

47-49 West Highland Avenue Philadelphia, Pennsylvania 19118 March 18, 2025

#### TABLE OF CONTENTS

- 1. Notice of Refusal
- 2. Property History
- 3. Office of Property Assessment Records
- 4. Zoning Map, etc.
- 5. Photographs
- 6. Interior Photographs
- 7. Architectural Plans and Drawings
- 8. Indenture
- 9. Application for Appeal

Exhibit 1 Notice of Refusal



#### Notice of:

🛛 Refusal 🛛 🗆 Referral

Application Number: ZP-2024-012930	Zoning District(s): RSA3	Date of Refusal: 1/7/2025
Address/Location: 47-49 W HIGHLAND AVE, Philadelp Parcel (PWD Record)	ohia, PA 19118-3309	Page Number Page 1 of 1
Applicant Name: Alan Nochumson DBA: Nochumson P.C.	Applicant Address: 1 South Broad St Suite 1000 Philadelphia, PA 19107 USA	Civic Design Review? N

**Application for:** 

FOR USE MULTI-FAMILY (THREE (3) DWELLING UNITS) HOUSEHOLD LIVING IN A DETACHED 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:
Table 14-602-1	Uses Allowed in Residential Districts - Refusal	Whereas the proposed use, Multi-Family (Three (3) Dwelling Units) Household Living, is expressly prohibited in the RSA-3 residential zoning district.

ONE (1) USE REFUSAL

Fee to File Appeal: \$ 300

NOTES TO THE ZBA:

N/A

Parcel Owner:

HIGHLAND AVENUE ASSOCIATE

Zoning Overlay District: /NIS Narcotics Injection Sites Overlay District//EDO Eighth District Overlay District/Open Space and Natural Resources -Steep Slope Protection//WWO Wissahickon Watershed Overlay District

Jose Figueiredo

Jose Figueiredo PLANS EXAMINER



Notice to Applicant: An appeal from this decision may be made to the Zoning Board of Adjustment, One Parkway Building, 1515 Arch St., 18th FI., Phila., PA 19102 within thirty (30) days of date of Refusal / Referral. Please see appeal instructions for more information.

Exhibit 2 Property History 🖉 City of Philadelphia

#### **Property History** Permits, licenses, violations & appeals by address

L&I dashboard / Property history / 47-49 W HIGHLAND AVE / Business license: 219582

# 3202 RENTAL LICENSE NUMBER: 219582

L&I District: NORTH OPA Account #: 092205400 47 W HIGHLAND AVE Philadelphia, PA 19118-3309

License number	219582
License type	3202 Rental (3 Units)
Rental category	Not Available
Status	Inactive
Date issued	Mar 15, 2004
Inactive date	Apr 29, 2017
Business mailing address	HIGHLAND AVENUE ASSOCIATE
	521 PLYMOUTH RD SUITE 118 PLYMOUTH MEETING, PA 19462 USA
Owner contact address	
Owner contact address 2	
Contact type	Company

An official website of the City of Philadelphia government  $\ \underline{\text{Here's how you know}}$ 

Inactive

and the second	
-	GAAAD
Approved as to form	Application No. 29449B
FRING, STA	District Designation H-Com CRES BL
	Zoning Map No Sub68
RECEIVED	$F.A. Vol. Pl. ZI = ZU \neq T Ward$
	Previous Application.
	PUBLIC WORKS
	- PUBLIC WORKS
TE THE BUREAU OF ENGINEERING	
	and/or USE REGISTRATION PERMIT
Application is hereby made by. Joseph	
the permit or permits required by the Philadelphia Zoning	g Ordinance before commencing the use or the work de-
scribed herein, and as shown on accompanying plan.	man 1. DII
LOCATION OF PROPERTY: 47 M. H.G.	THLAND HVP Thila.
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ofSt Frontinches. Depth 108	
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	App. Refused 2-12-50 Cert. VA - 2482
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	Ref. Granted Cert
(2) <u>Andreas and Andreas and An Reas and Andreas an</u>	Ref. Refused Cert
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	(Do not write in this space)
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	4
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Existing Building Proposed	d Addition, Alteration or New Building
<u> </u>	
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Height in Feet 25 25	10 10
Height in Stories 2 2 2	al in the second s
TABULATIO	
FLOOR No. PRESENT USE	LAST PREVIOUS USE
TST ONE FAMILY DWelling	Beauty shop & dwelling
gmt - 7 FAMILY Y	TALLOR Shap - " uppionstely
FLOOR No. PROPOSED USE OF PRESENT BUILDING	PROPOSED USE OF ADDITION OR NEW BUILDING
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	also other Rom of Small stop to be
Dane os present.	reated (for Art or Gitt - Shop)
Additional use information, if required	
Additional use information, if required	and the second
- the state of the	
Applicant. <u>Aseph Albert Drift</u> Address. <u>4</u> Owner or Agent. <u>Address</u>	7 W HIGHIAND Are. Phone. 1175116 Phone
Contractor. Address.	Phone.
ArchitectAddress	Phone.
AlcintectAddress	

ZONING APPLICATION . . ZONING DIVISION, 1223, City Hall Annex. Premises Located Present Use (Number of Families) . . Vacant. Propos. (Number of Families). . . . . . . . . . . . . . . . . . . ses comply with area requirements of Act of June 11, 1915 for proposed use. Premises DIVISION OF HOUSING & SANITATION Remarks Por . N.

Exhibit 3

**Office of Property Assessment Records** 



#### **Q** 47-49 W HIGHLAND AVE

PHILADELPHIA, PA 19118-3309

Owner

#### **OPA Account Number**



### HIGHLAND AVENUE ASSOCIATE

Mailing Address Depetris Joseph 10 Woodlane Dr Moorestown NJ 08057

#### Property assessment and sale information

Assessed Value	\$661,300
Sale Date	12/31/1999
Sale Price	\$1

Office of Property Assessment (OPA) was formerly part of the Board of Revision of Taxes (BRT) and some City records may still use that name. Source: <u>Office of Property Assessment (OPA). (https://www.phila.gov/opa/pages/default.aspx)</u>

#### Valuation History

Taxable and exempt land values can represent the contributory value of land in relation to the total market value, or were no structure is present, the value of vacant land. (Consistent with International Association of Assessing Officers (IAAO) standards, the value of an improved parcel is separated into the portion of value attributed to the improvement and the portion of value attributed to the land.)

