

THOMAS J. EVANS Director of Revenue and

Finance

DAVID BERRY

Construction Official Zoning Official

CODE ENFORCEMENT DEPT.

TOWNSHIP OF NUTLEY

1 KENNEDY DRIVE NUTLEY, NEW JERSEY 07110

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

BUILDING PLUMBING ELECTRICAL FIRE ZONING

February 12, 2021

Mr. Arjelis Guzman 152 Mountainview Avenue Nutley, NJ 07110

RE:

ADDITION

152 Mountainview Avenue

Block/Lot: 5301/20

Dear Mr. Guzman:

Your request for a permit, at the above referenced premises, to construct additions on the existing first floor, a second floor add-a-level addition, a chimney on the left side, and a covered front porch, and a roof over the paver patio in the side yard, with approximately five (5') foot setback to the main dwelling, as shown on the property survey prepared by Borrie, McDonald & Watson, dated September 29, 2020, and plans prepared by Architect, Cesar F. Padilla, RA, dated January 20, 2021, is disapproved for the following reason.

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

Chapter 700, Article VIII, Section 700-46 A of the Codes of Nutley entitled "Schedule of Regulations as to Bulk, Height and Other Requirements" requires a 25' front vard setback in an R-1 zoning district for the 1st and 2nd floor addition. The proposed front vard setback will be 24.74'.

Chapter 700, Article VIII, Section 700-46 A of the Codes of Nutley entitled "Schedule of Regulations as to Bulk, Height and Other Requirements" requires a six (6') foot side yard setback (left side) for the 1st and 2nd floor addition and fireplace in an R-1 zoning district. The proposed left side yard setback will be 5.58' for the 1st and 2nd floor, and 3.58' to the fireplace.

Chapter 700, Article VIII, Section 700-46 A of the Codes of Nutley entitled "Schedule of Regulations as to Bulk, Height and Other Requirements" requires a six (6') foot side yard setback (right side) for the addition in an R-1 zoning district. The proposed right side will be 2.75'.

Chapter 700, Article III Section 700-3 of the Codes of Nutley entitled "Definitions - Side Yard" states an open unobstructed space between the building and the side line of the lot extending through from the front to the rear yard or to another street, into which space there is no extension of the building above the grade level. The chimney encroaches into the side yard.

Chapter 700, Article VIII, Section 700-46 A of the Codes of Nutley entitled "Schedule of Regulations as to Bulk, Height and Other Requirements" requires 35% lot coverage in an R-1 zoning district. The proposed coverage will be 43%.

Note: the lot coverage calculation on the plan does not take in effect, the township definition on lot coverage.

Page 2 152 Mountainview Avenue Block/Lot: 5301/20

Chapter 700, Article VIII, Section 700-46 B (4) (d) of the Codes of Nutley entitled "Schedule of Regulations as to Bulk, Height and Other Requirements" states by any terrace or porch having its floor level no higher than the floor level of the first story of the building and having no railing or other member higher than three feet above floor level: six feet. The required front yard setback is 25'. The proposed is 24.74', the six (6') foot encroachment for the front porch is not permitted.

Chapter 700, Article XI, Section 700-67 A of the Codes on Nutley states a detached accessory buildings and accessory uses may occupy in the aggregate an area not to exceed 30% of the area of any rear yard. The height of a detached accessory building shall be one story not to exceed 14 feet. *The detached accessory structure (roof over patio) is located in the side yard.*

Chapter 700, Article XI, Section 700-67 C of the Codes on Nutley states no detached accessory building shall be located nearer than 10 feet to a main building. The setback to the main building is approximately five (5') feet and five (5') feet.

A non-refundable filing fee of \$175.00 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) 284-4957 or email at <u>ljacobs@nutleynj.org</u>. 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,

Zoning Official



TOWNSHIP OF NUTLEY, NEW JERSEY

ZONING BOARD OF ADJUSTMENT APPLICATION FORM

				Docket No: ZBA-21-0007
				to obtain from you information ing Board of Adjustment.
Application Fe	ee: \$ 175.00	_ (on denial le	etter)	Date of Denial Letter: 2/14/2021
Section I: SU	BJECT PROP	ERTY		
Address: 152	Mountainvi	ew Avenue		
Block: 5301	Lot: 20)	Zone: R-1	
		District Requi	irements	Proposed
Lot Area		5000		5000
Lot Width		50'		50'
Lot Depth		100'		100'
Front Yard		25'		
Side Yard		6'		
Rear Yard		30'		
Other		6'		;
Section II: AI	PPLICANT IN	FORMATIO	N	
Name:	Arjelis Guz	zman		
Address:	152 Mounta	inview Ave		
	Nutley, NJ	07110		
Telephone:	973-572-544	18		
Email Address:	Arjelis@Ms	n.com		
Applicant is a:		D 1 .	HG	
Corpor	auon	Partnership	LLC	Individual

