

Notice of: ☒ **Refusal** ☐ **Referral**

Application Number: ZP-2023-006829	Zoning District(s): CMX2, CMX2	Date of Refusal: 7/25/2023
Address/Location: 4402 LANCASTER AVE, Philadelphia, PA 19104-1306 Parcel (PWD Record)		Page Number Page 1 of 1
Applicant Name: Kevin O'Neill DBA: KJO ARCHITECTURE LLC	Applicant Address: 2424 E York St Ste 240 Philadelphia, PA 19125 USA	Civic Design Review? N

Application for:

For a lot adjustment (consolidation) to create one (1) lot [Premises "C"] from two (2) existing zoning lots [4402 & 4404 Lancaster Ave], for the complete demolition of all existing structures, and for the erection of an attached structure on the consolidated lot. Size and location as shown on plans. For use as one (1) vacant commercial space (separate use registration permit required prior to use & occupancy) and seven (7) dwelling units (multi-family household living).

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>
Table 14-602-2 Note [2]	Maximum Allowable Dwelling Units	For the 1934 sq ft consolidated lot in the CMX-2 commercial zoning district, the maximum allowable number of dwelling units (multi-family household living) is four (4) whereas seven (7) are proposed.
Table 14-701-3	Maximum Allowable Occupied Area	The maximum allowable occupied area for the intermediate CMX-2 zoned lot is 75% whereas the proposed occupied area is 85%.
Table 14-701-3	Maximum Allowable Structure Height	The maximum allowable structure height in the CMX-2 commercial zoning district is 38'-0" whereas the proposed structure height is 45'-0".

ONE (1) USE REFUSAL
TWO (2) ZONING REFUSALS

Fee to File Appeal: \$300

Parcel Owner:

GILLER REALTY 2 LLC

Christopher T. Hartland

Christopher T. Hartland
PLANS EXAMINER

7/25/2023
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.

Zoning Permit

Permit Number ZP-2023-006829

LOCATION OF WORK 4402 LANCASTER AVE, Philadelphia, PA 19104-1306	PERMIT FEE \$507.00	DATE ISSUED 2/7/2024
	ZBA CALENDAR MI-2023-004795	ZBA DECISION DATE 2/7/2024
	ZONING DISTRICTS CMX2, CMX2	

PERMIT HOLDER UNITY PROPERTIES LLC	4008 LANCASTER AVE UNITY PROPERTIES LLC PHILADELPHIA PA 19104
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OWNER CONTACT 1 Hansy Infante	4500 Lancaster Ave Philadelphia PA 19131
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OWNER CONTACT 2	
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TYPE OF WORK Combined Lot Line Relocation and New Development
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APPROVED DEVELOPMENT For a lot adjustment (consolidation) to create one (1) lot [Premises "C"] from two (2) existing zoning lots [4402 & 4404 Lancaster Ave]. Size and location as shown on plans.

APPROVED USE(S) Vacant

THIS PERMIT IS SUBJECT TO THE FOLLOWING PROVISIO(S) AS ESTABLISHED BY THE ZONING BOARD OF ADJUSTMENT (ZBA)
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CONDITIONS AND LIMITATIONS:

- Permits, including Zoning Permits **not** involving development, shall expire if the authorized work or Use is not commenced within, or if work is suspended or abandoned for period of, **six (6) months from the date of issuance** with the following exceptions:
 - 30-days or 10-days** for Permits related to Unsafe or Imminently Dangerous properties respectively.
 - 3-years** from issuance or date of decision by ZBA for Zoning Permits involving development.
 - 60-days** for Plumbing, Electrical or Fire Suppression Rough-In Approvals.
 - Any Permit issued for construction or demolition is valid for no more than **five (5) years**.
- All provisions of the Philadelphia Code must be complied with, whether specified herein or not. This permit does NOT constitute approval of any Violation of such Code.
- The issuance of this CO/permit does not affirm that the subject property is federally compliant with the Americans with Disabilities Act. Owner remains responsible for ensuring property complies with all local, state and federal requirements.

Zoning Permit

Permit Number ZP-2023-006829

ADDITIONAL LOCATION(S)

See front side for primary parcel associated with this permit

PARCEL

4402 LANCASTER AVE, Philadelphia, PA 19104-1306

4404 LANCASTER AVE Philadelphia, PA 19104-1306

ADDITIONAL USE DETAILS

See front side for specific use(s) associated with this permit

This permit is subject to the following specific conditions.

CONDITIONS

This Zoning Permit (ZP) shall expire if construction or operation pursuant to the permit or approval has not begun within three years after the date the permit or approval was granted.

Changes of use shall be valid for a period of six months unless an application for a Certificate of Occupancy is submitted for that use within such period.

See § 14-303 of the Philadelphia Zoning Code for more information.



