

Zoning Board of Adjustment Virtual Hearings

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Department of Planning and Development
Zoning Board of Adjustment
CITY OF PHILADELPHIA

Agenda

- Filing an Appeal
- Virtual Hearing Schedule
- Attending a Hearing
- Virtual Hearing Procedures
- Registered Community Organizations (RCOs)

Filing an Appeal

- Use eCLIPSE to file an appeal only if you've received a zoning permit refusal in eCLIPSE

OR -

- Use a paper application (available on ZBA website) and mail appeal (including check or money order) to ZBA offices:

1515 Arch St., 18th Floor, Room 18-006, Philadelphia, PA 19102

- Previous suspension of filing deadlines was lifted on June 22, 2020; Applicants given additional 14 days from that date (July 6th)

Virtual Hearing Schedule

- Starting July 14th, ZBA will hold hearings Tuesdays and Wednesdays
- ZBA Boards Administrator is the only person who can schedule or reschedule a case
- Applicants will be contacted via email when their case is scheduled or rescheduled
- Applicants for rescheduled hearings will receive a new poster via email and are required to post it onsite for 14 days

Virtual Hearing Schedule

- Applicants should request a needed Continuance in advance of the hearing
- Applicants must have completed notifications and public RCO meeting requirements prior to scheduled hearing
- If you have not met with the RCO, please contact the Board as soon as you receive notice that you've been rescheduled
- Applicants and interested parties must submit all documents to be presented to RCOZBA@phila.gov at least five days in advance

Virtual Hearing Schedule

- Online appeals calendar will be updated, once a day, as hearings are scheduled
- Board strongly suggests mailing a notice of a rescheduled hearing to RCOs, Council office, and neighbors
- For projects that require Civic Design Review, the case cannot be heard by the Board until the CDR process is completed
- Contact RCOZBA@phila.gov immediately if you are assigned a hearing that you will not be prepared to attend

Attending a Hearing

- Hearings held on Zoom Webinar platform:
webinar ID 820 8829 2595
password 634842
- Join via a computer, tablet, smartphone or landline phone
- Attendees will be asked to register to enter the meeting – please allow time to fill out the form
- Upon entering the meeting all participants will be “attendees” who will not be able to use their camera or microphone until the appropriate time

Attending a Hearing

- Registration and attendance will constitute as an “Appearance Statement” for computer, tablet, and smartphone attendees (phone attendees will be given instructions to register once they’ve joined the hearing)
- When registering to join the meeting, make sure to select all cases for which you wish to file an Appearance Statement

Virtual Hearing Procedures

- Documents to be presented and witness names must be submitted to RCOZBA@phila.gov and suletazba@gmail.com least five days in advance of the hearing
- Order of presentations:
 - presentation by the Applicant;
 - presentation by any participant represented by counsel;
 - presentation by any unrepresented interested party or attendees; and
 - recommendation from the Planning Commission
 - Presentations may be conducted in an alternate order at the discretion of the Chair

Virtual Hearing Procedures

- Hearings will be recorded and attended by court reporter
- Participants in each case will be designated as “panelists” by the host, allowing them to be on camera and mute and unmute their microphones
- The host will manage the presentation of all exhibits previously submitted, but may, where appropriate, allow a participant in the proceedings to present their own exhibits
- The “raise hand” function will be available for all participants to identify themselves

Virtual Hearing Procedures

- The Chair will administer an oath to each participant prior to their testimony
- All participants should identify themselves prior to speaking for the benefit of those joining the hearing by phone
- Board members, Planning Commission representatives, and attorneys representing parties will not have to use the “raise hand” function to speak
- When the Board is prepared to take testimony from members of the public, anyone wishing to testify may use the “raise hand” function

Virtual Hearing Procedures

- Following all testimony, the Chair will poll the Board to see if they are prepared to vote
- When the Board wishes to confer prior to voting they will consider the matter in an Executive Session and vote at the next scheduled public hearing
- If no discussion is required, the Board will vote and staff will record the vote and any provisos

Registered Community Organizations (RCOs)

- Required to coordinate a public meeting for ZBA appeals for variances and special exceptions and Civic Design Review (CDR) Committee meeting
- Council district office identifies a Coordinating RCO where multiple RCOs exist
- PCPC surveyed RCOs in late May, heard from 99 of 268:
 - A third were already conducting remote meetings
 - 72% felt that more than half of their community had internet access and 80% said that more than half of their community had a computer, tablet, or smart phone

RCO Notification Process

- Staff resumed RCO Notifications in June for CDR applications and ZBA appeals
- Staff contacting all affected RCOs when ZBA Hearings are rescheduled
- PCPC passed emergency regulations to extend meeting timelines:
 - 45 days starts at RCO Notification (instead of filing date or L&I referral date)
 - 45-day periods that started before and ended during the COVID shutdown got an additional 45-day period (ending August 1st)

RCO Notification Process

- Coordinating RCOs have 45-days to host the public meeting or let PCPC know that they are unable to do so
- PCPC providing virtual meeting best practices guide to RCOs
- Staff working to stand up an RCO Help Desk to respond to technical questions and concerns