If the owner i	s not the applicant, the following must be p	rovided:	
Owner Name	: <u>N/A</u>		
Address:			
Telephone:			
Email Address	ss:		
Section III: 1	DISCLOSURE STATEMENT		
a corporation with N.J.S. 4	I.J.S. 40:55D-48.1 the names and address o or a 10% interest in any partnership must o 0:55D-48.2, that disclosure requirement approve than 10% interest.	lisclosed by the ap	oplicant. In accordance
Name:	N/A		
Address:			
Interest:			
Name:			
Address:			
Interest:			
Name:			
Address:			
Interest:			
Section IV:	PROPERTY INFORMATION	Existing	Proposed
Total existing	g and total proposed dwelling units	1	1
Total existing	g and total proposed professional offices		
Total existing	g and total proposed parking spaces		

Present use o	of premises: ONE FAMILY DV	VELLING
	en any previous appeal, request, or d or the Construction Code Official	application to this or any other Township of involving these premises? No
If yes, state t	he nature, date and the disposition	of each such matter: N/A
Section V: P	PROFESSIONAL INFORMATION	<u>ON</u>
Applicant's	Attornev	
Name:	N/A	
Address:		
Telephone:		Fax:
Email Addre	ss:	_
Applicant's A	Architect	
Name:	Cesar F. Padilla Archite	ects
Address:	109 Ellsworth Terrace	
	Glen Rock, NJ	
Telephone:	201-314-3388	Fax:
Email Addre	ss: Mb14058@aol.com	
Applicant's I	Engineer	
Name:	Cesar F. Padilla Archite	ects
Address:	109 Ellsworth Terrace	
	Glen Rock, NJ	
Telephone:	201-314-3388	Fax:
Email Addre	ss:Mb14058@Aol.com	

Applicant's P	lanning Consultant	
Name:	N/A	
Address:	i-	
Telephone:	5	Fax:
Email Addres	s:	
	r expert who will subm ional sheets, if necessa	it a report or who will testify for the applicant. ry)
Name:	N/A	
Address:		
Telephone:		Fax:
	S:	
the land under conditions).		f the constraints imposed by the physical characteristics of eptional narrowness, shallowness 01' topographic on.
		straordinary or exceptional situation or condition of the land elopment in accordance with Zoning Regulations

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

The complexity of the 5"offset on the side of the property with a 6' setback would constrain the entire 1st. floor due to an open concept design. The kitchen would be affected since current dwelling is in a vertical position as oppose to a horizontal layout. We currently have 740sq ft of livable space which is not sufficient for our family of 4.

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.

The few inches on the side property would not affect any public good in any way. The main entrance is already established on the side of the property and being utilized as the same space as I am trying to acquire, but to be part of the dwelling as oppose to an open staircase leading to nowhere, since the main entrace will be moved forward.

CERTIFICATION

STATE OF NEW JERSEY }	
COUNTY OF ESSEX }	
Arylis Guzman that I am the applicant	, being duly sworn, hereby cellify (check one)
or	
that I am the(Title) the Applicant, and that I am duly empowere	(Company Name) ed and authorized to make this representation
on behalf of(Company Name)	;
and that the information presented in this application	on is true, complete and accurate.
	Applicant/Applicant's Authorized Officer or Representative
Subscribed and sworn to before me 2021 this 19 day of Flinary, 201.	
Signature of person authorized to take oaths AMRIK SINGH Notary Public – State of New Jersey My Commission Expires May 28, 2023	



TOWNSHIP OF NUTLEY, NEW JERSEY

ZONING BOARD OFADJUSTMENT PLANNING BOARD

Docket Number: ZBA-21-0007 Work Site Location: 152 Mountainview Avenue Applicant: Guzman

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

1 $_{\text{to}}$ 3 $_{, \text{ as of}}$ 2/4/2021

Antonette De Blasio

ANTONETTE DEBLASIO Technical Assistant/ZBA-PB Township of Nutley, NJ



Target Parcel(s): Block-Lot: 5301-20

GUZMAN, ARJELIS

152 MOUNTAINVIEW AVENUE

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

Block-Lot: 5301-24

VERDEAUX, DIANE (ETAL)

168 MOUNTAINVIEW AVE

NUTLEY, NJ 07110

RE: 168 MOUNTAINVIEW AVENUE

Block-Lot: 5301-14

MAREE, JACQUELYN & KATHLEEN N.

