



Division of Development Administration and Review

ZONING BOARD OF ADJUSTMENT

HEARING AGENDA

September 4, 2014

Date of Hearing: September 4, 2014

(continued from June 5, 2014)

Time of Hearing: 9:00

Zone Case 187 of 2013

40 S 22 St

Zoning District: R1A-VH

Ward: 16

Council District: 3, Councilperson Bruce Kraus

Neighborhood: South Side Flats

Owner: Pittsburgh Rugby Association II LLC

Applicant: Pittsburgh Rugby Association II LLC

Existing restaurant expansion; 21ft x 16ft two story addition at rear of existing structure.

Special Exception: 921.02.A.1 expansion of a nonconforming use is a Special Exception

Variance: 921.02.A.1.(a)(i) limit of expansion 15%; 50% requested

Variance: 903.03.E.2 minimum 3ft interior side setback required and 0ft proposed

minimum 5ft exterior side setback required and 0ft proposed

minimum 15ft rear setback required and 0ft proposed

Appearances

For Appellant:

Objectors:

Observers:

Past Cases & Decisions:
N/A

Notes:

Certificate of Occupancy 69537, dated 6/7/1995, permitted occupancy "Existing two story structure for bar/restaurant with one dwelling unit above and outdoor seating in rear of building and 6'6" high stockade fence. Maximum of 45 occupants inside; 30 outside".

Date of Hearing: September 4, 2014
Time of Hearing: 9:10
Zone Case 182 of 2014

3208 Smallman St

Zoning District: UI
Ward: 6
Council District: 7, Councilperson Deborah Gross
Neighborhood: Strip District
Applicant: Nevisi Shahrokh E & Mirthea Q
Owner: Nevisi Shahrokh E & Mirthea Q

Use of second floor of the existing two story structure as two family dwelling units with three car integral parking garage; first story to remain vacant.

Variance : 911.04 use of two family residential is not permitted in UI zoning district

Appearances
For Appellant:

Objectors:

Observers:

Past Cases and Decisions:

N/A

Notes:

Certificate of Occupancy 11-OCC-01147, dated 10/05/2011, permitted occupancy "Auto detailing shop in existing two story building with two service bays and three indoor parking stalls".

Date of Hearing: September 4, 2014
(continued from June 26,2014)

Time of Hearing: 9:20

Zone Case 152 of 2014

5424 Hampton St

Zoning District: R2-M

Ward: 10

Council District: 7 ,Councilperson Deborah Gross

Neighborhood: Morningside

Applicant: Hart Architectural Services

Owner: Maloney Gerald

40ft x 24ft 1 ½ story addition to existing single family dwelling and
22ft x24ft two car detached garage at rear.

Variance: 903.03.C.2 minimum 30ft front setback required and
24ft requested

minimum 30ft exterior side setback required
and 24ft requested(for the addition);
and 2ft requested(for the garage)

Appearances

For Appellant:

Objectors:

Observers:

Past Cases & Decisions:

N/A

Notes:

N/A

Date of Hearing: September 4, 2014
Time of Hearing: 9:30
Zone Case 192A of 2014

3845/3847 Merle St

Zoning District: R1D-L/LNC

Ward: 28

Council District: 2 ,Councilperson Theresa Kail-Smith

Neighborhood: Windgap

Owner: Kimbrough Development INC

Applicant: Kimbrough Development INC

Use of existing one story structure as retail sales and services, residential convenience with six existing outdoor parking stalls including one handicapped.

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

Appearances

For Appellant:

Objectors:

Observers:

Past Cases and Decisions:
N/A

Notes:

Certificate of Occupancy 19578, dated 1/25/1967, permitted occupancy "Grocery store".

Certificate of Occupancy 24325, dated 3/12/1971, permitted occupancy "Dairy Store".

Certificate of Occupancy 72189, dated 9/25/1996, permitted occupancy "One story structure for daycare center for up to 45 children including infants, operating Monday through Friday from 6:30am to 6:30pm with six outdoor parking stalls including one handicapped".

Date of Hearing: September 4, 2014

Time of Hearing: 9:40

Zone Case 211 of 2014

1113 Creedmoore Ave

Zoning District: R1D-M

Ward: 19

Council District: 4, Councilperson Natalia Rudiak

Neighborhood: Brookline

Applicant: Pittsburgh SMASA Limited Partnership

Owner: Rohn & Associates Design

Place platform and equipment at rear of existing structure, surrounded 7' chain link fencing with portions topped by 1' of razor wire. Portions of the proposed fence are existing, and portions will be added.

