

## **APPEALS PROCESS BOARD OF ZONING APPEALS**

The appeals boards are entities separate from Building and Housing. They are comprised of appointed members under an appointed chairman who convenes regularly scheduled public hearings arising from orders of the Building Department. The boards may require attendance of witnesses, production of records and papers, and may take depositions of witnesses. Testimony is given under oath. At the conclusion of testimony, board members deliberate and decide the case, rendering their decision in the form of a “Resolution”.

If the appeal is denied, the appellant has recourse to the Court of Common Pleas

### **BOARD OF ZONING APPEALS**

- Complete the appeal application form
- Pay the filing fee
- Provide a statement of appeal, identifying the B&H order and the relief which appellant is seeking.
- Submit the original permit application (retrieved from B&H offices) and one set of plans
- The Board staff will perform a records search, identifying previous resolutions granted or denied
- The Board staff will conduct a site reconnaissance to determine the property owners who would be affected by a variance granted
- The Board publishes the announcement of the public hearing in the City Record
- The Board will notify the appellant and all affected property owners of the date, time and location of the public hearing
- Public hearings are conducted every Monday morning in Room 514. A court recorder will transcribe the proceedings.
- City staff attends and provides technical information as required.
- Appellant may call witnesses, cross-examine witnesses, submit testimony and evidence, and may be represented by an attorney.
- After sufficient discussion, the board may move to adopt or deny the appeal, conditions and restrictions may be added. The proceedings may be postponed to an upcoming meeting to gather additional information at the board’s discretion.
- A vote is taken among the members present, the case is decided and resolved, and may be remanded to B&H for further action.
- A written resolution is provided to the appellant in the week following the public hearing. This document becomes a part of the permanent file.
- Process typically takes 6 – 7 weeks.

- The appellant must retrieve the original application and set of plans from the Board's office to return to B&H for further processing.