

Why is the GBCL hearing a Zoning presentation and voting to support or oppose a project?

- The **GBCL** has absolutely no decision-making authority regarding zoning. However, the GBCL is often asked to examine projects and provide community feedback to the **Zoning Board of Adjustment (ZBA)**. This occurs only when a project strays from Zoning Code guidelines, receives a **REFUSAL** to their permit and requires a **VARIANCE** to move forward. A **VARIANCE** is a request to the ZBA to deviate from Zoning regulations.

Background:

- The **Philadelphia Zoning Code** is the city's rule book that regulates the **USE** of land and **BUILDING DIMENSIONAL STANDARDS**. The Zoning Code also addresses parking, signage, and landscaping requirements. The purpose of its regulations and their enforcement is to protect the public's health, safety, and welfare.
- To obtain required **Building** or **Zoning Permits** for a project, either for its **USE** or **BUILDING DEMENSIONS**, an applicant must first apply to the **Department of Licenses and Inspections (L&I)** for a project review before any permits are issued.
- After examining project plans, **L&I** will often issue a **REFUSAL** if a project does not conform to Zoning Code standards as it relates to **USE** and **BUILDING DEMENSIONS**. The issued **REFUSAL** will cite the reason(s) why the permit request was denied.
- Receipt of a **REFUSAL** letter does not automatically end a project. The project applicant is lawfully permitted to **APPEAL** the **REFUSAL** decision and request a **VARIANCE** from the ZBA for their deviation from the Zoning Code rules.
- If a project applicant chooses to **APPEAL** their **L&I REFUSAL**, the **Zoning Board of Adjustment (ZBA)** verifies circumstances exist that present an unnecessary hardship in complying with the Zoning Code, before scheduling a zoning hearing. **Why are we hearing this zoning presentation?** Because applicants are *required* to present their project to the community for feedback *before* the ZBA considers their request.
- Community members then listen to a detailed presentation, ask questions, discuss, and then vote on whether to **SUPPORT** or **OPPOSE** the variance request. Afterwards, the community's majority opinion is provided to the ZBA to assist at the review hearing. At the conclusion of the zoning hearing, **the ZBA solely decides** whether to issue a **VARIANCE** and allow the project to move forward or not.