

# Acquaviva Law Offices, LLC

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February 17, 2021

## **VIA HAND DELIVERY**

Rebecca Vazquez, Technical Assistant  
Borough of Dumont  
Joint Land Use Board  
80 West Madison  
Dumont, New Jersey 07628

**Re: Applicant: Ahmed Jaheen**  
**Property Location: 116 Lexington Avenue**  
**Block: 310; Lot: 26**

Dear Ms. Vazquez:

As you are aware, this firm represents Ahmed Jaheen regarding a zoning application for the above property. As such, enclosed please find the following:

1. Eighteen (18) copies of the Joint Land Use Board Application;
2. Eighteen (18) copies of the architectural plans;
3. Eighteen (18) copies of a letter of intent and impact;
4. A copy of the list of the property owners located within a 200-foot radius of the premises; and
5. A copy of the taxes that have been paid through 1<sup>st</sup> quarter from the Dumont Tax Collector;

Additionally, enclosed please find this firm's check made payable to the Borough of Dumont in the amounts of \$250.00 which represents the application fee and \$1,500.00 for the required escrow. I have also enclosed a completed W-9 form for my client. Kindly have the application reviewed for completeness and provide me with the next available hearing date. If you require additional documentation, please contact me.

Thank you for your attention to this matter.

Sincerely,

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Alfred V. Acquaviva, Esq.

AVA/ss



JOINT LAND USE BOARD - BOROUGH OF DUMONT  
80 WEST MADISON, DUMONT, NJ 07628  
(201) 387-5034

NOTICE OF APPEAL  
(USE VARIANCE APPLICATION FORM)

Date: February 8, 2021

**Note: The application must be deemed administratively complete before it will be scheduled for a hearing. All requested information must be submitted for the application to be deemed complete.**

Appeal is hereby made by the undersigned (check applicable item or items)

☐ from the action of the Building Inspector in refusing my application for a Building Permit, dated \_\_\_\_\_.

☒ for a special exception or variance from the terms of the Zoning Ordinance of the Borough of Dumont.

Appellant,	Ahmed Jaheen	116 Lexington Avenue, Dumont, NJ 07628	agnd65@gmail.com
	Name	Address	Email

Contractor (if any),	N/A		
	Name	Address	Email

Professional Preparing,	Alfred V. Acquaviva, Esq.	1114 Goffle Road, Suite 203	
	Name	Address	Email
	Hawthorne, New Jersey 07506		aacquaviva@avalawyers.com

1. Application relates: (check applicable item or items)

☒ Use      ☐ Lot Area:      ☐ Setbacks      ☐ Height

☐ Existing Building    ☐ Proposed Building    ☐ Other

**NOTICE OF APPEAL  
(USE VARIANCE APPLICATION FORM)**

2. Brief description of real estate affected: The subject property is located at 116 Lexington Avenue, Block 310; Lot 26 within the RA Zone. The residential building located on the site is currently being used as a single-family residential home. The building was previously used as a two-family residential home and the applicant seeks zoning board approval to again utilize the property as a two-family residential home. Minimum improvements are required to accomplish this objective, but applicant will fully cooperate and complete any improvements the Board may require in the event the application is approved.

Location (Street address, Block and Lot No.): 116 Lexington Avenue, Block 310; Lot 26

Lot size: 5000 square feet

Present use: Single Family Residential

Present Zoning classification: RA

Present improvements upon land: Single Family Residential Home more specifically detailed in the attached architectural plans.

3. If this is an appeal from action of the Building Inspector, complete the following: N/A

Date of determination made: \_\_\_\_\_

Your statement of alleged error of Building Inspector: \_\_\_\_\_

4. Action desired by appellant: (Give a brief description of your proposed use, including the number of professionals and or employees, the number of anticipated clients or customers per hour, and anticipated days and hours of business.) Applicant seeks to convert the building to a two-family residential home from its current use as a single-family residential home. Applicant states that the building was previously used as a two-family home but was converted to a single-family home several years ago. Applicant seeks to return the building to its prior use as a two-family residential home.



**NOTICE OF APPEAL  
(USE VARIANCE APPLICATION FORM)**

5. Reasons appellant believes Board should approve desired action (refer to section or sections of ordinance under which it is felt that desired action may be allowed, and note whether hardship is (or is not) claimed, and the specified hardship). The current building is located on a 5,000 square foot lot in the RA Zone. The applicant contends the building was previously used as a two-family home but was converted to a single-family home several years. Section 455-7 (2) (b) permits preexisting two-family dwellings in the RA Zone. The applicant seeks to return the use of the building to its previous use as a two-family residential home. As the attached architectural plans show, the building is already constructed as a two-family home and requires minimal construction to bring the home into compliance with the code as a two-family home.

