



**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**

**August 2, 2012**

**Date of Hearing:** August 2, 2012

**Time of Hearing:** 9:00

**Zone Case 161 of 2012**

700 E Carson St

**Zoning District:** G1

**Ward:** 17

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

**Neighborhood:** Southside Flats

**Applicant:** Oxford Development

**Owner:** Leahi Holding LP

New service station with 45 parking stalls.

**Variance:** 904.06.C.2                    minimum 20ft rear setback required and 0ft requested

minimum 5ft rear setback required for parking stalls and 0ft requested

**Variance:** 911.04.A.65(f)            minimum 150ft from any residential district required and 40ft requested

Appearances  
For Appellant:

Objectors:

Observers:

**Past Cases & Decisions:**

ZBA 206 of 1996, Special Exception granted to change occupancy of existing two-story structure from a construction inspection bureau and testing lab with an incidental office to offices for property restoration company with incidental storage of household items and restoration equipment including ladders, dehumidifiers and drying equipment with an existing 1,700 sq. ft. of outdoor parking area to remain.

**Notes:**

Certificate of Occupancy 79897, dated 8/31/2000, permitted occupancy "Offices for a property restoration company with incidental storage of household items and restoration equipment including ladders, dehumidifiers and drying equipment with an existing 1,700 sq. ft. of outdoor parking area".

**Date of Hearing:** August 2, 2012

**Time of Hearing:** 9:10  
**Zone Case 158 of 2012**

1851-1853 Morningside Ave

**Zoning District:** PO

**Ward:** 10

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

**Neighborhood:** Stanton Heights

**Applicant:** Grant Mary Ann

**Owner:** Grant Mary Ann

Use of three story structure as single family attached dwelling (side –by-side duplex, 2 units).

**Variance:** 911.04.A.69                      use of single family attached dwelling in PO zoning district is not permitted

Appearances  
For Appellant:

Objectors:

Observers:

**Past Cases & Decisions:**  
N/A

**Notes:**  
Certificate of Occupancy dated April 1995, permitted occupancy” Continued use of existing structure as a two family dwelling (party wall).One unit each address’.

**Date of Hearing:** August 2, 2012  
**Time of Hearing:** 9:20  
**Zone Case 159 of 2012**

159 Robinson St

**Zoning District:** R1A-H  
**Ward:** 4  
**Council District:** 6, Councilperson R. Daniel Lavelle  
**Neighborhood:** West Oakland  
**Applicant:** HO David & Sec  
**Owner:** Ho Davis & Sec

Use of existing two story structure as two family dwelling with 20ftx20ft existing two car detached garage at rear.

**Variance:** 911.04.A      use of two family dwelling is not permitted in R1A zoning district

**Variance:** 903.03.D.2      minimum 5ft interior yard setback required and 3.9ft (southerly side) and .08ft (northerly side) for the existing garage requested

Appearances  
For Appellant:

Objectors:

Observers:

**Past Cases and Decisions:**

N/A

**Notes:**

N/A



**Date of Hearing:** August 2, 2012  
**Time of Hearing:** 9:40  
**Zone Case 143 of 2012**

2827 Penn Ave

**Zoning District:** UI  
**Ward:** 6  
**Council District:** 7 ,Councilperson Patrick Dowd  
**Neighborhood:** Strip District  
**Owner:** Hooks Dorothy L  
**Applicant:** Arthur Lubetz

New multi-unit residential structure with 12 residential units and 13 parking stalls.

**Variance:** 904.07.C                      maximum height not to exceed 4 stories and 5 stories proposed

minimum 10ft interior side yard setback required and 0ft requested

**Special Exception:** 911.04.A.85  
use of multi-unit residential in UI zoning district is a Special Exception

Appearances  
For Appellant:

Objectors:

Observers:

**Past Cases & Decisions:**  
N/A

**Notes:**

Certificate of Occupancy 200502331, dated 12/04/2008, permitted occupancy "Continued use of two-story duplex (one unit at 2829 and one 2831 Mulberry Way).

**Date of Hearing:** August 2, 2012  
**Time of Hearing:** 10:00  
**Zone Case 162 of 2012**

5200 Penn Ave

**Zoning District:** LNC  
**Ward:** 8  
**Council District:** 7 , Councilperson Patrick Dowd  
**Neighborhood:** Bloomfield  
**Owner:** 1017 Fifth Avenue Partnership  
**Applicant:** Commercial Properties Inc.

New one story structure for use as grocery store (general).

**Special Exception:** 911.04.A.83 use of grocery store(general) in LNC zoning district is a Special Exception

**Variance:** 903.03.C.2 (916.02.A.6) minimum 30ft rear setback required and 18.78ft requested

**Variance:** 916.02.A.1(c) 916.02.A.2(c) minimum 15ft interior side yard setback required and 5ft requested

**Variance:** 922.04.E.3(a) minimum 65% building frontage on the primary frontage required and less than 50% proposed

minimum 50% building frontage on the secondary frontage permitted and 0% proposed

**Variance:** 922.04.E.3(b) the street level façade shall be transparent or shall include commercial- type windows and door openings and spandrel glass window proposed

**Variance:** 922.04.E.3(c) all primary structures shall provide a prominent and highly visible street level doorway or entrance on all facades of the building which front on a street

**Past Cases & Decisions:**  
N/A

**Notes:**  
N/A

**Variance:** 922.04.E.3(e)(i) no parking spaces shall be located between the front building façade and the front lot line and 72 parking spaces proposed

**Special Exception:** 914.07.D.2 Alternative Access and Parking Plan for parking spaces (auto and bicycle 72 total) proposed

**Variance:** 914.09.A.1 off-street parking area shall not be located within 10ft of the street right-of-way and 4.57ft(Penn Ave Side) and 5.47ft(S Pacific St side) proposed

**Variance:** 914.09.F minimum 60ft from intersecting street right-of-way to the driveway serving the parking area permitted and 5.97ft proposed

Appearances  
For Appellant:

Objectors:

Observers:

**Date of Hearing:** August 2, 2012  
**(continued form June 14,2012)**  
**Time of Hearing:** 10:10  
**Zone Case 107 of 2012**  
**(Case Remanded to the Zoning Board)**

7401 Frankstown Ave

**Zoning District:** RM-M  
**Ward:** 13  
**Council District:** 9, Councilperson Rev. Ricky Burgess  
**Neighborhood:** Homewood  
**Owner:** Harris Frank Mario Jr.  
**Applicant:** Harris Frank Mario Jr.

Use of 1,436 sq. ft. on the first floor as club (general) with one dwelling unit on the second floor of an existing two-story structure.

**Variance:** 911.04.A. 89            use is not permitted in RM zoning district

Appearances  
For Appellant:

Objectors:

Observers:

**Past Cases & Decisions:**  
ZBA 95 of 2011, applicants' request for use of 1436 sq. ft. on 1<sup>st</sup> floor as club (general) with one dwelling unit on 2<sup>nd</sup> floor of existing two story structure was denied. (opinion of the Board , Burkley Jegasothy)

**Notes:**  
Certificate of Occupancy 46426, 5/7/1985, permitted occupancy "Continued use of existing 2 story structure as a drug store first floor with one dwelling unit above".