



**Division of Development Administration and Review**

City of Pittsburgh, Department of City Planning

200 Ross Street, Third Floor

Pittsburgh, Pennsylvania 15219

**ZONING BOARD OF ADJUSTMENT**

**HEARING AGENDA**

**December 1, 2011**

**Date of Hearing:** December 1, 2011

**Time of Hearing:** 9:00

**Zone Case 217 of 2011**

5617 Wellesley Ave

**Zoning District:** R2-M

**Ward:** 11

**Council District:** 7, Councilperson Patrick Dowd

**Neighborhood:** Highland Park

**Applicant:** Christine Adams

**Owner:** Adams Benjamin Seth and Christine T.

New fence in rear and exterior side yard, accessory to single family dwelling.

**Variance:** 925.06.A.2

4 ft solid fence with 2 ft shadow box above

Appearances

For Appellant:

Objectors:

Observers:

**Past Cases & Decisions:**

N/A

**Notes:**

Certificate of Zoning Classification 138739, dated 02/28/2011, described proposed use of property as "Two family dwelling".

Certificate of Zoning Classification 140807, dated 07/18/2011, described proposed use of property as "SF".

**Date of Hearing:** December 1, 2011

**Time of Hearing:** 9:10

**Zone Case 218 of 2011**

819 Maginn St

**Zoning District:** R1D-L

**Ward:** 26

**Council District:** 6, Councilperson Daniel Lavelle

**Neighborhood:** Perry South

**Applicant:** John D Sweeney

**Owner:** John D Sweeney

New 23 ft x 18 ft two car detached garage in front yard of 2 ½ story single family dwelling

**Variance:** 903.03.B.2

30ft minimum front set back required; and 1 ft requested

Appearances

For Appellant:

Objectors:

Observers:

**Past Cases & Decisions:**

ZBA Case 323 of 1990;  
Special Exception Denied for the retail sales of firearms and manufacture ammunition as a home occupation.

**Notes:**

N/A

**Date of Hearing:** December 1, 2011

**Time of Hearing:** 9:20

**Zone Case 219 B of 2011**

1210 Love St

**Zoning District:** R1D-L

**Ward:** 14

**Council District:** 5, Councilperson Doug Shields

**Neighborhood:** Swiss helm Park

**Applicant/Owner:** Deborah Weisberg

8 and ½ ft x 19 ft parking stall accessory to one family dwelling

**Variance:** 903.03.B.2

5 ft minimum interior side yard setback required; and 0ft proposed.

Appearances

For Appellant:

Objectors:

Observers:

**Date of Hearing:** December 1, 2011

**Past Cases & Decisions:**

N/A

**Notes:**

Certificate of Zoning Classification 1732, dated 5/6/1983, described present use of property as "1 ½ story Brick & Siding dwelling situated on a lot 90x150 more or less"

Certificate of Classification 8026, dated 8/20/1984; described present use of property as "1 ½ story single family dwelling".

Certificate of Zoning Classification dated 10/11/1991, described present use of property as "1 ½ story one family dwelling".

**Time of Hearing:** 9:30

**Zone Case 222 of 2011**

3002 Jane St

**Zoning District:** UI

**Ward:** 16

**Council District:** 3, Councilperson Bruce Kraus

**Neighborhood:** South Side Flats

**Applicant:** LBRA ARCHITECTURE /Stephen Sobina

**Owner:** 3010 Jane Street LLC

Renovation of an existing four story structure for new 18 dwelling units

**Special Exception:** 911.04.A.85      use of 18 dwelling units in Urban Industrial district is a Special Exception

**Variance:** 914.02.A      18 parking spaces required; 10 provided

Appearances  
For Appellant:

Objectors:

Observers:

**Past Cases & Decisions:**

N/A

**Notes:**

Certificate of Zoning Classification 139550, dated 4/25/2011, described current and proposed use of property "light manufacturing".

**Date of Hearing:** December 1, 2011

**Time of Hearing:** 9:40

**Zone Case 224 of 2011**

750 East Warrington Ave

**Zoning District:** LNC

**Ward:** 18

**Council District:** 3, Councilperson Bruce Kraus

**Neighborhood:** Allentown

**Owner:** Michael Woodson

**Applicant:** Arthur L Lubetz

Use of restaurant (general) on the first & second floors.

Use of off-site parking (seven spaces required) at corner of Allen St and Manton Way.

**Special Exception:** 911.04.A.57                      use of restaurant (general) in LNC District is a Special Exception

**Special Exception:** 914.07.G.2                      use of off –site parking is a Special Exception

Appearances

For Appellant:

Objectors:

Observers:

**Past Cases & Decisions:**

N/A

**Notes:**

Certificate of Occupancy 56920, dated 5/7/1990, with permitted occupancy "restaurant first floor with one dwelling unit above".

Certificate of Zoning Classification 140578, dated 7/1/2011, indicated current use of property as "commercial".

**Date of Hearing:** December 1, 2011

**Time of Hearing:** 9:50

**Zone Case 223 of 2011**

2312 South 18th St

**Zoning District:** H

**Ward:** 17

**Council District:** 3, Councilperson Bruce Kraus

**Neighborhood:** South Side

**Owner:** CUPKA RICHARD A JR & CUPKA STEPHANIE G

**Applicant:** Ultimate Auto Body, Inc

Proposed one story expansion of auto body repair.

**Special Exception:** 921.02.A.1(a) expansion of a non-conforming use is a Special Exception

Appearances

For Appellant:

Objectors:

Observers:

**Past Cases & Decisions:**

ZBA, dated 11/26/1958, Denied to permit occupancy of a one story building as a tavern.

