

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

Application Number: ZP-2024-012758	Zoning District(s): CMX2	Date of Refusal: 5/12/2025
Address/Location: 4217-19 LANCASTER AVE, Philadelphia, PA 19104-1470 Parcel (PWD Record)		Page Number Page 1 of 2
Applicant Name: Devon Loney DBA: Loney Engineering and Consulting LLC	Applicant Address: 3502 Scotts Lane Suite 1101 Philadelphia, PA 19129 USA	Civic Design Review? N

Application for:

FOR THE ERECTION OF AN ATTACHED STRUCTURE WITH ROOF DECK AND ROOF DECK ACCESS STRUCTURE (TO ENCLOSE STAIRS AND LANDINGS ONLY). FOR USE AS A TAKE-OUT RESTAURANT, PREPARED FOOD SHOP, AND ASSEMBLY & ENTERTAINING IN THE BASEMENT & FIRST FLOOR AND MULTI-FAMILY HOUSEHOLD LIVING (6 UNITS) FROM SECOND & THIRD FLOORS. SIZE AND LOCATION AS SHOWN ON PLANS.

** A NEW DEED MUST BE RECORDED TO CONSOLIDATE PREMISES A (4217 LANCASTER AVENUE) AND PREMISES B (4219 LANCASTER AVENUE AS LISTED IN THE DOC ID 54347569, RECORD DATED 10-1-2024)**

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.)

Code Section(s):	Code Section Title(s):	Reason for Refusal:
Section 14 - 602(4)(a)[2]	Notes for Table 14-602-2	Whereas in the CMX2 district, a minimum of 480 sq. ft. of lot area is required per dwelling unit. Five (5) dwelling units are permitted, and six (6) units are proposed.
Table 14-602-2	Uses Allowed in Commercial Districts	Whereas the proposed use, EATING & DRINKING ESTABLISHMENT- TAKE OUT RESTAURANT, requires special exception approval in the CMX2 commercial zoning district, and whereas the proposed use, ASSEMBLY & ENTERTAINING, requires special exception approval in the CMX2 commercial zoning district.
Table 14-701-3	Dimensional Standards for Commercial Districts	Whereas the maximum occupied area in the CMX2 zoning district is 80% (1923.2 SF) and 92% (2221 SF) is proposed, and whereas the minimum rear yard in the CMX2 zoning district is 9 feet and no setback is proposed.

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



HARRY P WILSON
PLANS EXAMINER

5/12/2025
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.

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Fee to File Appeal: \$ 300

NOTES TO THE ZBA:

REF: MI-2020-002413 (12-15-2020) GRANTING THE ERECTION OF AN ADDITION AT THE REAR OF AN EXISTING ATTACHED STRUCTURE WITH ROOF DECK AND ROOF DECK ACCESS STRUCTURE (TO ENCLOSE STAIRS AND LANDINGS ONLY). FOR USE AS A TAKE-OUT RESTAURANT AND A CULTURAL EXHIBIT SPACE ON THE FIRST FLOOR AND MULTI-FAMILY HOUSEHOLD LIVING (6 UNITS) FROM SECOND THROUGH FOURTH FLOORS.

Parcel Owner:

BQ LANCASTER AVE LLC

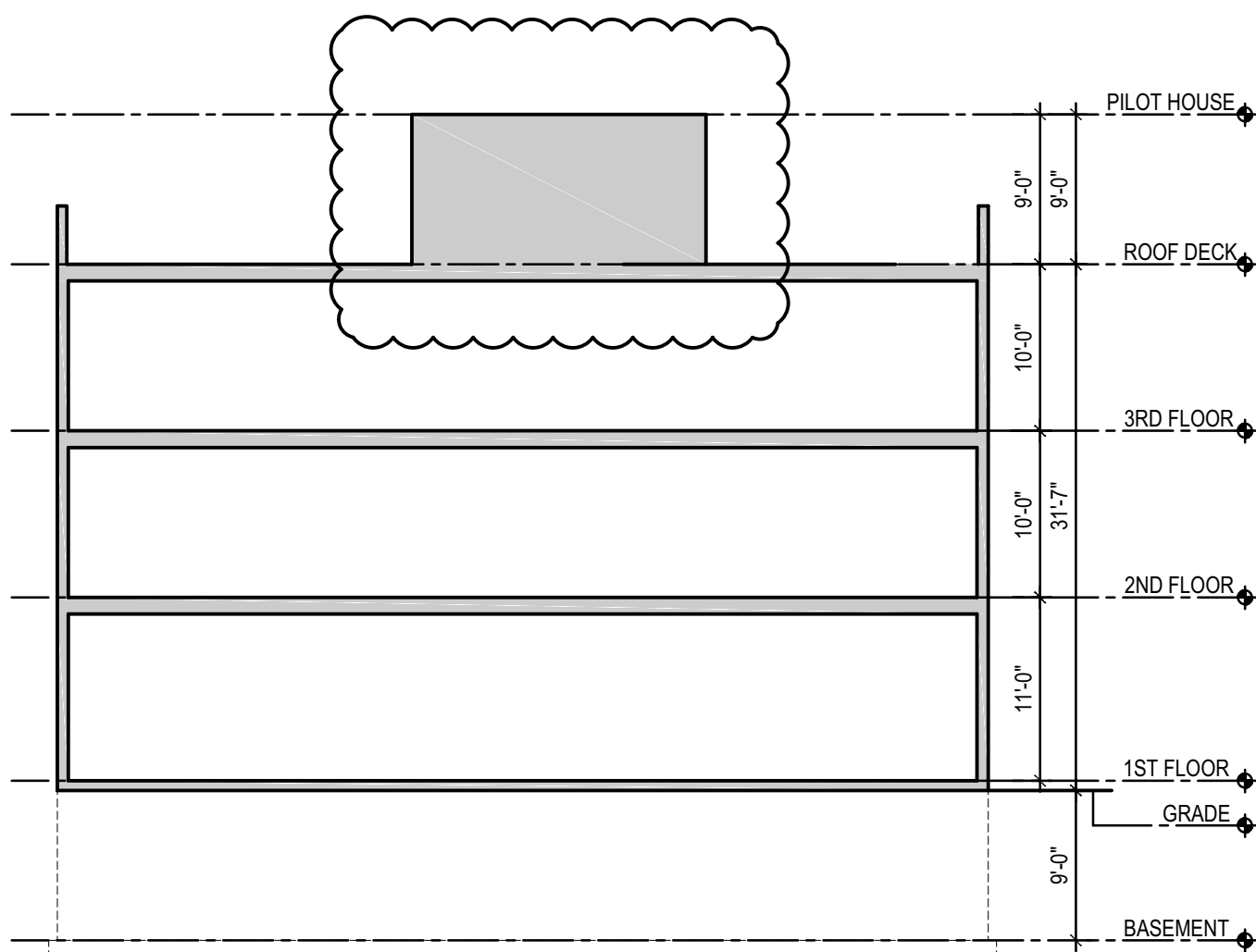
Zoning Overlay District:



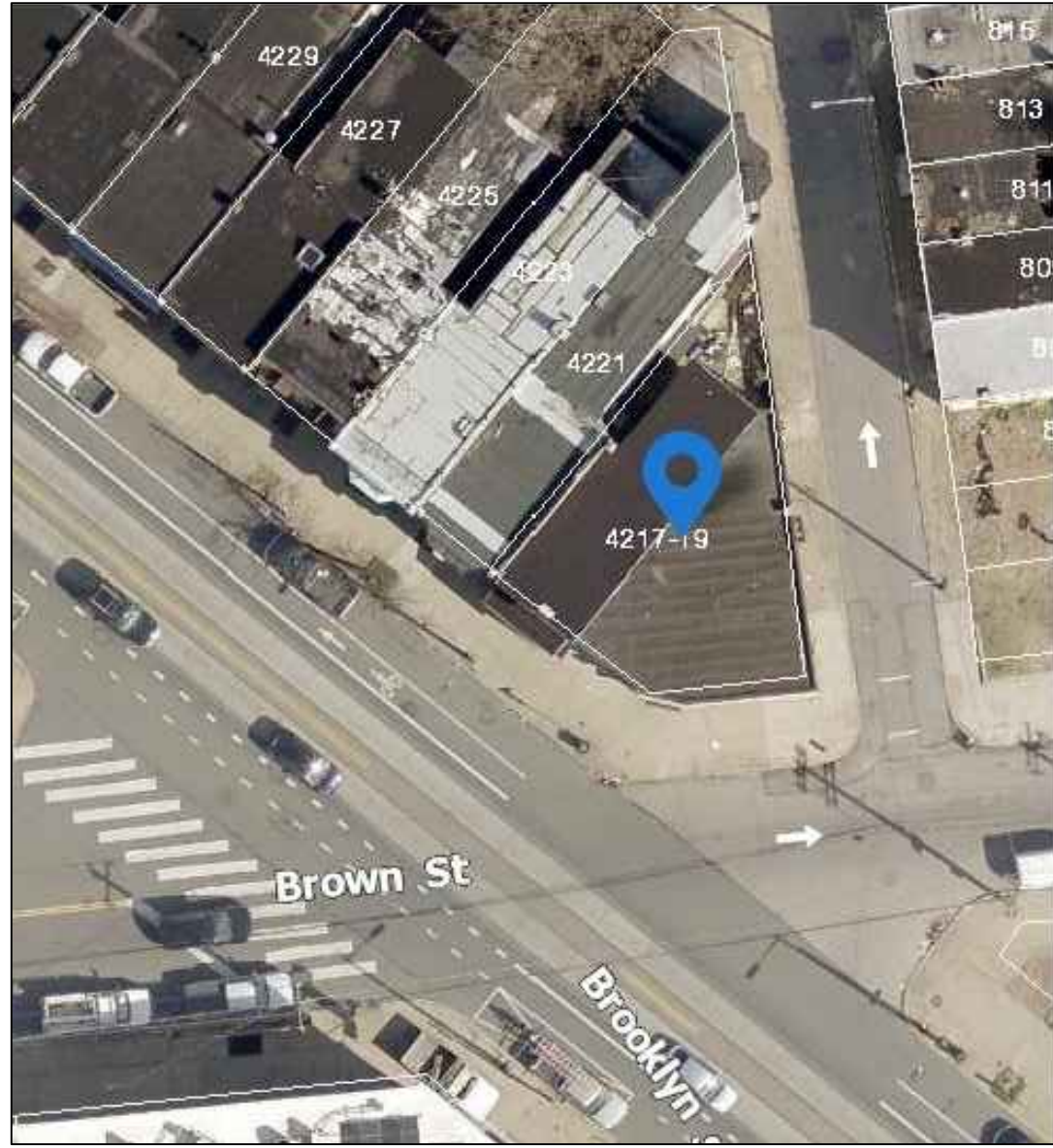
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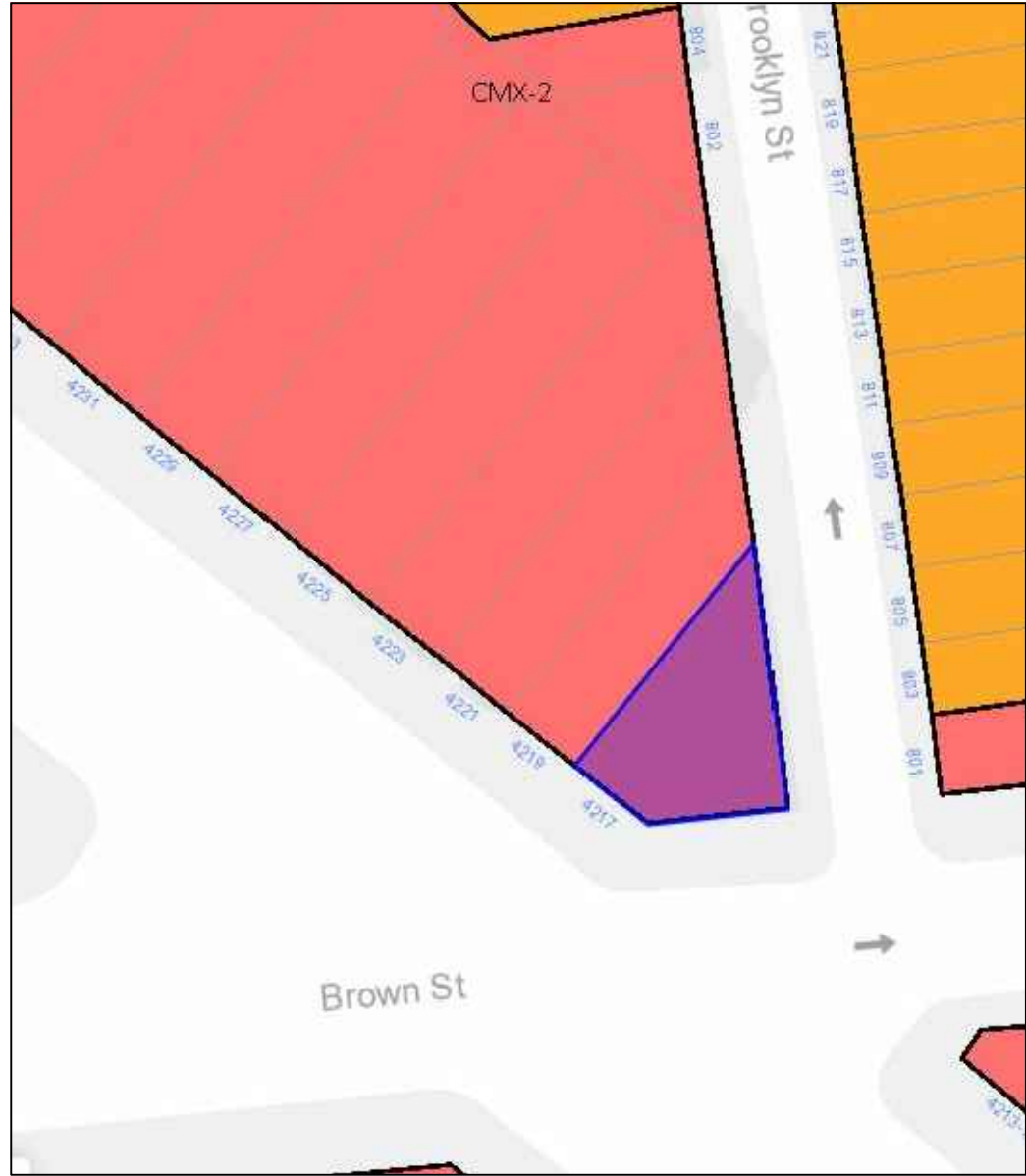
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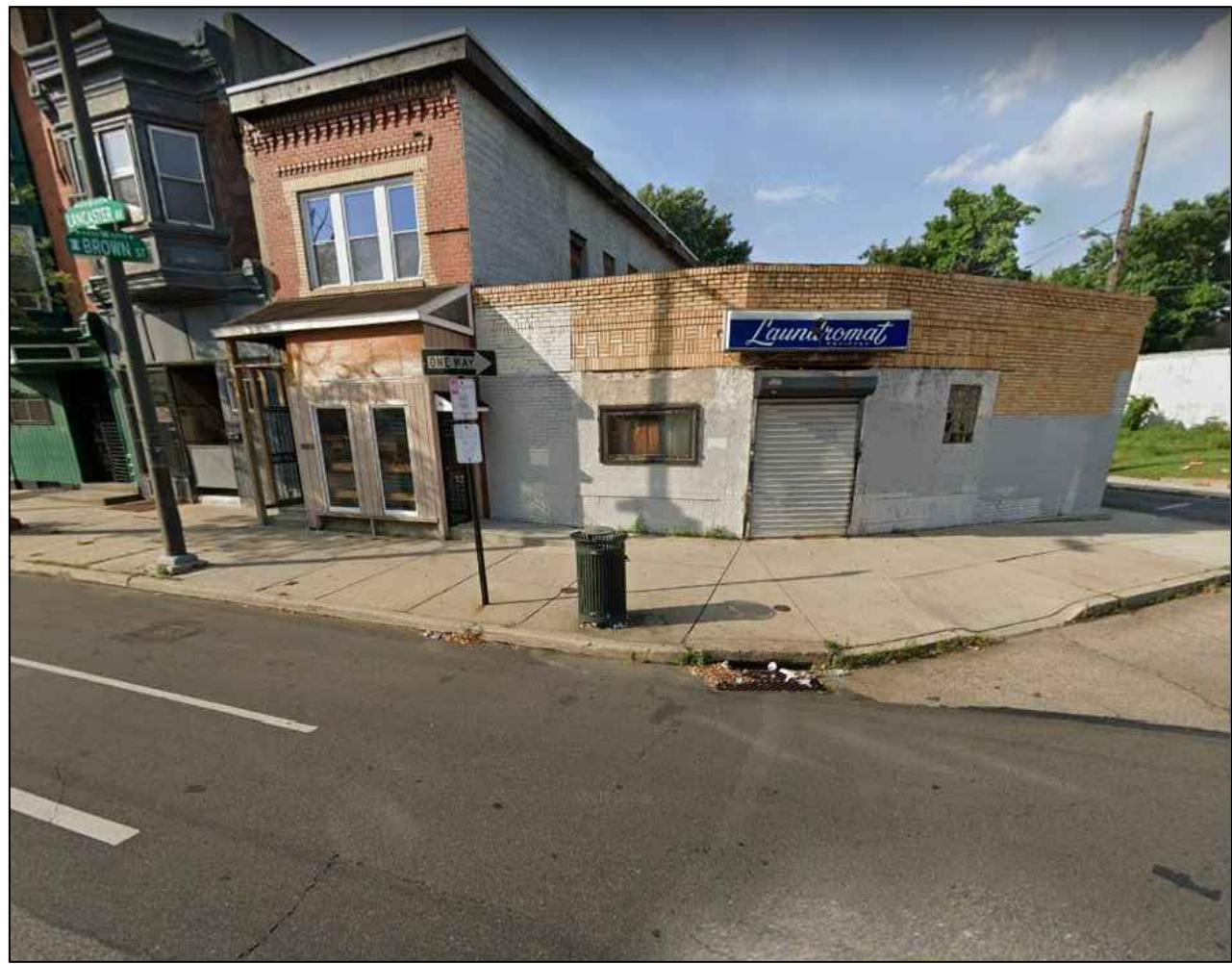
3 ZONING SECTION
Scale: 3/32"=1'-0"



