

FAQ:

Can you subdivide a property along a horizontal plane for zoning purposes?

Background:

A [zoning permit](#) is required to change the dimensions of any lot; this can include:

- Combining lots.
- Splitting a lot into multiple new lots.
- Reconfigure the property lines between adjoining lots.

Per [14-203\(169\)](#) a Lot is defined as:

A parcel of land consisting of a horizontal plane bounded by vertical planes that comprise its front, side, and rear lot lines, and that is intended or designed to be used, developed, or built upon as a unit.

Answer:

No, a property cannot be subdivided along a horizontal plane based on the definition in the zoning code. Any existing zoning approvals reflecting this condition are considered legally nonconforming.

Additional Notes:

- If there is a desire to extend the use or structure onto an adjacent lot, a separate permit must be obtained for that adjacent lot.
 - A recorded deed reflecting a horizontal subdivision represents ownership rights required to file a zoning permit application but does not otherwise impact the zoning analysis.
 - Applicable building code provisions are evaluated independently and based on deeded property lines.
 - The department is not responsible for enforcing private agreements between property owners.
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Questions?

Call 311 or (215) 686-8686 (if outside Philadelphia) or submit an online form via <http://www.phila.gov/li/get-help>.

Disclaimer:

This interpretation, policy or code application is intended to provide guidance to staff for consistency of review and is subject to change without notice. Application of this interpretation, policy or code application to specific projects may vary. There may be other ways to comply with the Code. If so, you are not required to use this method. You may want to investigate other options or consult with a professional identifying an equally code compliant solution.