11 NEWMAN AVE NUTLEY, NJ 07110

RE: 11 NEWMAN AVENUE

Block-Lot: 5301-22

PRICE, GEORGE & BARBARA 160 MOUNTAINVIEW AVENUE

NUTLEY, NJ 07110

RE: 160 MOUNTAINVIEW AVENUE

Block-Lot: 5301-15

DI GIACINTO, MICHAEL & ELAINE

9 NEWMAN AVE NUTLEY, NJ 07110

RE: 9 NEWMAN AVENUE

Block-Lot: 5301-13

RESTAINO, ALAN M. & DEBRA J.

15 NEWMAN AVE NUTLEY, NJ 07110

RE: 15 NEWMAN AVENUE

Block-Lot: 5302-21

LAFOUNTAIN, GEORGE L JR. & MARY ANN

12 NEWMAN AVE NUTLEY, NJ 07110

RE: 12 NEWMAN AVENUE

Block-Lot: 5301-9

FARIELLO, JACK J & CHRISTINE

29 NEWMAN AVE NUTLEY, NJ 07110

RE: 29 NEWMAN AVENUE

Block-Lot: 5301-19 LAYAOU, M. LYNNE 148 MOUNTAINVIEW AVE

NUTLEY, NJ 07110

RE: 148 MOUNTAINVIEW AVENUE

Block-Lot: 5300-10

MASLAG, ALFRED J. & RENAE 167 MOUNTAINVIEW AVE

NUTLEY, NJ 07110

RE: 167 MOUNTAINVIEW AVENUE

Block-Lot: 5302-23

MCCALL, JAMES B. & HOLLY L.

