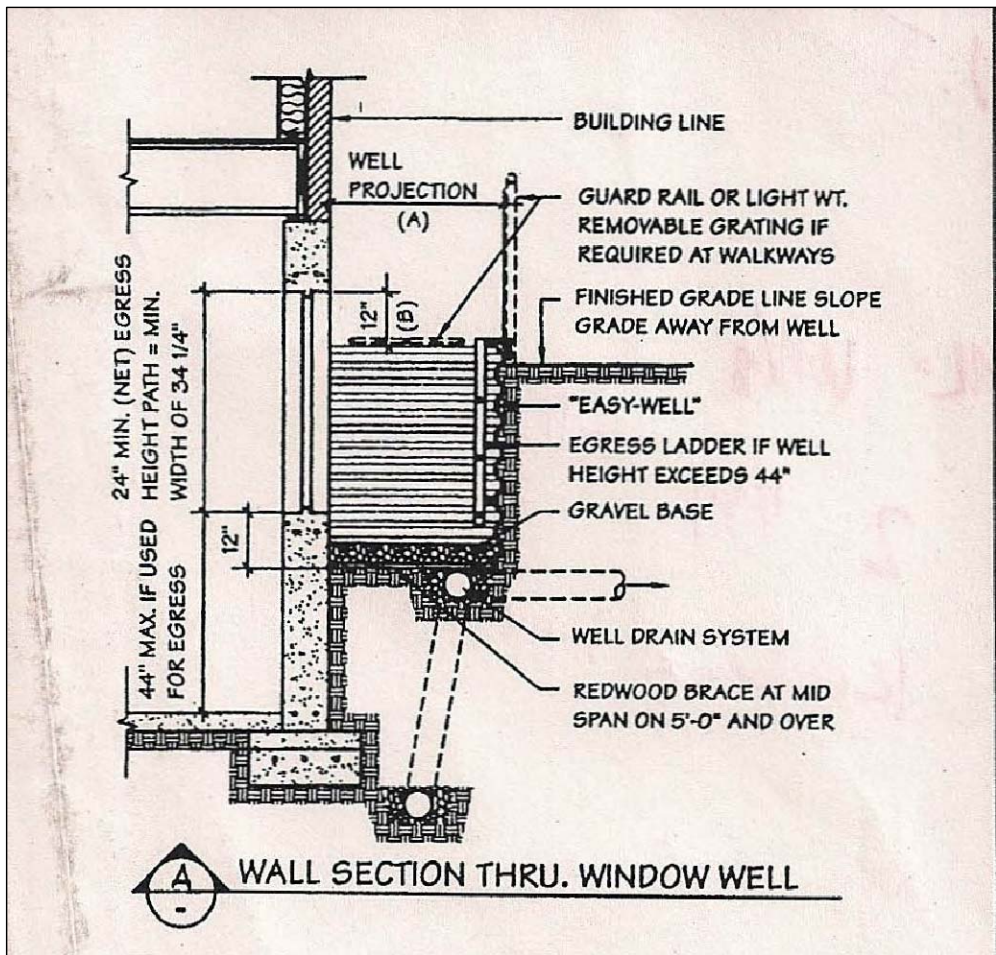
* INDICATES VARIANCE REQUIRED
** INDICATES EXISTING NON-CONFORMING CONDITION



NOT TO SCALE



NOT TO SCALE



WINDOW WELL BY" BOMAN-KEMP" OR EQUAL

NOTE: EMERGENCY EGRESS AND RESCUE OPENINGS:
BASINMENTS WITH HABITABLE SPACE AND EVERY SLEEPING ROOM
SHALL AT LEAST ONE OPENABLE EMERGENCY ESCAPE AND
RESCUE WINDOW. THEY SHALL HAVE A SILL HEIGHT OF NOT
MORE THAN 44 INCHES ABOVE FLOOR, THE NET CLEAR
OPENING DIMENSION SHALL BE A MINIMUM OF FOUR FEET
X MIN. NET OPENING HEIGHT SHALL BE 24 INCHES = MIN.
WIDTH OPENING OF 34 1/4 INCHES, NET CLEAR OPENING OF
5.7 SQ. FT. X MIN. NET CLEAR OPENING WIDTH SHALL BE 20
INCHES. MINIMUM HEIGHT OPENING OF 41 INCHES AND SHALL BE
OBTAINED BY THE NORMAL OPERATION OF THE WINDOW OPENING
FROM INSIDE.

KEY PLAN NORTH

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ALL DRAWINGS & WRITTEN MATERIAL APPEARING
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OF THE ARCHITECT & MAY NOT BE DUPLICATED, USED
OR DISCLOSED WITHOUT WRITTEN CONSENT OF THE
ARCHITECT

PROJECT

CONVERSION
DATA FOR
RESIDENTIAL
SPACE IN PORTION
OF EXISTING ONE
FAMILY DWELLING

3 CATHERDAL AVENUE
NUTLEY, NEW JERSEY

APPROVED BY OWNER _____ DATE _____

PROJECT NO.	24032	SEAL:
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DATE: 06-21-2024

SCALE: AS

CHECKED BY: SC

DRAWN BY: AM

DRAWING NO.

T 1

1-1

DRAFTING STATUS

PERMIT DRAWINGS

PROJECT INFORMATION, DRAWING LIST,
SCOPE OF WORK, CODE DATA, SITE PLAN,
MAIN & UPPER LEVEL FLOOR PLANS