



WICA Zoning Committee - January 5, 2017

Minutes

The meeting was called to order at 7:35PM. In attendance were committee members: Janet Anderson, Ken Sawyer, Rita Linguiti, Chip Roller, Vaughan Piccolo, Suzanne Hagner, Kathryn Barnhardt, Andrew Snyder, and Joan Stockton. Also in attendance was Timothy Lyons, the owner of 283 Rochelle Ave. The issues discussed were:

1. Ridge Avenue Zoning Remapping Update. Jeff provided an update on the status of the historical nomination for 559 Righter St. The attorney for the owner requested a continuance for the Philadelphia Historical Commissions consideration to designate the property for placement on the City's register of Historical places, and the matter will be heard in February. The fact that the owner has an attorney and is contesting the designation suggests that he will appeal even should the commission designate the property. That would have the effect of holding up the Ridge Avenue Remapping ordinance indefinitely, as the property was intended to be remapped as CMX2 commercial use to accommodate the cousin of the owner's intention to open a funeral parlor on this site. Jeff discussed the matter with Matt Wysong at the Philadelphia City Planning Commission and Matt agreed that he would remove this property from the remapping, and leave it with its current zoning of RDS-1, the most restrictive residential zoning. With that the Ridge Avenue Zoning Remapping is on track to be voted on in the spring session of City Council.
2. 283 Rochelle. The owner, Timothy Lyons, is seeking a Zoning Variance to change a single family dwelling to a two family dwelling. The owner did not formally notified WICA as was required of him within 10 days of receiving his instructions for filing the application for a variance on September 24, 2016, however he sent an email to Janet and then came to the last general membership meeting. We agreed to meet with him at Zoning Committee to allow him to present his plans. Mr. Lyons claimed his interest was to create an "in-law apartment," as he and his wife are expecting a child and he wanted to create a place for them to stay. Jeff informed Mr. Lyons that he could have his in-laws stay with him under the current zoning, and he could save himself a lot of time and effort and withdraw his application. He then said indicated that he needed to get the variance to satisfy the L&I inspector. We discussed the possibility of allowing Mr. Lyons to enter into a contract that would require a deed restriction that would require him to physically convert the home back to single family when his in-law use had ended. However, when he was asked directly if he intended to rent the unit when his in-laws moved out, he said he did. At that point the discussion became about creating a two-family rental building where the zoning required single family. Mr. Lyons's justification for the change centered on how many other rentals there were on the block and in the neighborhood. We discussed the long history of this property with him, which included L&I action against the former owner who created the illegal unit. We also discussed the recent actions by the neighbors to remap the area, which

his intended use would be at odds with. Mr. Lyons agreed to consider the deed restriction option, as did we. After Mr. Lyons left, the members discussed the matter, and reflecting on the fact that his variance request was not made as a result of a hardship, but rather because a previous illegal conversion was uncovered by L&I, and in light of the yearlong remapping effort the members voted unanimously to oppose Mr. Lyons's application. A letter was sent to the Zoning Board of Adjustment to indicate this decision and several members have agreed to attend the ZBA hearing at 9:30, on January 24th at 1515 Arch Street, 18th Floor. An email was also sent to Mr. Lyons.

3. 316 Righter St. This issue of an illegal parking pad was discussed. The property was recently sold with the listing ad's promise "can be easily made legal." Jeff agreed to send the realtor a letter, indicating that the conversion was illegal and the promise made was outside the bounds of a selling agent's purview. After the meeting, Suzanne Hagner spoke with the new owners who said they were intending to restore the parking area to greenspace.
4. Code watch: surveillance and reporting protocols. Jeff asked that the members consider how to NOT make the Zoning Committee a policing committee. He suggested that we instead encourage individual neighbors, whether members or not, to be vigilant and to use the City's 311 systems to zoning and building code violations, and then to report those efforts back to our group so that it may act as a neighborhood clearing house for such actions, which can be placed in the minutes and on the web.

The meeting was adjourned at 9:00PM