To report issues or ask questions regarding your 2025 property assessment, call (215) 686-9200 (tel:215686920) or visit www.phila.gov/opa (https://www.phila.gov/opa).

Year	Market Value	Taxable Land	Taxable Improvement	Exempt Land	Exempt Improvement
2025	\$661,300	\$132,260	\$529,040	\$0	\$0
2024	\$258,100	\$51,620	\$206,480	\$0	\$0
2023	\$258,100	\$51,620	\$206,480	\$0	\$0
2022	\$373,500	\$56,025	\$317,475	\$0	\$0
2021	\$373,500	\$56,025	\$317,475	\$0	\$0
2020	\$373,500	\$56,025	\$317,475	\$0	\$0
2019	\$368,500	\$55,275	\$313,225	\$0	\$0

Year	Market Value	Taxable Land	Taxable Improvement	Exempt Land	Exempt Improvement
2018	\$338,000	\$50,700	\$287,300	\$0	\$0
2017	\$338,000	\$50,700	\$287,300	\$0	\$0
2016	\$338,000	\$152,163	\$185,837	\$0	\$0
2015	\$338,000	\$152,163	\$185,837	\$0	\$0

Sales History (1)

Date	Adjusted Total	Grantees	Grantors	Doc Id
12/31/1999	\$1	HIGHLAND AVENUE ASSOCIATES LLC	DEPETRIS JOSEPH A	50205319

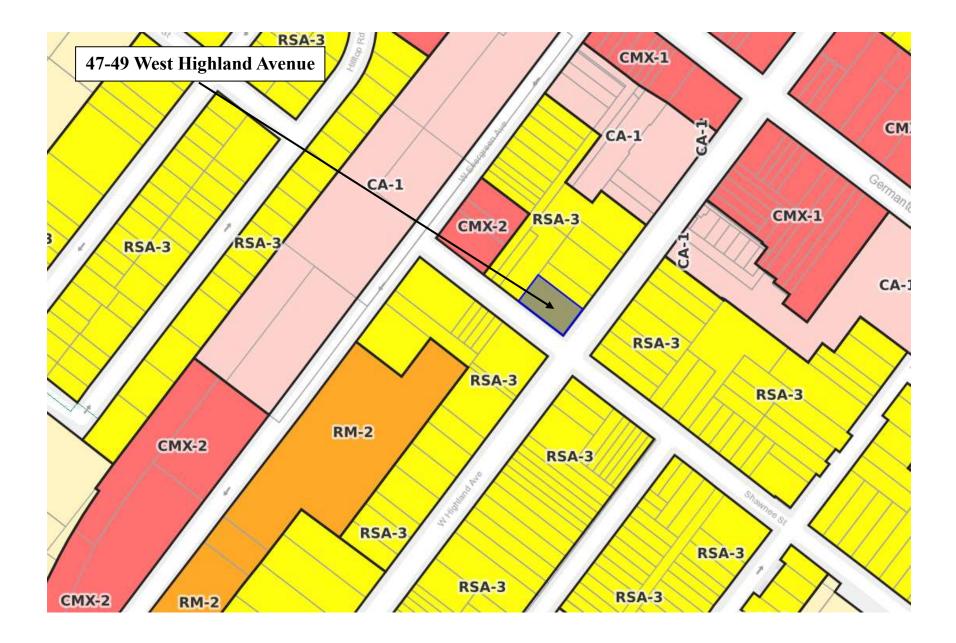
#### **Property Details**

Property characteristics described below are included for convenience, but may not reflect the most recent conditions at the property. For all property questions, <u>submit an official inquiry</u>

(https://opainquiry.phila.gov/opa.apps/help/PropIng.aspx?acct\_num=092205400) or call OPA at (215) 686-9200 (tel:+12156869200).

Year Built	1925 (estimated)
Building Description	DET CONV APT 2 STY MAS+OT
Building Condition	Average
Number of Stories	2 stories
Number of Rooms	Not Available
Features	Full Unfinished basement No fireplace No garage
Heating and Utilities	Duct (heated air) heaters No central air Sewer type n/a
Lot Size	6,774 sq ft
Improvement Area	2,832 sq ft
Frontage	63 ft
Beginning Point	NEC OF SHAWNEE STREET
Zoning	RSA3-Residential Single Family Attached-3 🗗 (https://atlas.phila.gov/47- 49%20W%20HIGHLAND%20AVE/zoning.)
OPA Account Number	092205400
OPA Address	47-49 W Highland Ave
Homestead Exemption	No

Exhibit 4 Zoning Map, etc.



