



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

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

BUILDING
PLUMBING
ELECTRICAL
FIRE
ZONING

August 18, 2025

Giovannie Ruiz
151 Margaret Avenue
Nutley, NJ 07110

RE: Side Yard Fence
151 Margaret Avenue
Block/Lot: 8502/1

Dear Mr. Giovannie,

Your request for a permit, at the above referenced address, to install a six (6') foot solid type fence located in the side yard and to construct a new unroofed deck, having a three (3') foot yard setback, as shown on the property survey by Morgan Engineering & Surveying dated July 3, 2024 and a sketch by the homeowner received by Code Enforcement on June 11, 2025, 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 B of the Codes of Nutley states A fence erected along the side lines from the front line of a main structure to the rear line of such structure and within such lines shall not exceed four feet in height and shall be not less than two feet in height and shall be of 50% open construction (i.e., the open spaces in the fence shall be at least the same width of each picket, slat or other construction element of such fence). The setback for any such fence shall be in line with the furthest setback of the adjacent property or the property upon which the fence is being erected, whichever setback is greater.

Chapter 700, Article XI, Section 700-67 E. (3) of the Codes of Nutley states decks and patios must meet the following minimum setback requirements. ***The required side yard setback is six (6') feet, the proposed is three (3') feet.***

A non-refundable filing fee of \$75.00 was received by the Code Enforcement Department. **All tax and water bills must be paid to date.**

Information on procedures for an appeal of this decision to the Board of Adjustment can be obtained from Jessica D'Onofrio, jdonofrio@nutleynj.org or at 973-284-4957. 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.

Very truly yours,

David Berry
Zoning Official



TOWNSHIP OF NUTLEY, NEW JERSEY

ZONING BOARD OF ADJUSTMENT APPLICATION FORM

Docket No: ZBA-25-0020

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 (on denial letter)

Date of Denial Letter: 8/18/25

Section I: SUBJECT PROPERTY

Address: 151 Margaret Avenue

Block: 8502 Lot: 1 Zone: R-1

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

Section II: APPLICANT INFORMATION

Name: Giovannie Ruiz

Address: 151 Margaret Ave
Nutley, NJ 07110

Telephone: (347) 812-3751

Email Address: Ruiz Giovannie G4@gmail.com

Applicant is a:

____ Corporation ____ Partnership ____ LLC 1 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>2</u>	<u>2</u>
Total existing and total proposed professional offices	_____	_____
Total existing and total proposed parking spaces	_____	_____

Present use of premises: Two 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: Jeffrey M. Lehman

Address: 42 Throckmorton Lane

Old Bridge, New Jersey 08857

Telephone: (732) 634-6744 Fax: _____

Email Address: JLEHMAN@THELEHMANLAWFIRM.COM

Applicant's Architect

Name: _____

Address: _____

Telephone: _____ Fax: _____

Email Address: _____

Applicant's Engineer

Name: _____

Address: _____

Telephone: _____ Fax: _____

Email Address: _____

Applicant's Planning Consultant

Name: Matthew Rivera
Address: 2863 Sampson Ave
Bronx, NY 10465
Telephone: (347) 607-0091 Fax: _____
Email Address: Matt.r1994@outlook.com

***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).

X The lot is an irregular, narrow triangle shape created by
the existence of an abandoned service road adjacent to
the 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

X Although classified as "abandoned", cars frequently pass
through this road, creating a dangerous condition for children
and dogs residing at the property.

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

X The unusual lot configuration, Combined with the ongoing traffic Hazard, Imposes extraordinary Constraints on safe development.

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 A Fence is necessary to provide adequate Safety and use of the property in a manner Consistent with Zoning Intent, even if strict application of the regulations would otherwise prevent it.

CERTIFICATION

STATE OF NEW JERSEY

SS.

COUNTY OF ESSEX

X Giovannie Ruiz, 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.

