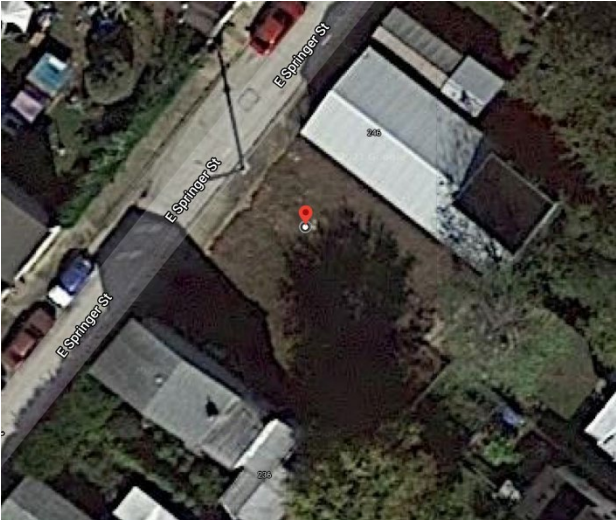
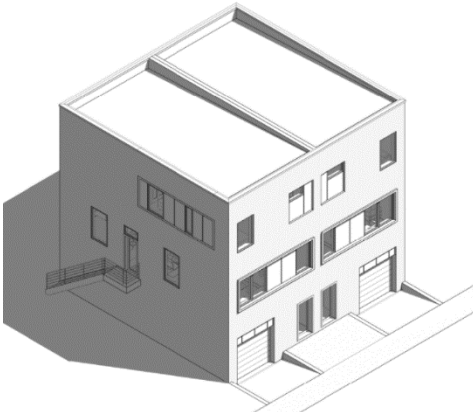


**EMAN Zoning Committee**

**Variance Request Review: Application Number: ZP-2021-003849  
244 E Springer St.**

**Existing**  
**1 Vacant Lot**  
**Approx. 54.2' by 60'**  
**16-ft wide, No Outlet Street**

**Proposed**  
**2 Semi-Detached Single**  
**Family,**  
**3-story Homes**



This Zoning Committee variance review has been prepared for consideration by the Applicant, Near Neighbors and the E Mt Airy community. This review identifies potential issues related to the variance request in accordance with the ZBA criteria for accepting or denying a zoning variance request.

**L&I Notice of Refusal**, L&I issued a notice of refusal for the proposed 244 E Springer St. zoning permit application by Vern Anastasio DBA: Law (Applicant) on 8/18/21. The image below shows L&I’s zoning non-compliance for minimum lot size:

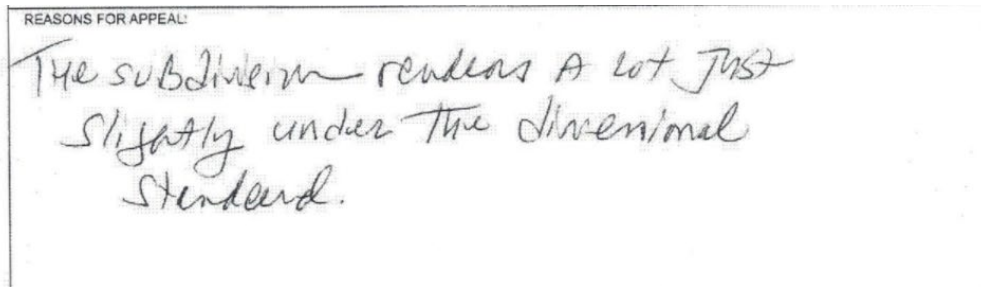
**Application for:**

FOR THE LOT ADJUSTMENT TO CREATE TWO (2) PARCELS, "PARCEL A" AND "PARCEL B" FROM ONE (1) OPA ACCOUNT (244 E SPRINGER ST), AND AN ERECTION OF A SEMI-ATTACHED STRUCTURE, WITH ONE (1) INTERIOR PARKING SPACE (ON EACH PARCEL). FOR USE AS A SINGLE-FAMILY HOUSEHOLD LIVING ON EACH PARCEL. 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](http://www.phila.gov).)

