

**NOTICE OF:**  
 **REFUSAL**  
**SPECIAL EXCEPTION**

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

DATE OF REFUSAL  
12/15/2018

APPLICATION #  
931915

ZONING DISTRICT(S)  
RSA-5 UNDER STEEP SLOPE CONTROL  
DISTRICT ( 14-704(2))

ADDRESS/LOCATION: 4136 -40 MITCHELL STREET , PHILADELPHIA, PA

APPLICANT: WILLIAM J. OBRIEN

ADDRESS: 4322 MAIN ST, PHILADELPHIA, PA 19127

APPLICATION IS FOR THE CREATION OF THIRTEEN (13) ACCESSORY SURFACE PARKING SPACES INCLUDING WITH FIVE (5) COMPACT SPACES, FOR THE RELOCATE OF EXISTING 1A TYPE BICYCLE SPACES TO DRIVE AREA (OPEN SPACE); RELOCATE TRASH STORAGE AND TRANSFORMER PAD AT DRIVEWAY AREA ON THE SAME LOT EXISTING FRESH FOOD MARKET AT FIRST FLOOR FRONT IN THE SAME BUILDING WITH 72 DWELLING UNITS FROM 1ST FLOOR REAR THRU 5TH FLOORS AS PREVIOUSLY APPROVED STRUCTURE (SEE APPLICATION# 726946 FOR PERMIT). SIZE AND LOCATION AS SHOWN IN 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](http://WWW.PHILA.GOV))**

**CODE REFERENCE**

TABLE 14-803-1  
NOTE[4]

TABLE 14-803-1

**THE PROPOSED USE IS REFUSED FOR THE FOLLOWING:**

COMPACT PARKING SPACES, IS NOT PERMITTED, FOR LESS THAN 25 PROPOSED ACCESSORY PARKING SPACES.

	REQUIRED	PROPOSED
AISLE WIDTH	24'	18'

TWO(2) USE REFUSALS  
FEE TO FILE APPEAL: \$300

NOTE TO ZBA:

SEE APP# 57589H, CAL# V- 981, ZBA GRANTED FOR THE ONE(1) STORY ADDITION AS PART OF A METAL SHOP ON 8/22/66

SEE APP# 24232 H, CAL# W-1389, ZBA GRANTED ONE STORY EXTENSION OF METAL SHEET SHOP ON 8/30/63

SEE APP# 55871, CAL# H-50; ZBA GRANTED SHEET METAL SHOP ON 1/22/41.

Cc:  
JOSE RAMOS  
7033 SHEAF LANE  
FORT WASHINGTON , PA 19034

CHELI DAHAL  
PLANS EXAMINER

12/15/2018  
DATE

**NOTICE TO APPLICANT:**

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

PRIOR TO THE HEARING BEFORE THE ZONING BOARD OF ADJUSTMENT, YOU ARE REQUIRED TO MEET WITH THE REGISTERED COMMUNITY ORGANIZATION (R.C.O.) FOR ALL REFUSALS AND SPECIAL EXCEPTIONS. FOR A LIST OF THE REGISTERED COMMUNITY GROUPS AND CONTACT INFORMATION, VISIT:

[http://www.phila.gov/cityplanning/projectreviews/pdf/list\\_of\\_rcos.pdf](http://www.phila.gov/cityplanning/projectreviews/pdf/list_of_rcos.pdf)