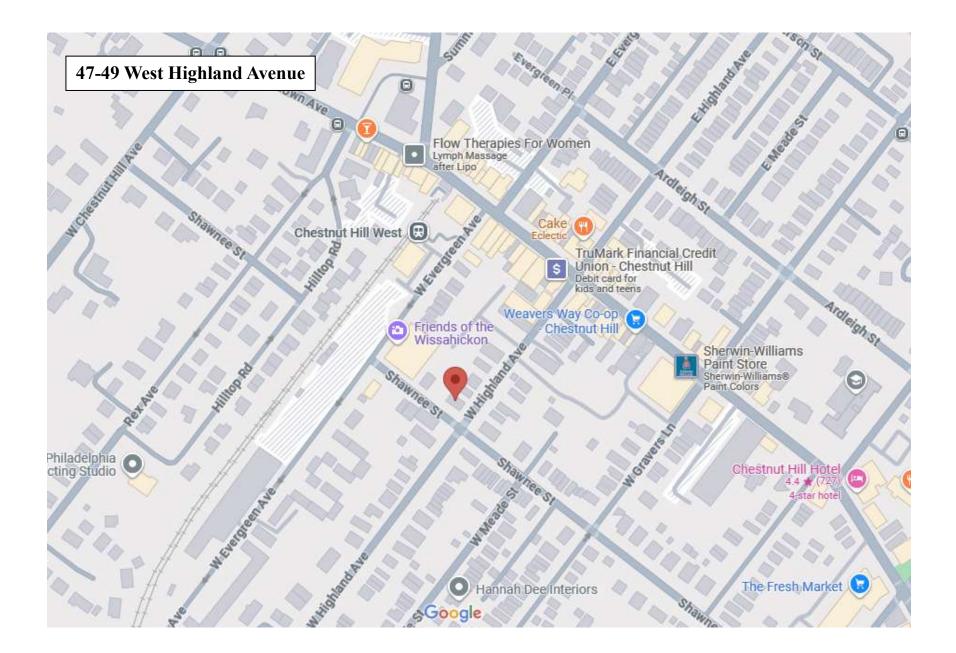
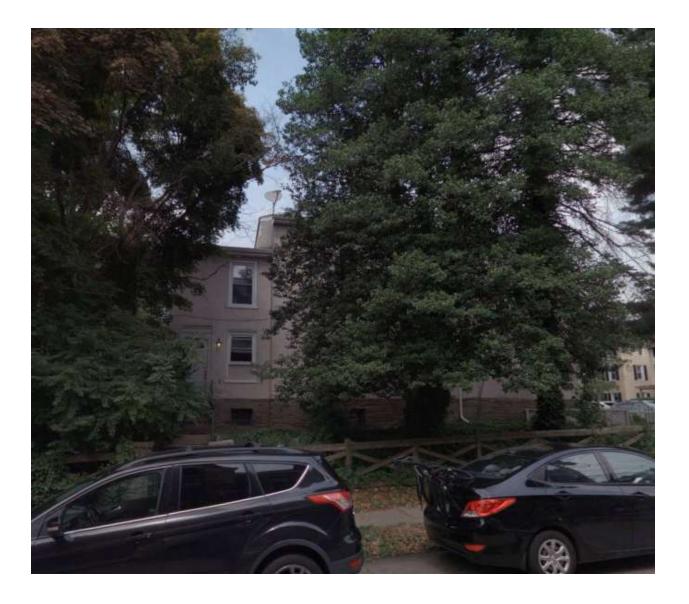


Exhibit 5 Photographs

#### 47-49 West Highland Avenue – Front of Property – From West Highland Avenue



### 47-49 West Highland Avenue – Side of Property – From Shawnee Street



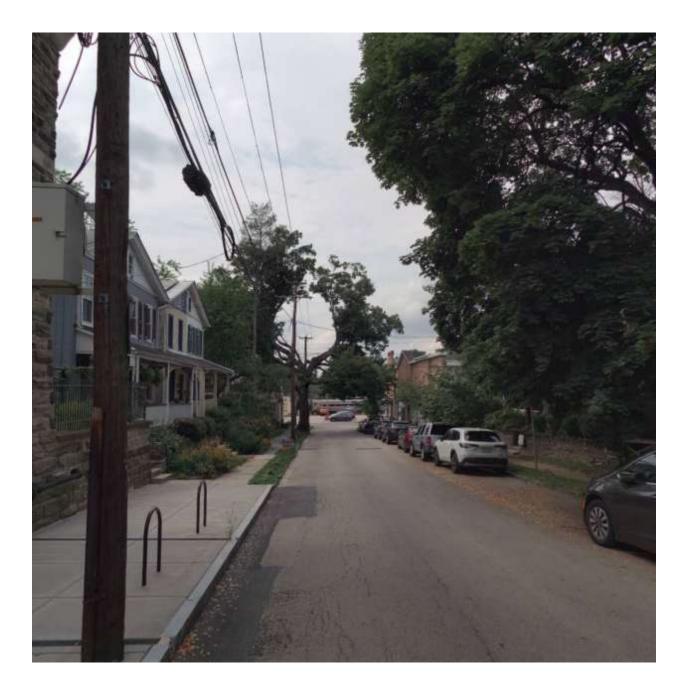
## West Highland Street – To Right of Property