Code Section(s):	Code Section Title(s):	Reason for Refusal:						
Table 14-701-1	Dimensional Standards for Lower Density Residential Districts	<table border="1"> <thead> <tr> <th></th> <th>REQUIRED:</th> <th>PROPOSED:</th> </tr> </thead> <tbody> <tr> <td>MINIMUM LOT AREA</td> <td>2,250 SQ. FT.</td> <td>1,628.6 SQ. FT. / 1,623.2 SQ. FT.</td> </tr> </tbody> </table>		REQUIRED:	PROPOSED:	MINIMUM LOT AREA	2,250 SQ. FT.	1,628.6 SQ. FT. / 1,623.2 SQ. FT.
	REQUIRED:	PROPOSED:						
MINIMUM LOT AREA	2,250 SQ. FT.	1,628.6 SQ. FT. / 1,623.2 SQ. FT.						

The Applicant submitted a ZBA Application for Appeal on 9/18/2021. The image below shows the Applicant’s Reasons for Appeal from that Application.



**Property:** This property is approximately 54.2 by 60ft each, equivalent to 3,251 sf. It is zoned RSA3. The Applicant proposes to subdivide this lot it into 2 lots.

Property	Width Ft	Depth Ft	Area SF
Existing: 244 E Springer St.	54.19'	59.79' 60.2'	3,251.4
Proposed: Lot 1	27.094	602	1,628.6
Proposed Lot 2	27.94	59.78	1,623.2

The Applicant’s Z1 drawing shows that the 236 E Springer St property boundary is along the east wall of the house and that the existing walk along the east side of 236 E Springer St and the west side of the 244 E Springer St property belongs to the 244 E Springer St property.

**Zoning Committee Comment No. 1:**

The Zoning Committee requests that the Applicant provide a professionally stamped survey drawing that defines the property boundaries between 236, 244 and 246 E Springer St.

**RSA3 Dimensional Requirements:** The RSA3 district requirements and proposed dimensions are listed below.

RSA3 Dimensional Requirements Table 14-701-1.			
Dimension	Required	Proposed	Compliant
Min. Lot Width	25'	27' 27'	Yes
Min. Lot Area	2,250 sq. ft.	1628.6 sf 1623.2 sf	No
Min. Open Area	50%	56.6%	Yes
Min. Front Setback	8'	8'	Yes
Min. Side Yard Width	8'	8'	Yes
Min. Rear Yard Depth	15'	15'	Yes
Max. Height	38'	33' 2"	Yes

The RSA3 code requires a minimum lot size of 2,250 sf, the Applicant proposes to provide 1,623.2 and 1,628.6 sf for the 2 subdivided lots.

**Zoning Committee Comment No. 2:**

The Applicant is asked to provide information on what by-right options they have considered and the rationale for selecting the proposed 2-unit single-family project design which requires the minimum lot size variance.

**Street Widths<sup>1</sup> and Traffic Direction:** Street rights-of-way vary from 30-ft for E Springer St. to 50-ft for Musgrave and Hortter Sts. E Springer St pavement width is just 16-ft.

<sup>1</sup> Street Department Legal Street Cards

Street	Right- of- Way ft	Pavement Width - ft	Curb to Prop Line – ft	Traffic Direction	Parking Sides
E Springer St.	30	16	7	1-Way* <i>Voluntary</i>	1-side* <i>Voluntary</i>
Phil-Ellena St	40	24	8	1-way	2-side
Musgrave St.	50	30	10	2-way	2-side
Crownson St.	40	24	8	1-way	2-side
Hortter St.	50	30	10	1-way	2-side

\*Residents along 200 block E Springer St. voluntarily consider it a no-outlet, 1-way street with parking restricted to the odd side of the block.

