

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

Application Number: ZP-2021-003451	Zoning District(s): RSA5	Date of Refusal: 9/30/2021
Address/Location: 2408 STEWART ST Parcel I , Philadelphia, PA 19121-3813 Parcel (PWD Record)		Page Number Page 1 of 1
Applicant Name: Peter Kelsen, Esq. DBA: Blank Rome LLP	Applicant Address: 130 N 18th Street One Logan Square Philadelphia, PA 19103 USA	

Application for:

FOR THE ERECTION OF A DETACHED STRUCTURE. FOR USE AS MULTI-FAMILY HOUSEHOLD LIVING CONTAINING 16 DWELLING UNITS. SIZE AND LOCATION AS SHOWN IN APPLICATION/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.)

<u>Code Section(s):</u>	<u>Reason for Refusal:</u>		
Table 14-602-1	THE PROPOSED USE IS REFUSED FOR: WHEREAS THE PROPOSED USE OF MULTI-FAMILY HOUSEHOLD LIVING IS PROHIBITED IN THE RSA-5 ZONING DISTRICT.		
Table 14-701-1	THE PROPOSED ZONING IS REFUSED FOR:		
		REQUIRED	PROPOSED
	MINIMUM SIDE YARD WIDTH	5 FT	0.1 FT
		5 FT	0.1 FT

ONE (1) USE REFUSAL
ONE (1) ZONING REFUSAL

Fee to File Appeal: \$ 300

NOTES TO THE ZBA:

N/A

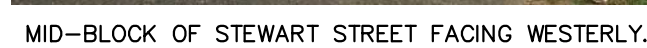
Parcel Owner:

PHILADELPHIA HOUSING AUTHORITY



MARK GRIFFENBERG
PLANS EXAMINER

9/30/2021
DATE SIGNED



PROJECT NAME: SHARSDOWN PHASE II 2408 Stewart St. Parcel I MAP REG# 012N1203433	ZONE: RESIDENTIAL SINGLE-FAMILY ATTACHED RSA-5			
PERMITTED USES	SINGLE-FAMILY			
PROPOSED USES	MULTI-FAMILY (V)			
	REQUIRED	EXISTING	PROPOSED	COMPLIES
MIN. LOT WIDTH	1.66 FT	266.0 FT	266.0 FT	YES
MIN. LOT AREA	14.40 SF ²	10,640 SF	10,640 SF	YES
MIN. OPEN AREA				
	INTERMEDIATE	20% (3)	100%	21.25% YES
MIN. FRONT YARD SETBACK	BASED ON ADJACENT LOT	-	0 FT	YES
MIN. SIDE YARD SETBACK	5 FT	-	0.1 FT	NO (V)
MIN. REAR YARD SETBACK	7 FT 7"	-	8.5 FT	YES
MAX. HEIGHT	38 FT	-	31.3 FT	YES

(V) DENOTES VARIANCE IS REQUIRED
(ENC) DENOTES EXISTING NON-CONFORMITY

ZONING NOTES:

[2] IN THE R-SA-5 DISTRICT, A LOT CONTAINING AT LEAST 1,600 SF OF LAND MAY BE DIVIDED INTO TWO LOTS WITH A MINIMUM LOT SIZE OF 800 SF PROVIDED THAT:

[A] AT LEAST 75% OF LOTS ADJACENT TO THE LOT TO BE DIVIDED IS 1,000 SF OR LESS;

[B] EACH OF THE LOTS CREATED IS USED FOR ONE SINGLE-FAMILY ATTACHED HOME; AND

[C] EACH OF THE LOTS CREATED MEETS THE MINIMUM LOT WIDTH REQUIREMENT OF THE ZONING DISTRICT

[3] IN THE R-SA-5 DISTRICT, BUILDINGS ON LOTS EQUAL TO OR LESS THAN 45 FT. IN DEPTH ARE EXEMPT FROM THE DEPTH FRONT SETBACK REQUIREMENT.

