

City of Philadelphia Zoning Board of Adjustment



Application for Appeal

CALENDAR # _____ (FOR OFFICE USE ONLY)

WHEN COMPLETED, MAIL TO:

CITY OF PHILADELPHIA
Department of Planning & Development
Zoning Board of Adjustment
One Parkway Building
1515 Arch St, 18th Floor
Philadelphia, PA 19102

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

LOCATION OF PROPERTY (LEGAL ADDRESS)

7600 Germantown Avenue

PROPERTY OWNER'S NAME:

Cresheim Green Associates LP

PHONE #: (215) 399-1346

E-MAIL: zoning@nochumson.com

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

7600 Germantown Avenue
Philadelphia, PA 19119

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

APPLICANT:

Alan Nochumson, Esquire

FIRM/COMPANY:

Nochumson P.C.

PHONE #: (215) 600-2851

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

1 South Broad Street
Suite 1000
Philadelphia, PA 19107

E-MAIL: alan.nochumson@nochumson.com

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

APPEAL RELATED TO ZONING/USE REGISTRATION PERMIT APPLICATION # ZP-2024-007492

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 property owner seeks a de minimus variance of the Philadelphia Zoning Code for the subject property under the circumstances.

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 owner seeks a de minimus variance of the Philadelphia Zoning Code for the subject property under the circumstances.

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

No. The proposed variance will not substantially increase congestion in the public streets, especially as compared to how it would enhance the character and nature of the neighborhood through the intended property development.

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.

No. The proposed variance will not substantially or permanently harm the use of neighboring properties or impair an adequate supply of light and air to those properties. Rather, the intended property development will enhance the character and nature of the neighborhood as a whole.

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.

No. The proposed variance will not substantially increase traffic congestion in the public streets or place an undue burden on public utilities or facilities.

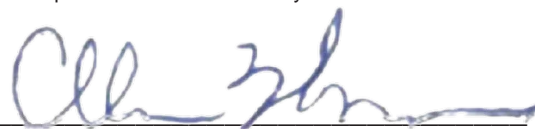
Will the variance you seek create environmental damage, pollution, erosion, or siltation, or increase the danger of flooding? Explain.

No. The proposed variance will not create environmental damage, erosion, or siltation or increase the danger of flooding in the neighborhood.

REASONS FOR APPEAL:

Based upon the reasons set forth herein and any additional ones asserted at the hearing, this Application should be granted.

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: 9 / 26 / 2024
MONTH DATE YEAR

City of Philadelphia
Zoning Board of Adjustment
Application for Appeal

Notice of: **Refusal** **Referral**

Application Number: ZP-2024-007492	Zoning District(s): RSD3	Date of Refusal: 9/12/2024
Address/Location: 7600 GERMANTOWN AVE, Philadelphia, PA 19119-1607 Parcel (PWD Record)		Page Number Page 1 of 2
Applicant Name: Scott Seibert DBA: 137WMP, LP	Applicant Address: 520 Carpenter Lane Mt. Airy Nexus Philadelphia, PA 19119 USA	Civic Design Review? N

Application for:

For the erection of two detached structures that include interior parking spaces (six spaces in Building 1, ten spaces in Building 2), and site improvements to create a, accessory surface parking lot for the existing structure (four spaces including one accessible space) and an access driveway on the same lot with an existing detached structure. Size and locations per plans.

For the proposed uses of Multi-Family Household Living (eight dwelling units - 3 in Building 1, five in Building 2) and a Prepared Food Shop within the existing structure.

The permit for the above location cannot be issued because the proposal does not comply with the following provisions of the Philadelphia Zoning Code. (Codes can be accessed at www.phila.gov.)

<u>Code Section(s):</u>	<u>Code Section Title(s):</u>	<u>Reason for Refusal:</u>
Section 14-401(4)	Multiple Principal Uses and Buildings.	<p>(a) No more than one principal use is allowed per lot in RSD, RSA, and RTA zoning districts, except as otherwise expressly stated in this Zoning Code. Multiple principal uses are allowed on a single lot in RM and RMX districts.</p> <p>Whereas two principal uses are proposed</p> <p>(b) No more than one principal building is allowed per lot in RSD, RSA, and RTA zoning districts. Multiple principal buildings may be placed on a single lot in RM and RMX districts. Dormitories and recreation-related buildings accessory to education facilities and residential dwelling units accessory to religious assembly uses are exempt from</p>



