

## Legislation Details (With Text)

**File #:** 090694      **Version:** 0      **Name:**

**Type:** Resolution      **Status:** ADOPTED

**File created:** 10/1/2009      **In control:** Committee on Legislative Oversight

**On agenda:**      **Final action:**

**Title:** Authorizing Council's Legislative Oversight Committee to hold public hearings to investigate the hearing, review and decision making processes of the Zoning Board of Adjustment and in furtherance of such investigation, authorizing the issuance of subpoenas to compel the attendance of witnesses and the production of documents to the full extent authorized under Section 2-401 of the Home Rule Charter.

**Sponsors:** Councilmember Krajewski, Councilmember Clarke, Councilmember Kenney, Councilmember O'Neill, Councilmember DiCicco, Councilmember Greenlee

**Indexes:**

**Code sections:**

**Attachments:** 1. Resolution No. 09069400.pdf

Date	Ver.	Action By	Action	Result	Tally
10/1/2009	0	CITY COUNCIL	ADOPTED & REFERRED		
10/1/2009	0	CITY COUNCIL	READ		
10/1/2009	0	CITY COUNCIL	Introduced		

Authorizing Council’s Legislative Oversight Committee to hold public hearings to investigate the hearing, review and decision making processes of the Zoning Board of Adjustment and in furtherance of such investigation, authorizing the issuance of subpoenas to compel the attendance of witnesses and the production of documents to the full extent authorized under Section 2-401 of the Home Rule Charter.

WHEREAS, The jurisdiction and powers of the Zoning Board of Adjustment (Zoning Board) are set forth in Section 5-1006 of the Philadelphia Home Rule Charter and Section 14-1800 of The Philadelphia Code; and

WHEREAS, The Zoning Board is charged with reviewing the requirements of the Zoning Code and in appropriate cases, granting relief from those requirements; and

WHEREAS, In determining whether the requested relief meets the criteria set forth in the Zoning Code for granting such relief, the Zoning Board hears and reviews evidence from the applicant and other interested parties such as neighbors, community groups, City Council members or their staffs and others; and

WHEREAS, In performing its official duties, the Zoning Board acts as a quasi-judicial body and is required to apply the law to the facts in the matter before it; and

WHEREAS, The numerous decisions made by the Zoning Board impact not only individual property owners but also the character of communities and the entire City; and

WHEREAS, Questions have been raised regarding several of the Zoning Board’s decisions and its treatment, at the hearings, of public input and requests from neighbors, community groups and Council staff; and

WHEREAS, It is crucial to the stability of communities and to the future of the City for the Zoning Board to hear and take into consideration all of the evidence so that it can make well reasoned decisions; now therefore,

RESOLVED BY THE COUNCIL OF THE CITY OF PHILADELPHIA, That Council hereby authorizes Council's Legislative Oversight Committee to hold public hearings to investigate the hearing, review and decision making processes of the Zoning Board of Adjustment and in furtherance of such investigation, authorizing the issuance of subpoenas to compel the attendance of witnesses and the production of documents to the full extent authorized under Section 2-401 of the Home Rule Charter.