[4] IF ABUTTING LOTS ON BOTH SIDES OF AN ATTACHED BUILDING CONTAIN ONLY TWO STORIES OF ENCLOSED AREA, THE STORIES ABOVE THE SECOND STORY OF THE ATTACHED HOUSE SHALL SET BACK ON EACH SIDE OF THE BUILDING THE MINIMUM SETBACK SHOWN ON THIS TABLE, EXCEPT THIS REQUIREMENT SHALL NOT APPLY TO CORNER LOTS.

[5] IN THE R-SA-5 DISTRICT, THE MINIMUM FRONT SETBACK SHALL BE:

[A] ON ANY GIVEN STREET, THE FRONT SETBACK SHALL BE NO DEEPER THAN THE FRONT SETBACK OF THE PRINCIPAL BUILDING ON THE IMMEDIATELY ADJACENT LOT ON SUCH STREET

[B] IF THE DEPTH OF THE FRONT SETBACK OF THE PRINCIPAL BUILDING IS SHALLOWER THAN THE FRONT SETBACK OF THE PRINCIPAL BUILDING ON THE IMMEDIATELY ADJACENT LOT ON SUCH STREET WITH THE SHALLOWEST FRONT SETBACK

[C] ON ANY GIVEN STREET, IF THERE IS NO PRINCIPAL BUILDING ON AN IMMEDIATELY ADJACENT LOT, THE FRONT SETBACK SHALL MATCH THE FRONT SETBACK ON THE CLOSEST BUILDING TO THE SUBJECT PROPERTY THAT IS ON THE SAME BLOCK/FACE. IF THERE IS NO SUCH BUILDING, THE MINIMUM FRONT SETBACK SHALL BE:

[A] IF THE PROPERTY IS BOUNDED BY TWO OR MORE STORIES, ONLY THE PRIMARY FEATURES AS DESCRIBED IN SECTION 10.01 (B) (1) (C) (I) (II) (III) (IV) (V) (VI) SHALL BE SUBJECT TO THE FRONT SETBACK REQUIREMENTS OF (A) AND (B) ABOVE;

