(a, b)						
	APPLICATION FOR USE REGISTRATION PERMIT / /	CITY OF PHILADELPHIA				
(For office use only) APPLICATION #	329953	DEPARTMENT OF LICENSES AND INSPECTIONS MUNICIPAL SERVICES BUILDING – CONCOURSE 1401 JOHN F. KENNEDY BOULEVARD				
ZONING CLASSIFICATION PHILADELPHIA For mail or information visit us 3						
PREVIOUS APPLICAT						
	ation below. Print clearly and provide full details) ERTY (LEGAL ADDRESS) 9321=PASSYK	nt Hu				
PROPERTY OWNER'S	PROPERTY OWNER'S NAME  PROPERTY OWNER'S ADDRESS:  Cole Canpenle S  Cole Canpenle S					
	0					
APPLICANT:	in aspite	ADDRESS: 1861 James				
FIRM/COMPANY:	O	cargo Od 1904)				
PHONE # - 86 9	9 -/696	LICENSE # E-MAIL:				
RELATIONS	HIP TO OWNER:TENANT/LESSEEATTORNEY					
FLOOR/SPACE #	TABULATION  CURRENT USE OF BUILDING/SPACE	N OF USES  Last Previous Use Date Last Used				
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•	GARAGE					
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IN FEET						
IN STORIES						
BRIEF DESCRIPTION	OF WORK/CHANGE:	, 'UD				
	For TAKE	-out & EAT-IN AFIS				
	Ice Cre	AM restaunant 13				
Sign As permilled in C.						
COMMERCIAL						
CONTINUED ON ADDITIONAL SHEET (ATTACHED) ACCELERATED REVIEW CHECK/RECEIPT/M.O NO						
IS THIS APPLICATION IN RESPONSE TO A VIOLATION? INO IN INC. INC. INC. INC. INC. INC. INC. I						
All provisions of the Zoning code and other City ordinances will be complied with, whether specified herein or not. Plans approved by the Department form a part of this application. I hereby certify that the statements contained herein are true and correct to the best of my knowledge and belief. I further certify that I am authorized by the owner to make the foregoing application, and that, before I accept my permit for which this application is made, the owner shall be made aware of all conditions of the permit. I understand that if I knowingly make any false statement herein I am subject to such penalties as may be prescribed by law or ordinance.						
APPLICANT'S SIGNATURE: DATE: 2////						
Corn 21-15 (Day 1805)						

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	13 <sup>TH</sup> FLOOR - 1515 ARCH STREE	т I	1				
	HISTORICAL COMMISSION				1		
	FAIRMOUNT PARK COMMISSION	· · · · · ·			1		
	STREETS DEPARTMENT			<del>-</del>			
	ROOM 940 - M.S.B. WATER DEPARTMENT				1		
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	DATE				RE-IN	SPECTION FEE	
VIOLATION FOR WORK/CHANGE WITHOUT A PERMIT?				ZONII	NG FEE		
NO YES (INSPECTION FEE MUST BE ADDED TO PERMIT FEE)				USE	USE FEE		
YOU ATION #					TOTAL FEES		
This is as seediff.	that I have examined the within detail ons of the law relating to zoning in the	led statement, t City of Philadel	together v phia, that	with a copy of the p t the same has be	ptans rela en approv	ing thereto, and find the ed and entered into the r	same to be in accordance ecords of this Departme
					TE APPRI		
PERMIT #		DATE ISSU	ED:			CHECK#	

81-16 (Reverse) (Rev. 10/05)

USE PERMIT	CITY OF PHILADELPHIA DEPARTMENT OF LICENSES & INSPECTIONS	PERMIT NUMBER 329953		
SUBJECT TO REVOCATION IF FULL INFORMATION IS MISREPRESENTED OR NOT PROVIDED	1401 JOHN F KENNEDY BLVD PHILADELPHIA, PA 19102-1667	FEE \$125.00	DATE 05/17/11	
LOCATION OF WORK: 00932 E PASSYUNK	ZONING CLASSIFICATION R-10			
OWNER  LAROSA PETER LAROSA GILDA	APPLICANT DVA SERVICES 1861 JANNEY TER LANGHORNE,PA 19047-0000	PLAN EXAMINER BRADFORD KRAUSE		
618 CARPENTER ST PHILADELPHIA PA, 19147			OF ADJUSTMENT DECISION 4858	

