



Division of Development Administration and Review

ZONING BOARD OF ADJUSTMENT

HEARING AGENDA

April 18, 2013

Date of Hearing: April 18, 2013
Time of Hearing: 9:00
Zone Case 75 of 2013

3595 Cable PI

Zoning District: LNC
Ward: 4
Council District: 3, Councilperson Bruce Kraus
Neighborhood: Central Oakland
Applicant: Evan Pavloff & Ethan Buckman
Owner: Defrancesco Lawrence

Use of existing two story structure as restaurant (general) on a first floor with live entertainment; manufacturing and assembly (limited) on a second floor (alcohol beverages) and agriculture (limited) on a roof.

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

Variance: 911.04.A.39 manufacturing and assembly is not permitted in LNC zoning district

Variance: 911.04.A.2(c) agriculture (limited) is not permitted in LNC zoning district

Appearances
For Appellant:

Objectors:

Observers:

Past Cases & Decisions:
N/A

Notes:

N/A

Date of Hearing: April 18, 2013
Time of Hearing: 9:10
Zone Case 82 of 2013

2401 Penn Ave

Zoning District: UI
Ward: 2
Council District: 6, Councilperson R. Daniel Lavelle
Neighborhood: Strip District
Applicant: Strip District Public Market Council INC
Owner: Horton Corporation of PA

Existing building renovation for use as retail sales and services (general) with three on-site parking stalls and 12 off-site parking spaces.

Special Exception : 914.07.G.2(a) off-site parking is a Special Exception

Variance: 914.02.A minimum 22 off-site parking spaces required and 12 spaces requested

Variance: 904.07.C.3 minimum 10ft exterior side setback required and 4.5ft requested for the on-site parking area

Appearances
For Appellant:

Objectors:

Observers:

Past Cases & Decisions:
N/A

Notes:

Certificate of Occupancy 201004446, dated 1/25/2011, permitted occupancy 'Use of 10,000 sq. ft. in portion of 1st floor as manufacturing and assembly (light) in existing one story structure'.

Date of Hearing: April 18, 2013
Time of Hearing: 9:20
Zone Case 76 of 2013

5247 Butler St

Zoning District: LNC

Ward: 10

Council District: 7, Councilperson Patrick Dowd

Neighborhood: Upper Lawrenceville

Applicant: C&R Collision II

Owner: Pietragallo Gene & Laura

Use of existing one story structure as vehicle/equipment repair (general) with off-site parking located at 5013 Butler St.

Variance: 911.04.A.74 use of vehicle/equipment repair (general)
Is not permitted in LNC zoning district

Special Exception: 914.07.G.2(a)
off-site parking shall be authorized in
accordance with the Special Exception

Variance: 914.07.G.2(a).1 off-site parking area shall not be located
more than 1,000ft from the primary
entrance of the use served; and
greater than 1,000ft maximum distance
requested

Appearances
For Appellant:

Objectors:

Observers:

Past Cases and Decisions:

N/A

Notes:

Certificate of Occupancy
25850, dated 9/25/1972,
permitted occupancy "1 story
auto sales and service
building with mezzanine
office".

Certificate of Occupancy
28629, dated 5/21/1975,
permitted occupancy "Beer
distributor and minor parking
area for four cars".

Certificate of Occupancy
000311, dated 1/5/2005,
permitted occupancy
"2800sq.ft. of first floor for
child care center for up to 70
children ages 1 year old to
kindergarten(1 year to 6
years age), operating
Monday through Sunday 24
hours a day".

Date of Hearing: April 18, 2013
Time of Hearing: 9:30
Zone Case 77 of 2013

811 N Homewood Ave

Zoning District: LNC

Ward: 13

Council District: 9, Councilperson Rev. Ricky Burgess

Neighborhood: Homewood South

Owner: Rouse Gene

Applicant: Rouse Gene

Use of a portion of a lot as vehicle /equipment sales (limited); 5 to 10 parking stalls.