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6. Has previous appeal been filed in connection with these premises? ☐ Yes ☒ No

**NOTICE OF APPEAL  
(USE VARIANCE APPLICATION FORM)**

8. Plans signed and sealed by the appropriate professional at a scale of 1 inch to 50 feet or better, clearly showing the following information:

- A. Existing Conditions Plan showing the existing conditions of the property.
- B. Proposed Conditions Plan showing the proposed improvements to the property. The proposed conditions plan must include:
  - A. Required Bulk and area regulations and the ability to meet;
  - B. North arrow and scale;
  - C. Proposed buildings or additions;
  - D. Proposed parking;
  - E. Proposed access to parking and building;
  - F. Approximate dimensions of lot and existing and proposed buildings;
  - G. ~~Approximate setbacks of existing and proposed structures and parking areas from~~ property lines;
  - H. Names of owners of adjacent lots;
  - I. Approximate distance from your property line to existing buildings on adjacent lots;
  - J. Uses on lots adjacent to property;
  - K. Location of public and private roads adjoining the property;
  - L. Location of existing or proposed easements;
  - M. Location of wooded areas and trees greater than 10" diameter;
  - N. Location of any wetlands or other natural features;
- C. Floor plan of the existing building and structures and any proposed buildings and structures showing dimensions of rooms, total square footages and proposed use of the rooms.


All of the above items must be submitted with the application. If you are requesting a waiver of any of these items, the waiver request must be in writing and state why you feel the waiver should be granted.

I hereby depose and say that all of the above statements and the statements contained in any papers or plans submitted herewith are true to the best of my knowledge and belief.

  
\_\_\_\_\_  
Signature of Person Making Service

  
\_\_\_\_\_  
Signature of Property Owner(s)

Sworn to and Subscribed before me this 8<sup>th</sup> day of February, 2021

  
\_\_\_\_\_  
ALFRED V. ACQUAVIVA, ESQ.  
ATTORNEY AT LAW  
STATE OF NEW JERSEY

# Acquaviva Law Offices, LLC

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Litigation Paralegal  
aljunior@avalawyers.com

Stacey Stephenson  
Real Estate Paralegal  
sstephenson@avalawyers.com

February 18, 2021

## VIA HAND DELIVERY

Rebecca Vazquez, Technical Assistant  
Secretary, Joint Land Use Board  
Borough of Dumont  
80 West Madison  
Dumont, New Jersey 07628

**Re: Applicant: Ahmed Jaheen**  
**Property Location: 116 Lexington Avenue**  
**Block 310; Lot 26**

Dear Ms. Vazquez:

This firm represents the applicant regarding the above application. The applicant seeks a use variance to convert the existing one-family residential home into a two-family residential home. Specifically, the subject property is located in the RA Zone which permits single-family residential uses. The subject property was a two-family home which was converted to a one-family home several years ago. The applicant simply wants to resume the prior use as a two-family home. The applicant does not propose any additional construction beyond what may be required by the Borough of Dumont in the event this application is approved. As the architectural plans show, the building is already constructed as a two-family home and requires minimal construction to bring the home in compliance with code as a two-family home. It is respectfully submitted that the proposal fits within the nature and character of the surrounding area.

Thank you for your attention to this matter.

Sincerely,



Alfred V. Acquaviva, Esq.  
zacquaviva@avalawyers.com

AVA/rn



Department of the  
Treasury  
Internal Revenue Service

# Request for Taxpayer Identification Number and Certification

Give form to the  
requester. Do not  
send to the IRS.

Please print or type

Name (See Specific Instructions on page 2.)  
**Immed Saheen**

Business name, if different from above. (See Specific Instructions on page 2.)

Check appropriate box: ☒ Individual/Sole proprietor ☐ Corporation ☐ Partnership ☐ Other \_\_\_\_\_

Address (number, street, and apt. or suite no.)  
**116 Lexington Avenue**

City, state, and ZIP code  
**Dumont, NJ 07628**

Requester's name and address (optional)

List account number(s) here (optional)

## Part I Taxpayer Identification Number (TIN)

Enter your TIN in the appropriate box. For individuals, this is your social security number (SSN). However, for a resident alien, sole proprietor, or disregarded entity, see the Part I instructions on page 2. For other entities, it is your employer identification number (EIN). If you do not have a number, see How to get a TIN on page 2.