X [Signature]
Applicant/Applicant's Authorized
Officer or Representative

Subscribed and sworn to before me
this 2nd day of September 2020

X [Signature]
Signature of person authorized to take oaths

ELIANNY SURIEL
Notary Public, State of New Jersey
Comm. # 50224074
My Commission Expires 07/23/2024

ELIANNY SURIEL
Notary Public, State of New Jersey
Comm. # 50224074
My Commission Expires 07/23/2029



Nutley

Parcel Offset List

Target Parcel(s): Block-Lot: 8502-1
RUIZ, GIOVANNIE
151 MARGARET AVENUE

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

Block-Lot: 8503-3

CORINO, CARMINE J. & CATHERINE
137 SPATZ AVE
NUTLEY, NJ 07110
RE: 137 SPATZ AVENUE

Block-Lot: 8503-2

CORINO, CATHERINE V.
137 SPATZ AVE
NUTLEY, NJ 07110
RE: 139 SPATZ AVENUE

Block-Lot: 8503-1

DAMASO, ROMAN & ELIZA MARIE
141 SPATZ AVENUE
NUTLEY, NJ 07110
RE: 141 SPATZ AVENUE

Block-Lot: 8503-4

MORENO, CALIXTO & MARIA E.
135 SPATZ AVE
NUTLEY, NJ 07110
RE: 135 SPATZ AVENUE

Block-Lot: 8100-1

BARBOSA, TIMOTHY & KATHLEEN A.
159 SAN ANTONIO AVE
NUTLEY, NJ 07110
RE: 159 SAN ANTONIO AVENUE

Block-Lot: 8100-2

CARLUCCI, ROBERT JOSEPH & JAIME L
155 SAN ANTONIO AVE
NUTLEY, NJ 07110
RE: 155 SAN ANTONIO AVENUE

Block-Lot: 8100-3

HENDRICKS, J. & C. & IANIRO, J. & C.
6 HIGHLAND BLVD
WEST ORANGE, NJ 07052
RE: 149 SAN ANTONIO AVENUE

Block-Lot: 8100-16

THOMPSON, JOSEPH J & JHONAT T
156 MARGARET AVE
NUTLEY, NJ 07110
RE: 156 MARGARET AVENUE

Block-Lot: 8100-4

SPAGNUOLO, MICHAEL & ZOFIA
141 SAN ANTONIO AVE
NUTLEY, NJ 07110
RE: 141 SAN ANTONIO AVENUE

Block-Lot: 8100-5

GOVINDARAJAN, R. & A.
135 SAN ANTONIO AVE
NUTLEY, NJ 07110
RE: 135 SAN ANTONIO AVENUE

Block-Lot: 8100-15

FALANGO, JESSICA
152 MARGARET AVENUE
NUTLEY, NJ 07110
RE: 152 MARGARET AVENUE

Block-Lot: 8100-6

SIDDAYAO, JOHANSSSEN & ASAYO, JEANETTE
131 SAN ANTONIO AVE
NUTLEY, NJ 07110
RE: 131 SAN ANTONIO AVENUE

Block-Lot: 8100-14

MERKLE, KEVIN & NANCY
146 MARGARET AVE
NUTLEY, NJ 07110
RE: 146 MARGARET AVENUE

Block-Lot: 8100-13

NAPOLI, MICHAEL R. JR. & ANNA MARIE
142 MARGARET AVE
NUTLEY, NJ 07110
RE: 142 MARGARET AVENUE

Block-Lot: 8100-12

SITNICK, MITCHELL & STEPHANIE
138 MARGARET AVENUE
NUTLEY, NJ 07110
RE: 138 MARGARET AVENUE

Block-Lot: 8100-11

HANNON, EDWARD L. JR. & MARILYN
134 MARGARET AVE
NUTLEY, NJ 07110
RE: 134 MARGARET AVENUE

Block-Lot: 8100-10

PICHARDO, JOEL R & VANESSA
128 MARGARET AVE
NUTLEY, NJ 07110
RE: 128 MARGARET AVENUE

Block-Lot: 8502-2

CONCA, RALPH & HEATHER
147 MARGARET AVE
NUTLEY, NJ 07110
RE: 147 MARGARET AVENUE

Block-Lot: 8502-3

SCARPA, SALVATORE JR. & DEANNA
68 PARK AVE
RANDOLPH, NJ 07869
RE: 143 MARGARET AVENUE

Block-Lot: 8502-4

BURY, JILL
139 MARGARET AVENUE
NUTLEY, NJ 07110
RE: 139 MARGARET AVENUE

Block-Lot: 8502-5

ULLOA, RAFAEL
135 MARGARET AVE
NUTLEY, NJ 07110
RE: 135 MARGARET AVENUE

Block-Lot: 8502-6

HANNON, MARILYN & MATTIELLO, R.
117 MARGARET AVE
NUTLEY, NJ 07110
RE: 117 MARGARET AVENUE

Block-Lot: 8502-13

SCARPA, SALVATORE & DEANNA
68 PARK AVE
RANDOLPH, NJ 07869
RE: 142 SPATZ AVENUE

Block-Lot: 8502-12

MICHELON, FERNANDO
10-12 HEDDEN PLACE
EAST ORANGE, NJ 07017
RE: 140 SPATZ AVENUE

Block-Lot: 8502-11

PANE, ANA ISABEL
138 SPATZ AVENUE
NUTLEY, NJ 07110
RE: 138 SPATZ 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)

