



Pittsburgh Department of City Planning

ZONING BOARD OF ADJUSTMENT APPLICATION REQUIREMENTS

WHAT IS THE ZONING BOARD OF ADJUSTMENT?

The Zoning Board of Adjustment (ZBA) hears, and may grant, requests for variances from or special exceptions to the Zoning Ordinance. Zoning regulations are intended to allow property owners the reasonable use of their property insofar as the use is not detrimental to abutting properties or to the neighborhood.

HOW LONG DOES THE ZBA PROCESS TAKE?

The entire process usually takes two to three months. Hearing dates are at least three (3) weeks after applying, to allow for required public notification. After a hearing is held and the record is closed, the ZBA has 45 calendar days to make a decision.

HOW DO I SIGN UP?

Please make an appointment with Svetlana Ipatova, Zoning Case Review Specialist, at svetlana.ipatova@pittsburghpa.gov or 412-255-2214 to sign up for your hearing. At that appointment, you will discuss if your project requires a hearing; which type of request (variance, exception, review, and/or appeal) the ZBA will consider; the hearing date; and your notification poster(s). You must bring:

- Survey/plot plan (letter or legal size), 5 copies
- Check or money order for the fee

If you need site plan review, we recommend that you submit that application package and have your first round of comments completed before signing up for the ZBA. This will help you identify which requests you will need/want for your project.

HOW MUCH IS THE FEE?

The fee is one of the following:

- \$300 for a Residential Special Exception
- \$675 for a Non-Residential Special Exception
- \$250 for a Residential Dimensional Variance
- \$625 for a Non-Residential Dimensional Variance
- \$950 for a Use Variance
- \$500 for a Review
- \$500 for a Protest Appeal

Fees are non-refundable, regardless of whether your request is approved or denied. Payment must be by check or money order payable to "Treasurer, City of Pittsburgh."

These fees cover the ZBA hearing only. Additional fees may be assessed for other zoning reviews, such as site plan review or Planning Commission approval. These will vary by project.

WHAT IS THE POSTER FOR?

Upon application, you will be given one or more Posted Notice Posters indicating the date, time and nature of your appeal. It must be hung at the subject property at least 21 days prior to the date of the scheduled ZBA hearing.

On the date of posting, the applicant must take a photo of the posted notice. The photo must indicate the date. You hang the poster in order to verify that the 21-day public notice requirement has been met. To obtain the date on the photo, cameras with a date stamp function can be used or that day's newspaper can be held up beside the poster in the photo.

SHOULD I CONTACT MY NEIGHBORS?

The Department of City Planning will mail hearing notices to the abutting property owners, as obtained from the County Assessment Office. In addition, the ZBA strongly encourages the applicant to reach out to their surrounding neighbors and local community groups prior to the hearing date. City Planning staff can put you in touch with relevant local community group(s), if needed.

If there is a considerable amount of opposition at the hearing, and the ZBA finds that a community discussion has not taken place, the ZBA may request that the hearing be postponed to a later date in order to allow for meetings with neighbors or the community group(s) to occur.

WHAT SHOULD I BRING THE DAY OF THE HEARING?

You must bring:

- Photo of the Posted Notice, as described above;
- Elevation drawings for new construction;
- Photographs of the property, adjacent properties, and the streetscape;
- Copy of the executed lease or sales agreement, if applicable; and
- Any items/photos that may support your case.

Consult City Planning staff if you are unsure of what material may support your request.

The owner, lessee or purchaser must be at the hearing.

ZBA APPLICATION QUESTIONS CONTINUED

An architect, contractor or agent cannot represent the owner. An attorney may represent the owner.

WHAT TIME SHOULD I ARRIVE FOR MY HEARING?

You will be given a hearing time when you apply. You must arrive by your scheduled time, but because some cases may need more than 10 minutes, the ZBA may run behind schedule.

WHEN WILL I RECEIVE THE DECISION?

In many cases the record will be closed after the hearing has completed. For in-depth cases, or appeals with considerable opposition, the ZBA may allow proposed Findings of Fact and Conclusions of Law to be submitted by each party. Typically, the ZBA allows two or three weeks after the hearing for these to be submitted, at which point the record will then be closed.

After the record is closed, the ZBA will deliberate and make their decision within 45 calendar days of the hearing. This decision will be sent via US Mail to the applicant and all parties who appeared and testified at the hearing.

WHAT IS REQUIRED AFTER I RECEIVE A DECISION?

If your decision has been granted, and if all applicable conditions indicated in the decision have been fulfilled, **you must schedule an appointment with Svetlana Ipatova in order to process your zoning voucher.** Please note that there may be other development review requirements that need to be met, as described above. Please work with City Planning staff to determine the final zoning review needed for your project.

The ZBA decision expires one year after the mailing date. A permit should be obtained, and substantial construction or occupancy should begin within one year of approval. If additional time is needed, you may request a one-year extension by writing the ZBA within the one-year time period. Include the ZBA case number and the address of the subject property with a brief explanation on why an extension is needed.

MAY I APPEAL A DECISION?

Yes. If you or any affected person are dissatisfied with the ZBA decision, an appeal may be made to the Court of Common Pleas of Allegheny County within thirty (30) calendar days of the written decision's mailing date. The appeal process starts at the Department of Court Records located on the main floor of the City-County Building, 414 Grant Street. A transcript of your ZBA hearing will be required. This may be obtained by calling our reporting

agency, Network Deposition Services at 412-281-7908. Please have your ZBA case number and the date of your hearing available. We encourage you to consult an attorney if you choose to appeal.

WHEN AND WHERE ARE THE HEARINGS HELD?

The ZBA meets most Thursday mornings in the Civic Building at 200 Ross Street, 1st Floor Conference Room, Pittsburgh, 15219. Please note there is a ramped entry from the rear of the building, accessed from Third Avenue.

CAN I SEE THE ZBA AGENDAS?

The ZBA agendas are available on the Department of City Planning website: www.pittsburghpa.gov/dcp. Then click "Zoning Board of Adjustment".

To receive the agenda by email, please contact Dolores Hanna at dolores.hanna@pittsburghpa.gov or 412-255-2473.

ARE THE MEETINGS PUBLIC?

The public is invited and encouraged to attend and testify on projects that impact their neighborhood.

CAN I SEE PAST ZBA DECISIONS?

Yes, ZBA decisions are available for view at the Zoning Counter, 200 Ross Street, 3rd Floor. Photocopies of decisions are also available for \$0.50 per page, payable by check or money order only.

FOR MORE INFORMATION

Contact Svetlana Ipatova, Zoning Case Review Specialist, at svetlana.ipatova@pittsburghpa.gov or 412-255-2214.