



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

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

March 17, 2026

Vittorio Virili
371 Walnut Street
Block/Lot: 1704/24

Re: **Gazebo**
371 Walnut Street
Block/Lot: 1704/24

Dear Mr. Vittorio.

Your request for a permit at the above referenced address to install a 10' x 12' gazebo, having an approximate eight (8') foot setback to the attached deck and will increase the total lot coverage to 40%, as shown on the survey prepared by Manno Surveying, Inc. dated August 20, 2025, is disapproved for the following reason.

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

The Board of Adjustment approved variances in 2003 to replace the pool and deck around the pool.

Chapter 700, Article XI, Section 700-67 D of the Codes of Nutley states an attached accessory structure or accessory use shall be considered to be a part of the main building.

Chapter 700, Article XI, Section 700-67 C of the Codes of Nutley states no detached accessory building shall be located nearer than 10 feet to a main building. **The existing deck is attached to the main dwelling. The garage will have an approximate eight (8') foot setback to the deck.**

Chapter 700, Article VIII, Section 700-46 A of the Codes of Nutley states the Schedule of Regulations requires the following in an R-1 zone.

	<u>Required</u>	<u>Proposed</u>
Lot Coverage	35%	40%

A non-refundable use variance fee of \$175.00 was received by the Code Enforcement Department. **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 Liebold, jliebold@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 to 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

DB/d



TOWNSHIP OF NUTLEY, NEW JERSEY

ZONING BOARD OF ADJUSTMENT APPLICATION FORM

Docket No: ZBA-20-0048

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: 3/17/20

Section I: SUBJECT PROPERTY

Address: 371 Walnut Street

Block: 1704 Lot: 24 Zone: R-1

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

Section II: APPLICANT INFORMATION

Name: VITTORIO VIRILI

Address: 371 WALNUT STREET

Telephone: 917-601-0860

Email Address: VITTORIO.VIRILI@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>1</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 April 4, 2003 to replace an unroofed deck.

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 THE CONSTRAINT ARISES FROM THE PROPERTY'S UNIQUE PHYSICAL LAYOUT, WHERE THE CENTRAL PLACEMENT OF THE PRE-EXISTING POOL AND PERMANENT STRUCTURE LEAVES NO ALTERNATIVE LOCATION FOR THE NECESSARY SHADE WITHOUT AFFECTING NEIGHBORS' VIEWS.

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 _____

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

PRE-EXISTING LAYOUT OF THE PROPERTY LEAVES NO ALTERNATIVE LOCATION FOR SHADE. THE YARD HAS ZERO NATURAL SHADE, RENDERING THE POOL AREA UNSAFE AND UNUSABLE DURING PEAK SUMMER HEAT.

X THIS RELIEF IS THE MINIMUM NECESSARY TO MITIGATE THIS HARDSHIP AND ALLOW US TO FULLY AND SAFELY ENJOY OUR BACKYARD WITH OUR CHILDREN. THE GAZEBO WILL BE PLACED OVER EXISTING PAVERS, ENSURING NO INCREASE OF WATER RUNOFF OR IMPACT ON NEIGHBORING VIEWS OR PROPERTY VALUES.

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.

GRANTING THIS MINOR 5% VARIANCE WILL NOT IMPAIR THE ZONE PLAN AS THE GAZEBO IS PLACED OVER EXISTING PAVERS, CREATING NO INCREASE OR DIVERSION OF WATER ONTO NEIGHBORING PROPERTIES. FURTHERMORE, THE STRUCTURE COMPLIES WITH ALL REQUIRED SETBACKS FROM PROPERTY LINES WITH NO IMPACT OF NEIGHBORING PROPERTY VALUES.



Nutley Parcel Offset List

Target Parcel(s): Block-Lot: 1704-24
IANNELLI, ANGELICA & VIRILI, VITTORIO
371 WALNUT STREET