Special Exception: 911.04.A.75 use of vehicle/equipment sales (limited) is a Special Exception in LNC zoning district

Appearances

For Appellant:

Objectors:

Observers:

Past Cases and Decisions:
N/A

Notes:

Certificate of Occupancy 52801, dated 2/15/1988, permitted occupancy "One story restaurant with 22 outdoor parking stalls (2 designated handicapped); 10'x10'trash enclosure 6' high, with a drive-thru (new structure)".

Date of Hearing: April 18, 2013
Time of Hearing: 9:40
Zone Case 78 of 2013

3452,3454,3500 Frazier St

Zoning District: R1A-H
Ward: 4
Council District: 6, Councilperson R. Daniel Lavelle
Neighborhood: South Oakland
Applicant: Hart Architectural Services
Owner: DeFrancesco Lawrence

Three new three story single family attached dwellings.

Variance: 903.03.D.2 minimum 15ft front setback required;
8'4"; 5'7" and 3' requested

minimum 5ft interior side setback
required and 0ft requested:
(3454 Frazier St – two sides)
(3452,3500 Frazier St – one side)

Variance: 914.02.A minimum one parking space per
dwelling required and zero requested

Appearances
For Appellant:

Objectors:

Observers:

Past Cases & Decisions:

N/A

Notes:

N/A

Date of Hearing: April 18, 2013
Time of Hearing: 9:50
Zone Case 79 of 2013

140 S 20TH Street

Zoning District: R1A-VH
Ward: 17
Council District: 3, Councilperson Bruce Kraus
Neighborhood: South Side Flats
Owner: Lardo John A & Nancy P
Applicant: Lardo John A & Nancy P

Use of existing two story building as two dwelling units.

Special Exception: 921.02.A.4 change from a one nonconforming use to another is a Special Exception

Variance: 914.02 two additional parking spaces required and 0 requested

Appearances

For Appellant:

Objectors:

Observers:

Past Cases & Decisions:

ZBA 606 of 1981, appeal granted with conditions/temporary only to occupy 1st floor of existing 2 ½ story structure as doctor's office. One dwelling unit above to remain.

ZBA 578 of 1982, special exception granted to occupy 1st floor of existing 2 ½ story structure as doctor's office with 1 dwelling unit above to remain.

ZBA 14 of 1984, special exception granted for two year period to continue occupancy of 1st floor of existing 2 ½ story structure as doctor's office. Existing 1 dwelling unit above to remain.

ZBA 85 of 1986, special exception granted to occupy existing 2 ½ story structure as home office of physician.

Notes:

Certificate of Occupancy 49531, dated 7/21/1986, permitted occupancy "Home office of physician".

Date of Hearing: April 18, 2013
Time of Hearing: 10:00
Zone Case 88 of 2013

725 Bell St

Zoning District: G1
Ward: 28
Council District: 2, Councilperson Theresa Kail-Smith
Neighborhood: East Carnegie
Applicant: Advance Sign Company
Owner: Union Electric Steel Corp

1,376 sq. ft. new sign mounted on the roof of one story structure.

Variance: 919.04.B.3(c) no sign shall be located on the roof of any building or structure

Variance: 919.03.M.1 the face area of signs shall not exceed a vertical measurement of 20ft and 21.5ft requested

Appearances
For Appellant:

Objectors:

Observers:

Past Cases and Decisions:
N/A

Notes:
N/A

Date of Hearing: April 18, 2013
(continued from March 7, 2013)
Time of Hearing: 10:10
Zone Case 48 of 2013

619-621 Foreland St

Zoning District: R1A-VH
Ward: 23
Council District: 1, Councilperson Darlene Harris
Neighborhood: East Allegheny
Applicant: Thomas J Vena
Owner: Schellhaas & Sons

Use of property as 10 parking spaces-accessories to business at 707 East Street.

Variance : 911.02 use is not permitted in R1A zoning district

Appearances
For Appellant:

Objectors:

Observers:

Past Cases and Decisions:

ZBA 353 of 1985, variance granted for 12-stall community parking area for funeral home located at 707 East Street. Site plan must be approved by Zoning Administrator.

Notes:

Certificate of temporary occupancy dated 4/12/1988, permitted occupancy "12 stall parking area for Schellhaas Funeral Home at 707 East St". Pending resolution of court case.