#### THIS PERMIT DOES NOT AUTHORIZE ANY CONSTRUCTION UNTIL RELATED CONSTRUCTION PERMITS ARE ISSUED

#### UNDER REGULATIONS OF THE PHILADELPHIA ZONING ORDINANCE FOR

#### Use Registration

FOR A TAKE-OUT RESTAURANT WITH SEATING (ICE CREAM PARLOR) AND ACCESSORY STORAGE WITHIN AN EXISTING STRUCTURE. NO SIGNS THIS PERMIT.

SUBJECT TO THE FOLLOWING PROVISOS AS ESTABLISHED BY THE ZONING BOARD OF ADJUSTMENT:

Proviso -letter dated 5/11/11 signed by Shwn D. Ward, Esquire and no take out window; one (1) flatwall externally illuminated sign (2' x 8')

ANY PERSON AGGREIVED BY THE ISSUANCE OF THIS PERMIT MAY APPEAL TO THE ZONING BOARD OF ADJUSTMENT (ZBA). FOR INSTRUCTIONS ON FILING AN APPEAL, PLEASE CONTACT THE ZBA AT 215-686-2429 OR 215-686-2430.

IT SHALL BE THE OWNER'S RESPONSIBILITY TO SECURE THE APPROVAL OF THE PHILADELPHIA HISTORICAL COMMISSION PRIOR TO ANY ALTERATION TO A HISTORIC PROPERTY. TO CHECK THE HISTORIC STATUS OF A PROPERTY, CALL THE PHILADELPHIA HISTORICAL COMMISSION AT 215-686-7660.

FOR ESTABLISHMENTS THAT PREPARE AND SERVE FOOD: APPLICANTS MUST OBTAIN ALL NECESSARY APPROVALS FROM THE HEALTH DEPARTMENT. SEPARATE PLAN REVIEWS AND FEES MAY BE REQUIRED. CONTACT THE PHILADELPHIA DEPARTMENT OF PUBLIC HEALTH - ENVIRONMENTAL HEALTH SERVICES / OFFICE OF FOOD PROTECTION:
321 UNIVERSITY AVE. - 2ND Floor, PHILADELPHIA, PA 19104 TELEPHONE NUMBER: (215) 685-7495

#### LIMITATIONS:

IN CASES WHERE NO CONSTRUCTION OR INTERIOR ALTERATIONS ARE INVOLVED, THIS PERMIT BECOMES INVALID SHOULD THIS USE NOT START WITHIN THREE (3) MONTHS FROM THE DATE OF ISSUANCE.

IN CASE WHERE CONSTRUCTION OR INTERIOR ALTERATIONS ARE INVOLVED, A BUILDING PERMIT MUST BE OBTAINED WITHIN ONE (1) YEAR FROM THE DATE OF ISSUANCE OF THIS ZONING PERMIT OR NO LATER THAN TWO YEARS FROM THE ZONING BOARD OF ADJUSTMENT DECISION DATE.

THIS PERMIT DOES NOT CONSTITUTE APPROVAL FROM ANY STATE OR FEDERAL AGENCY, IF REQUIRED.

THIS PERMIT IS NOT A CERTIFICATE OF OCCUPANCY OR A LICENSE.

ALL PROVISIONS OF THE CODE AND OTHER CITY ORDINANCES MUST BE COMPLIED WITH, WHETHER SPECIFIED HEREIN OR NOT.

POST A TRUE COPY OF THIS PERMIT IN A CONSPICUOUS LOCATION ON THE PREMISES

POST WITH THE ASSOCIATED BUILDING PERMIT DURING THE CONSTRUCTION ACTIVITY. WHEN NO CONSTRUCTION IS PROPOSED, POST FOR THE FIRST THIRTY (30) DAYS OF OCCUPANCY.



