

**REPORT OF THE COMMITTEE ON FINANCIAL HARDSHIP
PHILADELPHIA HISTORICAL COMMISSION**

**TUESDAY, 27 MAY 2008
ROOM 578, CITY HALL
SAM SHERMAN, CHAIR**

PRESENT

Sam Sherman, Chair
David Amburn
John Haak, City Planning Commission
Bob Thomas

Jonathan Farnham, Executive Director
Randal Baron, Historic Preservation Planner III

ALSO PRESENT

Paul Jablonski

CALL TO ORDER

Mr. Sherman called the meeting to order at 12:45 p.m. Messrs. Amburn, Haak, and Thomas joined him on the Committee.

5279-5281 AND 5283 GERMANTOWN AVENUE

Owner/Applicant: Paul Jablonski
History: 5281 and 5283 are houses c. 1810; 5279 is a shop c. 1850
Project: Legalize window alterations owing to financial hardship application.

OVERVIEW: This application proposes the legalization of the installation of vinyl window sash and capping in the existing window frames in three adjacent historic buildings on Germantown Avenue. It also proposes legalizing the wood muntins added to the storefront window at 5279 Germantown Avenue. The three buildings are consolidated into two properties, 5279-5281 and 5283 Germantown Avenue. The owner resides in and rents apartments and storefront in the buildings.

The owner has provided several documents substantiating his claim of hardship including a letter from his realty management company showing that he has been in arrears for a number of years. He has provided detailed statements for the last three years showing that expenses have exceeded income by several thousand dollars annually. Owing to their location on Germantown Avenue, the buildings have proven difficult to rent.

DISCUSSION: Mr. Baron presented the application to the Financial Hardship Committee. Paul Jablonski, the property owner, represented the application.

Mr. Jablonski explained that the company that manages the rental properties in the buildings for him has repeatedly loaned money to him to account for shortfalls. The documents demonstrate that the rental properties have operated at a loss in 2005, 2006, and 2007. Apartments have often sat vacant for long periods of time, despite marketing attempts by the real estate management company. Mr. Baron acknowledged that the location is not highly desirable. Mr.

Baron stated that Mr. Jablonski had documented that the buildings are not currently profitable and may qualify for a finding of hardship under the unnecessary hardship provision enumerated in Section 6.6.a of the Commission's Rules & Regulations. Mr. Baron also suggested that Mr. Jablonski has provided some but not complete evidence regarding his personal income indicating that he may also qualify for a finding of hardship under the unnecessary hardship provision enumerated in Section 10 of the Commission's Rules & Regulations. Mr. Baron concluded that Mr. Jablonski only needs to qualify under one for the Commission to grant a finding of hardship, but may, in fact, qualify under both. Mr. Sherman reviewed the evidence and agreed. He also noted that there are indications that the real estate market is improving. He then complimented the applicant on his efforts to maintain the property even though he is facing adversities. He asked the staff if it is possible for the Commission to grant a temporary approval of the inappropriate windows owing to hardship, but to require the next owner to correct them at the time of purchase. Mr. Thomas responded that the City does grant temporary zoning approvals for up to five years. He posited that an analogous approval might be possible. Ms. Hawkins suggested removing the vinyl capping on the frames and repairing and painting them. Mr. Baron recalled that he recently worked with the owner of a house on Germantown Avenue who had a crew of volunteer students from Eastern College paint her shutters and windows. He suggested that Mr. Jablonski may be able to take advantage of the program. Mr. Jablonski requested the contact information for the program. Mr. Haak noted that there may be incentives available to assist with improving the properties. Mr. Thomas added that Mr. Jablonski may be eligible for grants for up to \$5,000 to improve each storefront.

Mr. Thomas suggested that the Committee consider a temporary approval. Mr. Baron asked about potential time limits. Mr. Sherman opined that the Commission should legalize the windows for the length of Mr. Jablonski's ownership, provided his economic situation does not change appreciably. Mr. Baron offered to confer with the Commission's attorney on the matter. Mr. Sherman stated that he was convinced of the hardship; he suggested that the Commission find a mechanism for temporarily legalizing the windows. Mr. Thomas suggested that Mr. Jablonski research possible funding sources.

COMMITTEE ON FINANCIAL HARDSHIP RECOMMENDATION: The Committee on Financial Hardship voted to recommend that the Commission find that the required replacement of the vinyl and storefront windows would constitute a financial hardship.

ADJOURNMENT

The Committee on Financial Hardship adjourned at 1:15 p.m.