22 NEWMAN AVE NUTLEY, NJ 07110

RE: 22 NEWMAN AVENUE

Block-Lot: 5300-18 FLYNN, THOMAS DAVID 415 BLOOMFIELD AVE NUTLEY, NJ 07110

RE: 415 BLOOMFIELD AVENUE

Block-Lot: 5302-22

NORTON, WILLIAM & DENISE

16 NEWMAN AVE NUTLEY, NJ 07110

RE: 16 NEWMAN AVENUE

Block-Lot: 5301-8

WILSON, EDWARD K. JR. & JOANN

35 NEWMAN AVE NUTLEY, NJ 07110

RE: 35 NEWMAN AVENUE

Block-Lot: 5302-20 QUIGLEY, SUSAN 8 NEWMAN AVE NUTLEY, NJ 07110 RE: 8 NEWMAN AVENUE

Block-Lot: 5301-10

DEL VECCHIO, MICHAEL A & THERESA M

27 NEWMAN AVE NUTLEY, NJ 07110

RE: 27 NEWMAN AVENUE

Block-Lot: 5302-19

SAFFARINI, AMJED MUSTAFA & SANDY ZAKY

459 BLOOMFIELD AVE NUTLEY, NJ 07110

RE: 459 BLOOMFIELD AVENUE

Block-Lot: 5301-11

MAURIELLO, ALBERT & GRACE

23 NEWMAN AVE NUTLEY, NJ 07110

RE: 23 NEWMAN AVENUE

Block-Lot: 5301-25 MUELLER, ADELE C. 172 MOUNTAINVIEW AVE NUTLEY, NJ 07110

RE: 172 MOUNTAINVIEW AVENUE

Block-Lot: 5301-12 RAHI, MOHIDUL I 19 NEWMAN AVENUE NUTLEY, NJ 07110

RE: 19 NEWMAN AVENUE

Block-Lot: 5301-23

CULTRERA, ROSARIO & SUSAN 164 MOUNTAINVIEW AVE NUTLEY, NJ 07110

RE: 164 MOUNTAINVIEW AVENUE

Block-Lot: 5301-21

KOSTER, LAWRENCE TIMOTHY & MICHELE

156 MOUNTAINVIEW AVE NUTLEY, NJ 07110

RE: 156 MOUNTAINVIEW AVENUE

Block-Lot: 5301-16

MARFIEWICZ, MEGAN KERRI 447 BLOOMFIELD AVE NUTLEY, NJ 07110

RE: 447 BLOOMFIELD AVENUE

Block-Lot: 5301-18

MENDOZA, YURI G & LAPINSKI, JESSICA

144 MOUNTAINVIEW AVE NUTLEY, NJ 07110

RE: 144 MOUNTAINVIEW AVENUE

Block-Lot: 5300-11 DIGIACOMO, LYNN C. 163 MOUNTAINVIEW AVE

NUTLEY, NJ 07110

RE: 163 MOUNTAINVIEW AVENUE

Block-Lot: 5301-17

IPPOLITO, SALVATORE & DEBRA

439 BLOOMFIELD AVE NUTLEY, NJ 07110

RE: 439 BLOOMFIELD AVENUE

Block-Lot: 5300-12 RODRIGUEZ, JORGE J. 157 MOUNTAINVIEW AVENUE

NUTLEY, NJ 07110

RE: 157 MOUNTAINVIEW AVENUE

Block-Lot: 4700-44

ERKAL, EMIR & FAYE, SONDRA

442 BLOOMFIELD AVE NUTLEY, NJ 07710

RE: 442 BLOOMFIELD AVENUE

Block-Lot: 5300-13 MCCHRISTAL, DANIEL J. 153 MOUNTAINVIEW AVE NUTLEY, NJ 07110

RE: 153 MOUNTAINVIEW AVENUE

Date Printed: 2/16/2021 Page 2 of 3

Block-Lot: 5300-14

SULLIVAN, MICHAEL E. & TONI ANN

149 MOUNTAINVIEW AVENUE

NUTLEY, NJ 07110

RE: 149 MOUNTAINVIEW AVENUE

Block-Lot: 5300-15

SALVO, MICHAEL J. & MARGO

147 MOUNTAINVIEW AVE

NUTLEY, NJ 07110

RE: 147 MOUNTAINVIEW AVENUE

Block-Lot: 5300-16

TOHN, BRIAN & EMILY

143 MOUNTAINVIEW AVE

NUTLEY, NJ 07110

RE: 143 MOUNTAINVIEW AVENUE

Block-Lot: 5300-23

FERRIERO, DOLORES A.

454 CHESTNUT ST

NUTLEY, NJ 07110

RE: 454 CHESTNUT STREET

Block-Lot: 5300-17

BRZOSKA, EDWARD & CHRISTINE

427 BLOOMFIELD AVE

NUTLEY, NJ 07110

RE: 427 BLOOMFIELD AVENUE

Block-Lot: 5300-22

OBESTER, PHYLLIS ANN

450 CHESTNUT ST

NUTLEY, NJ 07110

RE: 450 CHESTNUT STREET

Block-Lot: 4701-1

IMPERATRICE, MARISA A.

