Department of Licenses and Inspections
CITY OF PHILADELPHIA

# Notice of: ☒ Refusal ☒ Referral

| | | |
|---|---|---|
| **Application Number:** *ZP-2026-010098* | **Zoning District(s):** *CMX2* | Date of Refusal: **11/4/2026** |
| **Address/Location:** *4725 W GIRARD AVE, Philadelphia, PA 19131* *Parcel (PWD Record)* CORNER WITH LANCASTER AVE & MERION AVE | | Page Number Page 1 of 2 |
| **Applicant Name:** *Katherine Missimer DBA: Klehr Harrison Harvey Branzburg LLP* | **Applicant Address:** *1835 Market Street* *Suite 1400* *Philadelphia, PA 19103* *USA* | **Civic Design Review?** *N* |

**Application for:**

Application is for (1) Retail sales of consumer goods, and for (2) Retail sales of food, beverages and groceries, and for (3) Retail sales of Sundries, Pharmaceuticals, and Convenience Sales, and for (4) Storage and warehouse, and for (5) Eating and drinking establishment - take-out restaurant, and for (6) Commissaries and catering services in an existing structure with other uses in the structure as previously approved.

All the retails sales uses will be operating during restricted hours (4th district commercial review areas) between 11:00 p.m. and 5:00 a.m.

**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 14-602-2 | Uses Allowed in Commercial Districts - Referral | Whereas the proposed use, Eating and drinking establishment – takeout restaurant, requires special exception approval from the Zoning Board of Adjustment in the CMX-2 commercial zoning district. |
| Table 14-602-2 | Uses Allowed in Commercial Districts - Refusal | Whereas the proposed use, wholesale, distribution and storage - ware house, is expressly prohibited in the CMX-2 commercial zoning district. |
| Section 14-524 (3) (b) | fourth district overlay-commercial review areas | Retail sales of consumer goods prohibited from operating between 11 pm & 5:00 am in this overlay district.<br><br>Retail sales of food, beverages and groceries prohibited from operating between 11 pm & 5:00 am in this overlay district<br><br>Retail sales of Sundries, Pharmaceuticals, and Convenience Sales prohibited from operating between 11 pm & 5:00 am in this overlay district |

FOUR (4) USE REFUSALS
ONE (1) USE REFERRAL

Varughese Koithottu
PLANS EXAMINER

11/4/2026
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. see link: Appeal a zoning decision to the Zoning Board of Adjustment (ZBA) | Services | City of Philadelphia

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**Fee to File Appeal**:

$811 All Other Properties

NOTES TO THE ZBA:

NONE

Parcel Owner:

*AXELROD - GIANNASCOLI, REALTY GROUP I*

**Zoning Overlay District:**
*/FDO Fourth District Overlay District Commercial Review Areas - Wynnefield| /NIS Narcotics Injection Sites Overlay District| /FDO Fourth District Overlay District - Fourth District Area*

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