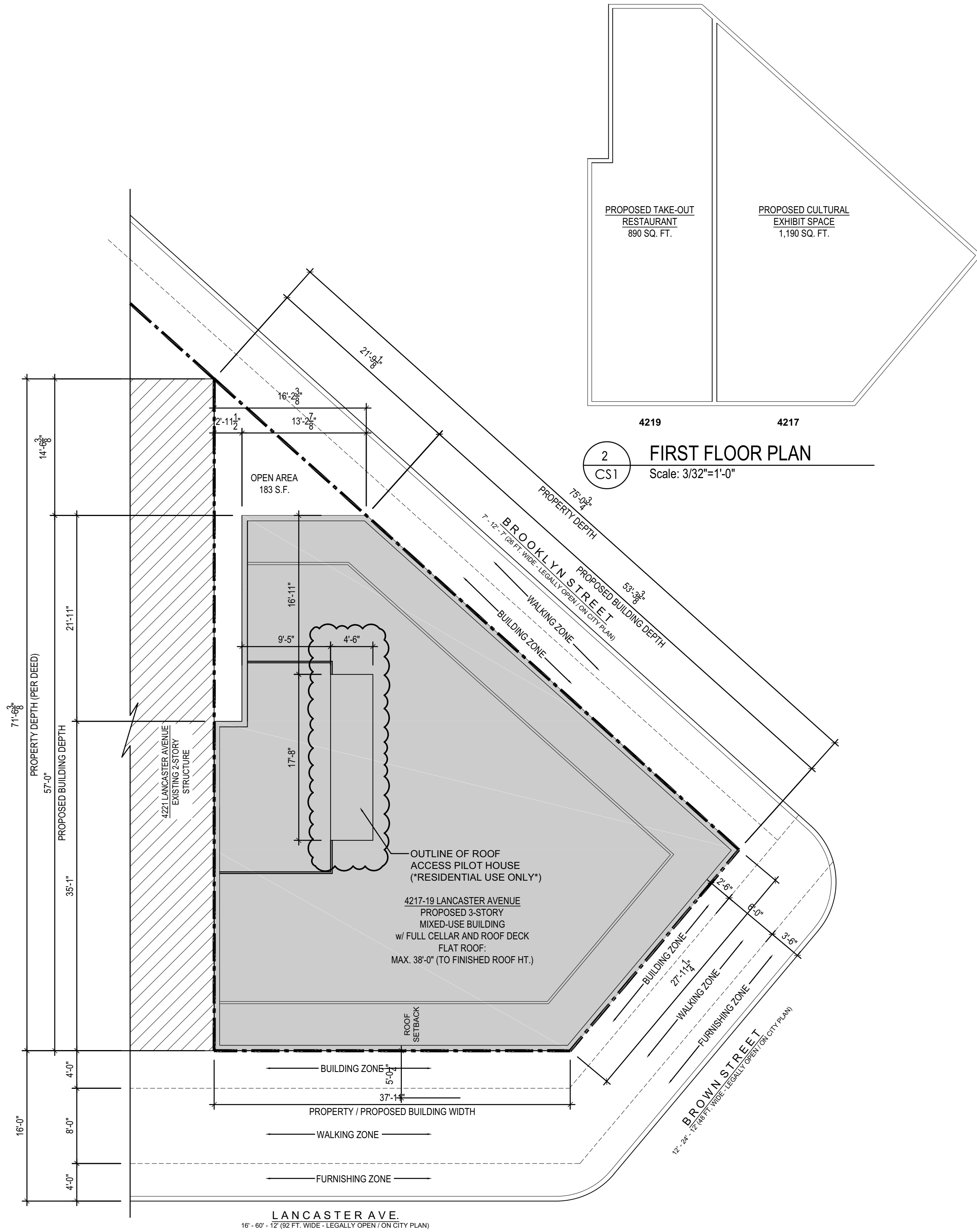
4 LOCATION MAP
Scale: N.T.S.



5 ZONING MAP
Scale: N.T.S.



EXISTING CONDITIONS
Scale: N.T.S.



1 SITE PLAN
Scale: 1/8"=1'-0"

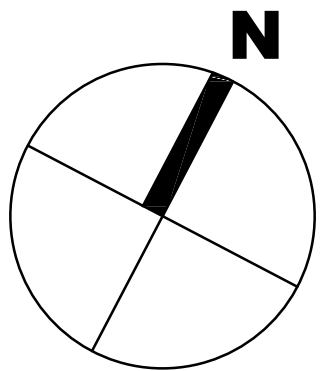
2 FIRST FLOOR PLAN
Scale: 3/32"=1'-0"

PROPERTY BOUNDARIES & EXTENTS ARE
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G.C. TO CONTACT PA ONE CALL TO VERIFY EXACT
DEPT AND LOCATION OF UTILITIES.

STREET DEPARTMENT NOTES:

- WORK TO BE DONE IN ACCORDANCE WITH STANDARD SPECIFICATIONS, APPROVED DRAWINGS, AND REGULATIONS OF THE DEPARTMENT OF STREETS, PHILADELPHIA WATER DEPARTMENT, PHILADELPHIA PARKS & RECREATION DEPARTMENT, AND SPECIAL PROVISIONS OF THE PROPOSAL.
- PURSUANT TO THE REQUIREMENTS OF PENNSYLVANIA ACT 287 (1974), AND AS AMENDED, THE CONTRACTOR SHALL CONTACT THE PENNSYLVANIA ONE CALL SYSTEM AT 1-800-242-1776, AT LEAST 3 WORKING DAYS PRIOR TO EXCAVATION. PENNSYLVANIA ONE CALL SYSTEM #20181141104-000 AND WARD #15.
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- HORIZONTAL AND VERTICAL CONTROL, LINE AND GRADE STAKES FOR CURB, PAVING, ETC. SHALL BE FURNISHED BY THE SURVEY DISTRICT OF PHILADELPHIA BASED ON ITEM #4-1040.
- PERMITS FOR BOLLARDS, CURB, & SIDEWALK PAVING SHALL BE FURNISHED BY THE HIGHWAY DISTRICT OF THE CITY OF PHILADELPHIA.
- THE CITY OF PHILADELPHIA SHALL PROVIDE INSPECTION SERVICES FOR PAVING AND RELATED WORK, TO BE PAID UNDER ITEM #4-1041 AT A COST OF \$345 PER DAY. THE CONTRACTOR SHALL CONTACT THE CONSTRUCTION UNIT OF THE DIVISION OF SURVEYS, DESIGN & CONSTRUCTION AT (215) 686-5539, A MINIMUM OF 2 WEEKS PRIOR TO THE START OF WORK. THIS ITEM, INSPECTION SERVICES, SHALL BE INCLUDED IN THE CONTRACTOR'S BID.
- STREET TREES MUST BE PERMITTED BY THE PHILADELPHIA DEPARTMENT OF PARKS & RECREATION. CONTACT THE STREET TREE MANAGEMENT DIVISION AT (215) 685-4363.
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PROJECT INFORMATION

