



ZONING BOARD OF ADJUSTMENT

APPLICATION FOR APPEAL

CALENDAR # _____ (FOR OFFICE USE ONLY)

WHEN COMPLETED, MAIL TO:

CITY OF PHILADELPHIA
DEPARTMENT OF LICENSES AND INSPECTIONS
BOARDS ADMINISTRATION
MUNICIPAL SERVICES BUILDING, 11TH FLOOR
1401 JOHN F. KENNEDY BLVD.
PHILADELPHIA, PA 19102

APPLICANT MUST COMPLETE ALL INFORMATION BELOW. PRINT CLEARLY AND PROVIDE FULL DETAILS

LOCATION OF PROPERTY (LEGAL ADDRESS)

4477 FLEMING STREET

PROPERTY OWNER'S NAME:

RAYMOND & PATSY ANN PIERCE

PHONE #: 610-636-6596

E-MAIL: piercehomesltd@gmail.com

PROPERTY OWNER'S ADDRESS (INCLUDE CITY, STATE, AND ZIP)

4477 FLEMING STREET
PHILADELPHIA, PA 19128

A CORPORATION MUST BE REPRESENTED BY AN ATTORNEY LICENSED TO PRACTICE IN PENNSYLVANIA

APPLICANT:

WILLIAM J. O'BRIEN

FIRM/COMPANY: MANAYUNK LAW OFFICE

PHONE #: 215-432-5341

APPLICANT'S ADDRESS (INCLUDE CITY, STATE, AND ZIP)

4322 MAIN STREET
PHILADELPHIA, PA 19127

E-MAIL: LawyersOnMain@Gmail.com

RELATIONSHIP TO OWNER: TENANT/LESEE ATTORNEY DESIGN PROFESSIONAL CONTRACTOR EXPEDITOR OTHER

APPEAL RELATED TO ZONING/USE REGISTRATION PERMIT APPLICATION # ZP-2021-005109

IF A VARIANCE IS REQUESTED, PLEASE PROVIDE AN EXPLANATION OF EACH OF THE FOLLOWING CRITERIA AS REQUIRED FOR THE GRANTING OF A VARIANCE:

Does compliance with the requirements of the zoning code cause an unnecessary hardship due to the size, shape, contours or physical dimensions of your property? Did any action on your part cause or create the special conditions or circumstances? Explain.

Strict application of the Zoning Code imposes a hardship due to the existing configuration of the property. This hardship has not been caused or created by the Owner. Although the property complies with the lot area and lot width of the RSA-3 District, the depth of the property is insufficient to satisfy the rear yard requirement. The property's current condition includes garages built on the rear property line. The proposal includes the demolition of the garages, with a portion of the resulting open rear yard dedicated to accessory off-street parking for the proposed single-family dwellings. The proposed attached configuration is consistent with, and complimentary to, the existing single-family houses on the 4400 block of Fleming Street

Will the variance you seek represent the least modification possible of the code provision to provide relief from the requirements of the zoning code? Explain.

The grant of relief from strict application of the dimensional standards is the least modification to overcome the hardship of the property's configuration. Elimination of the existing garages will improve neighboring properties' access to light and air. The proposed attached dwellings are consistent with the existing houses on the block.

Will the variance you seek increase congestion in public streets or in any way endanger the public? Explain.

The property satisfies the Code-required lot area and lot width. The proposed single-family dwellings will have no adverse affect on traffic congestion or, in any way, endanger the public. The existing curb cut will be relocated and provide shared access to four accessory off-street parking spaces for the two proposed single-family dwellings.

Will the variance you seek substantially or permanently harm your neighbors' use of their properties or impair an adequate supply of light and air to those properties? Explain.

The dimensional variance, to allow a portion of the rear yard to dedicated to accessory off-street parking, will result in the demolition of existing garage structures built on the rear property line. As a result, the grant of a variance will improve the neighbors' access to light and air.

Will the variance you see substantially increase traffic congestion in public streets or place undue burden on water, sewer, school park or other public facilities? Explain.

The property satisfies the RSA-3 lot area and width requirements to allow the subdivision and construction of two single-family dwellings, the only permitted use in the district. The shared use of the existing driveway provides adequate accessory off-street parking to avoid any adverse affect on neighbors' access to on-street parking. The grant of variances will not cause any measurable increase in traffic congestion and will have no adverse affect on public utilities or public facilities.

Will the variance you seek create environmental damage, pollution, erosion, or siltation or increase the danger of flooding? Explain.

The Philadelphia Water Department has approved an Erosion and Sediment Control plan that has been engineered to avoid any environmental damage, pollution, erosion and siltation. If a variance is granted to allow the two proposed single-family dwellings, no earth will be disturbed until the Philadelphia Water Department approves a post-construction storm water control plan. The requested dimensional relief will not cause environmental damage, pollution, erosion or siltation.

REASONS FOR APPEAL:

Strict application of the Zoning Code imposes a hardship due to the existing configuration of the property . This hardship has not been caused or created by the Owner. Although the property complies with the lot area and lot width of the RSA-3 District, the depth of the property is insufficient to satisfy the rear yard requirement. The property's current condition includes garages built on the rear property line. The proposal includes the demolition of the garages, with a portion of the resulting open rear yard dedicated to accessory off-street parking for the two proposed single-family dwellings. The proposed attached configuration is consistent with, and complimentary to, the existing single-family houses on the 4400 block of Fleming Street. The shared use of the existing driveway provides adequate accessory off-street parking to avoid any adverse affect on neighbors' access to on-street parking. The proposed demolition of the existing garages will improve the neighbors' access to light and air. The grant of the relief from the noted dimensional requirements, namely rear yard depth and attached structures, is the minimum relief to relieve the hardship imposed by strict application of the Zoning Code. The grant of such relief will have no adverse affect on public health, safety or welfare.

I hereby certify that the statements contained herein are true and correct to the best of my knowledge and belief. I understand that if i knowingly make any false statements herein i am subject to possible revocation of any licenses issued as result of my false application, and such other penalties as may be prescribed by law.

Applicant's Signature:

Date:

06

MONTH

07

DATE

21

YEAR