



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](mailto: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

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

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

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**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**

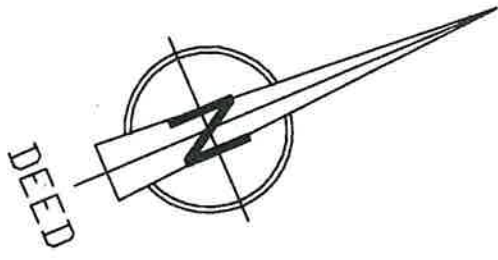
NOTE: OFFSETS SHOWN HEREON ARE FOR TITLE PURPOSES ONLY. ALTHOUGH ABSOLUTE, OFFSET DIMENSIONS ARE NOT TO BE USED FOR PERMANENT CONSTRUCTION. THIS CERTIFICATION IS MADE ONLY TO THE NAMED PARTIES FOR PURCHASE AND/OR MORTGAGE OF HEREIN DELINEATED PROPERTY BY THE NAMED PURCHASER. NO RESPONSIBILITY OR LIABILITY 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 RIGHTS-OF-WAYS OF RECORD. SUBJECT TO ANY FACTS THAT A TITLE SEARCH WOULD DISCLOSE. SUB-SURFACE UTILITIES HAVE NOT BEEN LOCATED OR OTHERWISE INDICATED.

Lot Colors R-1  
 $37 \times 100 = 3,700 \text{ sq ft}$   
 $35\% = 1,302.5$

1-  $23 \times 29 = 667$   
 2-  $3 \times 6 = 18 = 18$   
 3-  $5 \times 13 = 65$   
 4-  $22 \times 20 = 440$   
 5-  $2 \times 12 = 24$   
 6-  $3 \times 6 = 18$   
 7-  $7 \times 17 = 119$   
 = 1411

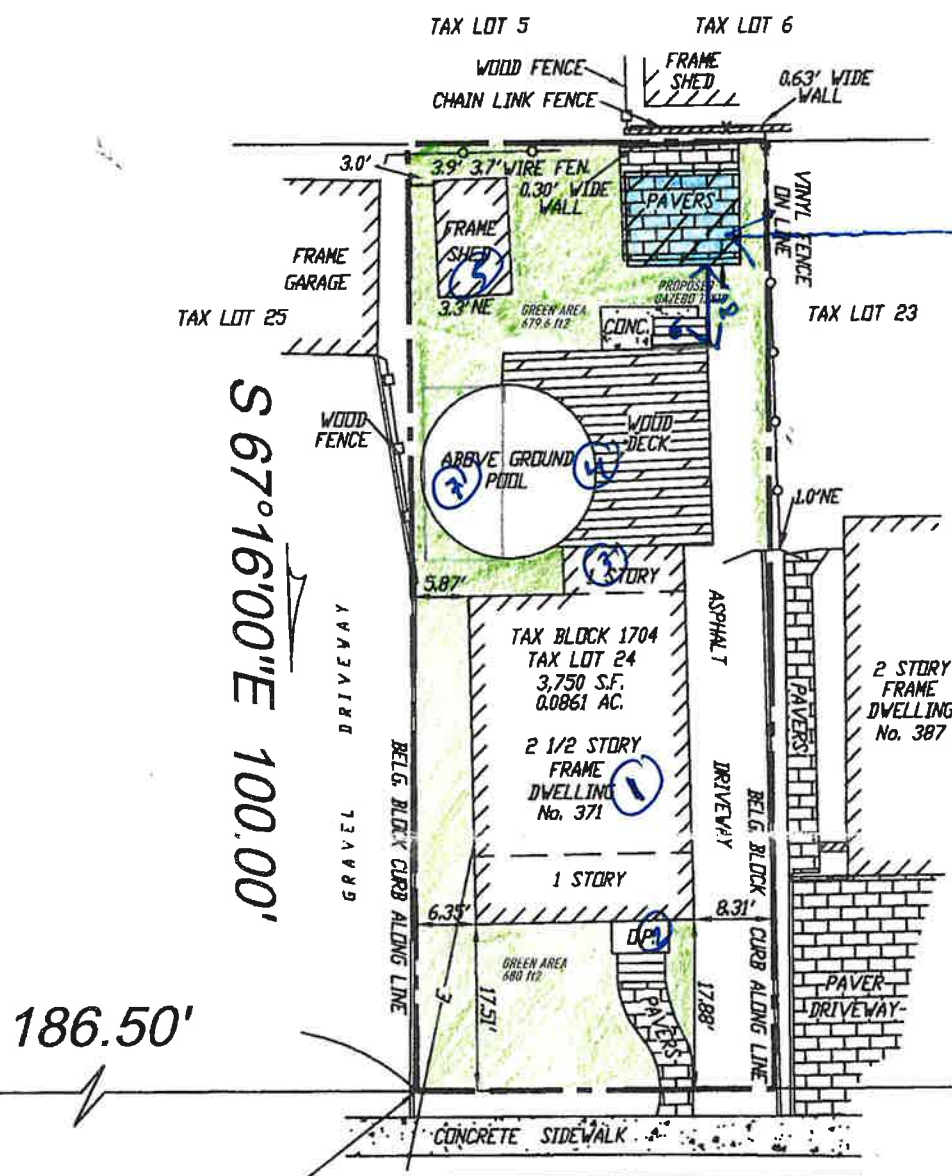
+ Garage  
 $10 \times 12 = 120$

Total 1531



MCKINLEY AVENUE  
 (60' WIDE)

S 22°44'00"W 37.50'



186.50'

P.O.B.

N 22°44'00"E 37.50'

WALNUT STREET  
 (50' WIDE)



GRAPHIC SCALE  
 1" = 20'

PROPERTY CORNERS  
 TO BE SET

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. LYNDHURST, N.J. 07071  
 TEL. (201) 438-7454 FAX (201) 460-0132  
 EMAIL: VLEVEL.42@gmail.com

SCALE:	1" = 20'	DATE:	08/20/2025
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.			
Job No.	25-348	Title Company No.	NA

*V. Manno*  
 Vincent Manno, Professional Land Surveyor  
 Lic. No. 24GS03538400  
 Anthony J. Manno, Founder 1936-2011

CERTIFICATE OF AUTHORIZATION NO. 24GA28191300