



Guide for Zoning Applicants

INTRODUCTION

The City of Philadelphia requires one or more variances when the proposed size or use of a property or parcel is not supported by local zoning code or use regulations. The opportunity to present an appeal for community review streamlines the zoning appeal process by preventing applicants from going before the Zoning Board of Adjustment (ZBA) unprepared or with plans that contain obvious flaws. This opportunity for review is valuable for both the applicant and members of the community.

The Newbold Neighbors Association (NNA) Planning & Zoning Committee strives to provide a moderated public forum for the review and discussion of all zoning appeals filed within its boundaries. These boundaries are north to south from Washington to Passyunk Avenues and east to west from Broad to 18th Streets.

Based upon the Applicant's presentation and discussion that follows, meeting participants and Committee members will deliberate privately. A formal, written recommendation will be sent to the ZBA within three business days after the meeting date.

Opinion letters are categorized as:

- Letter of support
- Letter of opposition
- Letter of non-opposition

The letter will outline the opinions and positions of the Committee, the majority of attendees, the proximal neighbors (those within a 3 block radius), and dissenting attendees. The letter will also include any provisos asked of the applicant.

All official Committee correspondence is directed to the ZBA Chairperson (currently, Chairwoman Michelle Rand). Correspondence is copied to:

- Second District Councilperson (currently Kenyatta Johnson)
- The South District City Planner (currently Jeanette Brugger)
- The applicant and representative(s)
- The NNA President (currently Joe Suchma)
- The leadership of adjacent organizations when applicable

These correspondences are available to members of the public through our website or upon request.

Newbold Neighbors Association Planning & Zoning Committee



MEETING SCHEDULING/NOTIFICATION

Initial contact must include the applicant's name, owner's name and property address. Please include scanned copies of the application for zoning variance, refusal notice, appeal application, and ZBA hearing notice.

Please e-mail planning@newboldneighbors.org for all correspondence.

As stated in the zoning code;

As an RCO, NNA will provide a public forum for hearing your refusal/appeal through its Planning & Zoning Committee. If you are represented by an attorney or architect, please have them make contact with the Committee on your behalf. While NNA makes every effort to hear appeals promptly, the monthly schedule fills in advance. A presentation date for the next available public community meeting will be assigned. If the date of the next available public meeting is after the applicant's ZBA hearing date, it is the responsibility of the applicant to file a continuance with the ZBA.

In some cases, the NNA Board may determine that a particular project requires community review despite an applicant's failure to communicate with the Committee. In such cases, NNA will automatically request a continuance from the ZBA and recommend that the applicant be redirected by the ZBA to present to NNA.

Applicants are required by law to provide notice to the public in accordance with Bill 120889: http://www.phila.gov/CityPlanning/projectreviews/PDF/FactSheet_Bill_120889_RCOs.pdfNotices are required to be posted at least a week before the scheduled public meeting. Notice is also extended via NNA's website, www.newboldneighbors.org, its Facebook Group and Page and its weekly e-mail announcements. Applicants will also receive orange Zoning Notices from the City. These must be posted as directed. Applicants should photograph all posted signs for the record.

DOCUMENTATION AND APPLICANT REQUIREMENTS

No less than ten days prior to the Committee Meeting all documents listed below will be submitted for Committee preview. Applicant will also bring three copies of the documentation listed to the Committee meeting. These may not be returned. Drawings must be to scale and include all levels of the building including basement, even if the application impacts only one level. All plans must be stamped by the Planning, Streets, and Traffic Departments.

If your application is for a property that you do not own, you MUST provide a copy of your lease and at least one equitable property owner must attend the Committee meeting. If Owner is not available, s/he may submit a notarized letter of support for your zoning appeal.

Newbold Neighbors Association Planning & Zoning Committee



ALL APPLICANTS MUST PROVIDE

1. Deed, Agreement of Sale, Lease, or receipt of Sherriff's Sale
2. Site Plan, including applicant property and its relationship to neighboring structures and the closest intersection. Show sidewalks, fire hydrants, direction of traffic, on-street parking, curb-cuts, exterior lighting, alleys, garages, trees, and encroachments into the Right-of-Way.
3. Floor Plan As-Is
4. Floor Plan As Proposed
5. Site Photos of front, rear, and side (where applicable) showing Applicant property in relation to adjacent properties and to the block.
6. Renderings

SPECIAL APPLICANTS

In addition to the items listed above, Signage Applicants must provide drawings of each proposed (or existing illegal) sign with exact dimensions and showing the sign location relative to the building. New Construction Applicants must provide Site Elevations for front, rear, and side showing the proposed structure in relation to two adjacent properties in each direction. Elevation plans must indicate construction and finishing materials. Applications for Additions & Alterations must provide photographs of each building face, and of the proposed addition or area of alteration.

INFORMAL PRESENTATIONS

Occasionally, NNA receives requests from developers to make an informal presentation at a zoning meeting, in order to gather input from the community on a project before a refusal has been received. These requests will be granted only for multi-lot developments and if there is still room on the agenda for the upcoming zoning meeting 14 days out from that meeting.

NEIGHBORING RCO

Under the new zoning code, NNA will attempt to collaborate with all affected RCOs to hear applications that overlap boundaries. Applicants are required to provide all documentation to each applicable RCO. For the convenience of the applicant, NNA will try to convene a joint meeting of all the affected RCOs. Each RCO will submit its own letter to the ZBA.

MEETING PROCEDURE

The order in which applicants are heard is determined by the Committee Chair and will be reflected in the published agenda.

Newbold Neighbors Association Planning & Zoning Committee



For a detailed explanation of the meeting procedure, please refer to our Zoning Meeting Format Guidelines (<http://www.newboldneighbors.org/media/6562/zoningmeetingformatguidelines.pdf>).

VOTING PROCEDURE

Each attendee will receive one voting sheet, with space for each applicant. Valid ballots will include voter's name and primary address. All community members, business owners, and persons owning property within the proscribed boundaries of NNA are allowed to vote. In cases of non-consensus, proximal neighbors are given priority. While every attempt is made to share a consensual community opinion with the ZBA, it is the ZBA's final decision that determines all outcomes.

Members of the public and of the NNA Planning & Zoning Committee may appear at any ZBA hearing to reinforce their position.

PROVISOS

In order to reach consensus the Committee may propose provisos, special exceptions, which must be met in order for the project to be approved by the community. When the Department of Licenses & Inspections (L&I) can enforce these provisos, they will be recommended to the ZBA. If the community and Applicant agree upon a proviso that is unenforceable by L&I, the agreement will be written and signed by the Owner, Applicant, and Committee Chair prior to the ZBA Hearing so that it can become part of the official record.

SOME CONSIDERATIONS OF THE COMMITTEE

- Intended versus Proposed Use and number of Variances required
- Hardship explanation
- Population density, public services, utilities
- Public welfare, safety, fire, hygiene
- Garbage disposal, snow removal, common area maintenance
- Height, open area requirements, visibility
- Parking
- Exterior lighting
- Signage
- Property's zoning history
- Residential rental to ownership ratio
- Number of businesses selling alcohol or tobacco in two-block radius
- Opinions of adjacent residents and block
- Property tax status and/or outstanding City Violations
- Architectural elements

Newbold Neighbors Association Planning & Zoning Committee



CAMERAS & PRESS REQUESTS

Please direct all requests for interviews and/or permission to record meetings to the NNA President via e-mail at president@newboldneighbors.org.

NNA reserves the right to record any meetings or proceedings without prior notice. The recording of any meeting or proceeding will be announced prior to the start of recording.

MEETING DATES FOR 2014

- Wednesday January 22
- Wednesday February 26
- Wednesday March 23
- Wednesday April 23
- Wednesday May 28
- Wednesday June 25
- Wednesday July 23
- Wednesday August 27
- Wednesday September 24
- Wednesday October 22
- Wednesday November 19
- Wednesday December 17

All meeting dates are subject to change – please check www.newboldneighbors.org/calendar to verify the date, time, and location of NNA Planning & Zoning Committee meetings.