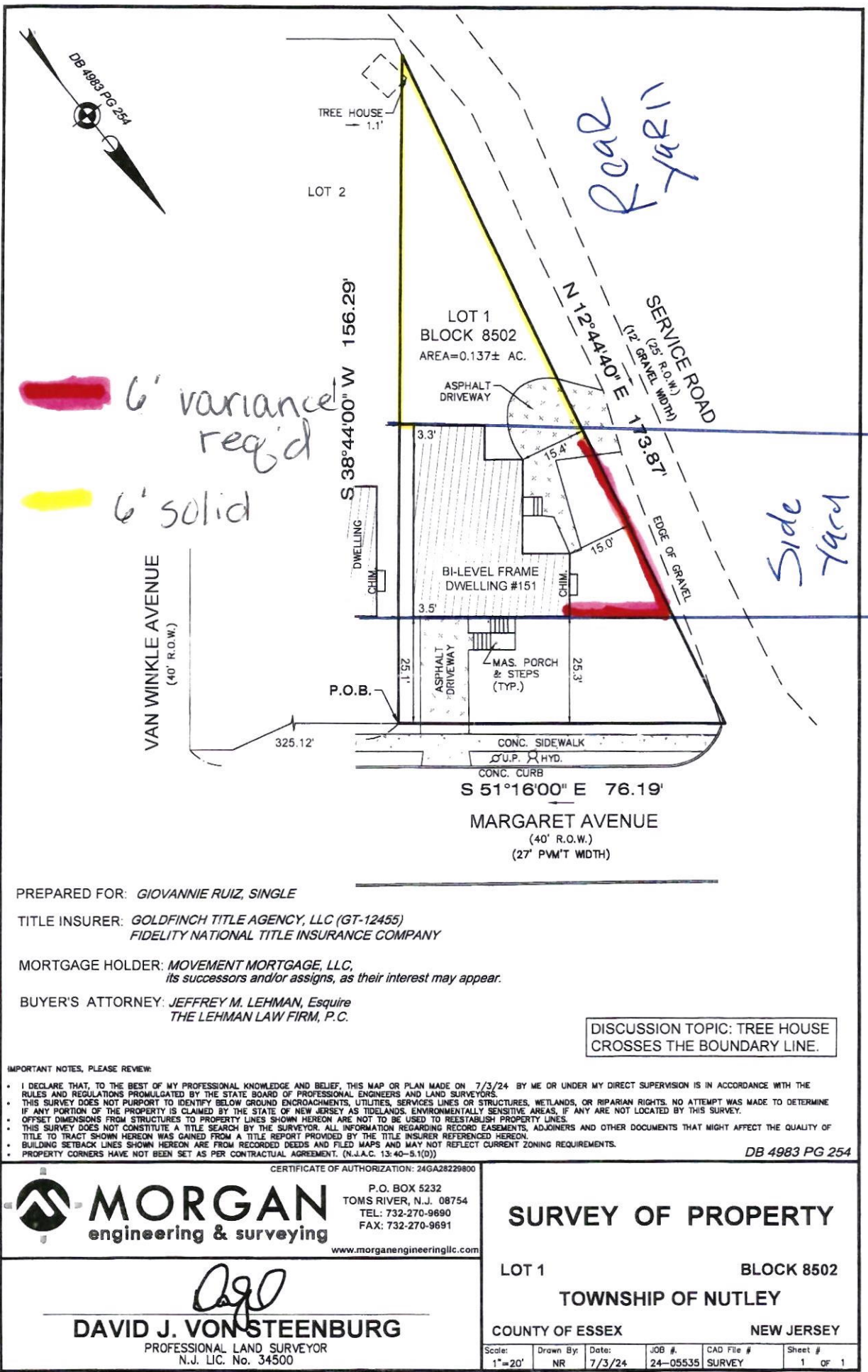
Essex County Utilities Authority
Leroy R. Smith Jr. Public Safety Building
60 Nelson Place – 6th Floor
Newark, NJ 07102