[7] IN THE R-SA-5 DISTRICT, THE MINIMUM REAR YARD DEPTH FOR LOTS EQUAL TO OR LESS

General Notes

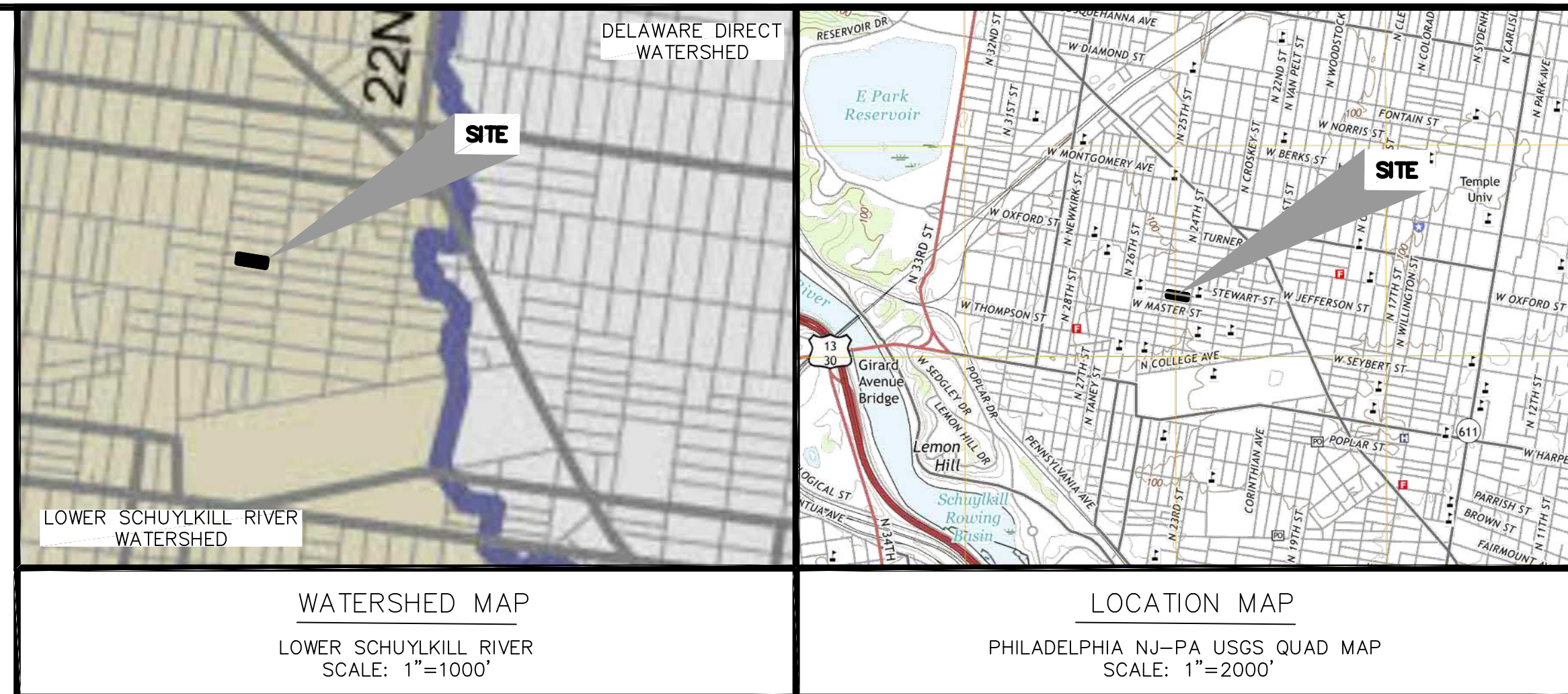
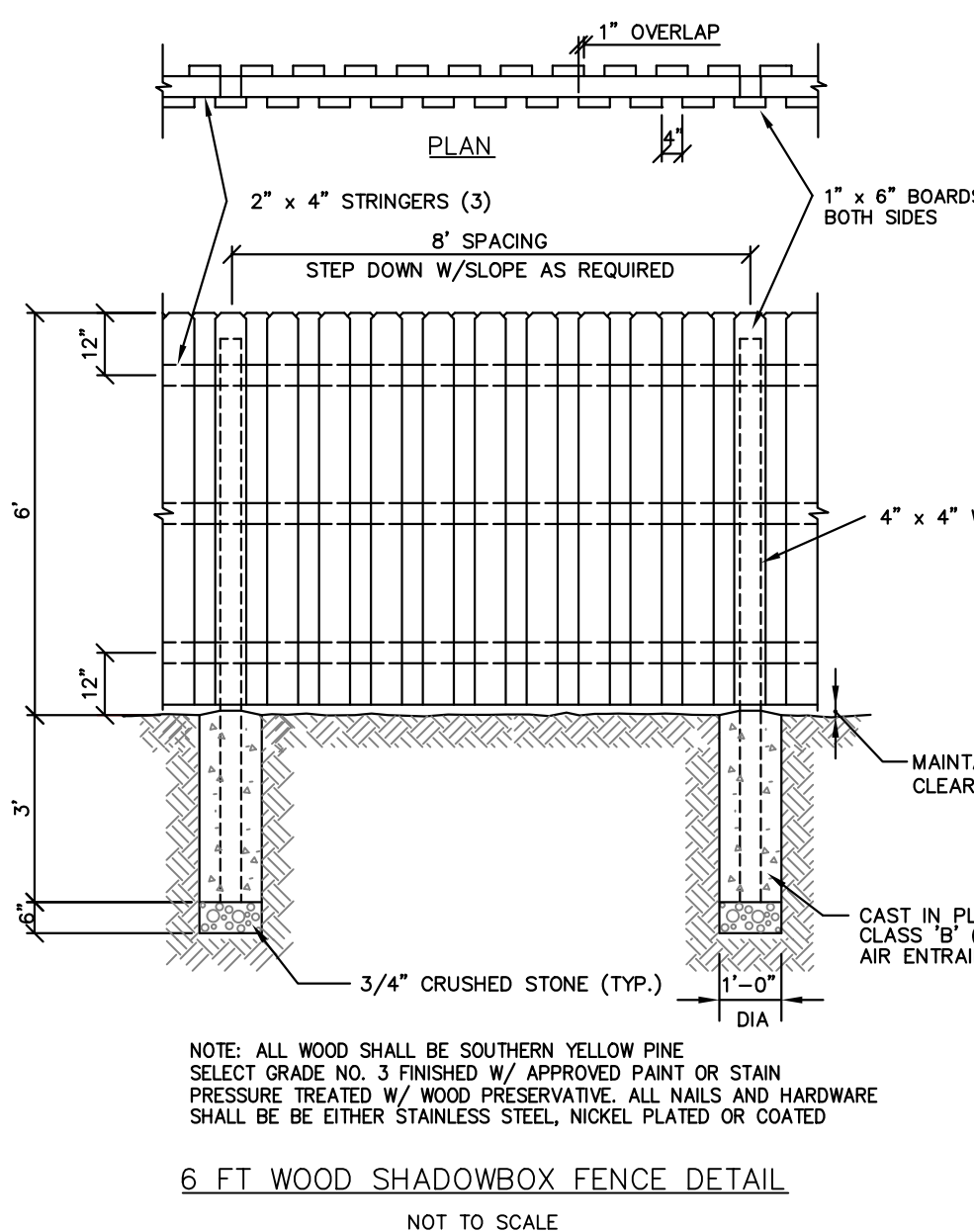
Owner