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

Block-Lot: 1704-1

FINKELSTEIN, ROBERT T. & CAROL M.
116 NORTH RD
NUTLEY, NJ 07110
RE: 116 NORTH ROAD

Block-Lot: 1704-28

BARONE, MATTHEW
363 WALNUT ST
NUTLEY, NJ 07110
RE: 363 WALNUT STREET

Block-Lot: 1704-10

DESORDI, ANTHONY E & GONZALEZ, GINA
146 N RD BE
NUTLEY NJ 07110
RE: 146 NORTH ROAD

Block-Lot: 1601-18

ELAGMI, EMAD & SANCHEZ, JOANNE
481 WASHINGTON AVE
NUTLEY, NJ 07110
RE: 481 WASHINGTON AVENUE

Block-Lot: 1601-6

HOO, RICHARD & LYNN
388 WALNUT ST
NUTLEY, NJ 07110
RE: 388 WALNUT STREET

Block-Lot: 1704-3

NIEBUHR, WILLIAM E. & MARGARET E.
124 NORTH RD
NUTLEY, NJ 07110
RE: 124 NORTH ROAD

Block-Lot: 1704-26

STOPPIELLO, NICHOLAS & LORENA
367 WALNUT ST
NUTLEY, NJ 07110
RE: 367 WALNUT STREET

Block-Lot: 1703-29

CUZZI, MONICA A.
121 NORTH RD
NUTLEY, NJ 07110
RE: 121 NORTH ROAD

Block-Lot: 1601-4

HEYDEN, LYNN T. & LISA C.
380 WALNUT ST
NUTLEY, NJ 07110
RE: 380 WALNUT STREET

Block-Lot: 1601-20

POMPONIO, LOUIS JR. & MARYANN
473 WASHINGTON AVE
NUTLEY, NJ 07110
RE: 473 WASHINGTON AVENUE

Block-Lot: 1704-2

CARLSON, BRIAN & MARGERITTE
120 NORTH RD
NUTLEY, NJ 07110
RE: 120 NORTH ROAD

Block-Lot: 1704-27

CHOUDHRY, VIQAS & JESSICA PONTON
365 WALNUT ST
NUTLEY, NJ 07110
RE: 365 WALNUT STREET

Block-Lot: 1601-3

DE FILIPPO, LINDA & MICHAEL
376 WALNUT ST
NUTLEY, NJ 07110
RE: 376 WALNUT STREET

Block-Lot: 1601-21

JANI, MUKESH & SONAL JANI
469 WASHINGTON AVE
NUTLEY, NJ 07110
RE: 469 WASHINGTON AVENUE

Block-Lot: 1601-2

DEVITA, FRANK & MICHELE
372 WALNUT ST
NUTLEY, NJ 07110
RE: 372 WALNUT STREET

Block-Lot: 1704-29

NOCHIMSON, CATHEE
361 WALNUT ST
NUTLEY, NJ 07110
RE: 361 WALNUT STREET

Block-Lot: 1601-25

LONG, DAVID & NORMA
8 MCKINLEY ST
NUTLEY, NJ 07110
RE: 8 MCKINLEY STREET

Block-Lot: 1601-1

AGRESTA, RICHARD R.
18 MCKINLEY ST
NUTLEY, NJ 07110
RE: 18 MCKINLEY STREET

Block-Lot: 1704-11

GRIESBACK, THOMAS F. & ROSEMARY
150 NORTH RD
NUTLEY, NJ 07110
RE: 150 NORTH ROAD

Block-Lot: 1704-18

DONOHUE, HELEN (LIFE EST) ETALS
401 WALNUT ST
NUTLEY, NJ 07110
RE: 401 WALNUT STREET

Block-Lot: 1703-23

RUDDER, ELIZABETH A.
141 NORTH RD
NUTLEY, NJ 07110
RE: 141 NORTH ROAD

Block-Lot: 1704-19

REYNOSA, HERBERT M. & CHIARA D.
399 WALNUT ST
NUTLEY, NJ 07110
RE: 399 WALNUT STREET

Block-Lot: 1703-24

SIB 13 LLC
139 NORTH RD
NUTLEY, NJ 07110
RE: 139 NORTH ROAD

Block-Lot: 1601-10

TRAVAGLINO, GIOVANNA
400 WALNUT ST
NUTLEY, NJ 07110
RE: 400 WALNUT STREET

Block-Lot: 1704-9

MANFREDI, ROBERT & MARY ANN
144 NORTH RD
NUTLEY, NJ 07110
RE: 144 NORTH ROAD