PROPOSED NEW 3-STORY MIXED USE BUILDING (2 COMMERCIAL SPACES AND 6 RESIDENTIAL UNITS) W/ FULL CELLAR AND ROOF DECK

ZONING ANALYSIS

ZONING BASE DISTRICT: CMX-2
TOTAL BUILDING AREA: 2,221 SQ. FT.
LOT AREA: APPROX.: 2,404 SQ. FT.

REGULATIONS	PROPOSED
MAX. OCCUPIED AREA: INTERMEDIATE 75%; CORNER 80%	92% (2,221 SF)
MIN. FRONT YARD DEPTH	0
MIN. SIDE YARD WIDTH: 5'-0" IF USED	0
MIN. REAR YARD DEPTH: THE GREATER OF 9 FT. OR 10% OF LOT DEPTH	0
MAX. BUILDING HEIGHT: 38'-0"	31'-7"



ARCHITECTURE
INTERIORS
PLANNING

P.O. BOX 1081
BALA CYNWYD, PA 19004
P: (267) 973-2521
F: (215) 879-4750

Mixed-Use Building
4217-19 Lancaster Avenue
Philadelphia, PA 19104

Project No: 100-49	Date of Issue: 07-21-2020
Revision No:	Description:
01-20-2025	ISSUED FOR ZONING COMMENTS

Owner:
Nasha Bunch

SITE PLAN

CS1

ISSUED FOR ZONING: 07-21-2020

Zoning Permit

Permit Number ZP-2024-012758

LOCATION OF WORK 4217-19 LANCASTER AVE, Philadelphia, PA 19104-1470	PERMIT FEE \$2,376.00	DATE ISSUED 5/21/2025
	ZBA CALENDAR MI-2025-000597	ZBA DECISION DATE 5/21/2025
	ZONING DISTRICTS CMX2	

PERMIT HOLDER BQ LANCASTER AVE LLC	45 N UNION AVE UNIT BQ LANCASTER AVE LLC LANSDOWNE PA 19050
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OWNER CONTACT 1 Nasha Bunch	45 N UNION AVE, LANSDOWNE PA 19050
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OWNER CONTACT 2	
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TYPE OF WORK New construction, addition, GFA change
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APPROVED DEVELOPMENT FOR THE ERECTION OF AN ATTACHED STRUCTURE WITH ROOF DECK AND ROOF DECK ACCESS STRUCTURE (TO ENCLOSE STAIRS AND LANDINGS ONLY). SIZE AND LOCATION AS SHOWN ON PLANS. ** A NEW DEED MUST BE RECORDED TO CONSOLIDATE PREMISES A (4217 LANCASTER AVENUE) AND PREMISES B (4219
--

APPROVED USE(S) Assembly and Entertainment; Eating and Drinking Establishments - Prepared Food Shop; Eating and Drinking Establishments - Take-Out Restaurant; Residential - Household Living - Multi-Family

THIS PERMIT IS SUBJECT TO THE FOLLOWING PROVISIO(S) AS ESTABLISHED BY THE ZONING BOARD OF ADJUSTMENT (ZBA) Per amended refusal dated 5/12/25.
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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-2024-012758

LANCASTER AVENUE AS LISTED IN THE DOC ID 54347569, RECORD DATED 10-1-2024)**

**AMENDMENT (8-27-2025): CHANGE IN PILOT HOUSE SIZE AND LOCATION AS SHOWN ON THE APPROVED AMENDED ZONING PLANS. NO OTHER CHANGES TO ZONING PLAN.



APPROVED USE(S)

Assembly and Entertainment; Eating and Drinking Establishments - Prepared Food Shop; Eating and Drinking Establishments - Take-Out Restaurant; Residential - Household Living - Multi-Family

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Per amended refusal dated 5/12/25.



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 - **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**.
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Zoning Permit

Permit Number ZP-2024-012758

ADDITIONAL LOCATION(S)

See front side for primary parcel associated with this permit

PARCEL

4217-19 LANCASTER AVE, Philadelphia, PA 19104-1470

ADDITIONAL USE DETAILS

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

FOR USE AS A TAKE-OUT RESTAURANT, PREPARED FOOD SHOP, & ASSEMBLY & ENTERTAINING IN THE BASEMENT & FIRST FLOOR AND MULTI-FAMILY HOUSEHOLD LIVING (6 UNITS) FROM SECOND & THIRD FLOORS.

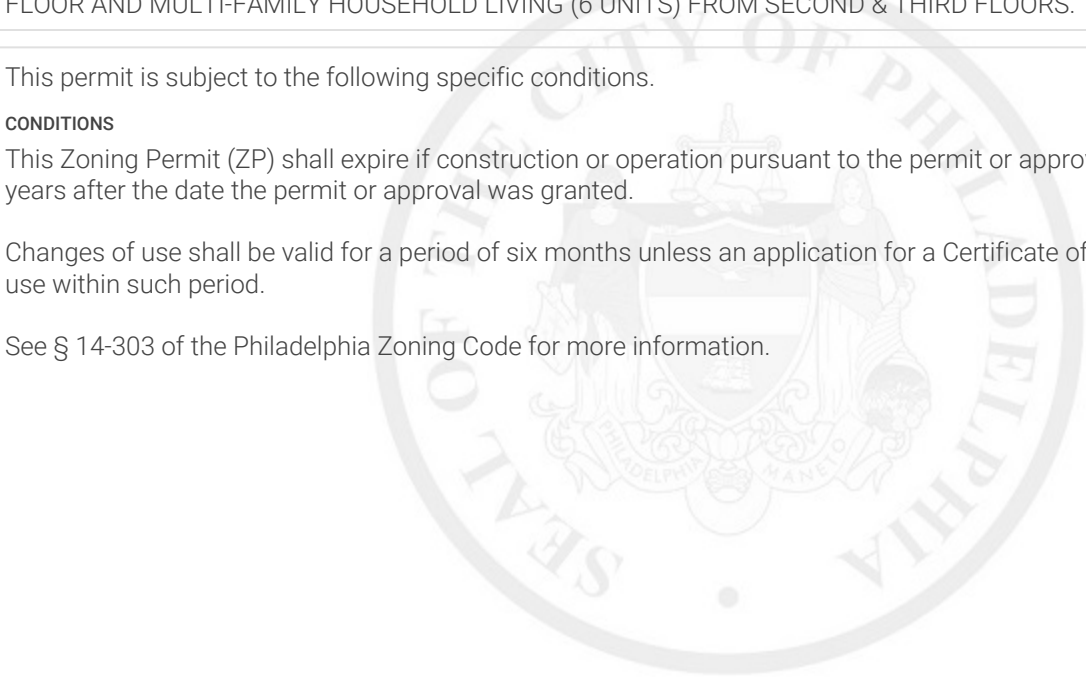
This permit is subject to the following specific conditions.

