

Zoning Permit

Permit Number ZP-2021-003806

LOCATION OF WORK 746 N 40TH ST, Philadelphia, PA 19104-1670	PERMIT FEE \$2,772.00	DATE ISSUED 9/15/2021
	ZBA CALENDAR MI-2021-002013	ZBA DECISION DATE 9/15/2021
	ZONING DISTRICTS RSA3	

PERMIT HOLDER 746 N. 40th St LLC	72 Lark Drive Southampton, Pennsylvania 18966
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OWNER CONTACT 1

OWNER CONTACT 2

TYPE OF WORK New construction, addition, GFA change
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APPROVED DEVELOPMENT FOR THE ERECTION OF A SEMI-DETACHED STRUCTURE(46' HIGH); ROOF DECK ACCESSED BY A PILOTHOUSE(NTE 125 SF AREA) . SIZE AND LOCATION AS SHOWN IN THE APPLICATION.

APPROVED USE(S) Residential - Household Living - Multi-Family
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THIS PERMIT IS SUBJECT TO THE FOLLOWING PROVISIO(S) AS ESTABLISHED BY THE ZONING BOARD OF ADJUSTMENT (ZBA) CALENDAR# MI-2021-002013 With proviso: Revised plans, 1 page, approved today.



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.

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ADDITIONAL LOCATION(S)

See front side for primary parcel associated with this permit

PARCEL

746 N 40TH ST Philadelphia, PA 19104-1670

ADDITIONAL USE DETAILS

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

TWELVE(12) DWELLING UNITS WITH FOUR(4) 1A CLASS BICYCLE SPACES

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.

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

Application Number: ZP-2021-003806	Zoning District(s): RSA3	Date of Refusal: 4/15/2021
Address/Location: 746 N 40TH ST, Philadelphia, PA 19104-1670 Parcel (PWD Record)		Page Number Page 1 of 2
Applicant Name: LEV YAKUBOV	Applicant Address: 614 SOUTH 4TH STREET #510 PHILADELPHIA, PA 19147 USA	

APPLICATION IS FOR A SEMI-DETACHED STRUCTURE(58'4 1/4") ROOF DECK ACCESSED BY A PILOTHOUSE(NTE 125 SF AREA) FOR A MULTI-FAMILY HOUSEHOLD LIVING(EIGHTEEN(18) DWELLING UNITS) FROM BASEMENT THROUGH SIXTH(6TH) FLOORS WITH SIX(6) 1A CLASS BICYCLE SPACES IN AN ACCESSIBLE ROUTE. SIZE AND LOCATION AS SHOWN IN THE APPLICATION.

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 14-602-1	ALLOWED IN RESIDENTIAL DISTRICT	THE PROPOSED, MULTI-FAMILY HOUSEHOLD LIVING, IS PROHIBITED, IN THIS ZONING DISTRICT		
TABLE 14-802-1	REQUIRED PARKING IN RESIDENTIAL DISTRICT	TOTAL# OF PARKING SPACES	REQUIRED	PROPOSED
			18	0
<u>THE PROPOSED ZONING IS REFUSED AS FOLLOWS:</u>				
TABLE 14-701-1	DIMENTIONAL STANDARDS FOR LOWER DENSITY RESIDENTIAL DISTRICTS		REQUIRED	PROPOSED
		OPEN AREA	50% OF LOT	29% OF LOT
		SIDE YARD(FT)	8 FT	5 FT
		REAR YARD DEPTH (FT)	20 FT	9 FT
		MAXIMUM HEIGHT(FT)	ALLOWED	PROPOSED
			38 FT	59'8 ¼ “

TWO (2) USE REFUSALS
FOUR (4) ZONING REFUSALS

Fee to File Appeal: \$ 300

NOTES TO THE ZBA:

NO



CHELI DAHAL
PLANS EXAMINER

4/15/2021
DATE SIGNED

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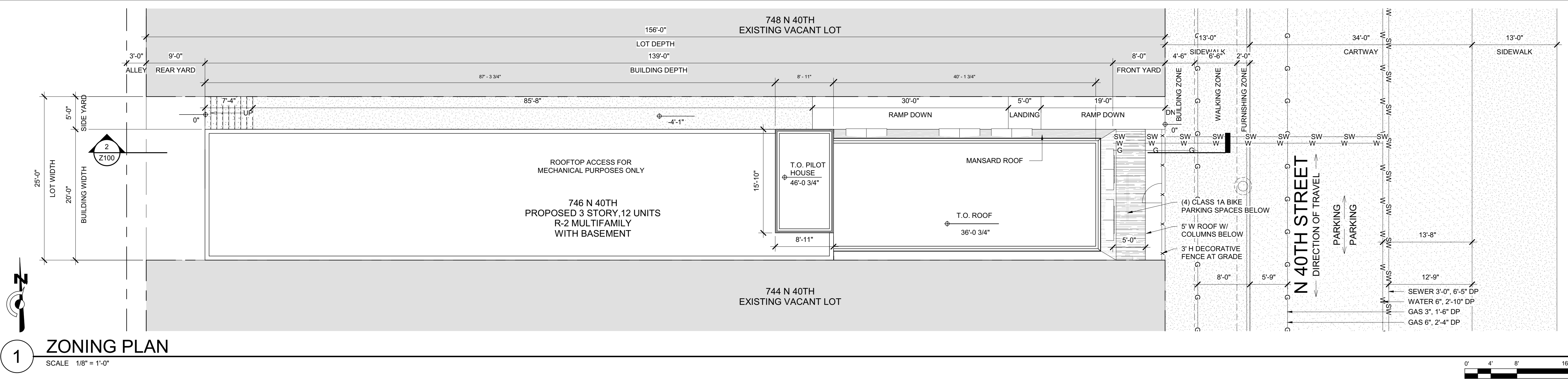
Parcel Owner:

LAND EXERCISE LLC
PO BOX 2522 BALA
CYNWYD PA 19004



CHELI DAHAL
PLANS EXAMINER

4/15/2021
DATE SIGNED

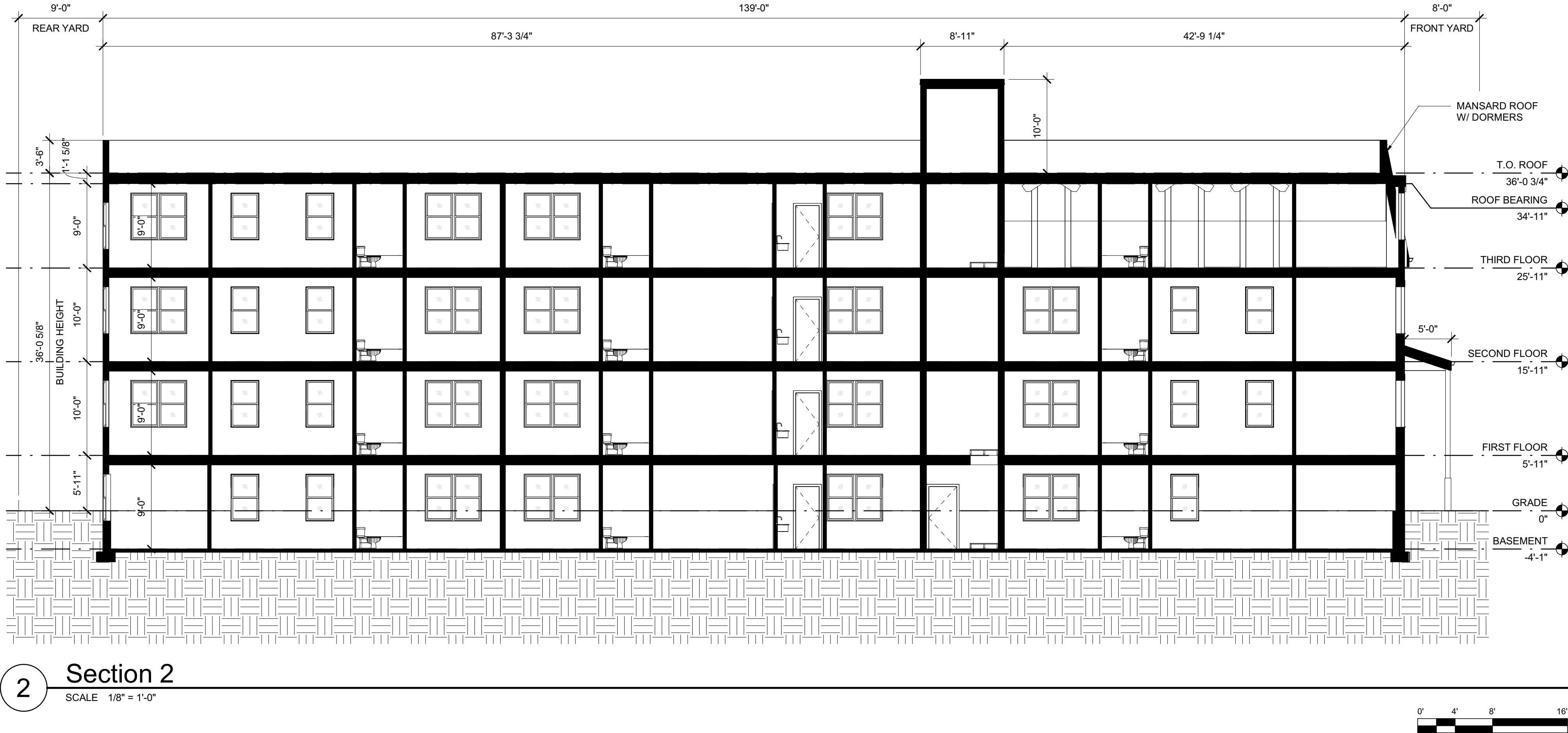


1 ZONING PLAN

SCALE 1/8" = 1'-0"

ZONING LEGEND

[Symbol]	STREET
[Symbol]	SIDEWALK
[Symbol]	PROPOSED BUILDING
[Symbol]	PROPOSED ROOF DECK
[Symbol]	EXISTING BUILDING
[Symbol]	ALLEY
-W-W-	WATER
-G-G-	GAS
-SW-SW-	SEWER
- - -	PROPERTY LINE
[Symbol]	TRAFFIC SIGN
[Symbol]	UTILITY POLE
[Symbol]	ADA CURB



2 Section 2

SCALE 1/8" = 1'-0"

DEED

Premises Being: 746 NORTH 40TH STREET, PHILADELPHIA, PA 19104

ALL THAT CERTAIN LOT OR PIECE OF GROUND WITH THE BUILDINGS AND IMPROVEMENTS THEREON ERECTED,

SITUATE ON THE WEST SIDE OF 40TH STREET 100 FEET SOUTH OF BROWN STREET IN THE 6TH WARD OF THE CITY OF PHILADELPHIA

CONTAINING IN FRONT OR BREADTH ON THE SAID 40TH STREET 25 FEET AND EXTENDING OF THAT WIDTH IN LENGTH OR DEPTH WESTWARD BETWEEN PARALLEL LINES AT RIGHT ANGLES TO THE SAID 40TH STREET 156 FEET.

BEING THE SAME PREMISES BY DEED POLL FROM CHARLES E. MURRAY, SHERIFF DATED 05/19/1975 AND RECORDED 06/19/1975 IN THE COUNTY OF PHILADELPHIA IN DEED BOOK DCC 865 PAGE 401, GRANTED AND CONVEYED UNTO SHENITA BERRY, IN FEE.

RSA-3		
PREVIOUS DISTRICT NAME - R5		746 N 40TH STREET
PERMITTED BUILDING TYPE DETACHED; SEMI-DETACHED		
USES PERMITTED AS OF RIGHT: Single-Family; Passive Recreation; Family Day Care; Religious Assembly; Safety Services; Transit Station; Community Garden; Market or Community-Supported Farm		
	REQUIRED	PROPOSED
LOT DIMENSIONS		
MIN. LOT WIDTH (FT)	25 FT	25'
MIN. LOT AREA (SQ FT)	2,250 SQ FT	3,900
MIN. OPEN AREA (% OF LOT)	50%	26%
FRONT SETBACK		
MINIMUM (FT)	8 FT	8'
MINIMUM SIDE YARD WIDTH (6), PERMITTED RESIDENTIAL USES AS SET FORTH IN 14-701		
DETACHED, INTERMEDIATE (FT)	2/8 EACH, 25 FT TOTAL	NA
DETACHED, CORNER (FT)	8 FT	NA
SEMI-DETACHED (FT)	8 FT	5'
ATTACHED (FT)		NA
MINIMUM SIDE YARD WIDTH (6) PERMITTED NONRESIDENTIAL USES AS SET FORTH IN 14-701		
DETACHED, INTERMEDIATE (FT)	2/8 EACH	NA
DETACHED, CORNER (FT)	8 FT	NA
REAR YARD		
MIN. DEPTH (FT)	SINGLE FAMILY 15; OTHER 20 FT	9'
HEIGHT		
MAXIMUM (FT)	38 FT	46'-0 3/4"
OPEN SPACE SQUARE FOOTAGE		
REAR YARD (SQ FT)		225
SIDE YARD (SQ FT)		695
FRONT YARD (SQ FT)		200
BUILDING FOOTPRINT (SQ FT)		2,880
BUILDING USE		
		R-2 MULTIFAMILY, 18 UNITS

