



CITY OF PHILADELPHIA

DEPARTMENT OF LICENSES & INSPECTIONS

CARLTON WILLIAMS SR., COMMISSIONER
MICHAEL E. FINK, DEPUTY COMMISSIONER
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February 28, 2014

Mr. Andrew M. Defonzo
1250 Wrights Lane
West Chester, PA 19380

RE: 1601 S. Christopher Columbus Boulevard – Zoning Permit # 475740 and Building Permit # 496720

NOTICE OF INTENT TO REVOKE PERMITS

Dear Mr. Defonzo,

This is a notice of the Department's intent to revoke zoning and use registration permit #475740 (and the associated building permit #496720) granted on January 2, 2014. The zoning permit was issued without compliance with the Philadelphia Zoning Code in effect at the time of application. Because building permit #496790 was issued based upon zoning permit #475740, it is therefore subject to revocation in conjunction with the zoning permit.

The property is located in the Central Delaware Riverfront Overlay District. The application for this permit was submitted prior to June 5, 2013. Section 14-507(12), in effect at that time, required that Plans of Development be reviewed and approved by the Philadelphia City Planning Commission (PCPC) prior to issuance of a zoning permit, and thereafter for conformity with the approved Plan of Development. A Plan of development was not submitted with this application and therefore such review was not requested or approved.

Section 14-507(12) in its entirety states as follows:

(12) Plan of Development.

- (a) For all properties east of Columbus Boulevard/Delaware Avenue or adjacent to the Delaware River and for all other commercially zoned properties, no zoning permits shall be issued unless (i) the applicant shall have first submitted to the City Planning Commission, and the City Planning Commission shall have approved, a Plan of Development, which shall be approved by the Commission only if the Commission, in its discretion, has determined that the Plan of Development provides for development appropriate in scale, density, character and use for the surrounding community, and (ii) the Planning Commission determines that the requested permits are in conformity with the approved Plan of Development. If the Commission fails to approve, disapprove, conditionally approve or table a proposed*

Plan of Development within seventy-five (75) days after submission of complete plans to the Commission, the approval of the Commission shall be presumed.

- (b) The approval or disapproval of a Plan of Development by the Commission shall constitute the final decision of the City on the proposal, and may be challenged by direct appeal to the Court of Common Pleas; provided that any applicant may pursue a request to the Zoning Board of Adjustment for a variance, pursuant to Section 14-303(8) (Zoning Variances).*

Please take one of the following steps to resolve this issue:

1. Submit a Plan of Development to the PCPC for a formal review per the requirements of Section 14- 507(12) of the Philadelphia Zoning Code as was in effect on June 4, 2013, within 10 days of the date of this letter. Thereafter, proof of such approval will be required.
2. Submit a new permit application and plans for review under the current Zoning Code within 10 days.
3. If you would like to appeal this decision, please contact me at 215-686-1437 or Michael.Fink@phila.gov.

Please be advised if no action is taken within 10 days, the permit will be revoked. We apologize for any inconvenience this may have caused you.

Sincerely,



Michael E. Fink,
Deputy Commissioner

Cc: Carlton Williams Sr., Commissioner
Elizabeth Baldwin, Engineering Services Supervisor
Gerard James, Construction Inspections Manager
Joseph Mehaffey, South District Supervisor
James F. Campanella, 1600 S. Christopher Columbus Blvd. LP, Partner