



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)

270 DUPONT STREET

PROPERTY OWNER'S NAME:

JANNETTE & GERARD KUDACH

PHONE #: (610) 825-6352

E-MAIL:

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

4002 BRIAR LANE
LAFAYETTE HILL, PA 19444

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 # 979973

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.

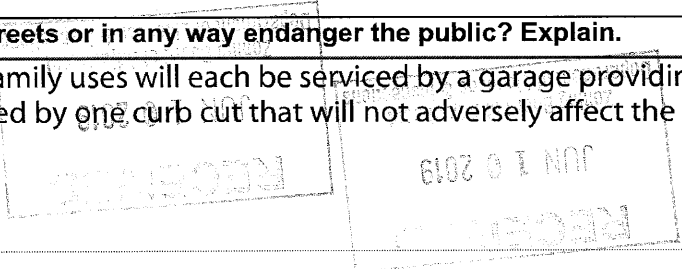
The hardship imposed by the Zoning Code was not caused or created by any action of the Appellant.

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 Property is now dedicated to a nonconforming use. The area adjacent to, and directly across the street from, the Property are zoned RSA-5. Allowing the Property to be re-developed for conforming single-family uses, subejct to dimensional requirements of the adjacent zoning district, is the least modification possible to provide relief from the hardship imposed by the Code.

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

The proposed four-lot subdivision dedicated to single-family uses will each be serviced by a garage providing accessory off-street parking. The garages will be accessed by one curb cut that will not adversely affect the neighborhood, increase traffic or endanger the public.



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 proposed single-family dwellings will have no adverse affect on any neighbor's use of his or her property nor affect the supply of lght and air 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.

The proposed four-lot subdivision dedicated to single-family uses will each be serviced by a garage providing accessory off-street parking. The garages will be accessed by one curb cut that will not adversely affect the neighborhood, increase traffic or endanger the public. The proposed single-family dwellings will not burden 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 proposed subdivision and construction of the single-family homes will not disturb any steeply sloped area. All appropriate and necessary actions will be taken to assure that no runoff or erosion will occur during construction.

REASONS FOR APPEAL:

The Property is now burdened by a non-conforming use. The Appellant proposes to subdivide the Property in a manner conforming with the immediately adjacent area and introduce conforming single-family dwellings. Each new house will include a garage providing accessory off-street parking serviced by one curb cut. Allowing the Property to be re-developed for conforming single-family uses, subject to dimensional requirements of the adjacent zoning district, is the least modification possible to provide relief from the hardship imposed by the Code. The proposed four-lot subdivision with an attached single-family dwelling on each lot is compatible with existing uses in the immediate area. The grant of a variance will have no adverse affect on public health, safety or welfare. Strict application of the Zoning Code imposes a hardship on the Property.

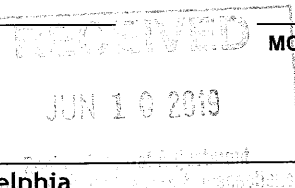
I hereby certify that the statements contained herein are true and correct to the best of my knowledge and belief. I understand that if I knowingly make any false statements herein I am subject to possible revocation of any licenses issued as result of my false application, and such other penalties as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

Applicant's Signature:



Date:

6 / 10 / 2019
MONTH DATE YEAR



City of Philadelphia
Zoning Board of Adjustment
Application for Appeal

NOTICE OF:

REFUSAL
 REFERRAL

CITY OF PHILADELPHIA
DEPARTMENT OF LICENSES & INSPECTIONS
Municipal Services Building, Concourse Level
1401 John F. Kennedy Boulevard
Philadelphia, PA 19102

DATE OF REFUSAL
5/29/19

APPLICATION #
979973

ZONING DISTRICT(S)
RSA-3 – Residential Single Family Attached-3

ADDRESS/LOCATION: **270 Dupont St (SW Corner of Fleming St)**

APPLICANT:
Jordan Abrams (Contractor)

ADDRESS:
565 Sprague Rd Penn Valley, PA 19072

APPLICATION FOR:

For the adjustment of lot lines to create four (4) lots (Parcels A-D) from one (1) lot (deeded 270 Dupont St). For the erection of four (4) attached structures each with roof decks, roof access structures, accessory off street parking accessed by a common driveway, and a deck off of the rear 2nd floor over the common driveway.