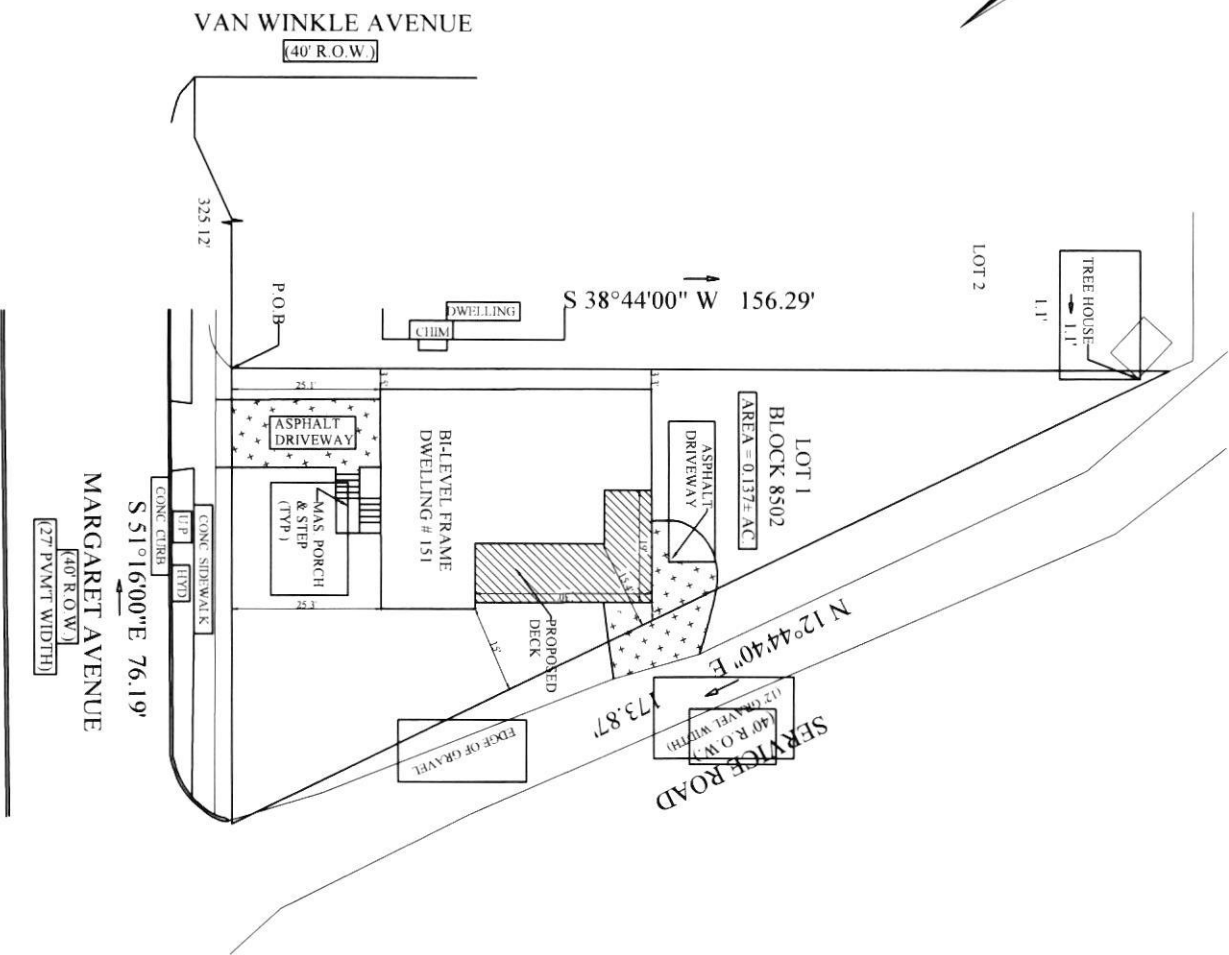
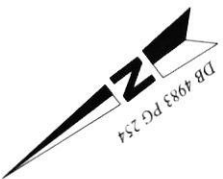
(J)