Philadelphia Housing Authority
2013 Ridge Ave.
Philadelphia, PA 19121

Applicant

Penrose PHL, LLC
c/o Lindsey Samsi, Senior Developer
1301 North 31st Street
Philadelphia, PA 19121

1. Project site being known as 2408-44 Stewart Street and designated as Map Registry No. 011N150370. Map registry is obtained from atlas.phila.gov.
2. Project boundary and existing conditions shown based upon map entitled "Boundary and Topographic Survey, Map Registry #'s 011N150043, 011N150130, 011N150354, 011N150369, 011N150370 Through 011N150377 & 021N150433 situated in City of Philadelphia, Philadelphia County, Pennsylvania" prepared by McDaniel Engineering Partners, LLC, dated 08/29/19.
3. Horizontal Datum: NAD 83 Vertical Datum: NAVD 88
(Vertical Datum adjusted to City of Philadelphia Datum with a -4.8' correction factor)
4. The contractor is directed to the fact that the approximate locations of known utility structures and facilities (including but not limited to sanitary sewers, storm sewers, potable water lines and appurtenances, natural gas lines, electric, telephone and CATV lines and underground storage tanks) that may be encountered within and adjacent to the limits of the work are shown on the plans. The accuracy and completeness of this information is not guaranteed by the engineer, and the contractor is advised to verify in the field all the facts concerning the location of these utilities or other construction obstacles prior to construction. The contractor shall notify the engineer, in writing, prior to construction, of any discrepancies which may affect the project design.
5. All construction to be in accordance with the *City of Philadelphia Streets Department Specifications & PennDOT Standard Specifications for Road and Bridge Construction*, latest edition. All signage and striping to be in accordance with *The Manual on Uniform Traffic Control Devices (MUTCD)*.
6. Existing concrete curbing and/or walks that will be removed shall be removed from an existing expansion joint or saw cut for removal at an existing construction joint.
7. Sidewalk/walkway risers must be greater than 4" and less than 7".
8. All sidewalks shall conform to state and federal barrier free design standards.
9. All contractors must call the PA One Call System (800-242-1776) in accordance with the Underground Facilities Control Act Law three working days prior to any subsurface activity.