### West Highland Street – To Left of Property



## Shawnee Street – To Right of Property

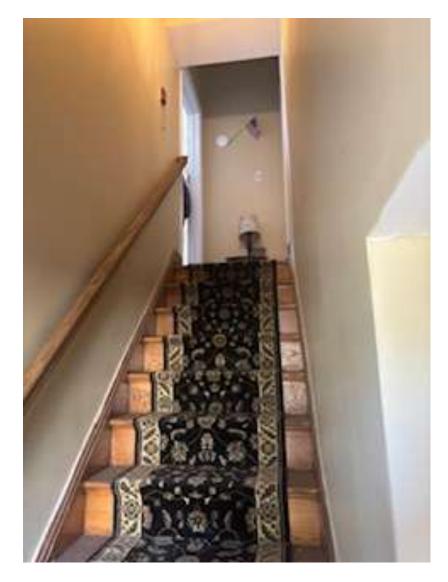


### Shawnee Street – To Left of Property



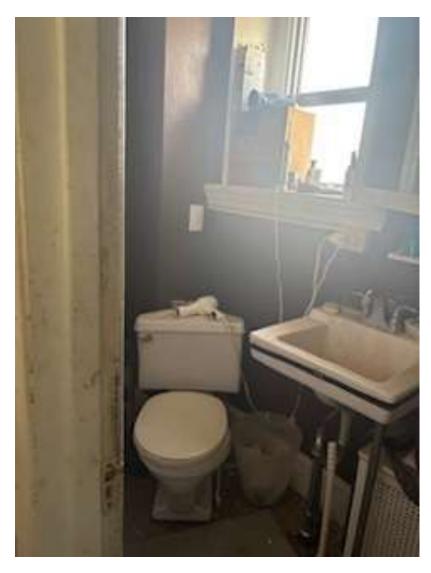
Exhibit 6 Interior Photographs

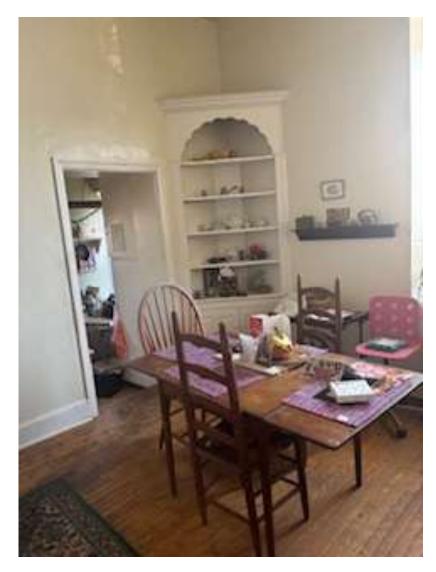


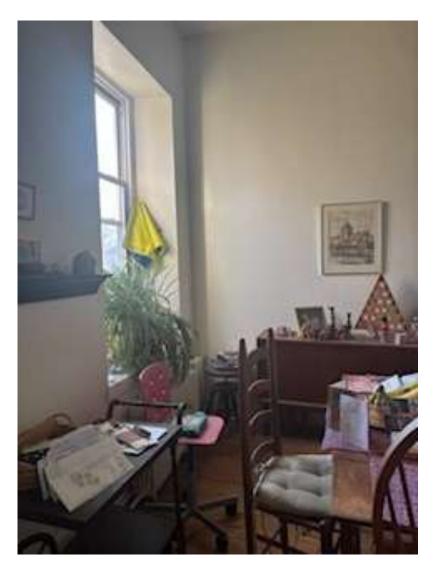


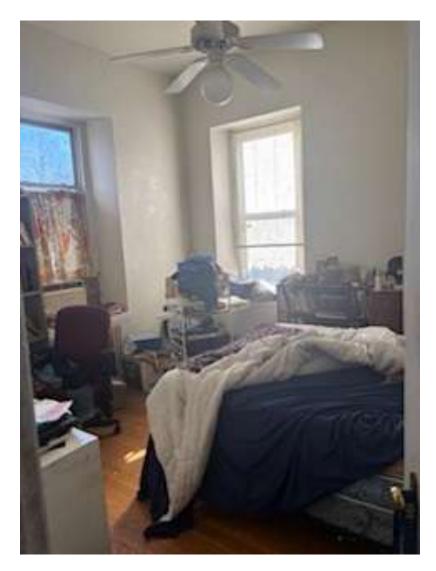


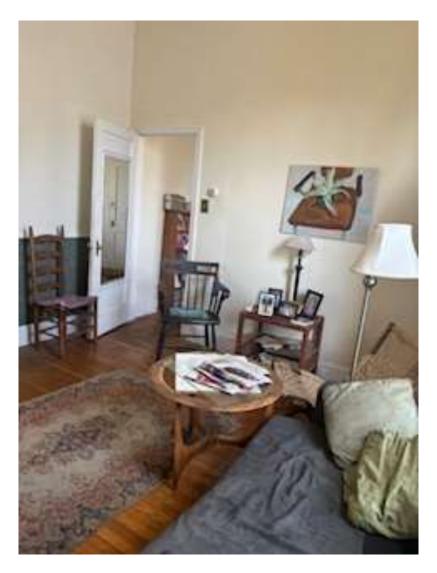


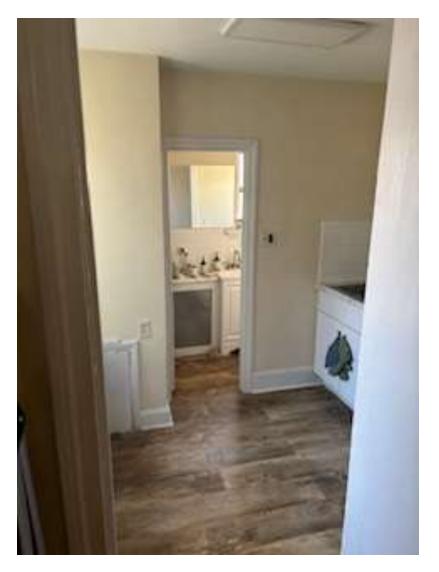




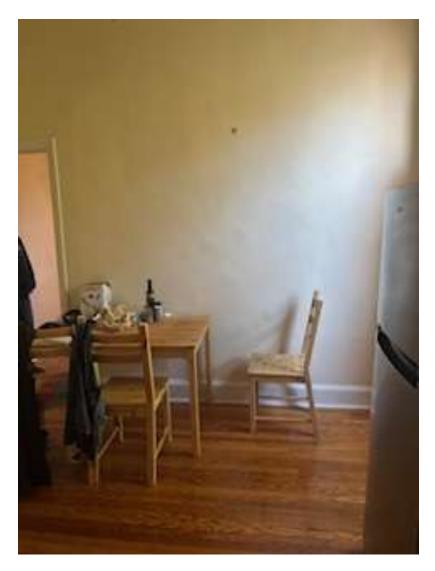




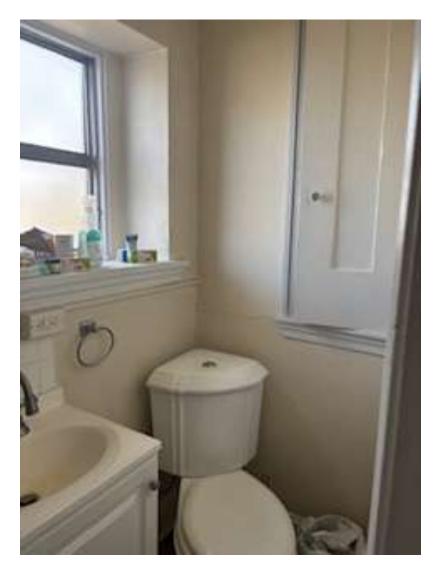


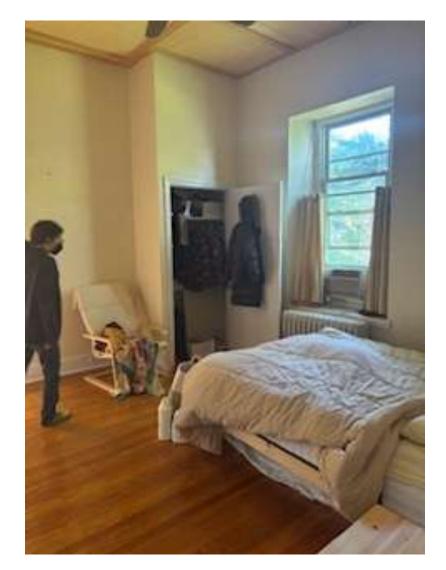






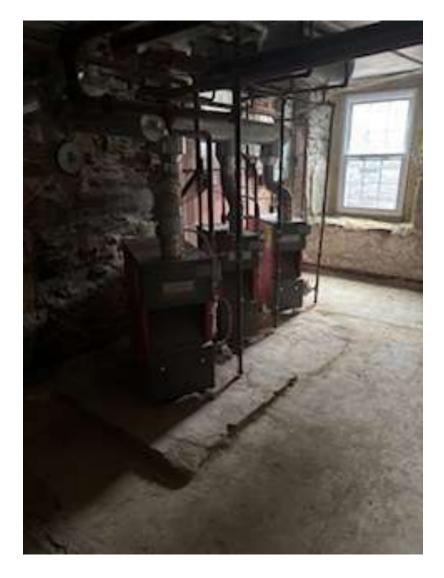