The narrow width of the 200 block of E Springer St presents challenges to the Streets Department’s trash collection crews and the Fire Department’s emergency response crews.

**Massing Study** The Zoning Committee has prepared a preliminary Sketchup<sup>2</sup> massing study to assess the potential impact of the Applicant’s proposed 2 3-story homes and a second project at 223-225 E Springer St. for 2 new 4-story homes. This diagram shows the preliminary massing sketch.



**Zoning Committee Comment No. 3:**

The Zoning Committee is concerned that the proposed 3-story height of the 2 semi-detached homes will overwhelm the nearby homes.

The Zoning Committee requests that the Applicant provide a Sketchup compatible massing study model so that the Committee can examine the impact of the proposed buildings on the surrounding homes on E Springer St.

<sup>2</sup> Software that provides 3D drawings.

**Zoning Committee Comment No. 4 :**

The Applicant could reduce the overwhelming visual impact of the proposed 33-ft buildings by providing an additional 8ft setback for the 3<sup>rd</sup> floor. Has the Applicant considered this option?

**Zoning Committee Comment No. 5:**

The Applicant is proposing an outside stairway from the 2<sup>nd</sup> floor to the ground. The stairway would reduce the side yard setback by an estimated 3ft.

The Zoning Committee requests information on the purpose of this stairway and information on why this stairway could not be placed in the rear yard or eliminated.

**Vehicle Turning Radius for Proposed Garages:** The Applicant is proposing to provide 1-car parking garages in each of the 2 proposed buildings. Since the curb-to-curb pavement is only 16-ft, it is important to confirm that there is sufficient vehicle turning radius for vehicles to enter and exit the proposed garages. The Applicant’s Z1 drawing Diagram 8 shows the proposed vehicle turning radii.

The Zoning Committee has prepared a Garage/Driveway Study to assess feasibility of driveways and garage parking on E Springer St’s 16ft wide pavement. Exhibit 1 shows a drawing that shows several issues with the Applicant’s proposed garage driveways using the 25.4ft overhang radius shown in the Applicant’s Diagram 8.

1. Proposed home residents would need to encroach on the odd-side sidewalk to be able to make the turn into the proposed garages.
2. Six odd-side of the street parking spaces would need to be eliminated to provide open turning access space for the 2 proposed garages.
3. The currently designated handicap parking permit across from the proposed new homes would need to be relocated to provide turning access for the garages.
4. Residents of the proposed homes would need to either back in or back out of E Springer St to enter and leave their garages or additional odd-side parking would have to be eliminated to enable the residents to adjust their car direction.

**Zoning Committee Comment No. 6:**

The Zoning Committee is concerned about the feasibility of the proposed turning paths for the proposed garages at 244 E Springer St. Please provide information on the impact of the proposed entry and exit turning radii of vehicles to the proposed garages on odd-side street parking and relocation of the current permitted handicap parking permit.

**Zoning Committee Comment No. 7:**

The Zoning Committee requests that the applicant provide an AutoCAD compatible digital file for Diagram 8 so that the Committee can confirm the Applicant’s odd-side of the street and permitted handicap parking space impact and the Applicant’s turning path analysis.

**Unnecessary Hardship:** The Applicant’s response on their ZBA Application for Appeal does not identify any specific size, shape, contours, or physical dimensions of the property that cause an unnecessary hardship. The Applicant code could build a single family house by-right which would not require any dimensional variance(s).

**Zoning Committee Comment No. 8:**

The Zoning Committee requests that the Applicant explain how *“compliance with the requirements of the zoning code causes an unnecessary hardship due to size, shape, contours or physical dimensions of your property.”*

**Least Modification Possible:** The Applicant’s response on their ZBA Application for Appeal does not justify or explain how the proposed 2-attached buildings constitute the least possible modification.