Note: If the account is in more than one name, see the chart on page 2 for guidelines on whose number to enter.

Social security number  
**1512418-0777**

or

Employer identification number  
**1-1-1-1-1-1-1-1**

## Part II For U.S. Payees Exempt from Backup Withholding (See the Instructions on page 2.)

## Part III Certification

Under penalties of perjury, I certify that:

- The number shown on this form is my correct taxpayer identification number (or I am waiting for a number to be issued to me), and
- I am not subject to backup withholding because: (a) I am exempt from backup withholding, or (b) I have not been notified by the Internal Revenue Service (IRS) that I am subject to backup withholding as a result of a failure to report all interest or dividends, or (c) the IRS has notified me that I am no longer subject to backup withholding, and
- I am a U.S. person (including a U.S. resident alien).

**Certification instructions.** You must cross out item 2 above if you have been notified by the IRS that you are currently subject to backup withholding because you have failed to report all interest and dividends on your tax return. For real estate transactions, item 2 does not apply. For mortgage interest paid, acquisition or abandonment of secured property, cancellation of debt, contributions to an individual retirement arrangement (IRA), and generally payments other than interest and dividends, you are not required to sign the Certification, but you must provide your correct TIN. (See the instructions on page 2.)

Sign  
Here

Signature of  
U.S. person

Date **2/17/2021**

### Purpose of Form

A person who is required to file an information return with the IRS must get your correct taxpayer identification number (TIN) to report, for example, income paid to you, real estate transactions, mortgage interest you paid, acquisition or abandonment of secured property, cancellation of debt, or contributions you made to an IRA.

**Use Form W-9 only if you are a U.S. person** (including a resident alien), to give your correct TIN to the person requesting it (the requester) and, when applicable, to:

- Certify the TIN you are giving is correct (or you are waiting for a number to be issued),
- Certify you are not subject to backup withholding, or
- Claim exemption from backup withholding if you are a U.S. exempt payee.

**If you are a foreign person, use the appropriate Form W-8.** See Pub. 515, Withholding of Tax on Nonresident Aliens and Foreign Corporations.

**Note:** If a requester gives you a form other than Form W-9 to request your TIN, you must use the requester's form if it is substantially similar to this Form W-9.

**What is backup withholding?** Persons making certain payments to you must withhold and pay to the IRS 31% of such payments under certain conditions. This is called "backup withholding." Payments that may be subject to backup withholding include interest, dividends, broker and barter exchange transactions, rents, royalties, nonemployee pay, and certain payments from fishing boat operators. Real estate transactions are not subject to backup withholding.

If you give the requester your correct TIN, make the proper certifications, and report all your taxable interest and dividends on your tax return, payments you receive will not be subject to backup withholding. **Payments you receive will be subject to backup withholding if:**

- You do not furnish your TIN to the requester, or
- You do not certify your TIN when required (see the Part III instructions on page 2 for details), or
- The IRS tells the requester that you furnished an incorrect TIN, or
- The IRS tells you that you are subject to backup withholding because you did not report all your interest and dividends on your tax return (for reportable interest and dividends only), or

5. You do not certify to the requester that you are not subject to backup withholding under 4 above (for reportable interest and dividend accounts opened after 1983 only).

Certain payees and payments are exempt from backup withholding. See the Part II instructions and the separate instructions for the Requester of Form W-9.

### Penalties

**Failure to furnish TIN.** If you fail to furnish your correct TIN to a requester, you are subject to a penalty of \$50 for each such failure unless your failure is due to reasonable cause and not to willful neglect.

**Civil penalty for false information with respect to withholding.** If you make a false statement with no reasonable basis that results in no backup withholding, you are subject to a \$500 penalty.

**Criminal penalty for falsifying information.** Willingly falsifying certifications or affirmations may subject you to criminal penalties including fines and/or imprisonment.

**Misuse of TINs.** If the requester discloses or uses TINs in violation of Federal Law, the requester may be subject to civil and criminal penalties.