47-49 West Highland Avenue – Existing Utilities





47-49 West Highland Avenue – Existing Utilities



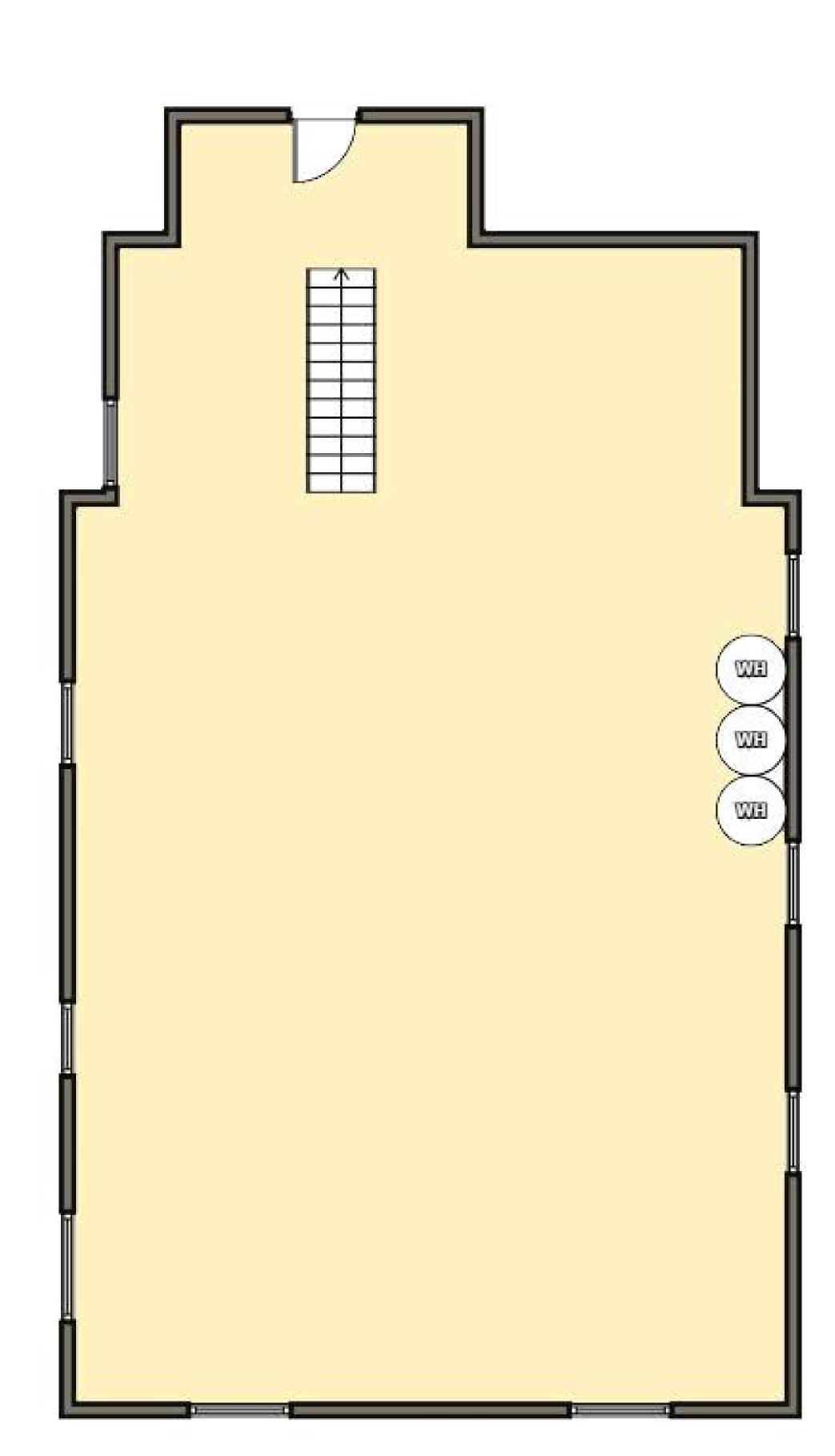


47-49 West Highland Avenue – Existing Utilities





Exhibit 7 Architectural Plans and Drawings



BASEMENT

FIRST FLOOR



SECOND FLOOR

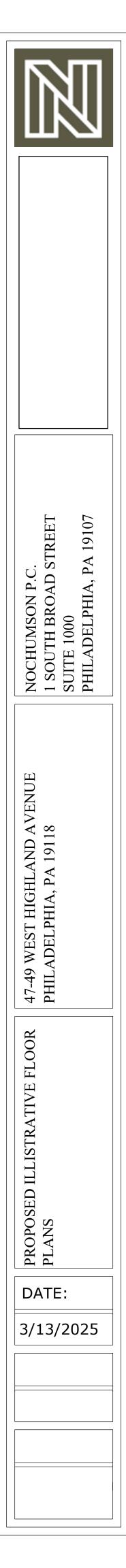


Exhibit 8 Indenture

**Betureen** 10 Woodland Drive Moorestown, New Jersey 08057

(hereinafter called the Grantor), Party of the First Part,

AND

**HIGHLAND AVENUE ASSOCIATES, L.L.C.** c/o Joseph A. DePetris 10 Woodlane Drive Moorestown, New Jersey 08057 (hereinafter called the Grantee), Party

