



# Robert M. Careless

## Vice Chair, Zoning, Land Use & Development

### Philadelphia

[rcareless@cozen.com](mailto:rcareless@cozen.com) | (215) 665-4798

#### Practice Areas

- Zoning, Land Use & Development
- Real Estate Development
- Real Estate
- Tax

#### Industry Sectors

- Real Estate & Construction

#### Education

- Temple University—James E. Beasley School of Law, J.D., 2011
- Temple University, B.A., *magna cum laude*, 2006

#### Bar Admissions

- New Jersey
- Pennsylvania

#### Affiliations

Philadelphia Bar Association; Chair, Real Property Section

Montgomery County Bar Association, Member

Home Builders Association of Bucks & Montgomery Counties, Member

#### Awards & Honors

- 40 Under 40, Philadelphia Business Journal, 2023
- Chambers and Partners USA, 2024
- \* *This award is conferred by Chambers and Partners. A description of the selection methodology can be found here. No aspect of this advertisement has been approved by the Supreme Court of New Jersey.*
- Up and Coming, Chambers and Partners USA, 2022-2023  
\* *This award is conferred by Chambers and Partners. A description of the selection methodology can be found here. No aspect of this advertisement has been approved by the Supreme Court of New Jersey.*
- Rising Stars, Pennsylvania Super Lawyers, 2019-2023  
\* *This award is conferred by Super Lawyers. A description of the selection methodology can be found here. No aspect of this advertisement has been approved by the Supreme Court of New Jersey.*

Bob concentrates his practice in the area of land use and zoning law, primarily in the city of Philadelphia and in the suburbs of Southeastern Pennsylvania. He represents developers, builders, property owners, investors, educational institutions, and financial institutions in a wide range of development and construction projects. Bob regularly appears before zoning hearing boards, planning commissions, and governing bodies as part of the zoning and land use approval process. He was ranked by Chambers & Partners USA in 2022 and 2023. Bob has been named to the Pennsylvania Rising Stars list for Land Use & Zoning since 2019 by Super Lawyers, which recognizes only 2.5 percent of Pennsylvania attorneys.

In addition, Bob concentrates a portion of his practice on state and local taxation law, with an emphasis on real estate tax assessment appeals. He has extensive experience representing clients in tax appeal proceedings before administrative appeal boards and in the courts. Bob also has extensive experience representing clients facing the collection of delinquent property taxes.

Prior to joining Cozen O'Connor, Bob represented townships, boroughs, and other local government entities in municipal, land use, zoning, local taxation, eminent domain, code enforcement, and litigation matters.

Bob received his B.A., *magna cum laude*, from Temple University. Upon graduating from Temple, Bob worked as a full-time paralegal for a Montgomery County based law firm while he attended law school at night. He earned his J.D. from Temple University School of Law in 2011.

Bob serves as chair of the Real Property Section of the Philadelphia Bar Association and is a member of the Zoning, Land Use, and Code Enforcement Committee of the Philadelphia Bar Association; the Real Estate Committee of the Montgomery County Bar Association; and the Home Builders Association of Bucks & Montgomery Counties.

#### Experience

Represented Women's Community Revitalization Project (WCRP), a non-profit and women-lead community development corporation committed to social and economic equity for low-income families, in connection with use and dimensional variances needed from the zoning code for a 33-unit, four-story multifamily low-income housing tax credit development comprised of a community center and associated improvements in West Philadelphia. Assisted WCRP in gaining support for the development from the registered community organization.

Represented Catholic Housing and Community Services, a division of Catholic Social Services of the Archdiocese of Philadelphia, in connection with variances needed for the renovation of an existing four-story building on Archbishop Ryan's campus in Northeast Philadelphia to include the construction of a new three-story building addition, for a total of 48 affordable units for low-income seniors.

Represented a regional developer in connection with obtaining zoning entitlements for the new construction of a 46-story tower, consisting of 213 residential units, above an existing one-story

#### Robert M. Careless

[rcareless@cozen.com](mailto:rcareless@cozen.com)

P: (215) 665-4798 | F: (215) 665-2013

©2024 Cozen O'Connor. All rights reserved.



building in Center City Philadelphia. The completed project will stand among the city's tallest residential towers.