**Zoning Committee Comment No. 9:**

The Zoning Committee requests that the Applicant specifically explain how the proposed 2-attached houses meet the least modification variance approval criteria.

**Tree Canopy – Heat Stress – Public Health:** Philadelphia Parks & Recreation<sup>3</sup> conducted a tree canopy assessment in 2018 that found a decline in Philadelphia tree canopy between 2008 and 2018. The City’s goal is to have 30% tree canopy coverage for all neighborhoods.

Exhibit 2 shows that tree canopy is very limited along the 200 block of E Springer. There are no street trees in this block and limited trees on properties.

The proposed project does not show any street or property trees within the proposed 2 properties.

**Zoning Committee Comment No. 10:**

The Zoning Committee requests that the Applicant consider adding street trees and yard

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<sup>3</sup> Philadelphia Tree Canopy Assessment, Philadelphia Parks and Recreation, Dec. 2018.



trees to the site plan to increase the tree canopy and reduce heat stress.

**Historic Wingohocking Watershed Stormwater CSO Pollution and Flash Flooding Risk:**

The Upper Northwest 2035 Plan<sup>4</sup> identified flash flooding risks in parts of E Mt Airy, Germantown and Ogontz. Both properties lie within the flash flood prone Historic Wingohocking Creek Watershed. PWD<sup>5</sup> has issued a summary report that identified 16 flood prone intersections and over 2,700 hundred basements subject to stormwater backwater during intense rainstorms.

PWD has initiated a green stormwater program to reduce combined sewer overflows and resulting Frankford Creek pollution from the Wingohocking outfall, I and Ramona streets, during rainstorms. Properties over 15,000 sf are required to prepare stormwater control plans to reduce stormwater runoff during storm events to reduce Wingohocking combined sewer overflows.

Exhibit 3 shows that the 244 E Springer St property currently has 819<sup>6</sup> sf of impervious cover out of a total property area of 3,278 sf, equivalent to a 25% impervious cover. The proposed 2 attached house plan would increase the impervious cover of the site.

**Zoning Committee Comment No. 11:**

Increased impervious cover would worsen both the downstream combined sewer overflow water pollution problem and increase flooding risks for the 8 flood prone intersections downstream of the E Springer St property.

