

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

|                                                                                                |                                                                                 |                                            |
|------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------|--------------------------------------------|
| <b>Application Number:</b><br>ZP-2022-004843                                                   | <b>Zoning District(s):</b><br>CMX1 , attached to RSA-5                          | <b>Date of Refusal:</b><br><b>5/9/2022</b> |
| <b>Address/Location:</b><br>1005 N 40TH ST, Philadelphia, PA 19104-1128<br>Parcel (PWD Record) |                                                                                 | <b>Page Number</b><br>Page 1 of 1          |
| <b>Applicant Name:</b><br>Craig Deutsch DBA: Harman<br>Deutsch Corp                            | <b>Applicant Address:</b><br>1225 N 7th Street<br>Philadelphia, PA 19122<br>USA |                                            |

**Application for:**

For the erection of a 3 story structure plus cellar to contain 4 dwelling units with private residential roof deck accessed via pilot house, all as per plans.

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](http://www.phila.gov).)

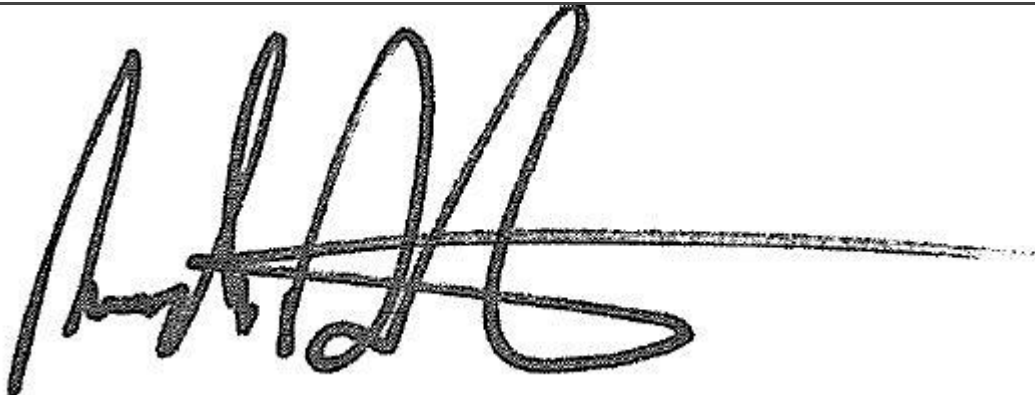
| <u>Code Section(s):</u> | <u>Code Section Title(s):</u> | <u>Reason for Refusal:</u>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
|-------------------------|-------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Section 14-602(4)(a)[1] | Notes for Table 14-602-2      | <p>In the CMX-1 district, household living use regulations are as follows:<br/>(.a) If the lot is adjacent to a residential district, the household living regulations of the most restrictive adjacent residential district apply, except if the household living use is in an attached or semi-detached building, the household living use regulations of the residential district to which it is attached apply.</p> <p>Whereas this lot is attached to the RSA-5 zoning district and Multi-Family Household Living will be prohibited.</p> |

ONE (1) USE REFUSAL

**Fee to File Appeal:** \$ 300.00

Parcel Owner:

TIDA INVESTMENTS LLC



Andrew DiDonato  
PLANS EXAMINER

5/9/2022  
DATE SIGNED

# Zoning Permit

Permit Number ZP-2022-004843

|                                                                 |                                |                                 |
|-----------------------------------------------------------------|--------------------------------|---------------------------------|
| LOCATION OF WORK<br>1005 N 40TH ST, Philadelphia, PA 19104-1128 | PERMIT FEE<br>\$2,462.00       | DATE ISSUED<br>10/19/2022       |
|                                                                 | ZBA CALENDAR<br>MI-2022-003542 | ZBA DECISION DATE<br>10/19/2022 |
|                                                                 | ZONING DISTRICTS<br>CMX1       |                                 |

|                                       |                                     |
|---------------------------------------|-------------------------------------|
| PERMIT HOLDER<br>TIDA INVESTMENTS LLC | 857 CYMBELINE CT MICKLETON NJ 08056 |
|---------------------------------------|-------------------------------------|

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| OWNER CONTACT 1 |
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|                 |
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| OWNER CONTACT 2 |
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|                                                        |
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| TYPE OF WORK<br>New construction, addition, GFA change |
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| APPROVED DEVELOPMENT<br>For the erection of an attached structure (not to exceed 38 feet in height) that includes a full basement and a private roof deck with a roof access structure. Size and location per plans. |
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| APPROVED USE(S)<br>Residential - Household Living - Multi-Family |
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|                                                                                                                                                                          |
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| THIS PERMIT IS SUBJECT TO THE FOLLOWING PROVISIO(S) AS ESTABLISHED BY THE ZONING BOARD OF ADJUSTMENT (ZBA)<br>Revised plans, 1 page, stamped by ZBA on October 19, 2022. |
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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-2022-004843

## ADDITIONAL LOCATION(S)

See front side for primary parcel associated with this permit

## PARCEL

1005 N 40TH ST Philadelphia, PA 19104-1128

## ADDITIONAL USE DETAILS

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

Four Dwelling Units

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](http://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.