CONDITIONS

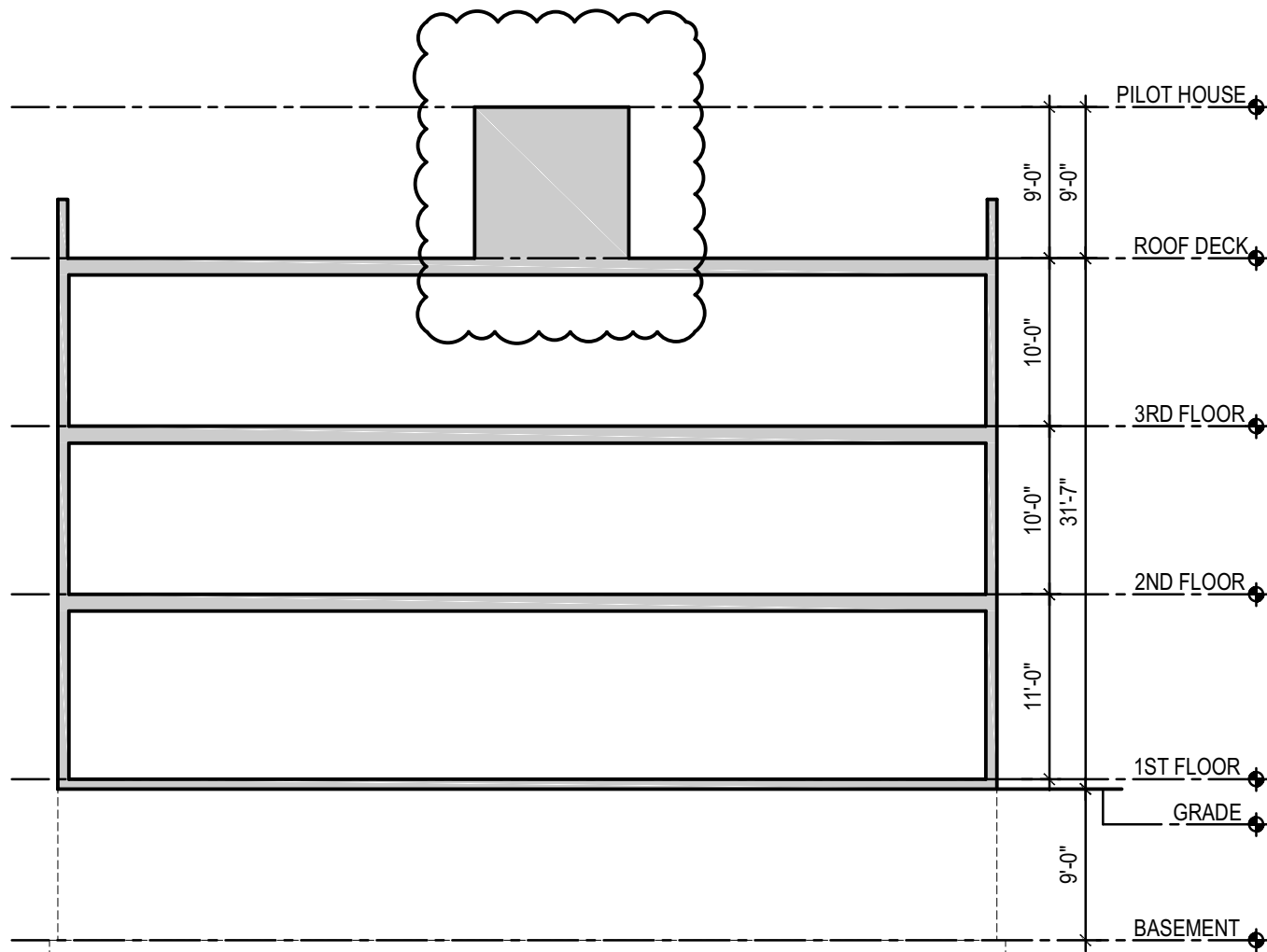
This Zoning Permit (ZP) shall expire if construction or operation pursuant to the permit or approval has not begun within three years after the date the permit or approval was granted.

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.

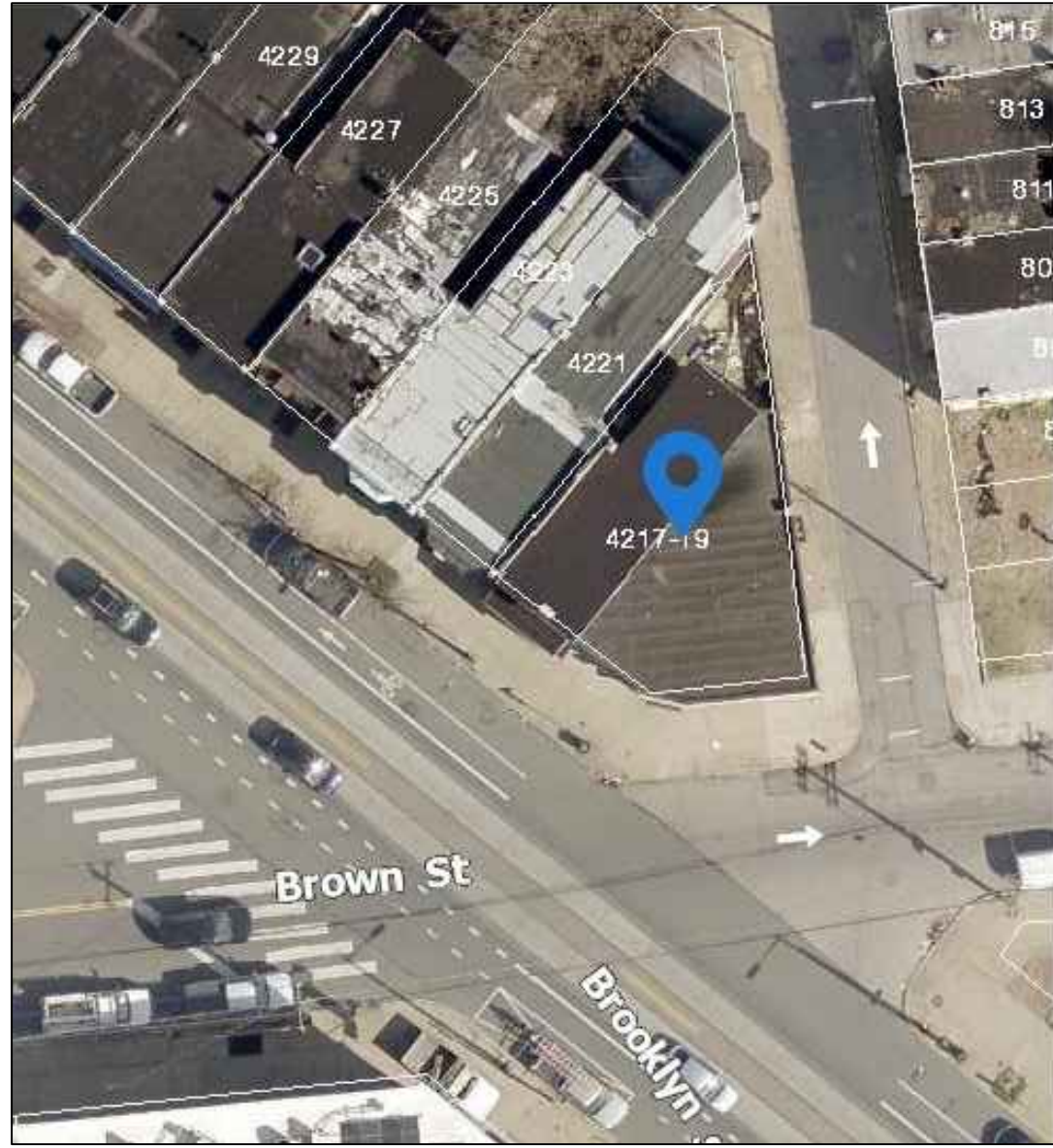
See § 14-303 of the Philadelphia Zoning Code for more information.



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.