Block-Lot: 1704-20

395 WALNUT STREET CO.
395 WALNUT ST
NUTLEY, NJ 07110
RE: 395 WALNUT STREET

Block-Lot: 1601-9

LAWLOR, JEANNE
398 WALNUT STREET
NUTLEY, NJ 07110
RE: 398 WALNUT STREET

Block-Lot: 1704-8

CRUMRINE, MATTHEW & KRISTA
140 NORTH RD
NUTLEY, NJ 07110
RE: 140 NORTH ROAD

Block-Lot: 1704-21

GUGGER, SUSAN
393 WALNUT STREET
NUTLEY, NJ 07110
RE: 393 WALNUT STREET

Block-Lot: 1601-8

GWINNER, BRIAN J. & TARYN C.
394 WALNUT ST
NUTLEY, NJ 07110
RE: 394 WALNUT STREET

Block-Lot: 1703-25

DESILVA, ERIC T. & KATHRYN ABUAN
133 NORTH RD
NUTLEY, NJ 07110
RE: 133 NORTH ROAD

Block-Lot: 1704-7

COSTANZO, PHILIP C. & CAROL
136 NORTH RD
NUTLEY, NJ 07110
RE: 136 NORTH ROAD

Block-Lot: 1704-22

DEMBOWSKI, PATRICIA B.
389 WALNUT ST
NUTLEY, NJ 07110
RE: 389 WALNUT STREET

Block-Lot: 1703-26

BATTAL, YUSA & RAY, MEGAN
129 NORTH RD
NUTLEY, NJ 07110
RE: 129 NORTH ROAD

Block-Lot: 1601-7

PECORARO, PAUL D. & CAROLYN
392 WALNUT ST
NUTLEY, NJ 07110
RE: 392 WALNUT STREET

Block-Lot: 1601-17

CALLAGHAN, JAMES T. & MAUREEN E.
485 WASHINGTON AVE
NUTLEY, NJ 07110
RE: 485 WASHINGTON AVENUE

Block-Lot: 1704-6

BAUERLEIN, SHIRLEY
134 NORTH RD
NUTLEY, NJ 07110
RE: 134 NORTH ROAD

Block-Lot: 1704-23

SANDBERG, STEVEN & WEBBER, KATHLEEN
387 WALNUT ST
NUTLEY, NJ 07110
RE: 387 WALNUT STREET

Block-Lot: 1703-27

AMARAL, MICHAEL & JESSICA
125 NORTH RD
NUTLEY, NJ 07110
RE: 125 NORTH ROAD

Block-Lot: 1704-5

ZOLNOWSKI, ANDREW & DIABELEN P
130 NORTH ROAD
NUTLEY, NJ 07110
RE: 130 NORTH ROAD

Block-Lot: 1703-28

SACCO, VINCENT J. & MARYANN
123 NORTH RD
NUTLEY, NJ 07110
RE: 123 NORTH ROAD

Block-Lot: 1704-4

BOWES, RAYMOND & KERRY POWELL BOWES
126 NORTH RD
NUTLEY, NJ 07110
RE: 126 NORTH ROAD

Block-Lot: 1704-25

YAGER, STEPHEN & DONOVAN, MEGHAN K
369 WALNUT ST
NUTLEY, NJ 07110
RE: 369 WALNUT STREET

Block-Lot: 1601-5

SAMANO, JEAN
384 WALNUT ST
NUTLEY, NJ 07110
RE: 384 WALNUT STREET

Block-Lot: 1601-19

HIRSCH, BARBARA

477 WASHINGTON AVE

NUTLEY, NJ 07110

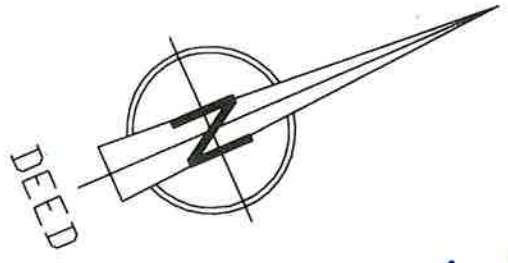
RE: 477 WASHINGTON AVENUE

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R-1

NOTE: OFFSETS SHOWN HEREON ARE FOR TITLE PURPOSES ONLY. ALTHOUGH ABSOLUTE OFFSET DIMENSIONS ARE NOT TO BE USED FOR PERMANENT CONSTRUCTION. 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 SURVEY IS INVALID WITHOUT THE EMBOSSED SEAL OF THE SURVEYOR, SUBJECT TO ALL EASEMENTS OR RIGHT-OF-WAYS OF RECORD, SUBJECT TO ANY FACTS THAT A TITLE SEARCH WOULD DISCLOSE. SUB-SURFACE UTILITIES HAVE NOT BEEN LOCATED OR OTHERWISE INDICATED.