Tax Exemption(Abatement): Information and applications for Real Estate Tax Abatement for new construction and improvements available from the Office of Property Assessment www.phila.gov/opa, 215-686-4334, 601 Walnut St., 300W, Phila, PA 19106. Applications for new construction and commercial improvements due within 60 days of permit issuance. Residential rehab and builder/developer applications due by Dec 31 of year of permit issuance.

In accordance with the terms and provisions of Section 14-304 (6) of the Philadelphia Code pertaining to

LOT ADJUSTMENT REVIEW

- ☒ APPROVED
- ☐ DISAPPROVED for
- ☐ LOT AREA ☐ STREET FRONTAGE
- ☐ LOT WIDTH ☐ OCCUPIED AREA

Applied Electronically By: MEG CAVANAGH

June 29, 2023

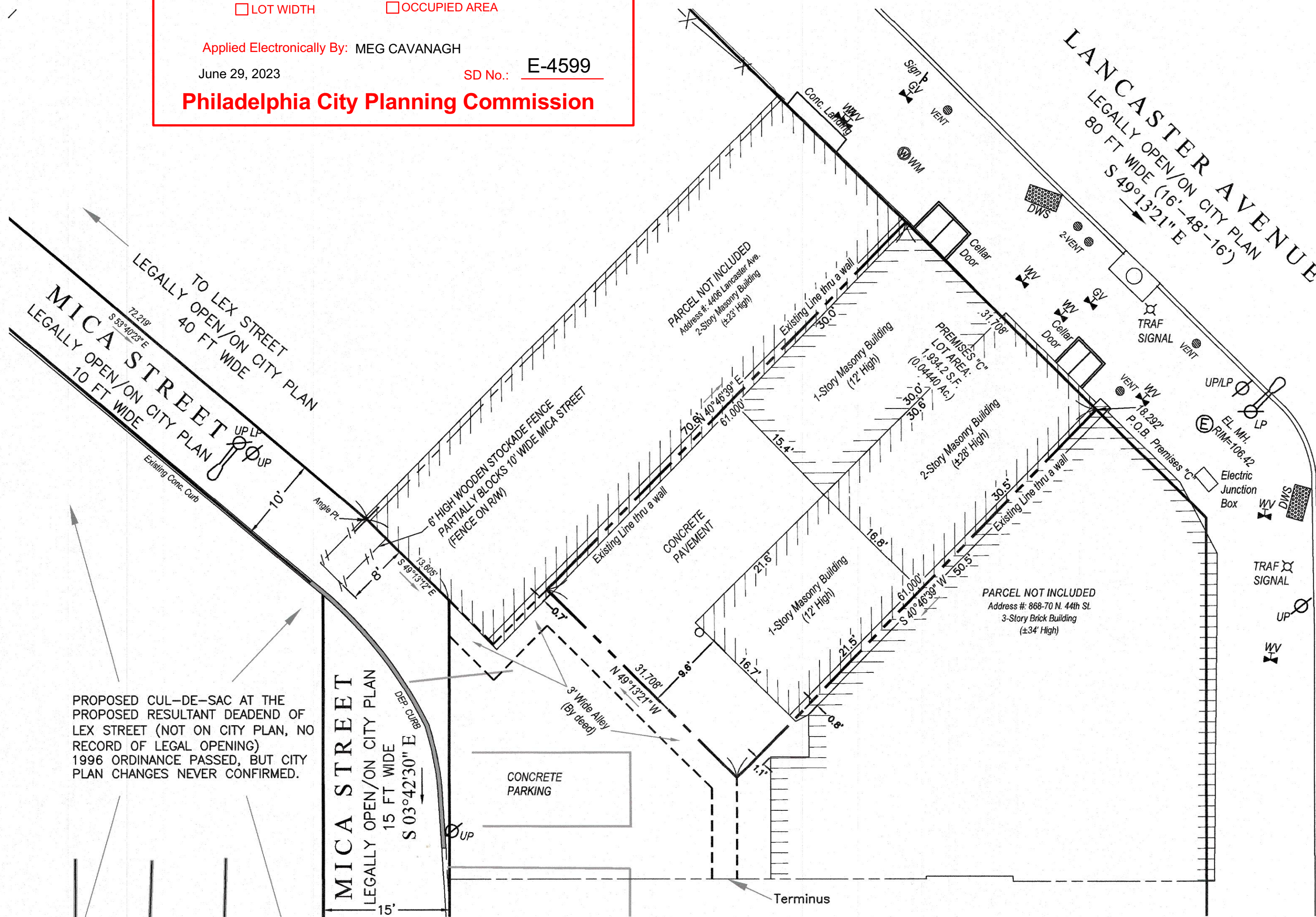
SD No.: E-4599

Philadelphia City Planning Commission

CMX-2 (NEIGHBORHOOD COMMERCIAL MIXED-USE):

AREA REGULATIONS	REQUIRED
LOT AREA	N/A
MAX. OCCUPIED AREA	Lot Intermediate 75%, Corner 80%
MIN. FRONT YARD DEPTH	N/A
MIN. SIDE YARD WIDTH	5' if used
MIN. REAR YARD DEPTH	The greater of 9' or 10% of lot depth
MAX. HEIGHT	38'

* see Zoning Code as Amended and Adopted by City Council, www.phila.gov for details and exceptions.



