

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

Application Number: ZP-2025-000171	Zoning District(s): RSA3	Date of Refusal: 6/20/2025
Address/Location: 8226 GERMANTOWN AVE, Philadelphia, PA 19118-3402 Parcel (PWD Record)		Page Number Page 1 of 3
Applicant Name: Stephanie Boggs-Magagna Esq DBA: Klehr Harrison Harvey Branzburg LLP	Applicant Address: 1835 Market Street Suite 1400 Philadelphia, PA 19103 USA	Civic Design Review? N

Application for:

On the same lot as an existing Historic Structure:

For the erection of a detached structure (not to exceed 38 ft. in height) that includes a roof deck accessed from the interior. Site improvements to include accessory parking for 7 spaces (including 1 accessible space) accessed via an easement agreement with 8224 Germantown Ave. Size and location per plans.

For the proposed uses of "All uses allowed in the CMX-2 Commercial Zoning District" on the first floor of the existing structure, and Multi-Family Household Living (8 dwelling units, 1 on the second floor/attic of the existing structure and 7 in the proposed structure).

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 14-401(4)(a)	Multiple Principal Uses and Buildings.	No more than one principal use is allowed per lot in RSD, RSA, and RTA zoning districts, except as otherwise expressly stated in this Zoning Code. Multiple principal uses are allowed on a single lot in RM and RMX districts.
Section 14-401(4)(b)	Multiple Principal Uses and Buildings.	No more than one principal building is allowed per lot in RSD, RSA, and RTA zoning districts. Multiple principal buildings may be placed on a single lot in RM and RMX districts. Dormitories and recreation-related buildings accessory to education facilities and residential dwelling units accessory to religious assembly uses are exempt from limitations on the number of buildings per lot.
Section 14-705(1)(f)	Preservation of Heritage Trees.	The location, DBH, and species of all existing trees shall be included in a landscape and tree plan. Heritage



Andrew DiDonato
PLANS EXAMINER

6/20/2025
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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		<i>trees may not be removed from any property unless the applicant meets the standards of § 14-705(1)(f)(.1) or obtains a special exception approval in accordance with § 14-705(1)(f)(.2).</i>
<i>Table 14-602-1</i>	<i>Uses Allowed in Residential Districts - Refusal</i>	<i>Whereas the proposed use, All uses allowed in the CMX-2 Commercial Zoning District, is expressly prohibited in the RSA-3 residential zoning district.</i>
<i>Table 14-602-1</i>	<i>Uses Allowed in Residential Districts - Refusal</i>	<i>Whereas the proposed use, Multi-Family Household Living, is expressly prohibited in the RSA-3 residential zoning district.</i>
<i>Table 14-701-1</i>	<i>Dimensional Standards for Lower Density Residential Districts.</i>	<i>In the RSA-3 district, two side yards with a minimum width of 8 ft. are required for detached buildings. Whereas the proposed side yard width of 5 ft. is prohibited.</i>

THREE (3) USE REFUSALS

TWO (2) ZONING REFUSALS

ONE (1) ZONING REFERRAL

Fee to File Appeal: \$ 300.00

NOTES TO THE ZBA:

AP# 57817, CAL # 76-0578 Granted 6/30/1976 For a Retail Yarn and Antique Shop.

AP# 08705, CAL# 79-1198 Granted 11/7/1979 For the erection of a double-faced sign accessory to the Retail Yard and Antique Shop.

Parcel Owner:

VP 8226 GERMANTOWN LLC



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Zoning Overlay District:
/WWO Wissahickon Watershed Overlay District/EDO Eighth District Overlay District/Open Space and Natural Resources - Steep Slope Protection/NCA Neighborhood Commercial Area Overlay District - Germantown Avenue - Chestnut Hill Subarea/NCA Neighborhood Commercial Area Overlay District - Germantown Avenue/NIS Narcotics Injection Sites Overlay District



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