WATERSHED MAP
LOWER SCHUYLKILL RIVER
SCALE: 1"=1000'

LOCATION MAP
PHILADELPHIA NJ-PA USGS QUAD MAP
SCALE: 1"=2000'

DRAWN BY:	CHECKED BY:	RELEASED BY:
PFB	SMD	WW
DATE:	HORIZONTAL SCALE:	VERTICAL SCALE:
03/05/21	AS NOTED	N/A
PROJECT No.:	PEN-192	
DRAWING NAME:	Z0301.dwg	
	PER L&E REVIEW COMMENTS	SMD
	PER STREETS DEPARTMENT COMMENTS	PFB
	PER ATTORNEY COMMENTS	PFB
	REVISONS	
	DATE	
	DRAWN BY CHECKED BY	

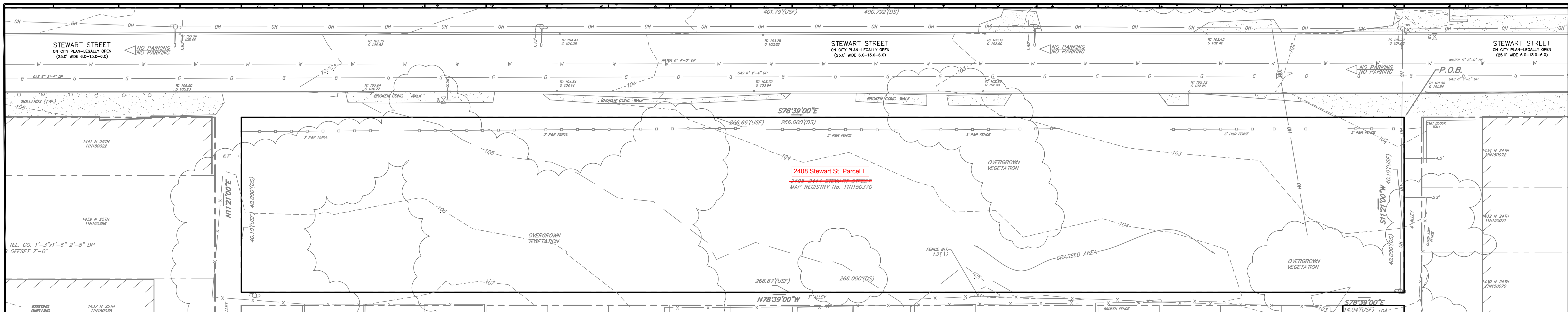


LAND DEVELOPMENT PLAN
SHARSWOOD PHASE II
2408-44 STEWART STREET
ZONING PLAN

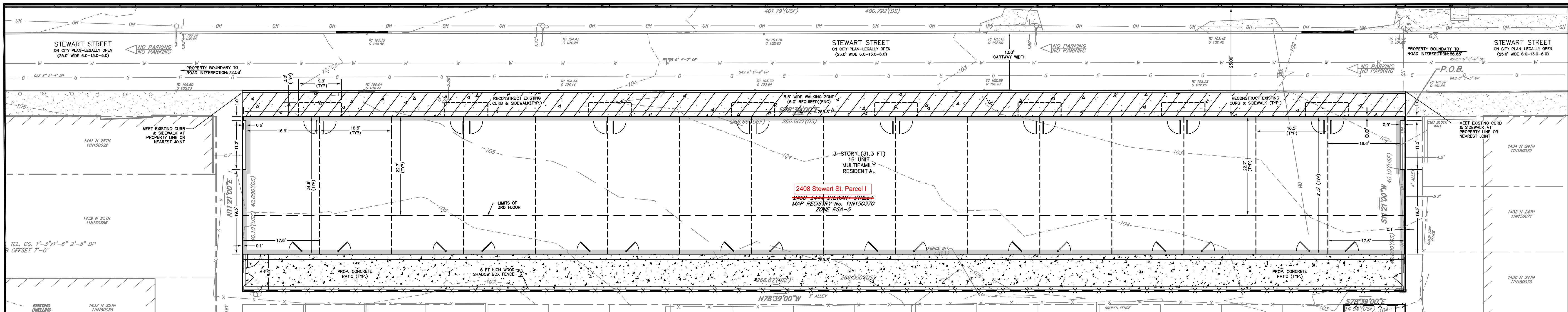
MidAtlantic
Engineering Partners, llc

321 W. State
Media, PA 19
610-565-0020

Sheet Number
Z0301



EXISTING CONDITIONS



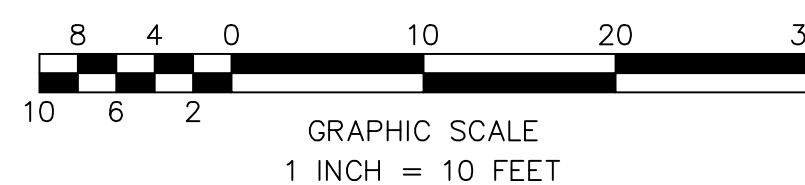