Norfolk Southern Railway
125 County Road
Jersey City, NJ 07307

ZONING APPROVED
 8/12/25
 Date:
 Zoning Officer: *[Signature]*

Partial Approval
 Rear yard only
 6' Solid Fence
 Side yard partially Z.A.A. application





REVISION	BY

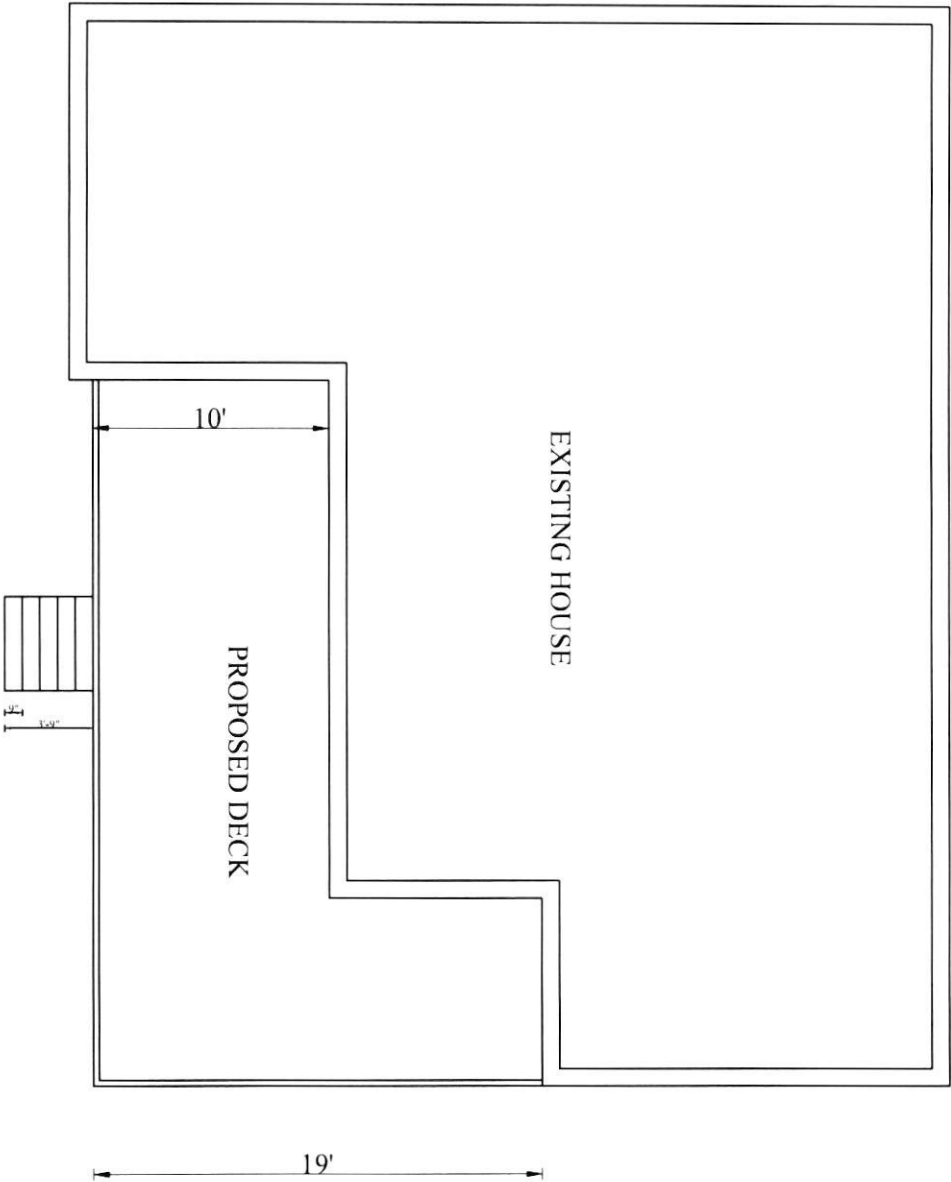
PROJECT:
PROPOSED DECK DESIGN
PROJECT:
**151 MARGARET AVE
NUTLEY, NJ 07110**

DRAWN BY
NSK

OWNER

SCALE
1/32"=1'-0"
DATE
06/10/2025

SHEET
A4



PLAN VIEW