## OWNER &amp; ADDRESS REPORT

DUMONT

01/25/21 Page 2 of 3

BLOCK-310 LOT-26  
116 LEXINGTON AVE., DUMONT, NJ 07628

BLOCK	LOT	QUAL	CLA	PROPERTY OWNER	PROPERTY LOCATION	Add'l Lots
310	27		2	GARCIA, JERICO A ETAL 104 LEXINGTON AVE DUMONT, NJ 07628	104 LEXINGTON AVE	
310	28		2	STRANG-WOLF, NICHOLAS, & TULLO, SHAINA 102 LEXINGTON AVENUE DUMONT, NJ 07628	102 LEXINGTON	
310	29		2	MORIN, DOMENICO & MATTEA 100 LEXINGTON AVE. DUMONT, N.J. 07628	100 LEXINGTON AVE	
310	30		2	MORIN, MARIO & DINA 92 LEXINGTON AVENUE DUMONT, NJ 07628	92 LEXINGTON AVENUE	
605	1		2	BURKE, BRENDAN J & ROSALEEN A 81 LEXINGTON AVE DUMONT, NJ 07628	81 LEXINGTON	
605	2		2	MANCUSO, JAMES & SUSAN 89 LEXINGTON AVENUE DUMONT, N.J. 07628	89 LEXINGTON	
605	3		1	MANCUSO, JAMES J & SUSAN C 89 LEXINGTON AVENUE DUMONT, N. J. 07628	LEXINGTON	
605	4		2	POLIZZI, PAUL & HEATHER 53 LEXINGTON AVENUE DUMONT, NJ 07628	53 LEXINGTON	
605	5		2	HAW, GINA & CHRIS 99 LEXINGTON AVE DUMONT, NJ 07628	99 LEXINGTON	
605	6		2	PERSAUD, DHARAMJAI & WYSOCKI, PIOTR 103 LEXINGTON AVE DUMONT, NJ 07628	103 LEXINGTON	
605	7		2	YANOVSKAYA (ETAL), LYUDMILA 107 LEXINGTON AVE DUMONT, NJ 07628	107 LEXINGTON	
605	8		2	NICANOR, CHRISTIAN JULIUS ETALS 115 LEXINGTON AVENUE DUMONT, NJ 07628	115 LEXINGTON	
605	9		2	CIANNI, ANNA M 117 LEXINGTON AVE DUMONT, NJ 07628	117 LEXINGTON AVE	
605	10		2	DIZZINI, RALPH & P 119 LEXINGTON DUMONT NJ 07628	119 LEXINGTON	
605	12		2	MOLINARO (ETALS), JAMES 38 GRANT AVE APT 9 DUMONT, NJ 07628	121 LEXINGTON	
605	44		2	OFSHINSKY SAM J. & CAROL A. 43 E CHURCH DUMONT NJ 07628	43 E CHURCH	
605	45		2	ROTHAAPT, MARIE C/O ROTHAAPT, TED 44747 21ST ST.W. LANCASTER, CA. 93536	48 W CHURCH	
605	46		2	HOPPAS, CHRISTOS & CLEO 42 W CHURCH DUMONT NJ 07628	42 W CHURCH	
605	47		2	TIERNO, CHRISTOPHER & TINA 36 W CHURCH CT DUMONT, NJ 07628	36 W CHURCH	



