

Philadelphia Zoning Board of Adjustment Application Instructions



About the ZBA and When to File

The Zoning Board of Adjustment (ZBA) is a quasi-judicial panel that hears appeals of denied zoning permit applications. The ZBA also has the authority to overturn a decision issued by the Department of Licenses and Inspections (L&I). The ZBA is independent from L&I.

Appeals must be made within **thirty (30) days** from the date of the decision. Appeal requests received after this time may be returned.

If you are appealing a Notice of Refusal, use form ZBA-01, Application for Zoning Variance.

A variance allows you to get a zoning permit for something that is not normally allowed by the Philadelphia Zoning Code. If you appeal, you will need to show the Board that it's not possible to follow the Code because one or more unique physical conditions at your property. You will also need to show that your proposal is the smallest necessary variance and that the proposal will not have undue impacts on nearby properties or the environment.

There are two types of variances: Use variances and Dimensional variances. **Use variances** allow you to use property in a way that isn't normally allowed, such as for commercial, residential, or industrial purposes. **Dimensional variances** allow you to build a building or other structure higher or closer to the edges of your property than would normally be allowed.

If you are appealing a Notice of Referral, use form ZBA-02, Application for Special Exception.

A special exception allows you to get a zoning permit for a use that is normally allowed by the Philadelphia Zoning Code, but only if the proposed use will not cause impacts beyond what would normally be expected for that use. If you apply for a special exception, you will need to show the Board that your proposal will not have unusual impacts.

If you are appealing the issuance of a permit or another decision by L&I, use form ZBA-03, Application for Appeal Against L&I.

An appeal against L&I is a challenge against any final order, requirement, decision, or determination made by L&I pursuant to the Zoning Code. If you file an appeal against L&I, you will need to state how you are impacted and show specifically how L&I's decision is inconsistent with the requirements of the Zoning Code.

General Instructions

Submit your form with the appropriate fee. Please read and follow the directions on the form. After filing your appeal, ZBA staff will provide detailed instructions to guide you.

If you are applying for a variance or special exception, you will be responsible for notifying neighbors, explaining this appeal at a neighborhood public meeting, and displaying a notice poster at the property. All applicants are responsible for submitting specific exhibit documents. You may also be asked to provide additional information prior to any scheduled hearing on your appeal.

Questions? Call the ZBA at 215-686-2429 or email RCOZBA@phila.gov.