



**CITY OF PHILADELPHIA
DEPARTMENT OF LICENSES & INSPECTIONS**

Boards Administration
Municipal Services Building – 11th Floor
1401 John F. Kennedy Boulevard
Philadelphia, Pennsylvania 19102

**Instructions for Appeals to the
Zoning Board of Adjustment (ZBA)**

Please visit www.phila.gov/li for more information on permit processes.

The Zoning Board of Adjustment (ZBA) is a panel that hears appeals of rejected zoning permit applications and Zoning Code violations. They have the authority to overturn a decision issued by the Department of Licenses and Inspections (L&I). The ZBA, in its decision making, is independent from L&I.

WHAT APPEALS ARE REVIEWED BY THE ZONING BOARD OF ADJUSTMENT?

The ZBA hears appeals of decisions based on Title 14 of the Philadelphia Code, known as the Zoning Code.

1. If a use or proposed plans do not meet the requirements of the Zoning Code, a Notice of Refusal of Permit will be issued by L&I. In these cases you are filing an appeal and are seeking a "variance" from the requirements of the Zoning Code.
2. In some situations, proposed uses meet the minimum requirements of the Zoning Code, but require special review and approval from the ZBA. L&I will issue a Referral to the Zoning Board of Adjustment. In these cases you are filing an appeal and are seeking a "special exception" of the proposed use.
3. If a person is aggrieved by a decision, based on Title 14 of the Philadelphia Code, rendered by L&I, you may file an appeal against the actions or interpretations of L&I to seek to have the decision of L&I overturned.

WHEN CAN I FILE AN APPEAL?

You can file an appeal immediately after L&I renders its decision. However, please note that your right to appeal expires thirty (30) days from the date of issue of the decision. All appeal requests received after this time may be returned.

HOW DO I FILE THE APPEAL?

STEP 1 – Complete the entire ZBA "Application for Appeal" or "Application for Special Exception" Form.

Provide all the information requested on the form. Include complete addresses and accurate telephone numbers. Indicate where contact person(s) can be reached during normal business hours. Clearly print or type the information.

STEP 2 – Enclose the Required Filing Fee

Enclose a check or money order made payable to the "City of Philadelphia" in the amount shown on your refusal or referral.

STEP 3 – Obtain a Certificate of Tax Compliance from the Revenue Department

Visit <https://secure.phila.gov/revenue/TaxCompliance> to complete the on line form and print the certificate.

STEP 4 – Mail or bring the completed "Petition of Appeal" form with filing fee and one (1) signed copy of the Notice of Refusal or Referral to the ZBA or a copy of the decision rendered by L&I to the following location:

**Boards Administration Unit
1401 John F. Kennedy Boulevard
Municipal Services Building — 11th Floor
Philadelphia, PA 19102-1687**

**Telephone Number: 215-686-2429
Fax Number: 215-686-2565**

WHAT DO I DO AFTER I RECEIVE THE HEARING DATE/TIME AND POSTERS?

1. You will receive a "Notice of Appeal". The notice will have the calendar number assigned, the location of the hearing (1515 Arch Street 18th Floor, Room 18-002) and the date and time of the hearing.
2. Ensure all documents contain the correct information. Call the Boards Administration Unit at 215-686-2429 to report any errors.
3. Ensure that you have the correct number of posters needed to fulfill the posting requirements. If your property fronts on one or more than one street you will be required to display a poster on each street frontage your property faces. Immediately come to the Boards Administration Unit between the hours of 8:30 AM to 4: 00 PM for replacement of any poster that is torn, removed or altered. Posters must remain in place for a minimum of 21 days before the hearing.
4. Search the City map and determine the [Registered Community Organizations \(RCO's\)](#) identified for your property. Notify them within 7 days and request a meeting.

DO I NEED TO BE REPRESENTED BY AN ATTORNEY?

1. Any corporation having an interest in any matter shall appear in person, represented by an attorney-at-law authorized to practice law within the Commonwealth of Pennsylvania. This includes religious and non-profit organizations.
2. Any party or community organization may appear before the Board in person, or by an attorney-at-law authorized to practice within the Commonwealth of Pennsylvania.
3. Any partnership having an interest in any matter may appear before the Board by one of its partners by providing written authorization from the General Partner and/or Managing Partner to represent the partnership at the hearing, or by an attorney authorized to practice within the Commonwealth of Pennsylvania.