432 BLOOMFIELD AVE

NUTLEY, NJ 07110

RE: 432 BLOOMFIELD AVENUE

Block-Lot: 5300-21

FILIPPI, RONALD J. & ELLEN

446 CHESTNUT ST

NUTLEY, NJ 07110

RE: 446 CHESTNUT STREET

Block-Lot: 5300-20

MORALES, DAVID & MARILYN

442 CHESTNUT STREET

NUTLEY, NJ 07110

RE: 442 CHESTNUT STREET

Block-Lot: 5300-19

MEANS, JOSHUA & TARA

438 CHESTNUT ST

NUTLEY, NJ 07110

RE: 438 CHESTNUT STREET

Block-Lot: 5302-25

GRADZKI, JILLIAN

28 NEWMAN AVENUE

NUTLEY, NJ 07110

RE: 28 NEWMAN AVENUE

Block-Lot: 5302-24

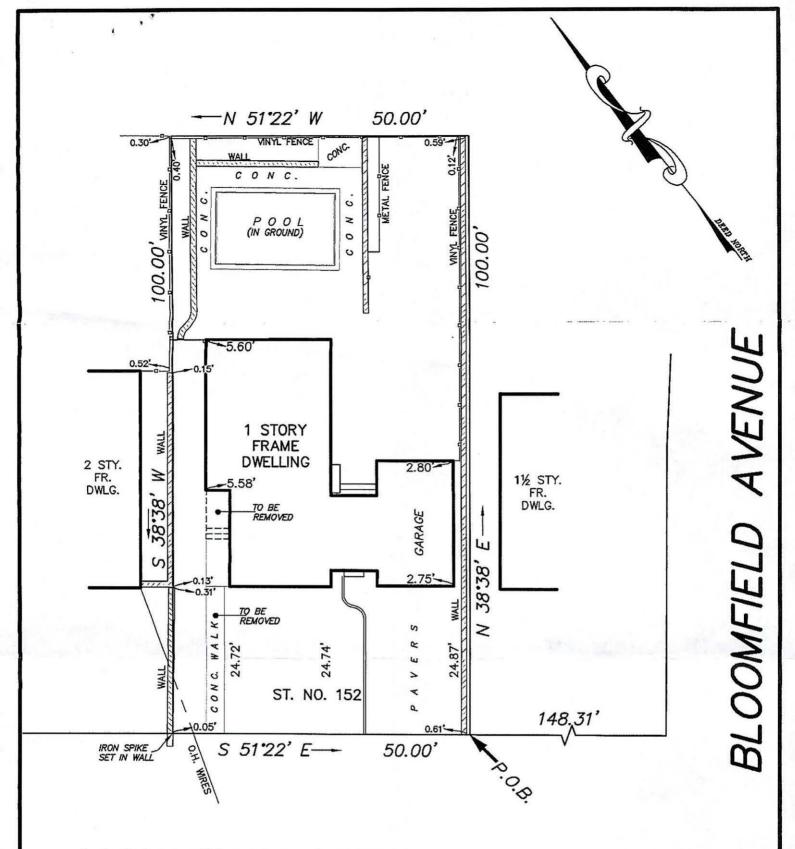
LOWERRE, LINDA

24 NEWMAN AVE

NUTLEY, NJ 07110

RE: 24 NEWMAN AVENUE

Date Printed: 2/16/2021 Page 3 of 3



MOUNTAIN VIEW (50' WIDE) A VENUE

NOTES:

1)BEING LOT 20 - BLOCK 5301 TAX MAP

2)ALSO BEING LOT 31 — BLOCK 193 MAP OF "TOWN OF NUTLEY, NEW JERSEY, DEPARTMENT OF PUBLIC WORKS, WEST HILL PROPERTY", FILED JULY 26, 1938 AS MAP NO. 1422

3)AREA= 5000 SQ. FT. or 0.11 ACRES

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 the 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.

MAP OF PROPERTY LOCATED AT NUTLEY, ESSEX COUNTY, N.J.