STREETS DEPARTMENT		746 N 40TH ST
RIGHT OF WAY		
STREET BREAK-DOWN: N 40TH STREET		
13' SIDEWALK - 34' CARTWAY - 13' SIDEWALK = 60 FT WIDE		
	ENCROACHMENT TYPE	DIMENSION
	PROPOSED / EXISTING	ENCROACHMENT
STAIRS / STEPS	NA	NA
WINDOW WELL	NA	NA
BAY WINDOW	NA	NA
MAXIMUM ENCROACHMENT ALLOWED: 4'-6"		
PROPERTY SCHEDULE		
Parcel No.	Address	Area
061169200	746 N 40TH ST	3900 SF
		Zoning
		RM-1

LEAVE BLANK. FOR APPROVAL STAMPS ONLY

APPROVED

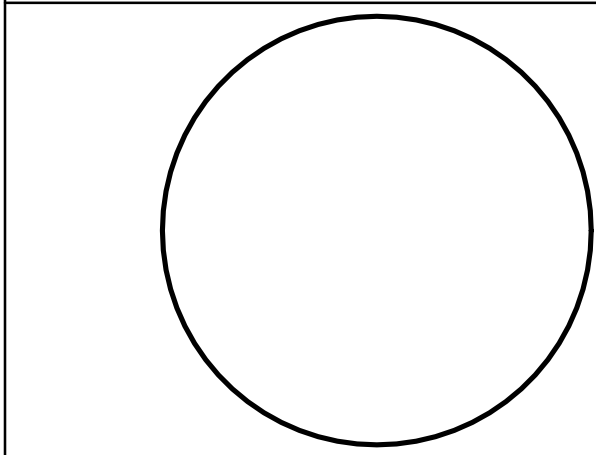
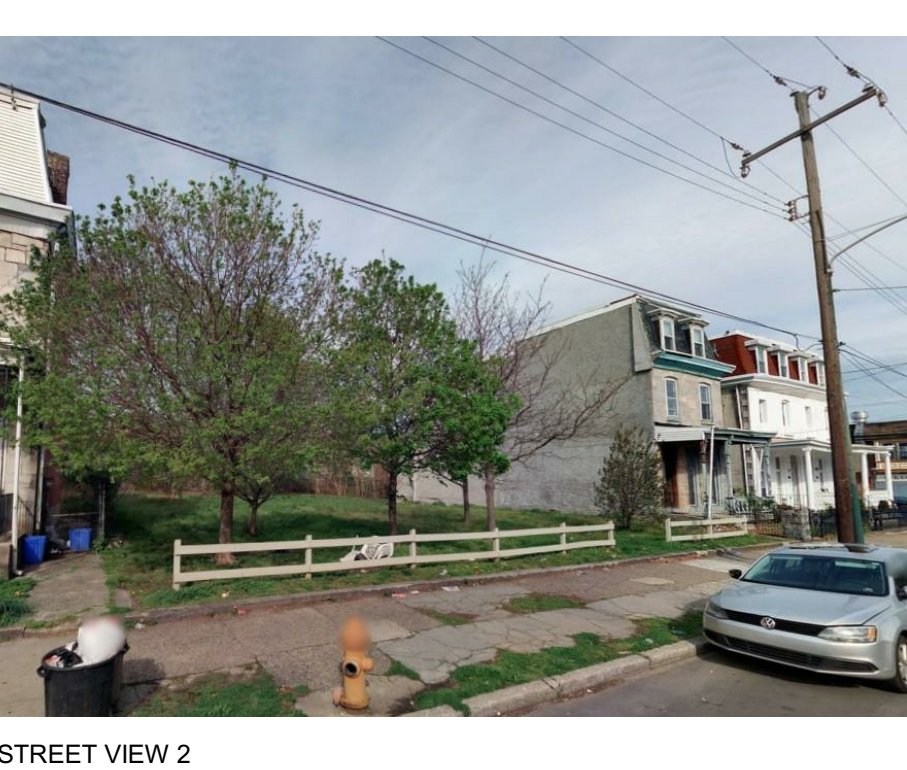
