

City of Philadelphia 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)

492-98 ROXBOROUGH AVENUE (NWC RIDGE AVENUE)

PROPERTY OWNER'S NAME:

HAROLD MILSTEIN

PHONE #:

215-275-1790

E-MAIL:

DHISTON@MSCRETAIL.COM

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

P.O. BOX 35186

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 # 791574

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 circumstances? Explain.

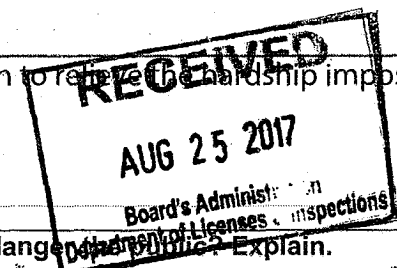
The shape of the property, as well as the existing stone structure, presented a hardship to meeting all of the dimensional requirements of the Code. No action of the owner, equitable owner or applicant caused or created the hardship conditions.

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.

Relief from the dimensional and parking requirements is the least modification to relieve the hardship imposed by the Zoning Code.

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

The proposed 30-unit residential structure with accessory, off-street parking for 27 cars and accessory bicycle storage will have no material adverse affect on public health, safety or welfare.



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.

Granting the requested relief will have no adverse affect on neighbors' enjoyment of their property nor impair air and light to those properties.

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

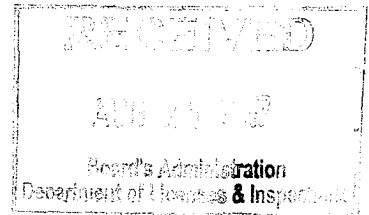
Granting the requested relief will have no material adverse affect on the public health, safety or welfare; nor adversely affect public facilities or public utilities.

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

Storm water management practices will control runoff, erosion, polution and siltation during construction, as well as post-construction.

REASONS FOR APPEAL:

The traffic-signal controlled intersection of Ridge Avenue and Roxborough Avenue is well-travelled. The two corners on the easterly side of Ridge Avenue are dedicated to commercial use; the southwest corner is a popular public recreational facility; and the subject corner has a prominent two-story stone structure with steeple (former house of worship), and vacant two-story dwelling. The proposed development plan will preserves the former house of worhip and introduces a 30-unit residential building with 27 accessory, off-street parking spaces. The proposed multi-family structure is consistent with, and complimentary to, existing uses in the immediate area. Several on-street parking spaces at the Property on Roxborough Avenue and Ridge Avenue compensate for the three off-street spaces that cannot be provided. The dimensional relief will allow the former house of worship to remain, which is well-supported. The proposed relief will have no adverse affect on public health, safety or welfare. Strict applicaiton of the Zoning Code imposes a hardship on the Property.



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: *Walter Brien*

Date: 8 / 25 / 2017
MONTH DATE YEAR

NOTICE OF: <input checked="" type="checkbox"/> REFUSAL <input type="checkbox"/> REFERRAL	CITY OF PHILADELPHIA DEPARTMENT OF LICENSES & INSPECTIONS Municipal Services Building, Concourse Level 1401 John F. Kennedy Boulevard Philadelphia, PA 19102	DATE OF REFUSAL 8/17/17	APPLICATION # 791574
		ZONING DISTRICT(S) RSD-1 & 14-504(7)	

ADDRESS/LOCATION: 492-98 ROXBOROUGH AVE NWC RIDGE AVE

APPLICANT: WILLIAM J O'BRIEN ESQ
(MANAYUNK LAW OFFICE)

ADDRESS: 4322 MAIN STREET PHILADELPHIA, PA 19127

APPLICATION FOR: FOR THE RELOCATION OF LOT LINES TO CREATE TWO(2) LOTS FROM ONE EXISTING LOT, PARCEL A TO REMAIN AN EXISTING CHURCH, PARCEL B FOR THE DEMOLISHION OF ALL STRUCTURES ON THE LOT FOR THE ERECTION OF DETACHED STRUCTURE FOR USE AS THIRTY(30) DWELLING UNITS WITH INTERIOR PARKING FOR 27 VEHICLES.(SIZE AND LOCATION AS SHOWN ON THE APPLICATION)

PERMIT FOR THE ABOVE LOCATION CANNOT BE ISSUED BECAUSE IT IS NOT IN COMPLIANCE WITH THE FOLLOWING PROVISIONS OF THE PHILADELPHIA CODE. (CODES CAN BE ACCESSED ON LINE AT WWW.PHILA.GOV)

CODE REFERENCE

PROPOSED

TABLE
14-602-1

THE PROPOSED USE, 'THIRTY (30) DWELLING UNITS' IS PROHIBITED IN THIS ZONING DISTRICT.

TABLE
14-802-1

MINIMUM REQUIRED PARKING SPACES

REQUIRED
30 SPACES

PROPOSED
27 SPACES

TABLE
14-701-1
PARCEL A
PARCEL B

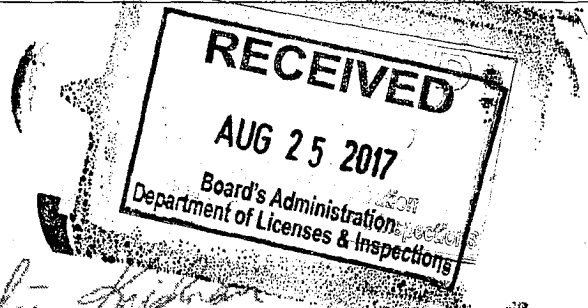
ZONING IS REFUSED FOR THE FOLLOWING:

	REQUIRED	PROPOSED
SIDE YARD (PARCEL A)	15 FEET	5 FEET
MINIMUM OPEN AREA	65%	51.49%
MINIMUM SIDE YARD DETACHED	2@ 15 FT	5 FT & 13.1 FT
MINIMUM REAR YARD DEPTH	30 FEET	7 FEET

14-701-1
& 14-803(1)(b)(ii)

SURFACE PARKING SPACES AND DETACHED GARAGES AND CARPORTS ARE PROHIBITED IN REQUIRED FRONT, SIDE AND REAR YARDS

TWO (2) USE REFUSALS
FIVE(5) ZONING REFUSALS
FEE TO APPEAL; \$250



CC:

OWNER
HAROLD MILSTEIN
P.O. BOX 35186
PHILADELPHIA, PA 19128

Smriti Kishan

PLANS EXAMINER

8/17/17

DATE

NOTICE TO APPLICANT:

AN APPEAL FROM THIS DECISION MUST BE MADE TO THE ZONING BOARD OF ADJUSTMENT, MUNICIPAL SERVICES BUILDING, 11TH FLOOR, 1401 JFK BOULEVARD, PHILADELPHIA, PA 19102, WITHIN THIRTY (30) DAYS OF DATE OF REFUSAL.