Variance: 903.03.C.2 minimum 30ft exterior side setback required and 10ft requested

Variance: 916.02.A minimum 30ft rear setback required, and 2ft requested for the platform and equipment, 3ft requested for backboard, 0ft requested for 8ft tall fence with barbed wire

Appearances
For Appellant:

Objectors:

Observers:

Past Cases and Decisions:

ZBA 334 of 1986, Special Exception granted for residential facility for 35 low income adult women with 5 outdoor parking stalls in side yard.

ZBA 251 of 2003, Special Exception granted to change the occupancy of an existing 3-story structure from a residential facility for 35 women to an accessory office and 3 dwelling units, with an existing 6-stall outdoor parking area.

Notes:

Certificate of Occupancy , dated 1986, permitted occupancy "Three story residential facility for 35 women with five outdoor parking stalls"

Date of Hearing: September 4, 2014
Time of Hearing: 9:50
Zone Case 202 of 2014

5800 Buttermilk Hollow Rd

Zoning District: P
Ward: 31
Council District: 5, Councilperson Corey O' Connor
Neighborhood: Lincoln Place
Applicant: Accel Sign Group
Owner: Midwest XV LLC

New 149.6 sq. ft. wall mounted sign and 97.17 sq. ft. ground sign for Dollar General.

Variance: 919.03.N.3 maximum 32sq. ft. in face area permitted and 149.6 sq. ft. and 97.17sq.ft. requested

Appearances
For Appellant:

Objectors:

Observers:

Past Cases and Decisions:

ZBA 142 of 2013, applicant's request for new 9,300 sq. ft. one story structure to be used as retail sales and services (limited) with 32 parking stalls accessory to use was approved.

Notes:

Certificate of Occupancy 48272, dated 1983, permitted occupancy "Use of existing one story structure for club, Pittsburgh Lodge B.P.O.E. #1 with one hundred car parking area, basement to remain vacant until approved by Building Inspection".

Commercial Building Permit 14-B—00287, work description: construct 9,300 sq. ft. 1-story building for retail sales, occupancy is for: new 1-story, 9,300 sq. building for retail sales service(limited); with 32 parking stalls including 2 handicapped stalls(Dollar General)".

Date of Hearing: September 4,2014
Time of Hearing: 10:00
Zone Case 203 of 2014

6223 Meadow St

Zoning District: LNC,R2-H,RM-H
Ward: 12
Council District: 9 ,Councilperson Rev. Ricky Burgess
Neighborhood: Larimer
Applicant: Fiore Michael A
Owner: Fiore Michael A

One story addition to existing structure for use as vehicle/equipment repair (general) with 11 accessory off-street parking spaces.

Special Exception: 921.02.A.1 expansion of a nonconforming use is a Special Exception

Variance: 921.02.A.1(a).1 expansion of a nonconforming use is limited to 15%

Variance: 921.02.A.1(a)(2) the lot on which a nonconforming use is situated may not be merged with an adjacent lot for purposes of creating a single larger zoning lot on which a nonconforming use shall be situated

Variance: 911.02 vocational school(limited) is not permitted in R2 or RM zoning district

Variance: 903.03.D.2 25ft street side setback required, 15ft is proposed

Variance: 916.02.A.2.c 15ft interior side setback required, 5ft is proposed

Past Cases and Decisions:

ZBA 189 of 2013, the applicant's request for use of 30 parking stalls accessory to existing automobile repair garage located at 6223 Meadow St(as one lot) was approved with condition.

Notes:

Certificate of Occupancy 27394, dated 2/11/1974, permitted occupancy "Use of one story building as automobile repair garage including body and fender work".

Certificate of Occupancy 40681, dated 9/7/1982, permitted occupancy "Continued use of existing structure as automobile repair garage including body and fender work".

Variance: 912.04.C

25ft street side setback is required
(accessory structure);
12ft is proposed(parking);
1ft is proposed(dumpster)

15ft interior side setback required
(accessory structure);
8ft is proposed(parking)

Variance: 915.04.B

dumpsters must be at least 30ft
from property zoned R, and 19ft is
requested

Variance: 914.02.A

17parking spaces required, and 11
spaces requested

Appearances

For Appellant:

Objectors:

Observers:

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