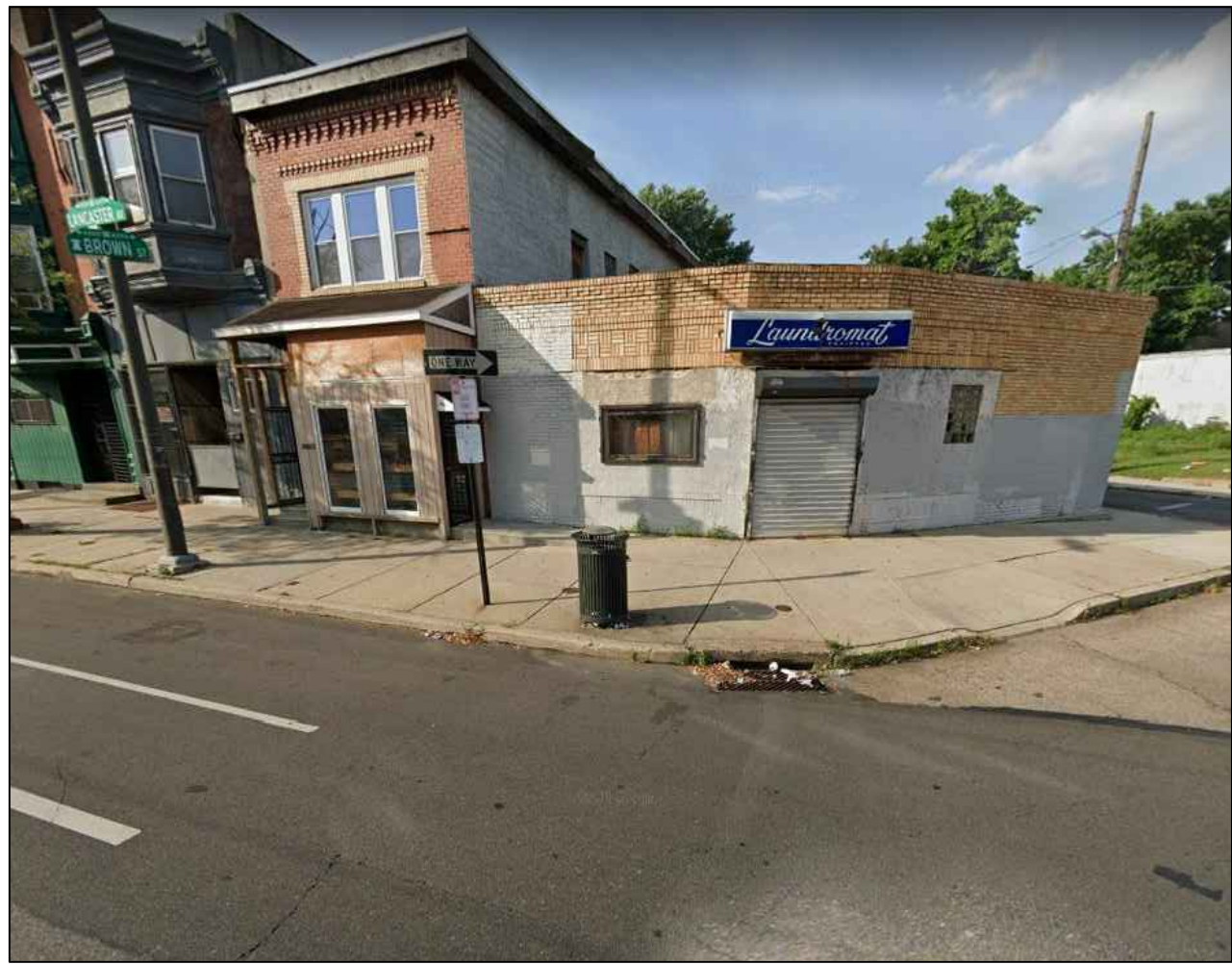
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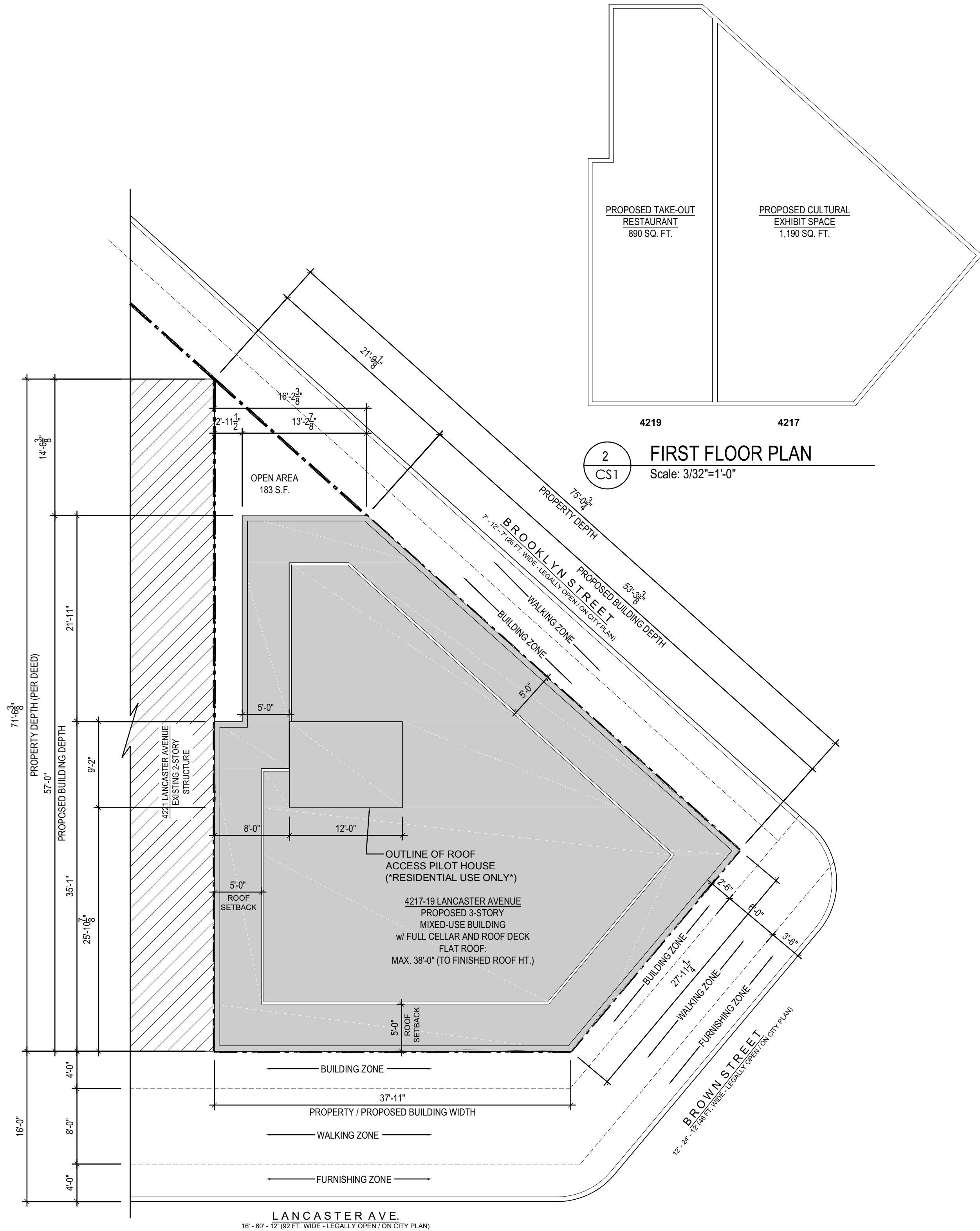
4 LOCATION MAP
Scale: N.T.S.



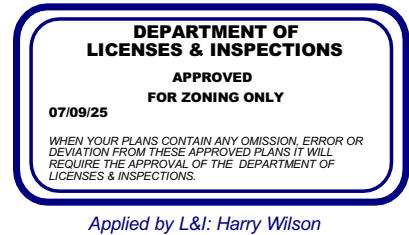
5 ZONING MAP
Scale: N.T.S.



6 EXISTING CONDITIONS
Scale: N.T.S.



1 SITE PLAN
Scale: 1/8"=1'-0"

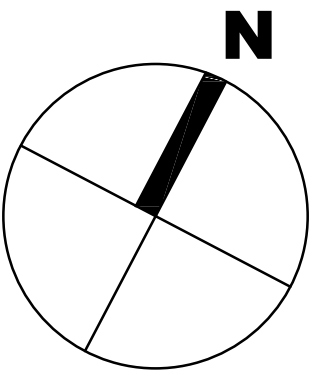


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LOT AREA: APPROX.: 2,404 SQ. FT.