Obtained zoning and land use approvals for a new office for Chubb that will occupy a state-of-the-art building in Philadelphia. Designed with the highest standards for sustainability, the new 18-floor, 438,000 rentable square foot structure is being developed by our client, Parkway Corporation.

Represented a national developer in connection with zoning entitlements for 600 residential units with ground floor retail/commercial services and zoning entitlements for a 142,400 sq. ft. research and development building at the Philadelphia Navy Yard.

Represented a regional developer in obtaining zoning permits for the erection of a new, 130,000 sq. ft. life sciences building at the Philadelphia Navy Yard.

Represented a non-profit and women-led community development corporation before the Zoning Board of Adjustment to obtain dimensional variances necessary for a proposed low income housing tax credit development consisting of 27 residences in the Grays Ferry neighborhood in Philadelphia.

Represented a non-profit developer in resolving zoning and building permitting issues with the Department of Licenses and Inspections that threatened critical timing for the financing of a 46-unit, low income housing tax credit development for seniors in South Philadelphia.

Represented a regional developer in negotiating agreements with a condominium association and a neighborhood association in connection with a proposed 400,000 sq. ft. office building in the Logan Square neighborhood in Philadelphia.

Obtained a 5-2 *en banc* decision from the Pennsylvania Commonwealth Court, on an issue of first impression in Pennsylvania, holding that a \$35 million whistleblower payment our client received under the federal False Claims Act was not subject to Local Earned Income Tax.

Represented real estate developer Parkway Corporation in connection with the zoning, construction, leasing, and \$187 million financing of a new office tower at 2222 Market Street in Philadelphia. The 19-story tower will have 305,000 square feet of rentable space. This transaction drew on the experience of the firm's real estate; construction; corporate; tax; bankruptcy, insolvency & restructuring; and environmental attorneys.

Represented a commercial developer client in connection with obtaining simultaneous land development approvals in Narberth Borough, Pa., for the construction of two new mixed-use buildings.

Obtained zoning relief from the Philadelphia Board of Adjustment, and entitlements from the Department of Licenses & Inspection, in connection with the Solterra Care medical marijuana dispensary.

Represented PWR BLD Gym in connection with obtaining zoning relief from the Conshohocken Borough Zoning Hearing Board in order to operate a new power-lifting gym. The client required a use variance as well as a variance from all parking requirements as the site had no ability to accommodate on-site parking.

Represented Transformation to Recovery in connection with obtaining zoning approval for the operation of a group living recovery home in South Philadelphia.

In a case of first impression, helped secure a favorable decision from the Pennsylvania Supreme Court which affirmed the decisions by the Pennsylvania Commonwealth Court, Montgomery County Court of Common Pleas and Cheltenham Township Zoning Hearing Board that the filing of a mandatory sketch

plan creates a vested right for consideration of a land development plan, as well as any future zoning applications related thereto, under the zoning ordinance in effect when the sketch plan is filed. The decision permits the client to move forward with a land development plan for a proposed five-building apartment project, featuring 216 units and a community building.

Served on the Cozen O'Connor team which represented Kalmon Dolgin Affiliates, Inc. in the sale of the Spring Mill Corporate Center in Whitmarsh Township, Pa. Handled all aspects of the zoning and land use issues as well as the real estate tax assessment issues involved in the sale.

Obtained zoning relief and land development approvals in Whitmarsh Township, Pa., for Kalmon Dolgin Affiliates, Inc. in connection with the construction a new mixed-use development.

Achieved a favorable en banc decision by the Pennsylvania Commonwealth Court on behalf of a corporate taxpayer that the client's corporate net income tax could be calculated without capping the amount the client could take on its net operating loss (NOL) carryover deduction. The Court held that the limit on NOL carryforward deductions violated the Uniformity Clause of the Pennsylvania Constitution because it results in two classifications, one for taxpayers that can completely eliminate their taxable income and another that can only limit the deduction to the extent of the limit.