of the second part: **Wittresseth**, That the said part y of the first part, for and in consideration of the sum of ONE DOLLAR AND NO CENTS (\$1.00)

lawful money of the United States of America, well and truly paid by the said part y of the second part to the said part y of the first part, at and before the ensealing and delivery of these presents, the receipt whereof is hereby acknowledged, has granted, bargained, sold, aliened, enfeoffed, released, conveyed and confirmed and by these presents does grant, bargain sell, alien, enfeoff, release, convey and confirm unto the said part y of the second part, its heirs and assigns.

SEE ATTACHED SCHEDULE A.

50205319 Pg: 1 of 5 01/29/2001 01:52PM

01:52PM [	Recorded State RTT: 1,502.62 Local RTT: 4,507.85 Commissioner of Records,	Doc Id: 50205319 Receipt #: 72873 Rec Fee: 48.50 City of Philadelphia
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Complete each section and fi in the deed, (2) when the dee needed, attach additional she A. CORRESPONDENT - All income Arthur A. DiPadova, Test Address 76 Euclid Avwenue, 3 IRANSFER DAIA Trantor(s)/Lessor(s) Joseph A. DePetris Test Address 10 Woodlane Drive Moorestown New J PROPERIY LOCATION Test Address 47 to 49 W. Highland Avvenue Philadelphia	d is with consideration pet(s). quiries may be directed to Esquire 3rd Floor Hadd Zip Code ersey 08057	ICATION Deeds when (1) the fu , or by gift, or (3) a tak to the following persons to the following persons onfield, New Date of Acceptance of Doct Grantee(s)/Lessee(s) Highland Aven Street Address 47 Highland A City Philadelphia (City, Townsnip, Borougn	Tesegnone Number: Area Coae State Jersey nue Associates, LLC Avenue State Zip Coae
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Philadelphia			
		Philadelphia	Tax Parcei Numper
VALLATION DATA		ł	42540 00047
Actual Cash Consideration \$1.00	2. Other Consideration		3. Total Consideration
County Assessed Value	5. Common Level Ratio F	actor	5. fair Market Value
\$43,808.00	× 3.43		= \$150,261.44
E EXEMPTION DATA			
. Amount of Exemption Claimed	1b. Percentage of Interest	Conveyed	
Check Appropriate Box Below for Exe			
Will or intestate succession	(Name of De	ecedant)	(Estate File Number)
Transfer to Industrial Development A			
Transfer to agent or straw party. (At	ttach copy of agency/straw	party agreement).	
-			x paid prior deed S
(Attach copy of resolution).	United States, and Instrum	entalities by gift, dedication	n, condemnation or in lieu of condemnation.
Transfer from morrageor to a boide	r of a mortage in default	Morrage Book Number	, Page Number
_		. Mongage Soux Romber	, ruge ruman
Corrective deed (Attach copy of the			
Statutory corporate consolidation, m	nerger or division. (Attach o	copy of articles).	
Other (Please explain exemption cla	imed, if other than listed a	bove.)	
ider penalties of law. I declare that I have	e examined this Stateman		g information, and to the best of my knowledge
id belief, it is true, correct and complet	•. ///	, minoring accompanying	
ignature of Correspondent of Responsible Par	Y L	<u> </u>	Dare
Joseph	Heratup		11-18-99
	(SEE )	REV <mark>i indial (idian (iidia (ii</mark>	50205319 Page: 2 of 5

BOOK NO.

PAGE NO.

#### SCHEDULE A

<u>ALL THAT CERTAIN</u> lot or piece of ground with the buildings and improvements thereon erected, <u>SITUATE</u> in the Twenty-second Ward of the City of Philadelphia and described according to a survey and plan thereof made on the Sixteenth day of June A.D. 1924, by George H. Wentz, Esquire, Acting Surveyor and Regulator of the Ninth District of the said City as follows:-

<u>BEGINNING</u> at a point formed by the intersection of the Northwesterly side of Highland Avenue (Sixty feet wide) with the Northeasterly side of Shawnee Street (Fifty feet wide); thence extending Northwestwardly along the said side of Shawnee Street One hundred and eight feet five and one-eighth inches to a point; thence extending North forty-one degrees twenty-eight minutes thirty-three seconds East Sixtyone feet ten and one-eighth inches to a point; thence extending South forty-eight degrees thirty-nine minutes forty seconds East One hundred and eight feet three and three-eighths inches to a point on the said side of Highland Avenue; and thence extending Southwestwardly along the said side of Highland Avenue Sixty-two feet eight and three-fourths inches to the first mentioned point and place of beginning. <u>BEING</u> Nos. 47 and 49 West Highland Avenue, Philadelphia.

**BEING** THE SAME LAND AND PREMISES which Chestnut Hill Mutual Building and Loan Association, a Pennsylvania Corporation, granted and conveyed unto JOSEPH A. DEPETRIS, by Deed dated May 28, 1942, and filed June 9, 1942 in the Office of the Recorder of Deeds for the County of Philadelphia, in Deed Book D.W.H. No. 1588,

Page 57&c.



