

## FAQ:

# Do I need to obtain a new zoning permit if the height of the proposed structure has changed?

### Background:

A zoning permit is issued as an approval to document the height and area of an approved structure, as well as the use of the parcel. Typically, whenever, there is a deviation between the proposed construction and an approved zoning permit, that deviation must be approved and documented by an [administrative adjustment review permit](#) or an [amended permit](#). It is not uncommon for the height of a building to deviate slightly due to unforeseen site conditions or slight design changes, as a result, some minor changes in height will be permitted without an [administrative adjustment review permit](#) or an [amended permit](#).

Per [14-202\(6\)](#), Building Height is defined as:

Except as expressly provided elsewhere in [the] Zoning Code, the vertical distance from the average ground level at the base of the structure to the top of the structure, provided, that if height is measured on a gable wall of a building, the top of the building shall be considered to be the midpoint height between the eaves and the ridge.

An [administrative adjustment review permit](#) is the appropriate manner of documentation if the aspect of the project being changed, in this case the height, required a variance from the Zoning Board of Adjustment or if the building height was referenced in a proviso. Zoning administrative adjustment review permits can only be approved for decreases to height.

An [amended permit](#) is the appropriate manner of documentation if the aspect of the project being changed, in this case the height, did not require a variance from the Zoning Board of Adjustments (i.e. the height was “by-right”), and the building height was not referenced in a proviso.

### Answer:

- If the building height of the proposed building deviates from the height that was approved on the zoning permit by more than 3 ft (36 in) or if the total number of stories has changed, the approved change must be documented by an [administrative adjustment review permit](#) or an [amended permit](#).
- If the building height of the proposed building deviates from the height that was approved on the zoning permit by 3 ft (36 in) or less and the total number of stories has not changed, the building plans examiner will determine if the change is compliant with the zoning code. If the change is compliant, it will be permitted without any additional documentation or approval. If the change is not compliant, the applicant will be instructed to revise the plans or obtain an [administrative adjustment review permit](#) or an [amended permit](#) to document the change.

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### Questions?

Call 311 or (215) 686-8686 (if outside Philadelphia) or submit a permit-related question online via <https://form.jotform.com/202434637485055>.

### Disclaimer:

This interpretation, policy or code application is intended to provide guidance to staff for consistency of review and is subject to change without notice. Application of this interpretation, policy or code application to specific projects may vary. There may be other ways to comply with the Code. If so, you are not required to use this method. You may want to investigate other options or consult with a professional identifying an equally code compliant solution.

### L&I Permit and License Center

1401 John F. Kennedy Blvd., Municipal Services Building, Public Service Concourse  
Open 8 a.m. to 3:30 p.m., Monday through Friday. Offices close at noon on the last Wednesday of each month.