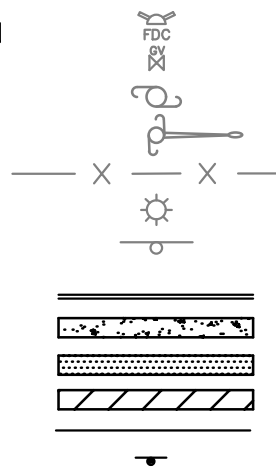
PROPOSED CONDITIONS



- EXISTING BOUNDARY
EXISTING INTERIOR BOUNDARY
EXISTING BUILDING
EXISTING BUILDING OVERHANG
EXISTING BUILDING INTERIOR
EXISTING CURB
EXISTING SANITARY SEWER MANHOLE
EXISTING SANITARY SEWER CLEANOUT
EXISTING INLET
EXISTING WATER VALVE
EXISTING SPRINKLER BOX
EXISTING WATER METER PIT
EXISTING FIRE HYDRANT

LEGEND

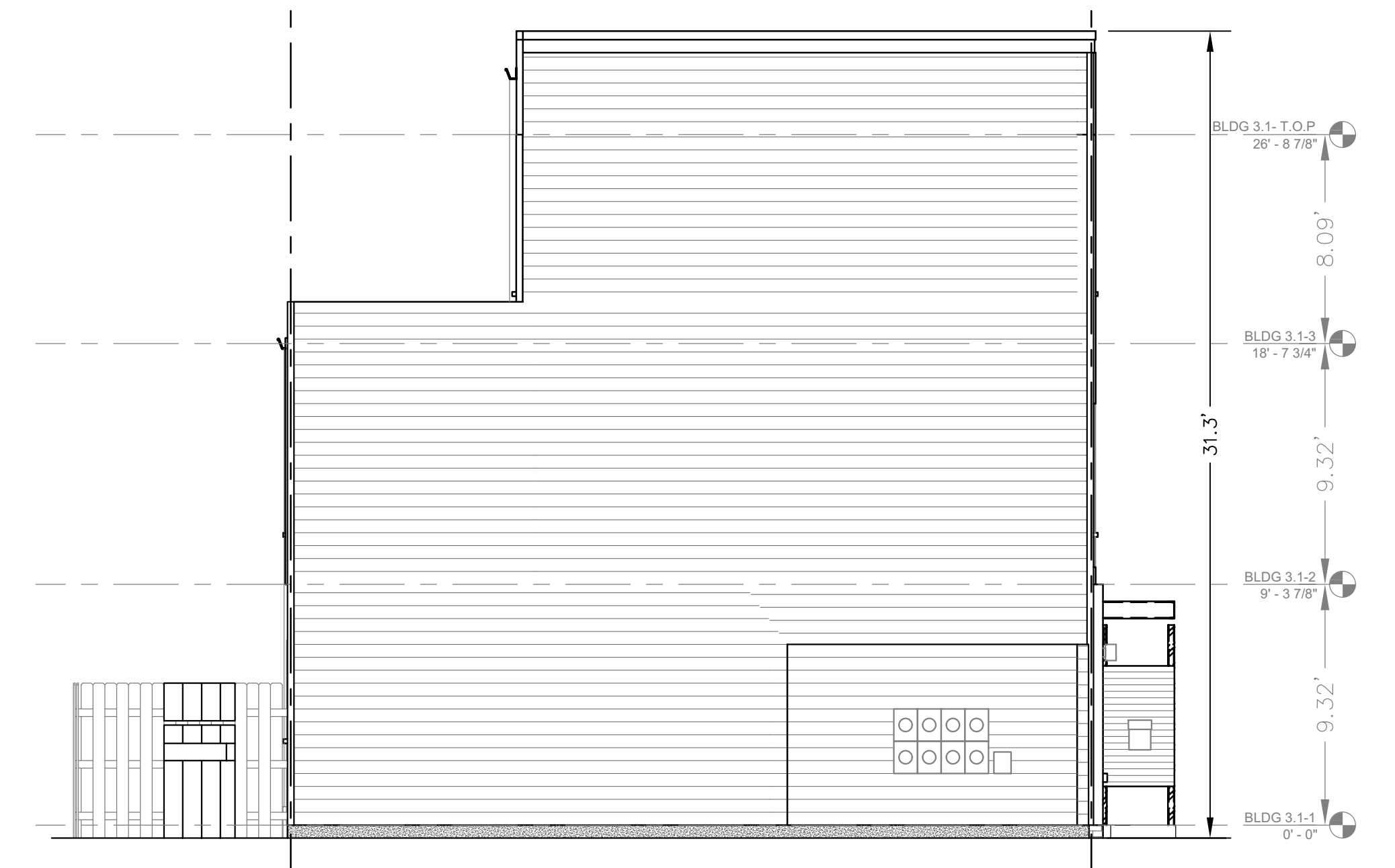
- EXISTING FIRE DEPARTMENT CONNECTION
EXISTING GAS VALVE
EXISTING UTILITY POLE
EXISTING UTILITY POLE W/ LIGHT
EXISTING FENCELINE
EXISTING LIGHT POLE
EXISTING SIGNAGE
PROPOSED CURB
PROPOSED SIDEWALK
PROPOSED FURNISHING ZONE
PROPOSED WALKING ZONE
PROPOSED PAINT
PROPOSED SIGN