REGULATIONS	PROPOSED
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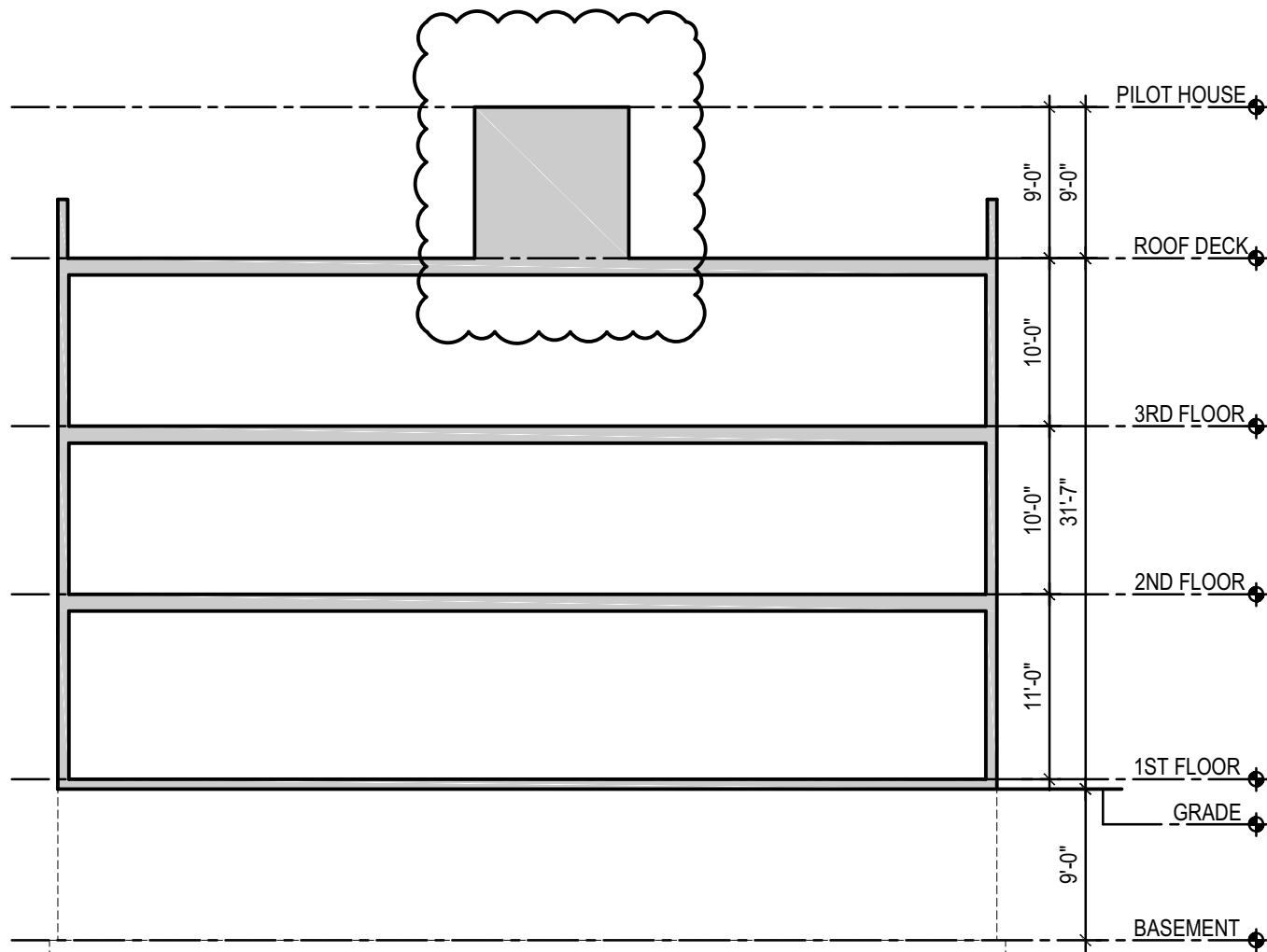
Project No: 100-09	Date of Issue: 07-21-2020
Revision No:	Description: Drawn By: 247
07-21-2020	ISSUED FOR ZONING
08-31-2020	ISSUED FOR ZONING COMMENTS
09-18-2020	ISSUED FOR ZONING COMMENTS
01-20-2025	ISSUED FOR ZONING COMMENTS