Law Offices of

## SHAWN D. WARD

STERNER'S MILL
SUITE 331
331 E. STREET ROAD
TREVOSE, PENNSYLVANIA 19053
SWARDESOPCOMCAST.NET

TEL: 215-355-3350

FAX: 215-355-7735

May 11, 2011

ZONING BOARD OF ADJUSTMENT Municipal Services Building Concourse Level Philadelphia, PA 19102-2097

Re: PROVISO LETTER

Cal. No.:

14858

Address:

932 E. Passyunk Ave.

Hrg. Date:

5/11/2011; 4:00 p.m,

Applicant: Gilda Larosa

#### Dear Mr. Chairman:

As per the Board's policy, I submit the following conditions to which the applicant has no objections, and agrees to be fully bound by, as indicated by the Applicant's acknowledgement below, in the event the Board grants the requested relief:

- 1. Days & Hours of Operation: Days and Hours of Operation shall be limited to Sunday through Saturday from 9:00 a.m. to 12:00 Midnight.
- 2. Open Flame Cooking: The cooking of hot foods requiring a hood, exhaust and/or fire suppression system shall be prohibited.
- 3. Commercial Trash Removal: Applicant shall provide daily commercial trash removal; all trash to be stored in a secured area and kept clean and neat.
- 4. Signage: Signs shall be limited as permitted in C-1-Commercial Districts and shall consist on one (1) flat-wall sign externally illuminated by Goose-Neck lighting as shown in attached Exhibit A-11; No flashing signs shall be permitted.

S. NO PARKING SIGHS SILLE BE POSTED

Accordingly, in light of the applicant's agreement to comply with the above conditions, there will be no adverse impact to the health, safety and general welfare of the community; I would respectfully request that the application be granted. Should you have any questions, please call me at the office number above.

Respectfully submitted,

SHAWN WARD

### Applicant's Acknowledgement

I/We, Gilda Larosa, Applicant in the above-referenced zoning appeal having been present at the above-referenced hearing before the Philadelphia Zoning Board of Adjustment, do hereby certify that I/we are duly authorized to make the statements contained herein; and, that the provisions and representations contained herein are true and correct to the best of my/our knowledge, information and belief and that we agree to conditions contained herein.

GILDA LAROSA

Date: 5-//-//

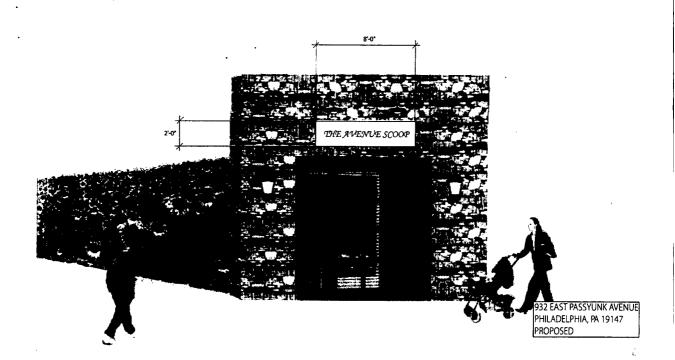


Exhibit: A-11 App. No.: 14858 Address: 932 E. Passyunk Ave. Name: Gilda Larosa

Brad Kravse

# **NOTICE OF DECISION**

City of Philadelphia 

ZONING BOARD OF ADJUSTMENT
1401 J. F. K. Blvd. - 11th Floor
Philadelphia, PA 19102-2097

APPLICATION #: 329953

DATE OF DECISION: 05/11/11

CAL #: 14858

ATTORNEY: SHAWN WARD, ESQUIRE

331 E. STREET ROAD TREVOSE PA 19053

**APPLICANT** 

DOMINIC ASPITE ... DVA SERVICES
1861 JANNEY TER.
LANGHORNE PA 19047

OWNER:

PETER LAROSA

932 E. PASSYUNK AVENUE

PHILADELPHIA PA

PREMISES:

932 E PASSYUNK AVE

## THIS IS NOT A PERMIT

The Zoning Board of Adjustment, having held a public hearing in the above numbered appeal, after proper public notice thereof, has decided that the request for (a) USE VARIANCE(S) is:

#### **GRANTED WITH PROVISOS**

ALL VARIANCES / CERTIFICATES / SPECIAL USE PERMITS GRANTED HEREIN ARE SUBJECT TO THE FOLLOWING CONDITIONS:

- 1. A PERMIT MUST BE OBTAINED FROM THE DEPARTMENT OF LICENSES AND INSPECTIONS, PUBLIC SERVICE CONCOURSE, 1401 J. F. K. BLVD., WITHIN ONE CALENDAR YEAR FROM THE DATE OF THIS DECISION.
- 2. ALL CONSTRUCTION MUST BE IN ACCORDANCE WITH PLANS APPROVED BY THE ZONING BOARD OF ADJUSTMENT.
- 3. A NEW APPLICATION AND NEW PUBLIC HEARING WILL BE REQUIRED FOR FAILURE TO COMPLY WITH THE FOREGOING CONDITIONS.
- 4. FURTHER CONDITIONS:

Proviso -letter dated 5/11/11 signed by Shwn D. Ward, Esquire and no take outwindow

By Order of the ZONING BOARD OF ADJUSTMENT CAROL B. TINARI, Sec.

NOTE: All appeals from this decision are to be taken to the Court of Common Pleas of Philadelphia County within 30 days from the date of this decision.

81-2000 (8/90)

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SIGNATURE OF APPLICANT						

NOTICE OF:		CITY OF PHILADELPHIA DEPARTMENT OF LICENSES & INSPECTIONS	DATE OF REFUSAL 3/24/11	APPLICATION # 329953
RÊFUSAL  □REFERRAL  □SECIAL LISE DERMI	.	Municipal Services Building, Concourse Level 1401 John F. Kennedy Boulevard Philadelphia, PA 19102	ZONING DISTRICT(\$) R-10 RESIDENTIAL	
ADDRESS/LOCATION: * /				`* .
APPLICANT:		AVE. (THRU TO 7 <sup>TH</sup> ST.) ADDRESS:		
DOMINIC ASPITE (AGENT FOR APPLICATION FOR:				
A TAKEOU' EXISTING STRUCTURE AND	T RESTAU FOR THE	RANT WITH SEATING (ICE CREAM PARLOR) ANI ONE (1) ACCESSORY SIGN AS PERMITTED IN C	D ACCESSORY STOR C1 COMMERCIAL.	RAGE WITHIN AN
		TARREST OF THE PROPERTY OF THE	NOT IN COMPLIANCE	WITH
PERMIT FOR THE FOLLOWING PROVI	SIONS OF	E LOCATION CANNOT BE ISSUED BECAUSE IT IS I THE PHILADELPHIA CODE. (CODES CAN BE ACCI	ESSED ON LINE AT W	WW.PHILA.GOV)
CODE REFERENCE	PROPOSEI	2	•	
14-205	THE PRO	POSED USE, TAKEOUT RESTAURANT WITH SI	EATING AND A SIGN	AS PERMITTED IN
	C1 COM	MERCIAL, IS NOT PERMITTED IN THIS ZONING D	ISTRICT.	
<b>*</b>				•
ONE (1) USE REFUSAL	00			İ
FEE TO FILE APPEAL: \$250	.00			
   SEE APP. #046480, CAL. #9	0-0063; ZB	A GRANTED A CARPENTRY/WOODWORKING SH	IOP. 3/1/1990	
,	•			
		$\rho$		
CC: PETER LA ROSA		Grad Sause		
618 CARPENTER ST. PHILADELPHIA, PA		BRAD KRAUSE		4/11 ATE
		PLANS EXAMINER	יט	41E
NOTICE TO ASSURE				
NOTICE TO APPLICANT: AN APPEAL FROM THIS DEC	ISION MUS	ST BE MADE TO THE ZONING BOARD OF ADJUSTM	ENT, MUNICIPAL SER	VICES BUILDING,