ZBA 795 & 795A, dated 8/22/1985, granted for one story garage for general repairs of automobiles only, with body and fender work, condition: all work shall be performed within structure.

ZBA 176 of 1997, Special Exception Granted to erect a 30'x30' 1 story extension to southerly side of existing 1 story garage and continue occupancy as an auto repair garage including body & fender work (no major painting or spray booth).

ZBA 270 of 2004, Granted Special Exception for the expansion of a Nonconforming use and enlargement of a Nonconforming structure; and a variance front yard: 6ft instead of 25ft; Conditions: Exterior signs are subject to approve by the Zoning Administrator prior to installation; there shall be no exterior storage of vehicles for more than a 7 day maximum.

**Notes:**

Certificate of Occupancy 149931, dated 4/6/1961, permitted occupancy "auto repairs".

Certificate of Occupancy 24548, dated 4/28/1971, permitted occupancy "Used car sales and incidental office and repairs of same".

Certificate of Occupancy 40832, dated 10/6/1982, permitted occupancy "Auto repairs including mechanical repairs: clean up and touch up body repairs".

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	<p>Certificate of Occupancy 50300, dated 11/7/1986, permitted occupancy "automotive general repair shop including body and fender work but not major painting or paint spray booth."</p>
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**Date of Hearing:** December 1, 2011  
**Time of Hearing:** 10:00

**Zone Case 222A of 2011**

2905 Merwyn Ave

**Zoning District:** R1D-M

**Ward:** 20

**Council District:** 2, Councilperson Theresa Kail-Smith

**Neighborhood:** Sheraden

**Applicant:** Steinle Properties LLC

**Owner:** Steinle Properties llc

Use of three story structure as a community home.

**Special Exception:** 911.04.A.84                      community home uses  
need to be approved as a  
Special Exception

Appearances

For Appellant:

Objectors:

Observers:

**Past Cases & Decisions:**

ZBA 77 of 2011, requested use of a 3 story structure as a custodial care facility; Denied without prejudice.

**Notes:**

Certificate of Occupancy 78035, dated 9/16/1999, permitted use "4' and 5' high chain link fence accessory to existing two family dwelling".

Certificate of Occupancy 40423, dated 7/27/1982, permitted use "two family dwelling and two outdoor parking stalls".

Certificate of Zoning Classification #4, dated 8/11/1982; present use of property "two story two family dwelling with two outdoor parking stalls".

Certificate of Zoning Classification #471, dated 1/27/1983; present use of property "two story two family dwelling with two outdoor parking stalls".

Certificate of Occupancy 81712, dated 8/2/2001, permitted occupancy "two family dwelling with 5' high chain link fence".

Certificate of Zoning Classification 125654, dated 8/6/2008, described current use of property as "single family dwelling".

**Date of Hearing:** December 1, 2011  
**Time of Hearing:** 10:10

**Zone Case 216 of 2011**

5201 Liberty Ave

**Zoning District:** UNC

**Ward:** 8

**Council District:** 8, Councilperson William Peduto

**Neighborhood:** Bloomfield

**Applicant:** Ryan Wotus

**Owner:** CJV ASSOCIATES

Appeal of Zoning Administration's determination as to qualification of use as "indoor recreation (general)" rather than as an "athletic club".

**Protest appeal:** 923.02.B.1  
923.02.D

appeal to the Zoning Board of Adjustment

**Past Cases & Decisions:**

N/A

**Notes:**

Certificate of Zoning Classification 124108, dated 5/3/2008; described current use of property as "auto sales and service"; described proposed use of property "within current zoning requirements".

Appearances

For Appellant:

Objectors:

Observers:

**Date of Hearing:** December 1, 2011

**Time of Hearing:** 10:20

**Zone Case 226 of 2011**

900 Western Ave

**Zoning District:** LNC

**Ward:** 22

**Council District:** 6, Councilperson Daniel Lavelle

**Neighborhood:** Allegheny West

**Owner:** Urban Landmarks Associates

**Applicant:** Urban Landmarks Associates

Expansion of an existing restaurant (limited) to restaurant (general) on the 1<sup>st</sup> and basement floor of an existing four story structure.

**Special Exception:** 911.04.A.57 use of restaurant (general) in LNC District is a Special Exception

Appearances

For Appellant:

Objectors:

Observers:

**Past Cases & Decisions:**

ZBA Case 182 of 1997, Special Exception Granted for the occupancy of an existing 2 story structure as a business for printing, laminating, and binding of printed materials and for the occupancy of 4,966 sq.ft. of an existing outdoor parking area, subject to the following conditions:

1. A revised plot plan, as described under findings of fact #13, must be submitted to the Zoning Administrator for approval upon receipt of this decision.
2. Trash shall be stored inside the structure until pick-up day.
3. All building code requirements must be met prior to the issuance of an occupancy permit.

**Notes:**

Certificate of Occupancy dated 7/14/1967, permitted occupancy "Sales of auto tires and accessories storage and distribution and recapping".

Certificate of Occupancy 74604, dated 1/30/1997, permitted occupancy "2 story structure for printing, laminating and binding of printed materials with 4,966 sq.ft. Parking lot (Platters 10' wide by 3' Depth 2'6" High at parking entrance)".

Certificate of Zoning Classification dated 6/26/2003, described the present use of property as "office-warehouse".

Certificate of Appropriateness #09-134, dated 11/9/2009, Historic District: Allegheny West, approved "In-kind repair and cleaning and maintenance to 900 Western Ave"

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