**Tagether** with all and singular, the buildings, improvements, woods, ways, rights, liberties, privileges, bereditaments and appurtenances, to the same belonging, or in any wise appertaining, and the reversion and reversions; remainder and remainders, rents, issues, and profits thereof, and of every part and parcel thereof: And also, all the estate, right, title, interest,

property, possession, claim and demand whatsoever, both in law and equity, of the said part ies of the first part, of, in, and to the said premises, with the appurtenances:

**To have and to half** the said premises, with all and singular the appurtenances unto the said party of the second part, its heir and assigns, to the only proper use, benefit and

its heirs

of the second part,

## And the soid Grantor, for himself, his

heirs, executors and administrators,  $be_{B}$  by these presents, covenant, grant and agree, to and with the said part y of the second part, its heirs and assigns forever, that the said Grantor, his heirs, all and singular the hereditaments and premises herein above described and granted, or mentioned and intended so to be, with the appurtenances, unto the said part y of the second part, its heifrs and assigns, against the said Grantor, his

heirs, and against all and every other person or persons, whomsoever lawfully claiming or to claim the same or any part thereof, by, from or under him, her, them or any of them,

SHALL and WILL

and assigns forever,

## WARRANT and forever DEFEND.

In witness whereof, the said part y of the first part to these presents hereunto set s his hand and seal . Dated the day and year first above written.

## Signed, Sealed and Belivered )

behoof of the said part y

IN THE PRESENCE OF US

SEAI JOSEPH A. DEPETRIS



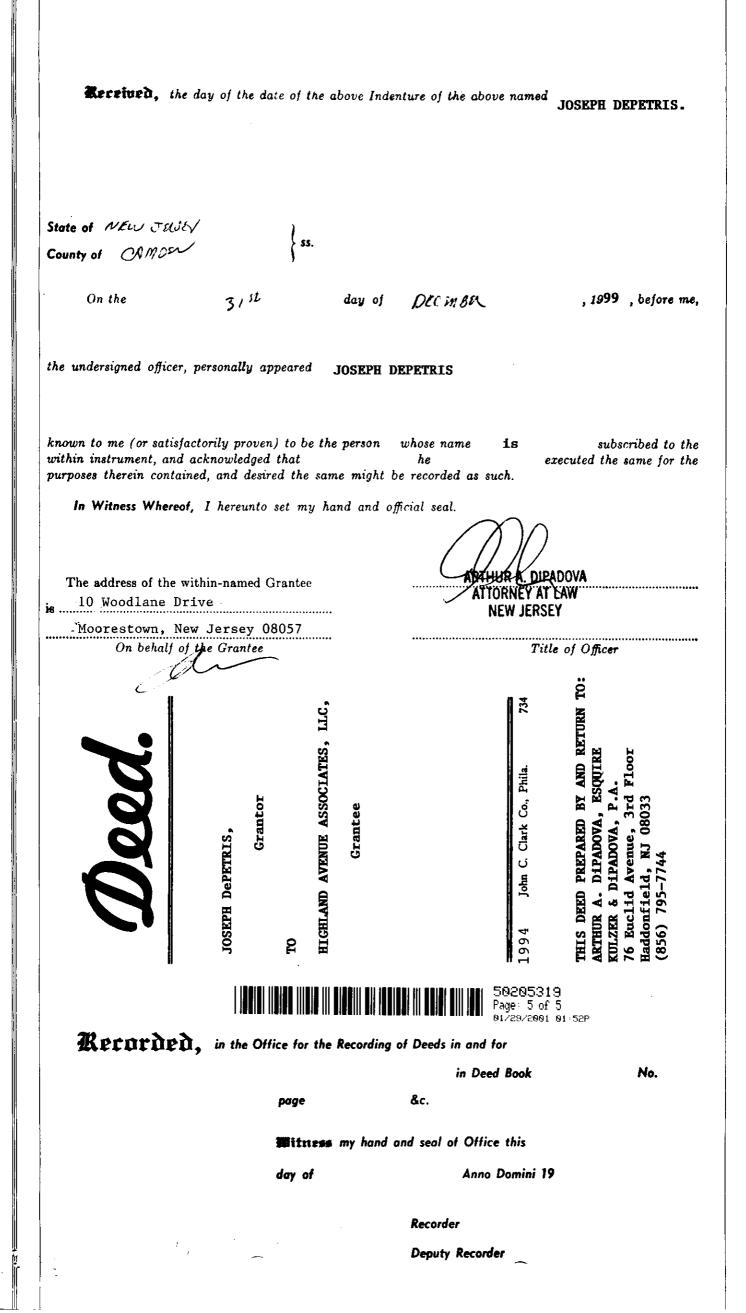


Exhibit 9 Application for Appeal

City of Philadelphia Zoning Board of Adjustment	WHEN COMPLETED, MAIL TO:			
CALENDAR #(FOR OFFICE USE ONLY)	CITY OF PHILADELPHIA Department of Planning & Development Zoning Board of Adjustment One Parkway Building 1515 Arch St, 18 <sup>th</sup> Floor Philadelphia, PA 19102			
APPLICANT MUST COMPLETE ALL INFORMATION B	ELOW. PRINT CLEARLY AND PROVIDE FULL DETAILS			
LOCATION OF PROPERTY (LEGAL ADDRESS)				
47-49 West Highland Avenue PROPERTY OWNER'S NAME:				
Highland Avenue Associate47-49 West Highland AvenuePHONE #: (215) 399-1346Philadelphia, PA 19118				
E-MAIL: zoning@nochumson.com				
A CORPORATION MUST BE REPRESENTED BY AN AT	TORNEY LICENSED TO PRACTICE IN PENNSYLVANIA			
APPLICANT:	APPLICANT'S ADDRESS (INCLUDE CITY, STATE, AND ZIP)			
Alan Nochumson, Esquire	1 South Broad Street			
FIRM/COMPANY: Nochumson P.C.	Suite 1000 Philadelphia, PA 19107			
PHONE #: (215) 600-2851				
APPEAL RELATED TO ZONING/USE REGISTRATION PERMIT APPLICATIO				
IF A VARIANCE IS REQUESTED, PLEASE PROVIDE AN EXPLANATION OF EACH OF THE FOLLOWING CRITERIA ASREQUIRED FOR THE GRANTING OF A VARIANCE:				
Does compliance with the requirements of the zoning code cause an unnecessary hardship due to the size, shape, contours or physical dimensions of your property? Did any action on your part cause or create the special conditions or circumstances? Explain.				
The property owner seeks a de minimus variance of the Philadelphia Zonir	g Code for the subject property under the circumstances.			
Will the variance you seek represent the least modification possible of the constraint.	ode provision to provide relief from therequirements of the zoning code?			
The property owner seeks a de minimus variance of the Philadelphia Zoning Code for the subject property under the circumstances.				
Will the variance you seek increase congestion in public streets or in any way endanger the public? Explain.				
No. The proposed variance will not substantially increase congestion in the public streets, especially as compared to how it would				
enhance the character and nature of the neighborhood through the intended property development.				