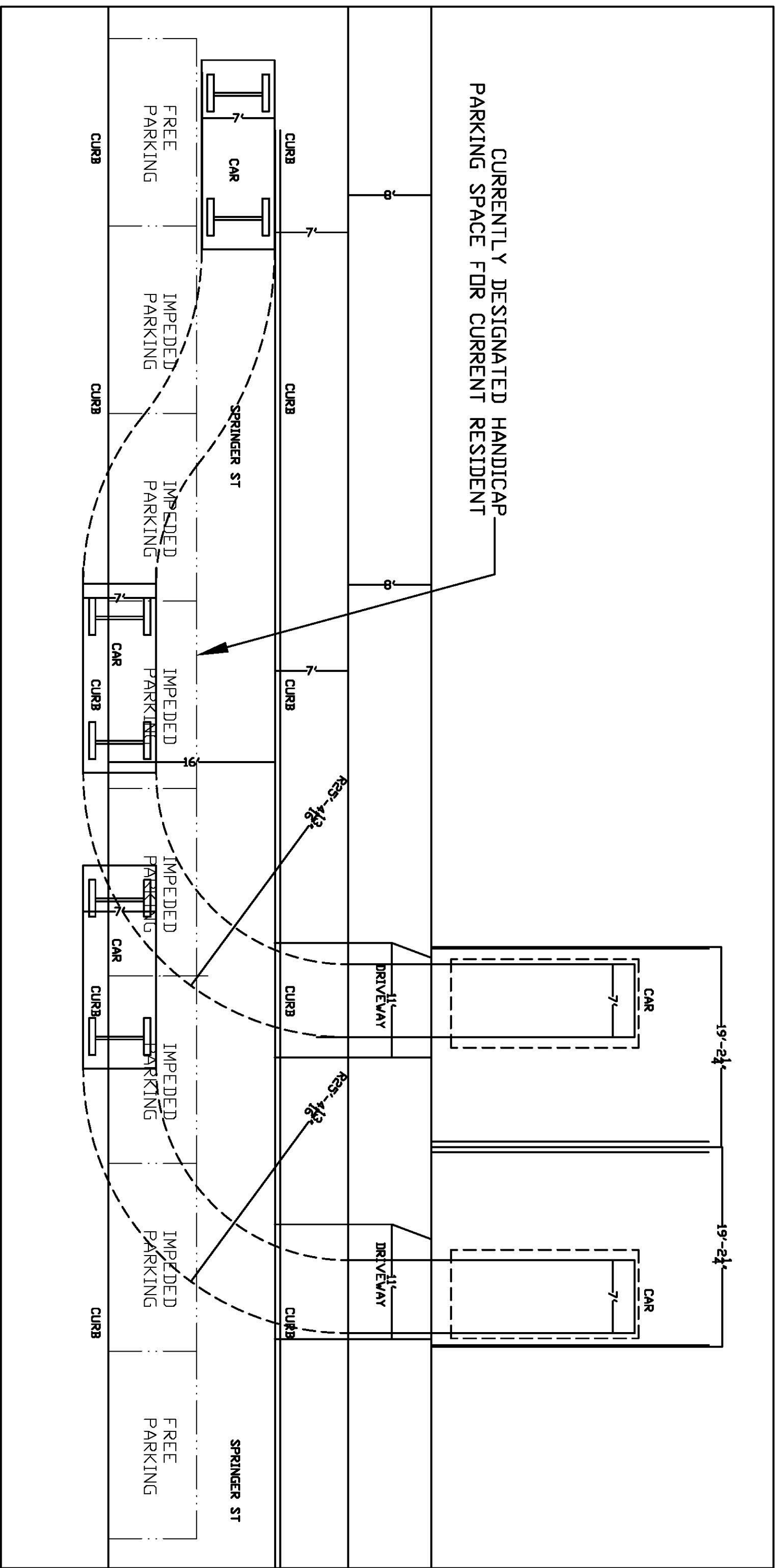
The Zoning Committee requests that the Applicant:

- Calculate the proposed impervious cover and anticipated stormwater runoff impacts.
- Agree to implement the same PWD stormwater controls that would be required if the project met the City’s 15,000 sf threshold for stormwater controls.

<sup>4</sup> Philadelphia Planning Commission, Upper Northwest 2035 Plan, Oct. 2019.

<sup>6</sup> Philadelphia Water Department Stormwater Parcel Viewer

# 244 E. SPRINGER ST GARAGE/DRIVEWAY STUDY









BRT/OPA Account Number: 221192900  
 Stormwater Billing Class: Non-Residential  
 Parcel Address: 244 E SPRINGER ST  
 Parcel Owner: CIFLIKU ROBERT  
 BARDHI STILJANO

**Legend**

- Selected Parcel
- Other Parcels
- Impervious Surfaces
- Roof
- Other Impervious



**Parcel Area (square feet)**

	<u>Gross Area</u>	<u>Impervious Area</u>
Total:	3,278	819
Credit:	0	0

**Monthly Stormwater Charge**

<u>Fiscal Year</u>	<u>07/01/2016 - 06/30/2017</u>	<u>07/01/2017 - 08/31/2018</u>	<u>09/01/2018 - 08/31/2019</u>	<u>09/01/2019 - 08/31/2021</u>	<u>09/01/2021 - 08/31/2022</u>
Parcel - Total	\$16.51	\$17.13	\$17.86	\$18.14	\$17.66
Account # - 034-73860-00244-002	\$16.51	\$17.13	\$17.86	\$18.14	\$17.66