REVISION	BY

PROJECT: **PROPOSED DECK DESIGN**
PROJECT: **151 MARGARET AVE
NUTLEY, NJ 07110**

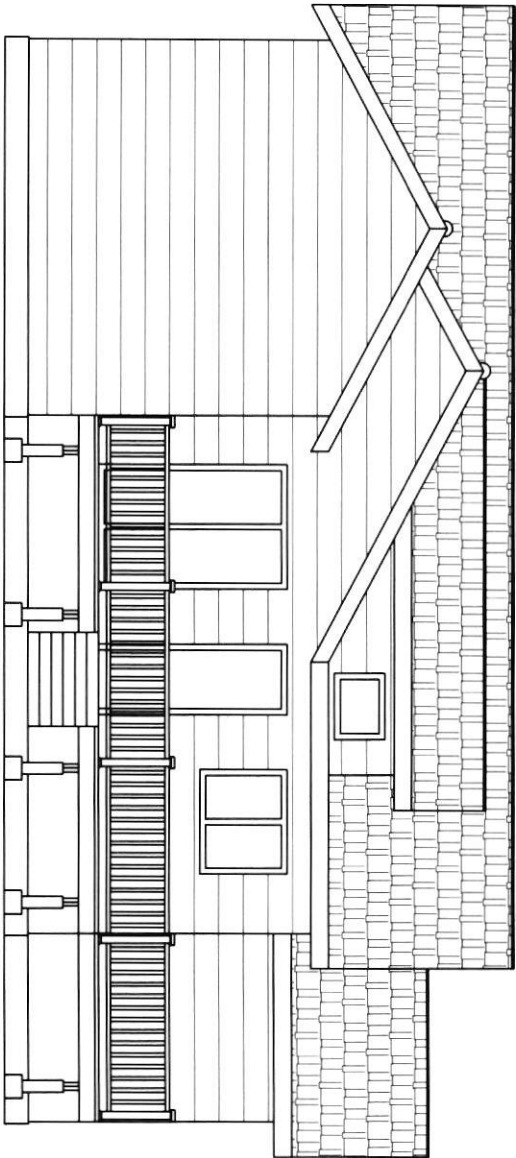
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NSK

OWNER

SCALE
1/32"=1'-0"

DATE
06/10/2025

SHEET
A4



FRONT ELEVATION

REVISION	BY

PROJECT:
PROPOSED DECK DESIGN
PROJECT:
**151 MARGARET AVE
NUTLEY, NJ 07110**

DRAWN BY

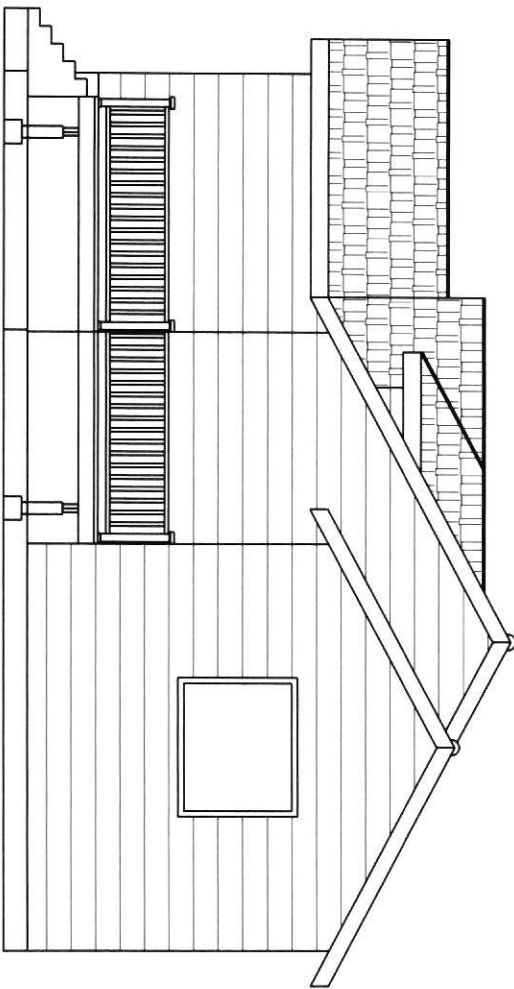
NSK

OWNER

SCALE
1/32"=1'-0"