Will the variance you seek substantially or permanently harm your neighbors' use of their properties or impair anadequate supply of light and air to those properties? Explain.	
No. The proposed variance will not substantially or permanently harm the use of neighboring properties or impair an adequate supply of light and air to those properties. Rather, the intended property development will enhance the character and nature	
of the neighborhood as a whole.	
Will the variance you seek substantially increase traffic congestion in public streets or place undue burden on water, sewer, school park or other public facilities? Explain.	
No. The proposed variance will not substantially increase traffic congestion in the public streets or place an undue burden on public utlities or facilities.	
Will the variance you seek create environmental damage, pollution, erosion, or siltation, or increase the danger offlooding? Explain.	
No. The proposed variance will not create environmental damage, erosion, or siltation or increase the danger of flooding in the neighborhood.	
REASONS FOR APPEAL:	
Based upon the reasons set forth herein and any additional ones asserted at the hearing, this Application should be granted.	
I hereby certify that the statements contained herein are true and correct to the best of my knowledge and belief. I understandthat if I knowingly make any false statements herein I am subject to possible revocation of any licenses issued as result of myfalse application, and such other penalties as may be prescribed by low.	
prescribed by law.	
Applicant's Signature:	
MONTH DATE YEAR	
City of Philadelphia	
Zoning Board of Adjustment Application for Appeal	
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# Notice of:

🛛 Refusal 🛛 🗆 Referral

Application Number: ZP-2024-012930	Zoning District(s): RSA3	Date of Refusal: 1/7/2025
Address/Location: 47-49 W HIGHLAND AVE, Philadel Parcel (PWD Record)	ohia, PA 19118-3309	Page Number Page 1 of 1
Applicant Name: Alan Nochumson DBA: Nochumson P.C.	Applicant Address: 1 South Broad St Suite 1000 Philadelphia, PA 19107 USA	Civic Design Review? N

**Application for:** 

FOR USE MULTI-FAMILY (THREE (3) DWELLING UNITS) HOUSEHOLD LIVING IN A DETACHED 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:
Table 14-602-1	Uses Allowed in Residential Districts - Refusal	Whereas the proposed use, Multi-Family (Three (3) Dwelling Units) Household Living, is expressly prohibited in the RSA-3 residential zoning district.

ONE (1) USE REFUSAL

Fee to File Appeal: \$ 300

NOTES TO THE ZBA:

N/A

Parcel Owner:

HIGHLAND AVENUE ASSOCIATE

Zoning Overlay District: /NIS Narcotics Injection Sites Overlay District//EDO Eighth District Overlay District/Open Space and Natural Resources -Steep Slope Protection//WWO Wissahickon Watershed Overlay District

Jose Figueiredo

Jose Figueiredo PLANS EXAMINER



Notice to Applicant: An appeal from this decision may be made to the Zoning Board of Adjustment, One Parkway Building, 1515 Arch St., 18th FI., Phila., PA 19102 within thirty (30) days of date of Refusal / Referral. Please see appeal instructions for more information.



City of Philadelphia Zoning Board of Adjustment

# **Project Information Form**

Applicants must also complete a Project Information Form (PIF).

This form can be found at: https://forms.phila.gov/form/project-information-form/.

You MUST print out your completed Project Information Form (PIF) and submit it to the Zoning Board of Adjustment (ZBA) with your appeal paperwork.

NOTE: THE ZBA WILL NOT ACCEPT YOUR APPEAL PAPERWORK WITHOUT A COMPLETED PROJECT INFORMATION FORM.

This requirement can be found in Section §14-303 (15)(a)(.3)(.A) of the Philadelphia Code, "an applicant who seeks either a special exception or a variance must submit to the Board, at the time the appeal is filed, a copy of the Project Information Form for such application, if the preparation of a Project Information Form is required for such application..."



# City of Philadelphia Project Information Form

# PIF Confirmation Page

Thank you for submitting your information. A copy of this information will be sent to your e-mail address. If you entered in any of this information incorrectly, please complete and **submit a new form** with the updated information.

NOTE TO APPLICANTS: You **MUST** print out your completed Project Information Form (PIF) and submit it to the Zoning Board of Adjustment (ZBA) with your appeal paperwork. Per Section §14-303 (15)(a)(.3)(.A) of the Philadelphia Code, "an applicant who seeks either a special exception or a variance must submit to the Board, at the time the appeal is filed, a copy of the Project Information Form for such application, if the preparation of a Project Information Form is required for such application..."

View all projects submissions.

PRINT YOUR FORM

#### **Applicant Information**

#### Address of Development Project

47-49 W HIGHLAND AVE

#### Council District #

8

#### Name of Applicant

Alan Nochumson

#### **Zoning Application Number**

2024012930

#### Address of Applicant

1 South Broad Street Suite 1000 Philadelphia, PA 19107

#### **Contact Information**

Is the contact person the same as applicant?

• Yes

#### Name of Contact Person

Alan Nochumson

#### Phone Number of Contact Person

(215) 399-1346

#### Email Address of Contact Person

zoning@nochumson.com

#### **Project Information**

Is your project exclusively residential?

Yes

#### Does your project contain three or fewer units?

Yes

## Sign & Submit

#### Agreement:

• I understand that all information submitted on this form is public information.

#### Printed Name of Applicant

Alan Nochumson

Please sign with the Initials of the Applicant

AN

Date

01/09/2025

## Feedback

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