SURVEY NO. 16095B

CERTIFIED TO: ARJELIS GUZMAN

BORRIE, McDONALD & WATSON

LAND SURVEYORS

130 WASHINGTON STREET
BLOOMFIELD, N.J. 07003

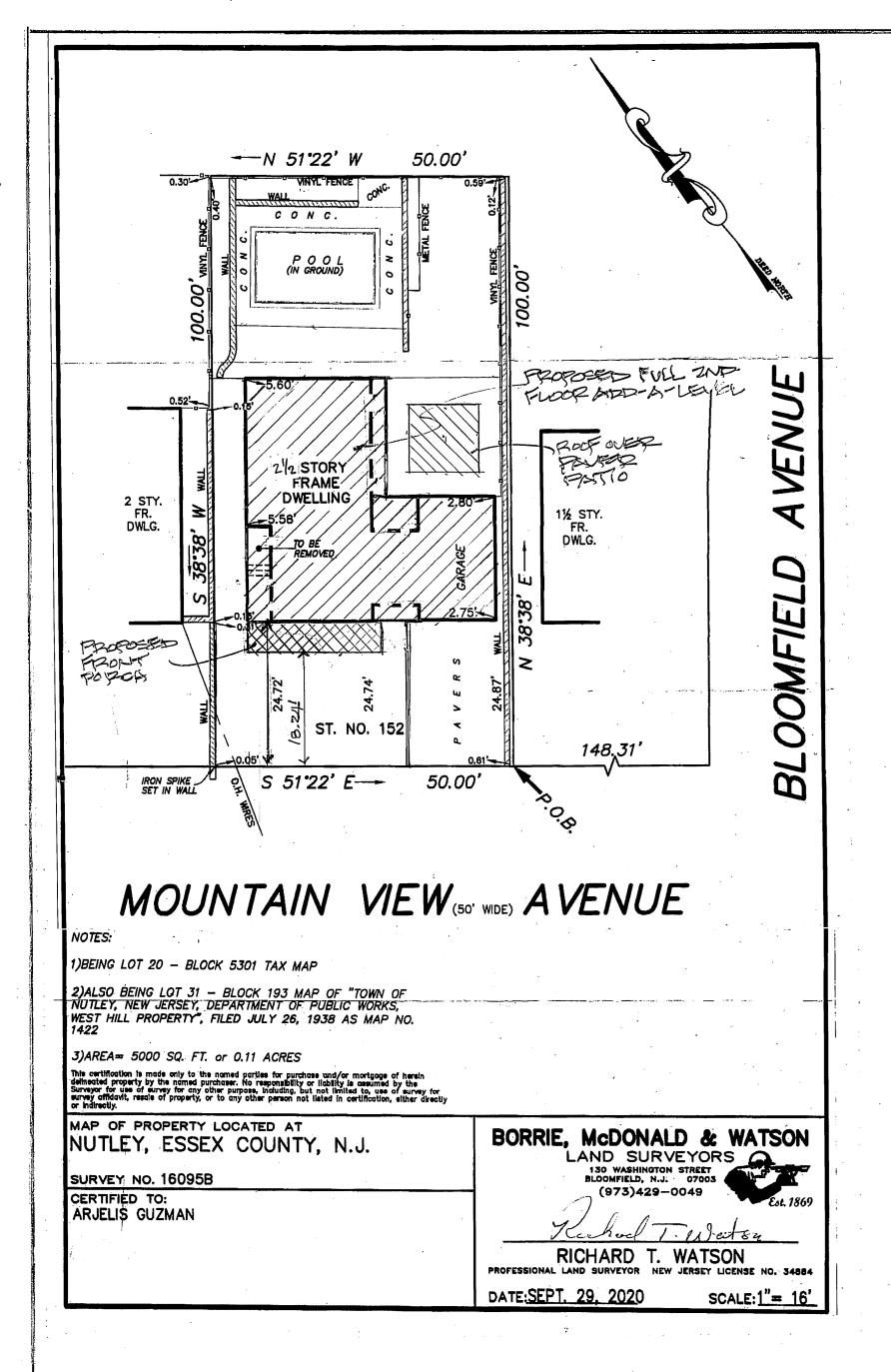
(973)429-0049

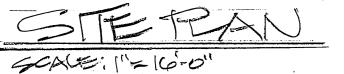


RICHARD T. WATSON

DATE:SEPT. 29, 2020

SCALE: 1"= 16"