PROPOSED CUL-DE-SAC AT THE PROPOSED RESULTANT DEADEND OF LEX STREET (NOT ON CITY PLAN, NO RECORD OF LEGAL OPENING) 1996 ORDINANCE PASSED, BUT CITY PLAN CHANGES NEVER CONFIRMED.

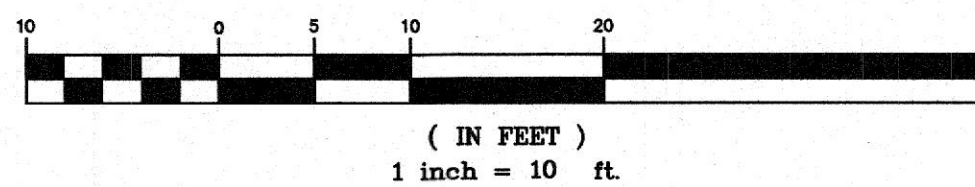
EXISTING CONDITION AND PROPOSED LOT CONSOLIDATION

SCALE: 1"=10'

LEGEND:

- EXISTING BLDG LINE
- BOUNDARY LINES
- 6' HIGH CHAINLINK FENCE
- 6' HIGH WOOD FENCE
- LIGHT POLE
- UTILITY POLE
- BOLLARD
- DWS DETECTABLE WARNING SURFACE
- P.O.B. POINT OF BEGINNING

GRAPHIC SCALE



Reviewed and Approved as per Sub-Division Plan Requirements Adopted by the Board of Surveyors

Surveyor & Regulator District Date

- NOTES:
1. Boundary/ Right-of-Way dimensions are presented in the City of Philadelphia District Standard of measurement (DS).
 2. Philadelphia District Standard measurement (DS) is to be used in the City of Philadelphia for Title and Conveyance.
 3. Refer to deed of record and City Plan of Philadelphia.
 4. = 4402-4404 Lancaster Ave., dated 02/07/2020, doc. ID #: 53629149. Plan was made without the availability of a Title Report and is subject to any facts that may be disclosed by a full and accurate title search. Plan prepared for title purposes only.
 4. A conversion from inches to the equivalent foot-decimal expression is for clarity and greater precision.
 5. The preparation of this plan by Ambric Technology Corporation does not imply or constitute the approval of city agencies.
 6. Plan prepared in accordance with the instructions of Voffee Jabateh c/o Kei Ogawa.
 7. The use of this plan for purposes other than as designated herein, would be at the sole risk of the user.
 8. This property is subject to all easements, restrictions and agreements of record and any line rights of ways including electric line, telephone line, cable lines, water and sewer line Right of Ways in use and existing in, on, or under the ground and all in relation thereto.
 9. No existing utilities lines are shown on this plan. Contact 1-800-242-1776 for the Pennsylvania One Call System 3 days notification in advance prior to ground excavation of the site.
 10. Ambric Technology Corporation hereby reserves its common law copyrights and all property rights in these drawings, ideas and designs. The information on these sheets are not to be modified or copied in any manner. The information on these sheets are not to be assigned to any third party, without the expressed written consent of Ambric Technology Corporation.
 11. Attention is called to the zoning requirements in the City of Philadelphia Code as amended.
 12. Address of Premises "C" is to be determined by the Office of Property Assessment (OPA).
 13. Upon the filing and recording of deeds prepared from this plan with the Department of Records of the City of Philadelphia, the lines shown proposed shall become actual and declared.
 14. A zoning permit is required for any proposed changes to lot lines including consolidation of existing parcels.

AMBRIC TECHNOLOGY CORPORATION

Consulting Engineers and Surveyors

100 Pine Street

Colwyn, PA 19023

(phone) 215-928-8930/484-257-0010

(fax) 215-928-8980/484-257-0016

PROJECT:	4402-04 Lancaster Avenue Philadelphia, PA 19104 (6th Ward)	PLAN MADE FOR:	Unity Properties 4500 Lancaster Avenue Philadelphia, PA 19131
REV.	DATE	REVISION	
1	06/08/23	Per S & R Review	
DESIGNED	PA	CHECKED	SNB
APPROVED	SNB	STEVEN N. BOKAS, PLS SU 022379-E	
SHEET TITLE:			
PROPERTY SURVEY & CONSOLIDATION PLAN			
SCALE:	AS NOTED	SHEET NO.	1
PROJECT #:	S23-7992	DATE:	04/20/2023