Total Lot Coverage 35% = 1312 ϕ
Total IMP. Coverage 70% = 2625 ϕ



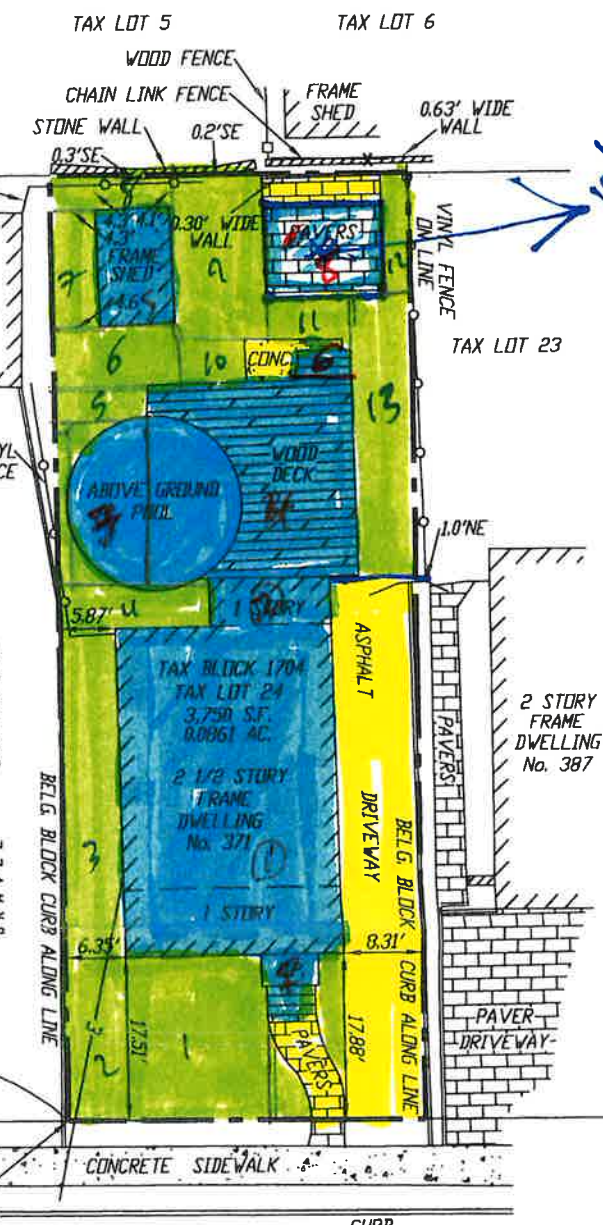
Total Lot Area = $37.5 \times 100 = 3750$
 $70\% = 2625$
Previous = $39\% = 1125$

MCKINLEY AVENUE
(60' WIDE)

Lot Coverage 35% = 1312 ϕ

- 1 - $23 \times 29 = 667$
 - 2 - $3 \times 6 = 18$
 - 3 - $5 \times 13 = 65$
 - 4 - $22 \times 20 = 440$
 - 5 - $7 \times 12 = 84$
 - 6 - $3 \times 6 = 18$
 - 7 - $7 \times 17 = 119$
 - 8 - $10 \times 12 = 120$
- Total = 1531 ϕ
186.50'

S 22°44'00"W 37.50'



10' x 12' 592 ϕ
New

30% Previous Coverage

- $15 \times 17 = 255$
- 2 - $6 \times 17 = 102$
- 3 - $6 \times 35 = 210$
- 4 - $5 \times 15 = 75$
- 5 - $4 \times 10 = 40$
- 6 - $6 \times 13 = 78$
- 7 - $5 \times 12 = 60$
- 8 - $4 \times 12 = 48$
- 9 - $10 \times 16 = 160$
- 10 - $4 \times 7 = 28$
- 11 - $9 \times 4 = 36$
- 12 - $3 \times 12 = 36$
- 13 - $6 \times 30 = 180$

N 67°16'00"W 100.00'

P.O.B.

N 22°44'00"E 37.50'

WALNUT STREET
(50' WIDE)

Total Previous = 1308 ϕ

700-3 Imp - det

700-3 lot. on det



GRAPHIC SCALE
1" = 20'

LOCATION SURVEY OF PROPERTY OF
ANGELICA IANNELLI AND VITTORIO VIRILI
TOWNSHIP OF NUTLEY, ESSEX COUNTY, N.J.

CERTIFIED TO:
ANGELICA IANNELLI AND VITTORIO VIRILI

MANNO SURVEYING, INC.
PROFESSIONAL LAND SURVEYORS & PLANNERS
543 POST AVE. LYNDBURST, N.J. 07071
TEL. (201) 438-7454 FAX (201) 460-0132
EMAIL: VLEVEL42@gmail.com

SCALE:	1" = 20'	DATE:	06/02/2026
TAX MAP LOT:	24	TAX MAP BLOCK:	1704
FILE MAP LOT:		FILE MAP BLOCK:	
MAP REFERENCE: BEING KNOWN AND DESIGNATED AS LOT 24 IN BLOCK 1704 AS SHOWN ON THE TAX MAP IN THE TOWNSHIP OF NUTLEY, ESSEX COUNTY, STATE OF NEW JERSEY.			

Vincent Manno, Professional Land Surveyor
I.c. No. 24GS03538400
Anthony J. Manno, Founder 1936-2011

Job No. 26-231

Title Company No. NA

CERTIFICATE OF AUTHORIZATION NO. 24GA28191300