NOTE:
PENNSYLVANIA ACT 287 OF 1974 AS
AMENDED BY ACT 121 OF 2008 REQUIRES
THAT CONTRACTORS DETERMINE THE
LOCATION OF ALL UTILITY, SEWER AND WATER
LINES BEFORE COMMENCING CONSTRUCTION.



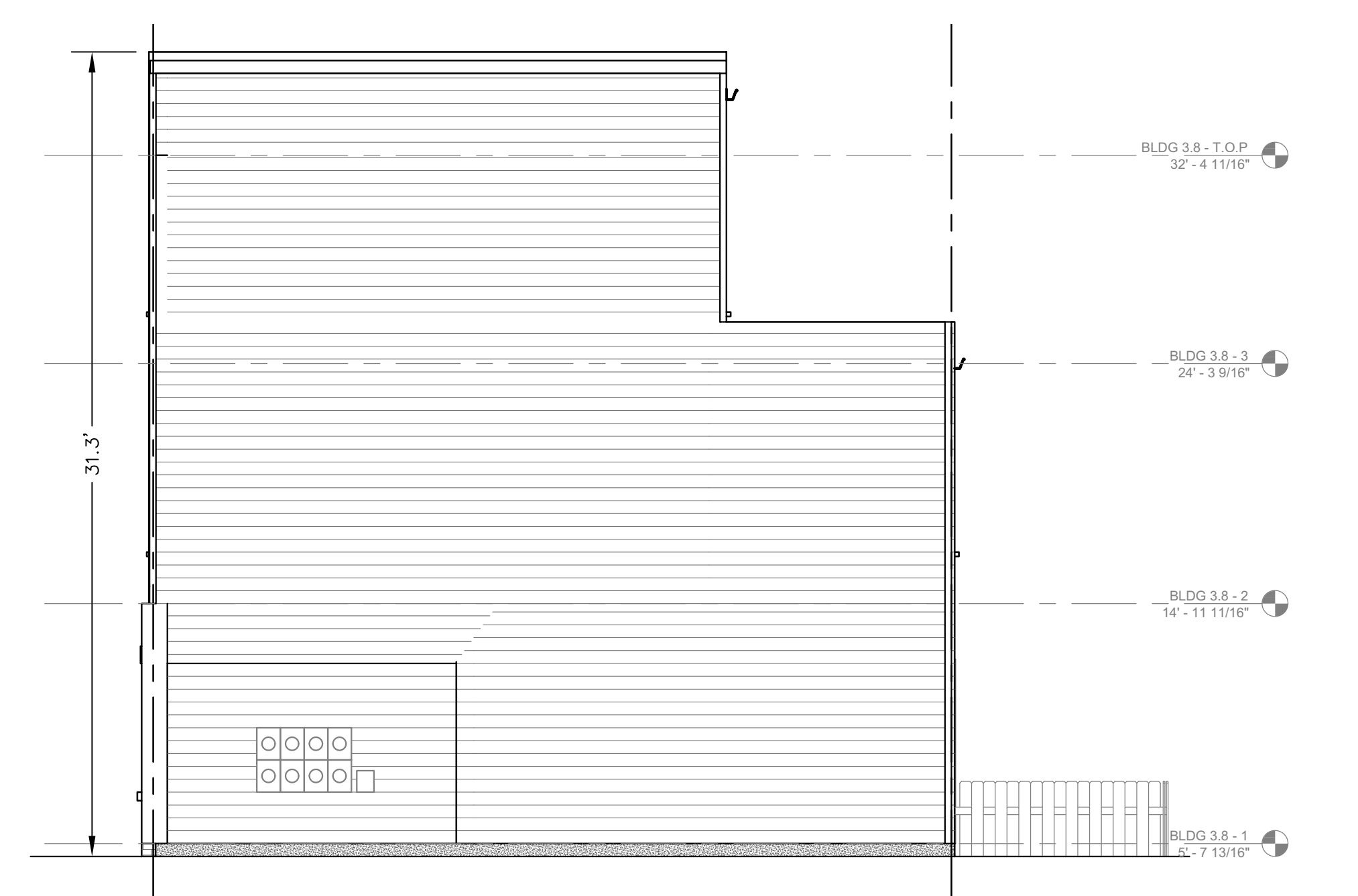
BUILDING 3 NORTH ELEVATION



BUILDING 3 EAST ELEVATION



BUILDING 3 SOUTH ELEVATION



BUILDING 3 WEST ELEVATION



BUILDING 3 OVERALL SOUTH ELEVATION



BUILDING 3 OVERALL NORTH ELEVATION



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THAT CONTRACTORS DETERMINE THE
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Zoning Permit

Permit Number ZP-2021-003451

LOCATION OF WORK 2408 STEWART ST Parcel I , Philadelphia, PA 19121-3813	PERMIT FEE \$1,722.00	DATE ISSUED 12/8/2021
	ZBA CALENDAR MI-2021-004364	ZBA DECISION DATE 12/8/2021
	ZONING DISTRICTS RSA5	

PERMIT HOLDER

OWNER CONTACT 1

OWNER CONTACT 2

TYPE OF WORK
New construction, addition, GFA change

APPROVED DEVELOPMENT
FOR THE ERECTION OF A DETACHED STRUCTURE. SIZE AND LOCATION AS SHOWN IN APPLICATION/PLANS.

APPROVED USE(S)
Residential - Household Living - Multi-Family

THIS PERMIT IS SUBJECT TO THE FOLLOWING PROVISIO(S) AS ESTABLISHED BY THE ZONING BOARD OF ADJUSTMENT (ZBA)
No provisos



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-2021-003451

ADDITIONAL LOCATION(S)

See front side for primary parcel associated with this permit

PARCEL

2408 STEWART ST Parcel I , Philadelphia, PA 19121-3813

ADDITIONAL USE DETAILS

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

CONTAINING 16 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, 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.