Andrew DiDonato
PLANS EXAMINER

9/12/2024
DATE SIGNED

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		<i>limitations on the number of buildings per lot.</i>
		<i>Whereas three principal structures are proposed.</i>
Table 14-602-1	<i>Uses Allowed in Residential Districts - Refusal</i>	<i>Whereas the proposed uses, Multi-Family Household Living & Prepared Food Shop, is expressly prohibited in the RSD-3 residential zoning district.</i>

TWO (2) USE REFUSALS
TWO (2) ZONING REFUSALS

Fee to File Appeal: \$ 300.00

NOTES TO THE ZBA:

N/A

Parcel Owner:

MASCARO JOHN

Zoning Overlay District:
/NIS Narcotics Injection Sites Overlay District/EDO Eighth District Overlay District/NCA Neighborhood Commercial Area Overlay District - Germantown Avenue - Mount Airy and Germantown North Subarea/DORMismatchReview/Wissahickon Watershed Impervious Coverage Restriction Determination Requires Additional Analysis Contact Planning Commission at planning@phila.gov |Open Space and Natural Resources - Steep Slope Protection|Wissahickon Watershed Impervious Coverage Restriction 45%/NCA Neighborhood Commercial Area Overlay District - Germantown Avenue/NCA Neighborhood Commercial Area Overlay District - Germantown Avenue - Chestnut Hill Subarea/WWO Wissahickon Watershed Overlay District



Andrew DiDonato
PLANS EXAMINER

9/12/2024
DATE SIGNED

Notice to Applicant: An appeal from this decision may be made to the Zoning Board of Adjustment, One Parkway Building, 1515 Arch St., 18th Fl., Phila., PA 19102 within thirty (30) days of date of Refusal / Referral. Please see appeal instructions for more information.



Project Information Form

Applicants must also complete a **Project Information Form (PIF)**.

This form can be found at: <https://forms.phila.gov/form/project-information-form/>.

You **MUST** print out your completed Project Information Form (PIF) and submit it to the Zoning Board of Adjustment (ZBA) with your appeal paperwork.

NOTE: THE ZBA WILL NOT ACCEPT YOUR APPEAL PAPERWORK WITHOUT A COMPLETED PROJECT INFORMATION FORM.

This requirement can be found in 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..."

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

7600 GERMANTOWN AVE

Council District

8

Name of Applicant

Alan Nochumson

Zoning Application Number

2024007492

Address of Applicant

1 South Broad Street
Suite 1000
Philadelphia, PA 19107

Contact Information

Is the contact person the same as applicant?

- Yes

Name of Contact Person

Alan Nochumson

Phone Number of Contact Person

(215) 399-1346

Email Address of Contact Person

alan.nochumson@nochumson.com

Project Information

Is your project exclusively residential?

No

Does your project result in a total of 2,500 square feet or more of floor area?

Yes

Is your zoning application exclusively for signage?

No

Key Project Statistics

Current Land Use on Parcel(s):

Vacant building.

Proposed Land Use on Parcel(s):

Eight dwelling units and prepared food shop.

Net Change in Number of Housing Units:

8.

Net Change in Commercial Square Footage:

0.

Net Change in Total Floor Area:

19,142.

Net Change in On-Street Parking:

0.

Number of Off-Street Parking Spaces to be Provided:

20.

Approximate Projected Construction Period:

12-18 months.

Please provide a brief summary of your proposed project:

Please see Notice of Refusal.

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

The property owner, if possible, intends to install trees on the sidewalk directly in front of the subject property as well as outdoor light fixtures affixed to the proposed building structure.

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?

To be determined.

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?

To be determined.

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

The property owner will be providing reasonably priced housing.

Please describe any partnerships with local community organizations that will be utilized during and/or after construction:

The property owner wishes to work collaboratively with the community during and after construction of the proposed structure.

Please provide a brief summary of any plans for local hiring and job training/apprenticeships during or after construction. Also, please indicate whether you plan to submit an Economic Opportunity Plan to the Office of Economic Opportunity:

None.

Please describe any other anticipated community impacts (positive or negative) associated with this project:

The property owner will be providing reasonably priced housing.

Sign & Submit

Agreement:

- I understand that all information submitted on this form is public information.

Printed Name of Applicant

Alan Nochumson

Please sign with the Initials of the Applicant

AN

Date

09/26/2024

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