Owner:
Nasha Bunch

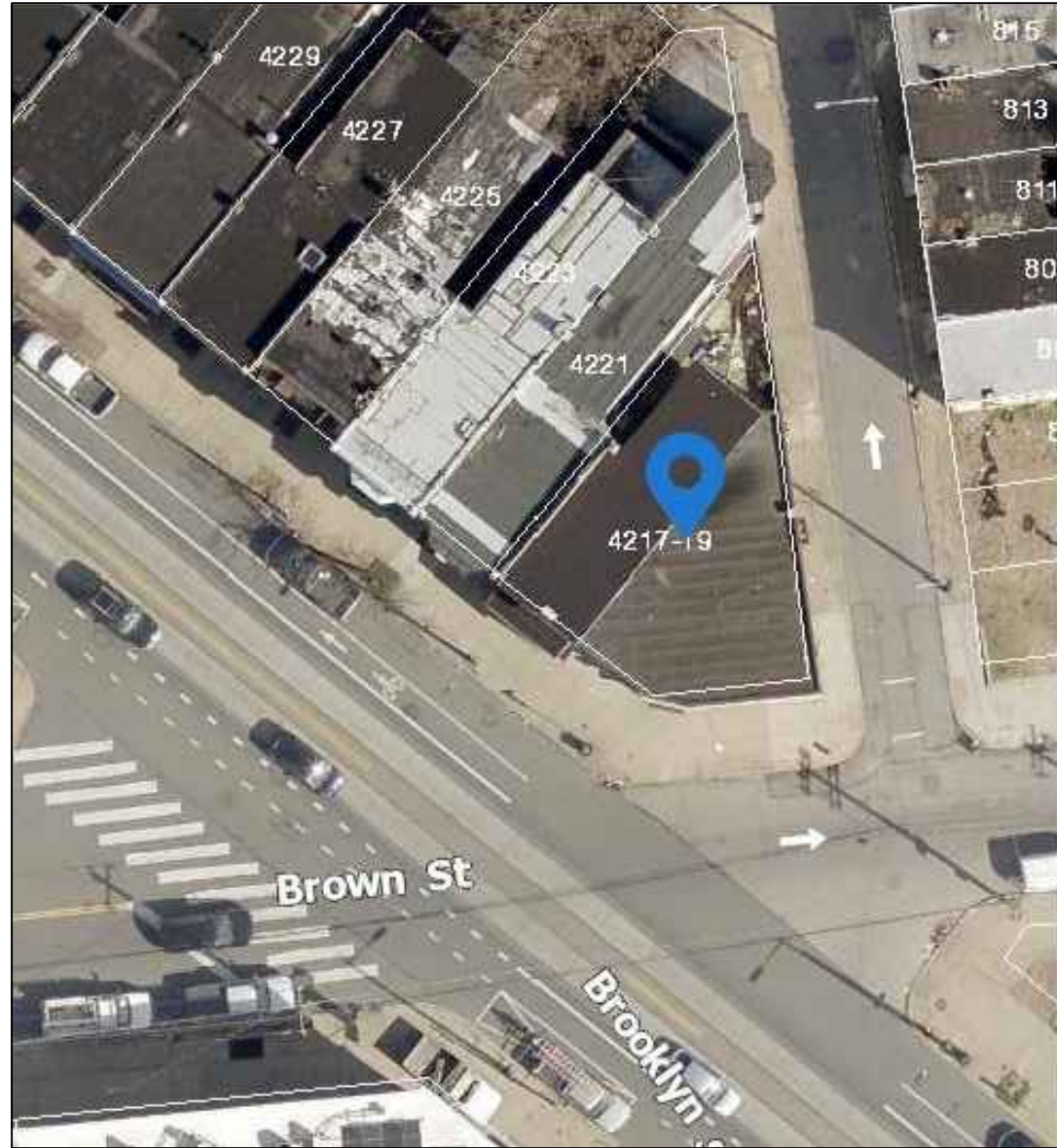
SITE PLAN

CS1

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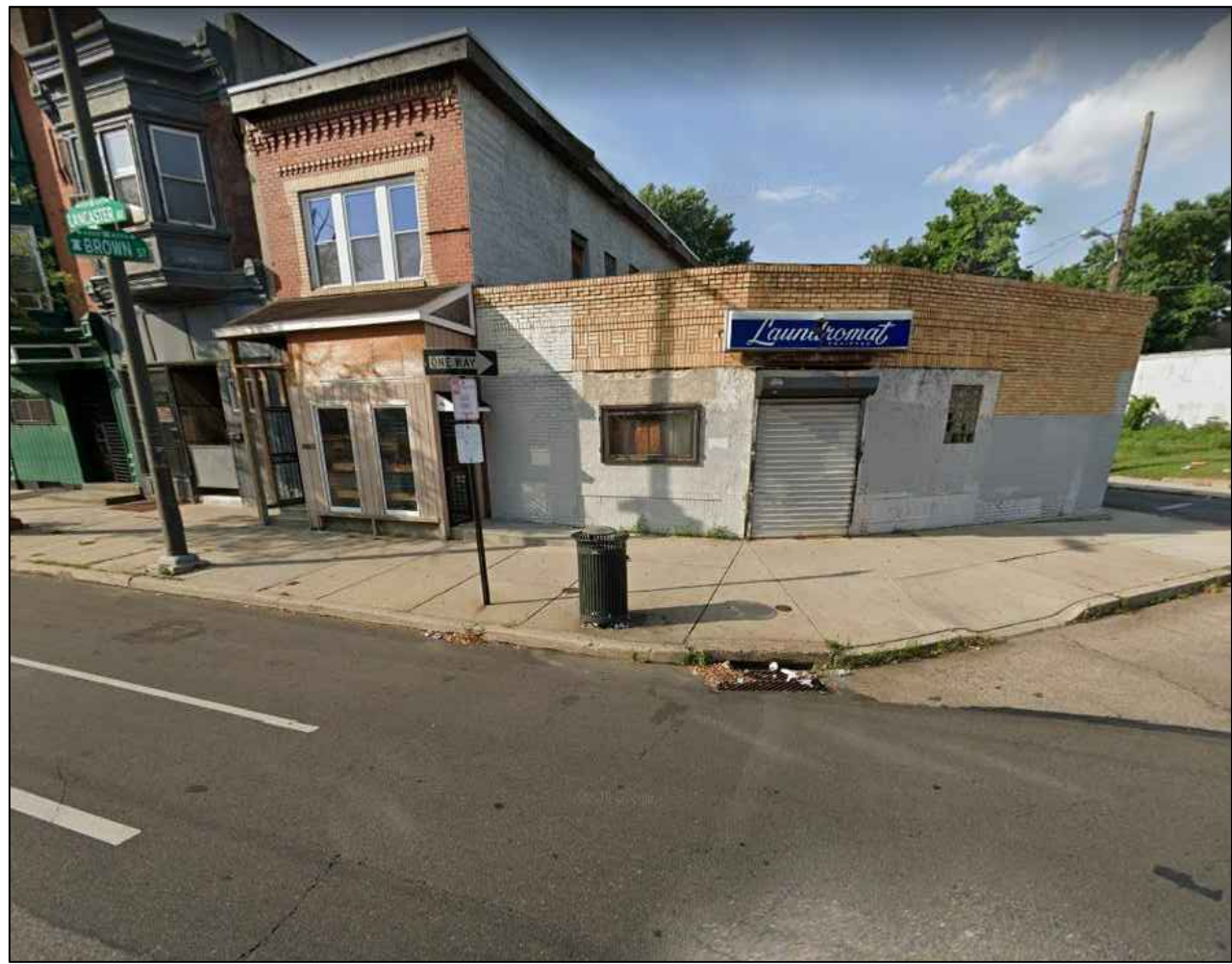
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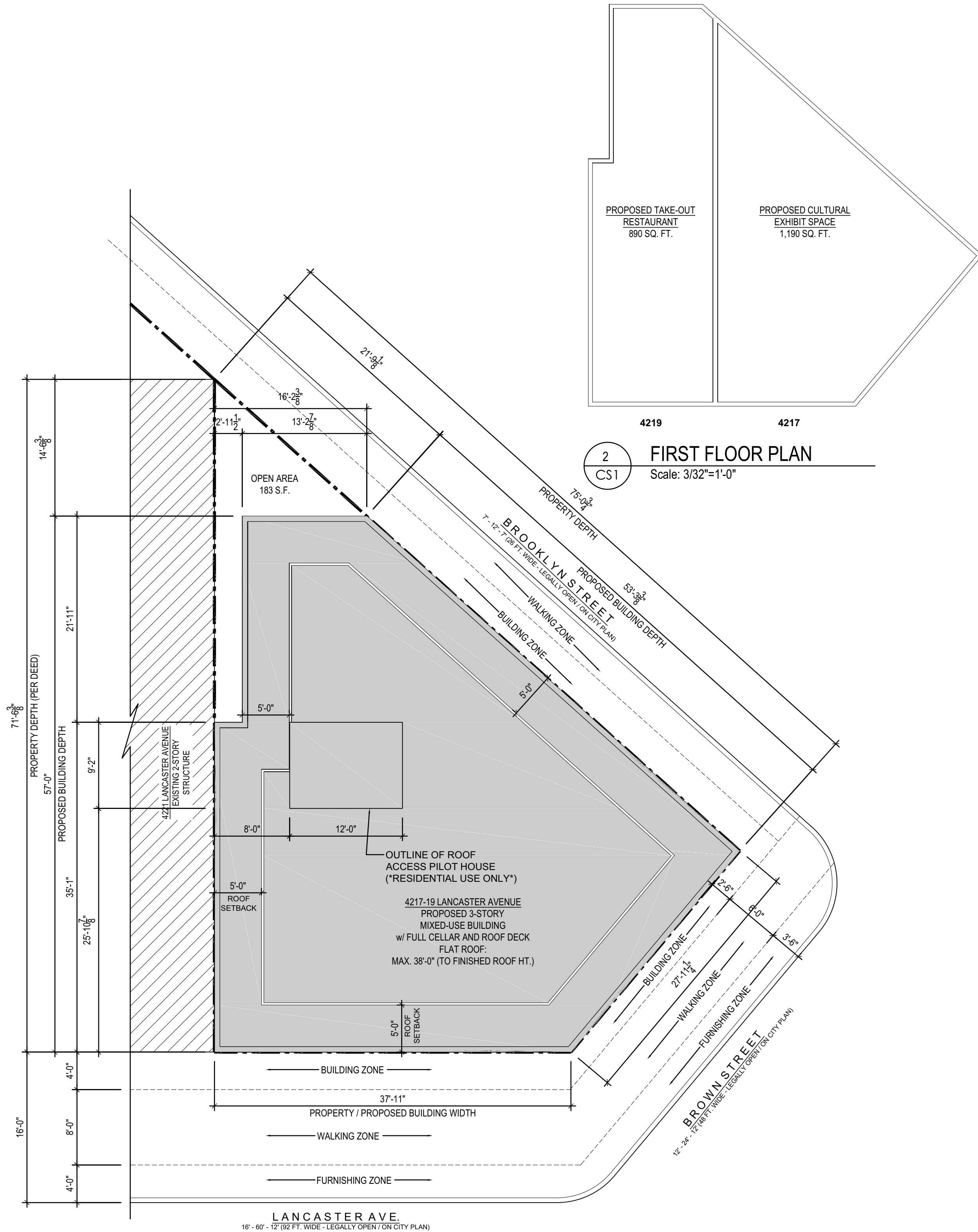
4 LOCATION MAP
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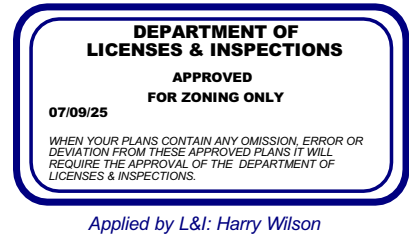
5 ZONING MAP
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6 EXISTING CONDITIONS
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Scale: 1/8"=1'-0"



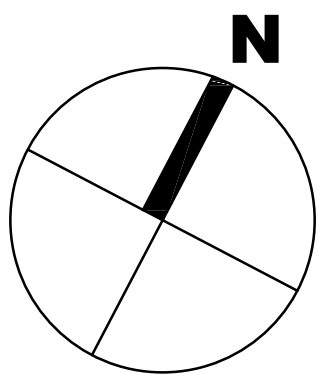
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