DATE
06/10/2025

SHEET
A4



SIDE ELEVATION

REVISION	BY

PROJECT:
PROPOSED DECK DESIGN
PROJECT:
**151 MARGARET AVE
NUTLEY, NJ 07110**

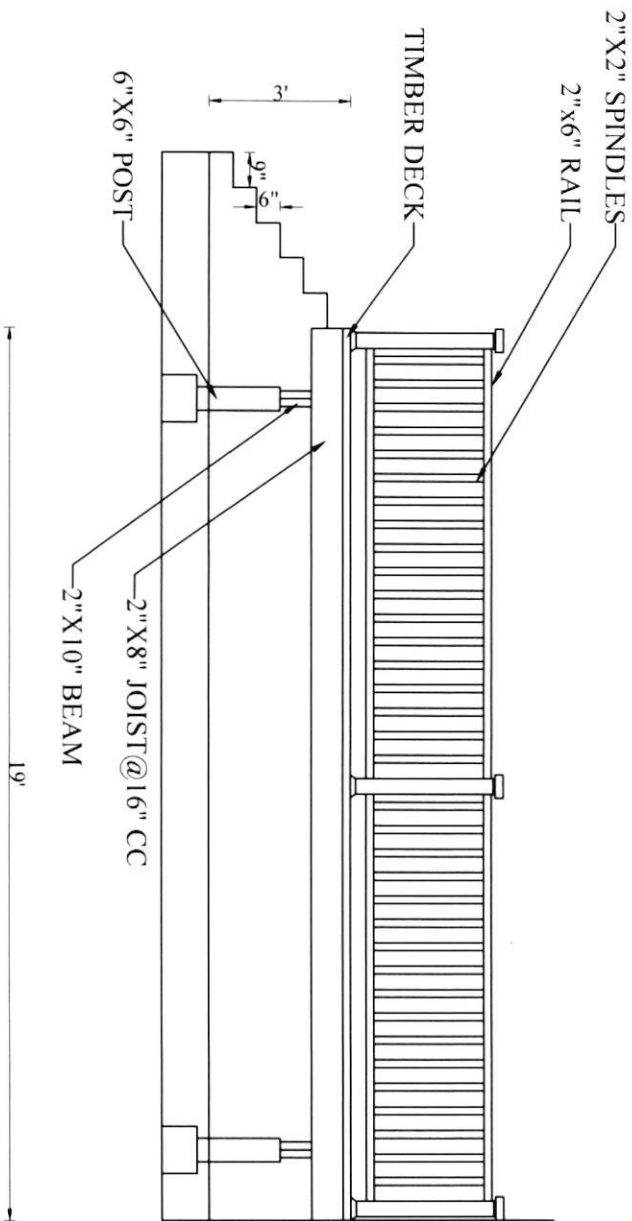
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OWNER

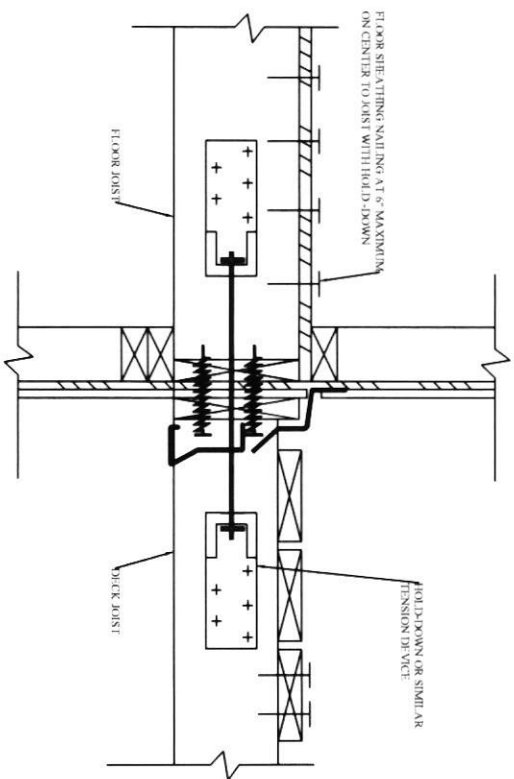
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DATE
06/10/2025

SHEET
A4



SECTION VIEW



DECK ATTACHMENT DETAIL

REVISION	BY

PROJECT: PROPOSED DECK DESIGN
PROJECT: 151 MARGARET AVE
NUTLEY, NJ 07110

DRAWN BY

NSK

OWNER

SCALE

1/32"=1'-0"

DATE

06/10/2025

SHEET

A4