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)

	THE PROPOSED ZONING IS REFUSED FOR THE FOLLOWING:																
§ 14-304(6)(b)(.1)	L&I shall not issue any permits for a lot adjustment unless the lot adjustment, as shown on a plot plan, has been first reviewed and approved by the Commission, whereas the proposed plot plans were reviewed disapproved by the Commission																
§ 14-604(4)(d)(.3) (Parcels A-D)	A deck may not encroach into the required rear yard unless is complies with the following (.a) It is constructed such that the floor level of the deck is at or below the first story which is above grade; and (.b) It is not, at any point, closer than three ft. from a rear lot line serving two or more lot or the edge of any common driveway. Whereas, (.a) the proposed decks are located at the second story above grade and (.b) the deck is proposed to be built to the property line with no setback.																
§ 14-604(4)(d)(.4) (Parcels A-D)	Decks must be constructed so that vertical support elements are located a minimum distance of 18 in. from all lot lines, whereas the proposed vertical supports are located on the rear lot line with no setback.																
Table 14-701-1 (Parcels A-D)	<table border="1"> <thead> <tr> <th></th> <th><u>REQUIRED</u></th> <th><u>PROPOSED</u></th> </tr> </thead> <tbody> <tr> <td>MINIMUM LOT AREA</td> <td>2250 sqft.</td> <td>1406 sqft.</td> </tr> <tr> <td>FRONT SETBACK</td> <td>8ft.</td> <td>0ft.</td> </tr> <tr> <td>OPEN AREA</td> <td>50%</td> <td>0%</td> </tr> <tr> <td>REAR YARD DEPTH</td> <td>15ft</td> <td>0ft</td> </tr> </tbody> </table>		<u>REQUIRED</u>	<u>PROPOSED</u>	MINIMUM LOT AREA	2250 sqft.	1406 sqft.	FRONT SETBACK	8ft.	0ft.	OPEN AREA	50%	0%	REAR YARD DEPTH	15ft	0ft	
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REAR YARD DEPTH	15ft	0ft															

TWENTY NINE (29) ZONING REFUSALS
FEE TO FILE AN APPEAL: \$300.00

CC: Gerald and Jannette Kudach
4002 Briar St
Lafayette Hill, PA 19444

Andrew DiDonato
PLANS EXAMINER
5/29/19
DATE

NOTICE TO APPLICANT:

AN APPEAL FROM THIS DECISION MUST BE MADE TO THE DEPARTMENT OF PLANNING & DEVELOPMENT, ZONING BOARD OF ADJUSTMENT AT ONE PARKWAY BUILDING, 1515 ARCH ST, 18TH FLOOR, PHILADELPHIA, PA 19102, WITHIN THIRTY (30) DAYS OF DATE OF REFUSAL.

City of Philadelphia Project Information Form

PIF Confirmation Page

Thank you for submitting your information. A copy of this information will be sent to your e-mail address. If you entered in any of this information incorrectly, please complete and **submit a new form** with the updated information.

NOTE TO APPLICANTS: You **MUST** print out your completed Project Information Form (PIF) and submit it to the Zoning Board of Adjustment (ZBA) with your appeal paperwork. Per Section §14-303 (15)(a)(3)(A) of the Philadelphia Code, "*an applicant who seeks either a special exception or a variance must submit to the Board, at the time the appeal is filed, a copy of the Project Information Form for such application, if the preparation of a Project Information Form is required for such application...*"

[View all projects](#) submissions.

PRINT YOUR FORM

Applicant Information

Address of Development Project

270 DUPONT ST

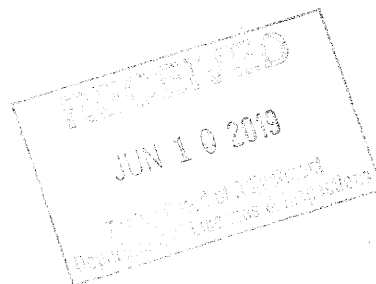
Council District

4

Name of Applicant

WILLIAM O'BRIEN

Zoning Application Number



Net Change in Commercial Square Footage:

n/a

Net Change in Total Floor Area:

+ 10,000

Net Change in On-Street Parking:

- 4

Number of Off-Street Parking Spaces to be Provided:

8

Approximate Projected Construction Period:

14 months

Please provide a brief summary of your proposed project:

Demolish the existing non-conforming structure; subdivide the property into four lots; construct an attached single-family dwelling on each lot. Each house will have a garage serviced by one curb cut.

Please describe any planned changes to the landscaping and lighting on any public space within or adjacent to your project:

Street trees to be introduced per Parks & Rec requirements.

Please describe any anticipated impacts on the transportation network (e.g. parking, sidewalks, street safety or traffic, transit) and any plans for mitigating any negative impacts:

none.

Approximately how many full time equivalent jobs (if any) are currently located on site?

0

Approximately how many full time equivalent workers will be employed on-site during the construction period?

8

Approximately how many full time equivalent jobs (if any) will be located on-site after construction is complete? Approximately how many of these jobs (if any) will be paid a wage of at least \$15/hour and will include health and/or retirement benefits?

0

Describe your plan, if any, to increase the supply of affordable housing:

