



## **GENA Zoning Committee Policies and Procedures Introduction**

1. The GENA Zoning Committee holds monthly meetings to discuss all applications for zoning variances within the GENA boundaries.
2. A variance is required by the City of Philadelphia whenever the proposed size or use of a property does not conform to the Philadelphia zoning or building codes. A variance must be obtained from the Philadelphia Zoning Board of Adjustment (ZBA). Prior to appearing before the ZBA, applicants are required to schedule an appearance before the GENA Zoning Committee as provided by the Philadelphia Code.
3. The purpose of the Zoning Committee Meeting is to provide a public forum for the discussion and review of all zoning variance applications occurring within the GENA boundaries. Through these meetings, residents of the GENA area are able to provide direct neighborhood input into this important civic decision-making process.

### **Scheduling of GENA Zoning Meetings**

4. Zoning Committee Meetings are typically held on the 2nd Wednesday of each month at 7pm at the Prudential Savings Bank on Oregon Avenue. Applicants should contact the Zoning Committee co-chairs to request and schedule a spot at the next available Zoning Committee Meeting.
5. Special zoning meetings may be scheduled if the issue generates widespread interest and a larger space must be reserved for the meeting.

### **Requirements for Presentation to the GENA Zoning Committee**

6. Applicants are to deliver the following documents to the Zoning Committee Co-Chairs a minimum of two weeks prior to the date of the scheduled GENA Zoning Committee Meeting:
  - Any color photos of the project showing site.
  - Any scale plans and/or elevations that would describe intended changes to affected property.
  - Any renderings showing intended changes to the affected property.
  - Any refusal letters from the city.
  - Any letters from affected neighboring property owners showing support.
  - Any proposed signage.
  - A copy of the appeal to the ZBA, if applicable.



The GENA Zoning Committee strongly encourages applicants to submit materials electronically so that they can be distributed to the entire Zoning Committee. If hard copies are provided, the GENA Zoning Committee requests nine (9) copies of all documents. Applicants may provide one copy of blueprints and photographs if it would be difficult to duplicate them.

7. Should the applicant fail to provide the documents as described above by the date due, the applicant will not be placed on the meeting calendar and the GENA Zoning Committee will request a continuance from the Philadelphia Zoning Board of Adjustment (ZBA).

8. Prospective zoning applicants are strongly encouraged to contact GENA as early as possible to minimize the possibility of a request for continuance. If a timely meeting date cannot be met, GENA encourages the applicant to request a continuance of the ZBA. If an applicant refuses to present before the GENA Zoning Committee or cannot be contacted, GENA will ask the ZBA directly for a continuance. GENA will submit a request for continuance to the ZBA if a zoning applicant has not requested a meeting with the GENA Zoning Committee.

### **Meeting Notice**

9. Notice of meeting of the GENA Zoning Committee is provided on the GENA website, in the GENA newsletter, and in the South Philly Review.

10. The co-chairs of the Committee will make reasonable efforts to coordinate meetings with other RCOs in the area regarding requests for zoning variances within shared boundaries.

### **Meeting Procedures**

11. Meeting attendees will be asked to sign in. Any community member who wishes to speak at the meeting must also provide a home address within GENA's boundaries.

12. The Chair (or another committee member) will call the meeting to order by explaining that the purpose of the Zoning Committee Meeting is to provide a forum for the applicant to present his/her proposal and obtain input from the Zoning Committee and concerned members of the community who live within the GENA boundaries.

13. The Zoning Committee will introduce each applicant, read aloud the refusal explaining the variances sought, and ask the applicant to present their proposal to the Zoning Committee. Applicants are strongly encouraged to have his/her architect, attorney, or other representatives present.

14. After the applicant, his/her attorney, architect, or other representative has completed their presentation to the Zoning Committee, the Committee Members shall have first opportunity to ask questions and or comment on the project. Once the Committee has no further questions, the chair will take questions and brief comments from others in attendance. In order for everyone to have a fair chance to participate, community members are asked to speak only when recognized by the



chair. If a question or comment has not been addressed to the satisfaction of a community member, he or she should request the opportunity to speak again and not engage in dialogue with the applicant. Interaction between community members and applicants is expected to be conducted in an orderly manner at all times and not to become argumentative.

15. The Committee requests that before individuals speak, they state whether they have any bias in this case; whether they are a relative of the applicant; a real estate broker related to the case; an attorney whose office represents the applicant; or any other conflict of interest.

16. After the meeting, the Zoning Committee will deliberate in closed session on the merits of each application and vote on the Committee's position regarding the application.

17. GENA reserves the right to record any public meeting without prior notice. The recording of any meeting or proceeding will be announced prior to the start of recording.

### **Zoning Committee Guidelines**

18. As of the adoption of these Policies and Procedures, the GENA Zoning Committee consists of the following eight members:

- a. John Longacre, Co-chair
- b. Toki Rehder, Co-chair
- c. Gaetano Piccirilli
- d. Daniel Bartoli
- e. Thomas Janke
- f. John Christinzio
- g. Allan Moore
- h. Mark Leuzzi, Jr.

19. Committee members agree to disclose any personal conflicts of interests and recuse themselves from any cases where such conflicts arise. Committee members agree to abide by the decisions reached by the Committee after discussion and deliberation.

20. Members of GENA may nominate interested individuals to serve on the GENA Zoning Committee. Persons interested in serving may also nominate themselves.

21. New members will be approved by the majority of the current Zoning Committee upon demonstrating: (1) residence within GENA's boundaries, (2) familiarity with zoning issues, (3) ability and willingness to attend meetings, and (4) the ability to work well with others. Zoning Committee members will also consider the professional background of the nominee and whether the proposed member lends depth and talent to the Committee.



22. Committee members are permitted up to three unexcused absences from monthly meetings each year. Absences may be excused for good cause by the co-chairs of the Committee.

23. The Committee presides over the zoning meeting.

24. The Committee, in forming its opinions and moderating discussions, shall act in the best interest of the entire community. Opinion letters shall reflect the Committee's opinion on whether the application would have a negative or positive impact on both: (i) near neighbors and (ii) the community in general. While the Committee will give special consideration to the positions of near neighbors, if the Committee concludes that the good of the community as a whole is in conflict with the views expressed by the near neighbors of a property owner, the Committee may adopt a position different from those neighbors. In addition to community input, the Committee will consider construction details, historical considerations, zoning law, and the impact of any proposed use on the goals of any applicable community development plans.

25. The Zoning Committee's position is communicated to the ZBA in a letter from the Zoning Committee Chair, copying the applicant and District Councilperson, taking one of four possible positions:

a. *Support* – reflects a consensus, though not necessarily unanimity, among Zoning Committee and community members in favor of the application.

b. *Non-Opposition* – reflects a generally favorable disposition toward the application among Zoning Committee and community members, but recognizes significant opposition by some near-neighbors and/or other interested parties.

c. *Deferral* – reflects division among Zoning Committee and community members to the degree that the Zoning Committee cannot assume either a favorable or unfavorable position, and therefore defers to the ZBA.

d. *Opposition* – reflects a consensus, though not necessarily unanimity, among Zoning Committee and community members against the application.

26. Members of the Zoning Committee may appear at any ZBA hearings to reinforce GENA's position on applications. In addition, neighbors have the right to appear at ZBA hearings to speak for or against any application, whether or not a consensus agreement is reached at the GENA meeting.