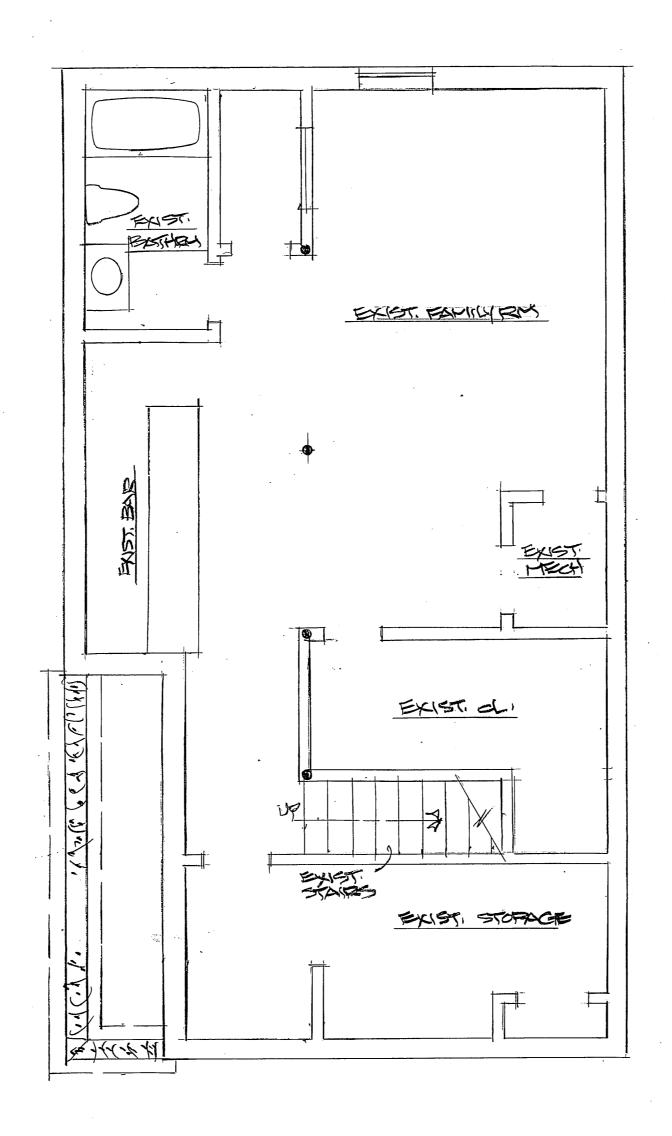




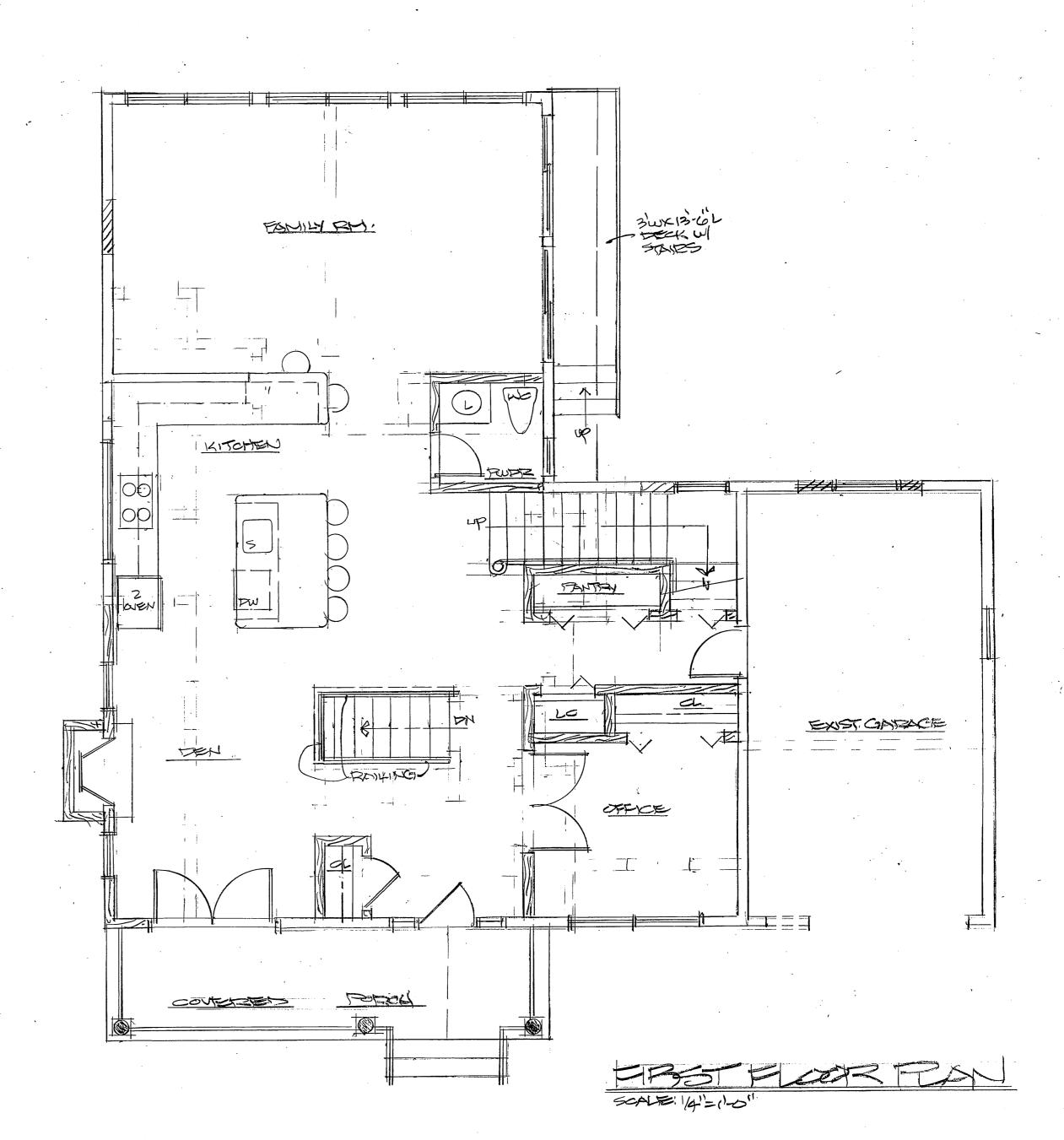
0	ZONINGS	HEDULE R-L		
1784	REQUIPED	FONSTING	FROPOSED	M
MIN. LOS PIRES	5,000	5,000 SF	5,000 F	NO
MIN. LOT WILLTH	501-01	50'-0"	50'-0"	100
MINILOT HEATH	10060"	1005-00	100'-0"	170
MIN FRANK MARE	25'-0"	24.74	18.24	YES
MN, REAR MARIE	301-04	七34.0"	t34-0"	No
MIN. SICK YARD	61-011	5.6 \$ 2.75	3.58 & 2.75	YES
HAX PSISO, HT	21/2 5/04/30-0"	1/2 5004/19-0"	2/2 37034 29-6"	NO
HAX. LOT COVERAGE	3590	30.2%	31.6%	NO
MAK. IMPREZ, COUETE	65%	53,9%	58,2%	NO