# OWNER & ADDRESS REPORT

DUMONT

01/25/21 Page 1 of 3

BLOCK-310 LOT-26  
116 LEXINGTON AVE., DUMONT, NJ 07628

BLOCK	LOT	QUAL	CLA	PROPERTY OWNER	PROPERTY LOCATION	Add'l Lots
309	24		2	YANG (ETAL), CHIEN HUNG 130 LENOX AVE DUMONT, NJ 07628	130 LENOX	
309	25		2	LAWYER, PRESTON E & MARY P 122 LENOX AVE DUMONT, NJ 07628	122 LENOX	
309	26		2	PIGNATIELLO DANIEL J & PATRICIA A 118 LENOX DUMONT NJ 07628	118 LENOX	
309	27		2	KIM, BONG JUNG & PANG, HAE KYONG 104 LENOX AVE DUMONT, NJ 07628	104 LENOX AVE	
309	28		2	LYNCH, ARTHUR R. JR. & NORAH B. 102 LENOX AVE DUMONT, NJ 07628	102 LENOX	
310	1		2	BASSIN, SAM & GERTRUDE 73 RUCERETO DUMONT NJ 07628	73 RUCERETO	
310	2		1	BASSIN, SAM & GERTRUDE 73 RUCERETO AVE. DUMONT NJ 07628	RUCERETO	
310	3		2	RAMOS, DANIEL A 101 LENOX AVENUE DUMONT, NJ 07628	101 LENOX	
310	4		2	JUNG, IN SIK 105 LENOX AVENUE DUMONT, NJ 07628	105 LENOX	
310	5		2	EAPEN, JOHN & BETTY 109 LENOX AVE DUMONT, NJ 07628	109 LENOX	
310	6		2	HOLDER, YVONNE S& HOLDER, GWENDOLYN C 111 LENOX AVENUE DUMONT, NJ 07628	111 LENOX AVENUE	
310	7		2	FLORES, FILMORE & HUMBELINE TORRIJO 119 LENOX AVE DUMONT, NJ 07628	119 LENOX	
310	8		2	MILLINCHUK, PAUL J 608 WASHINGTON AVE DUMONT, NJ 07628	131 LENOX	
310	9		2	LEGARDA, VINCENT & AURORA 145 LENOX DUMONT NJ 07628	145 LENOX	
310	22		2	NAPOLITANO, NICHOLAS & PATRICIA 140 LEXINGTON DUMONT NJ 07628	140 LEXINGTON	
310	23		2	WILLIAMS, BARBARA 134 LEXINGTON RD DUMONT, NJ 07628	134 LEXINGTON	
310	24		2	HASSAN, GHADA 128 LEXINGTON AVE DUMONT, NJ 07628	128 LEXINGTON	
310	25		2	DE LA PENNA, HELEN L. & RUDY 124 LEXINGTON AVE. DUMONT, NJ 07628	124 LEXINGTON AVE	
310	26		2	JAHEEN, AHMED A 116 LEXINGTON AVE DUMONT, NJ 07628	116 LEXINGTON	

# OWNER & ADDRESS REPORT

DUMONT

01/25/21 Page 3 of 3

BLOCK-310 LOT-26  
116 LEXINGTON AVE., DUMONT, NJ 07628

BLOCK	LOT	QUAL	CLA	PROPERTY OWNER	PROPERTY LOCATION	Add'l Lots
605	59		2	MATURO, VINCENT & ELIZABETH 41 RUCERETO AVE DUMONT, NJ 07628	41 RUCERETO AVE	



**Borough of Dumont**  
Office of the Tax Collector  
80 West Madison Avenue  
Dumont, NJ 07628  
Phone 201-387-5025 - Fax 201-384-5248

Utility Companies Servicing the Borough of Dumont:

Verizon  
540 Broad Street  
Newark, NJ 07102

SUEZ Water  
69 Devoe Place  
Hackensack, NJ 07601

PSE&G  
80 Park Plaza  
Newark, NJ 07102

Cablevision/Optimum  
5 Legion Drive  
Cresskill, NJ 07626

NJ Department of Transportation  
1035 Parkway Avenue  
CN600  
Trenton, NJ 08625

County of Bergen  
Planning and Economic Development  
1 Bergen County Plaza  
Room 415  
Hackensack, NJ 07601

Bergen County Utilities Authority  
298 Mehrhof Road  
Little Ferry, NJ 07643

Transcontinental Gas Pipe Line  
Corporate Secretary  
718 Paterson Plank Road  
Carlstadt, NJ 07072

US Cable  
28 W. Grand Avenue  
Suite 10  
Montvale, NJ 07645

The Official Newspaper of the Borough of Dumont: The Record

February 17, 2021  
10:47 AM

DUMONT BOROUGH  
Tax Account Detail Inquiry

Page No: 1

BLQ: 310. 26.  
Owner Name: YEUNG, TAO NGAM

Tax Year: 2021 to 2021  
Property Location: 116 LEXINGTON

Tax Year: 2021	Qtr 1	Qtr 2	Qtr 3	Qtr 4	Total
Original Billed:	2,824.89	2,824.89	0.00	0.00	5,649.78
Payments:	2,824.89	0.00	0.00	0.00	2,824.89
Balance:	0.00	2,824.89	0.00	0.00	2,824.89

Date	Qtr	Type	Description	Code	Check No	Mthd	Reference	Batch Id	Principal	Interest	2021 Prin Balance
			Original Billed						5,649.78		5,649.78
02/06/21	1	Payment	CORELOGIC	001	MULTIPAY	CK	14116	300 CORELOG	2,824.89	0.00	2,824.89

Total Principal Balance for Tax Years in Range: 2,824.89