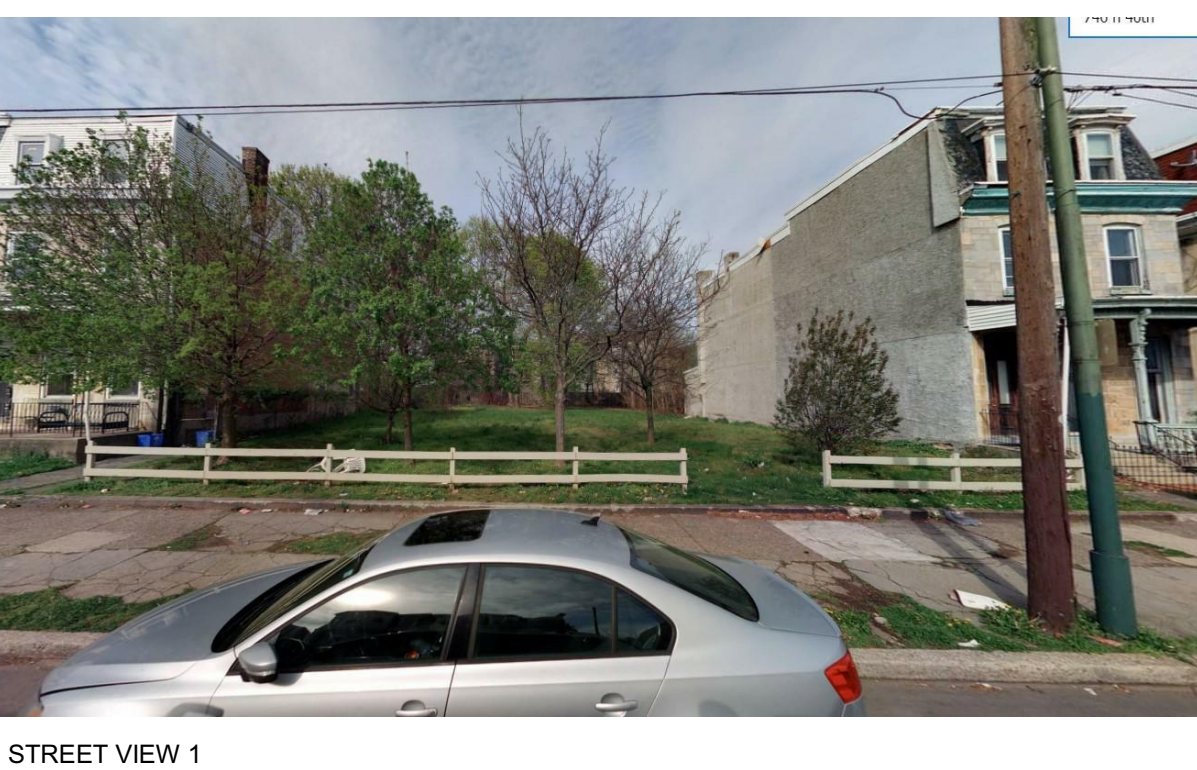
Revised plans, 1 page, approved by
ZBA 9/15/21.

Sharon Suleta
Sharon Suleta, Esq.

APPROVED FOR ZONING ONLY
11/02/21

WHEN YOUR PLANS CONTAIN ANY DIMENSION, PROVIDE THE DIMENSION FROM THESE APPROVED DEPARTMENT OF LICENSING & INSPECTIONS' OFFICIAL MEASUREMENTS AND INSTRUCTIONS.

Applied Electronically by L&I User.



746 N 40TH STREET

746 N 40TH STREET
PHILADELPHIA, PA 19104

Sheet name

ZONING

Project number

21-003

Date

Sheet Number

Z100