EXIST. LOT COVERENCE GALCULATION
DUELLING: = 1,3325F DETACHED FOOT TATIOARES (44) SF SIDE STEESE LANDING = 325F
TOTAL = 1,5085F OR 30.2%
POPOSED LOT CONFIDE CALCULATION
DUBLINIA = 1,3325F DETACHES ROF PATIO ALLEA = 1925F SIDE STEPS & LANDING = 0 PROPOSED LETTSIDE = COASF
PROPOSED 2ND FLOOR = 3855 PROPOSED 2ND FLOOR = 3855
TOTAL = 15780 F 0 31.6%

DUELLING		=	,3325
DETACHED POOPED!	ATTOATEA		44-55
SIDE STEISE LAN	510G		3255
INGROUND FOO		=	24035
CONO WALK WAY ARCCH	us feet	(EE)	30855
PAUSE PATTOCAPEA)	10'5 UNDER	_=	256 95
POOF)			
PAUSE SPUEWRY			38455
		- d -me-men	
	TOTAL=		2,6965F OR 53,9%
		1	
PROPOSES IMPE	ruous a	2/5	eace calculation
DWFILLING			1,33255
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and the rooted t			
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petroher rooter f sur street e Land Normal Peal Conc walking arou	onuc _i		144 3F 2403F 3085F
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PAUSE DRIVE WAY	us feal Hot under	2 2	2403F 3483F 7565F
PETROPIES ROOFES F SUBSESTIES & LANG SUCCESSIONS FROM ECINO WALKENY MACON PROSES FATTO (SIRES ECOS)	us feal Hot under	2 2	2403F 3483F 7565F
PAUSE DRIVE WAY	HOT UNDER	2 2 2 200 =	2403F 3483F 7565F
PROPOSED 2007 FLO	HOT UNDER	2 2 2 200 =	2403F 2403F 3083F 7565F 3843F
PROPERS 2007 FLORING PROPERS PROPERS DE LA PROPERS DE LA PROPENSIÓN DE LA	SINCY US PERL HOT UNDER SER EXTENSI OR RESER	2 2 20 20 2	2403F 2403F 3083F 7565F 3843F
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PROPOSED 2 NO FLORES PROPOSED PROPOSED 2 NO FLORES	POT UNDER SOR REAR INCLUDED	2 2 20 20 2	2403F 2403F 3083F 7565F 3843F
PROPERS PROFES FLORING PROFES OF SITE	POT UNDER HOT UNDER HOR PIENER INCLUDED REPARENTED	2 2 20 20 2	2403F 2403F 3083F 7565F 3843F
PROPOSED 2 NO FLORES ESTANCE	POT UNDER HOT UNDER HOR PIENER INCLUDED REPARENTED	2 2 20 20 2	2403F 2403F 3083F 7565F 3843F







CESAR F. PADILLA, R. A. 109 ELLSWORTH TERRACE • GLEN ROCK • NEW JERSEY 07452

Cesar F. Padilla, Lic. No. 13091

date // 10/2/ scale // NW drawn drawn Schecked ...

sions

21-005

A-1