***** PLEASE READ THE INSTRUCTIONS ON THE OTHER SIDE *****

WHAT DO I DO WITH THE ORANGE POSTERS

It is important to follow all posting requirements. If posters are not displayed properly your hearing may be postponed or dismissed.

1. **Do** display one orange Zoning Notice Poster on each street frontage of the property with which the appeal is concerned, for at least 21 consecutive days immediately before the hearing date. The posters must also remain up on the property on the day of the hearing but removed promptly after the day of the hearing.
2. **Do** display the posters on the property with which the appeal is concerned and as close to the sidewalk as possible. Use a stake in the ground if necessary. Posters should be in plain view, at eye level so that people walking by will be able to read the poster without coming onto the property. Ensure that posters are not hidden by bushes, fences, tree limbs, roll down gates or other obstructions. Do not attach posters to trees, utility poles, roll up gates or doors that are used.
3. **Do** take three (3) photos of the posters. These photos MUST be time and date stamped. These photos must be presented to the Board the day of your hearing. Failure to do this may result in the dismissal of your case.
4. If a public hearing is postponed or continued, posters notifying the public of the new hearing must be posted.

WHAT DOCUMENTS ARE REQUIRED ON DAY OF HEARING BEFORE THE ZBA?

1. Proof of your legal interest in the property with which the appeal is concerned. Bring one of the following to the hearing:
 - A **DEED** which has been recorded and stamped by the City Recorder of Deeds; or
 - A current **LEASE**; or
 - An **AGREEMENT OF SALE**, if you are in the process of purchasing the property; or
 - An **AGREEMENT OF SALE**, if the property was purchased within the last six months; or
 - A **RECEIPT** from the Sheriff, if the property was purchased at Sheriff's sale within the last year.
 2. Written authorization in the form of a notarized letter from all other owners whose names appear on any deeds, leases, agreements of sale, or settlement sheets. This includes husband, wife, children or parents.
 3. Photographs: Photographs of the property with which the appeal is concerned are required to be presented to the ZBA in order to enable the Board to view the property and understand your proposal.
 - a. Photographs must be clear, not less than four inches by six inches(4" x 6")dated, bear the address of the property with which the appeal is concerned, the calendar number of the case; the name and address of the photographer; the date of the photograph and a brief description of the photograph.
 - b. Do not mount the photographs on a display board, as they must be kept on file.
 - c. Photographs must show the following:
 - Each orange Zoning Notice poster posted on each street frontage of the property.
 - Exterior views of the entire property to include the front, side and rear of the structure(s), all stories of the structures on the property and along each street frontage, including adjoining properties on the block.
 - Interior of the property.
- Note: The Board encourages you to make your property as attractive as possible prior to picture taking. The removal of any debris, graffiti, excessive signage, weeds and other eyesores, together with effective property maintenance, sends a positive message to the community and is indicative of responsible ownership.
4. Plans: To help explain your proposal, the Board requires that you present professional quality, accurately drawn, scaled and fully dimensioned site plans and floor plans.
 5. Documentation of meetings or requests for meeting with the Registered Community Organizations.
 6. A Certificate of Tax Compliance from the Revenue Department.

WHAT DO I DO IF I HAVE SPECIAL NEEDS DUE TO A DISABILITY?

If you are scheduled to participate in a ZBA hearing and have special needs due to a disability as defined by the Americans with Disabilities, please call 215-686-2429 as early in the process as possible, but no later than fourteen (14) days prior to the hearing. The City will take the necessary steps to facilitate your participation.

WHAT DO I DO IF I AM LIMITED ENGLISH PROFICIENT?

Free interpreter services are available to assist you during the hearing process. If you elect to use the free interpreter service during the hearing, please notify the L&I representative at the hearing before your case is called.

WHAT ARE THE POSSIBLE OUTCOMES OF A HEARING?

1. The ZBA rules in your favor and grants a variance and/or special exception. In this case, you will receive a "Notice of Decision". You must bring this notice to the Department of Licenses and Inspections Zoning Unit and obtain the permit you were seeking. You must obtain the permit within one (1) year of the date of the Notice from the ZBA. After this time, the variance and/or special exception will be void.
2. The ZBA denies your request for a variance and/or special exception. In this case, you will receive a "Notice of Decision" also. You have the option to appeal this decision to the Court of Common Pleas. The appeal against the decision of the ZBA, must be filed within thirty (30) days of the date of the Notice of Decision.