



Division of Development Administration and Review

ZONING BOARD OF ADJUSTMENT

HEARING AGENDA

September 11, 2014

**Date of Hearing:** September 11, 2014

**Time of Hearing:** 9:00

**Zone Case 225 of 2014**

1034-1040 5<sup>th</sup> Ave (parcels 2-G-16,17,18)

**Zoning District:** UNC

**Ward:** 1

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

**Neighborhood:** Bluff

**Applicant:** Cypress Partners ,LLC

**Owner:** Lewis J Kerrington & Margaret L

Renovate existing 4-story structure with 6 stories of new construction above and construction of 10-story multi-unit residential building on three adjacent parcels (77 units).

**Variance:** 904.04.C.3            maximum FAR 4:1 permitted and 9.51:1 requested  
   maximum height 4 stories permitted and 10 requested

**Variance:** 914.02.A            54 parking spaces required and 44 proposed

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

**Variance:** 922.04.E.1.g        landscaping edge outside of right of way along the street required, and none requested

**Variance:** 925.07.D            maximum height 84'9" permitted and 120'5" requested

Appearances

For Appellant:

Objectors:

Observers:

**Past Cases & Decisions:**

ZBA 163 of 2010, address 1036 5<sup>th</sup> Ave, applicant's request for use of an outdoor concession and vending cart with 3 on-site trash receptacles was approved with conditions.

**Notes:**

Certificate of Occupancy 42379, location 1036-1040 Fifth Ave, dated 6/21/1983, permitted occupancy "Existing 4-story building with business offices on first and second floor; third and fourth floor to remain vacant".

Certificate of Occupancy 78654, dated 2/10/2000, location 1036 5<sup>th</sup> Ave, permitted occupancy "Accessory parking area for abutting office building".

Certificate of Occupancy 201001025, dated 4/29/2010, location 1036 5<sup>th</sup> Ave, permitted occupancy "Use of existing parking area for abutting office building and for event parking during off hours".

**Date of Hearing:** September 11, 2014  
**Time of Hearing:** 9:10  
**Zone Case 222 of 2014**

1236 Banksville Rd

**Zoning District:** HC  
**Ward:** 20  
**Council District:** 2 , Councilperson Theresa Kail-Smith  
**Neighborhood:** Banksville  
**Applicant:** Eat'n Park Hospitality Group , INC  
**Owner:** Laughner Partnership

One 5.4sq. ft. & three 67.5 sq. ft. & two 49.2 sq. ft. business ID wall mounted signs for Eat'n Park.

**Variance :** 919.01.E.6 signs that extend above the roof line or parapet wall are not permitted

**Variance:** 919.03.M.4(a) maximum 80sq. ft. the total sign face area permitted and 121.7 sq. ft. requested

Appearances  
For Appellant:

Objectors:

Observers:

**Past Cases and Decisions:**

N/A

**Notes:**

Commercial Building Permit 13-B-02217, occupancy is for "New one story, 7,000 sq. ft. restaurant general with 89-stall accessory parking area including 5 handicapped spaces (Eat'n Park)".

**Date of Hearing:** September 11, 2014  
**Time of Hearing:** 9:20  
**Zone Case 216 of 2014**

6425 Fifth Ave

**Zoning District:** RM-M  
**Ward:** 7  
**Council District:** 8, Councilperson Daniel Gilman  
**Neighborhood:** Shadyside  
**Owner:** Ellis School Corp  
**Applicant:** Laquatra Bonci

10ft tall fence accessory to existing school.

**Variance:** 925.06.A.3      maximum 6.5ft fence in required setback permitted and 10ft proposed

Appearances  
For Appellant:

Objectors:

Observers:

**Past Cases & Decisions:**

N/A

**Notes:**

Certificate of Occupancy 200601708, dated 6/22/2006, permitted occupancy "33'4" x 15'9" x 11'5 1/8" one story extension to existing two story school".

**Date of Hearing:** September 11, 2014  
**Time of Hearing:** 9:30  
**Zone Case 204 of 2014**

4420 Browns Hill Rd

**Zoning District:** LNC  
**Ward:** 15  
**Council District:** 5 ,Councilperson Corey O'Connor  
**Neighborhood:** Greenfield  
**Applicant:** National Illumination & Sign Corp  
**Owner:** Speedway LLC

65" X 84.75" LED ground sign for gas station and 3 ground signs that would be installed between the protective bollards adjacent to the 3 street facing fueling dispensers.

**Variance:** 919.03.O.3      electronic non-advertising signs are not permitted in LNC zoning district

**Variance:** 919.03.M.5      ground signs shall be limited to one along each street frontage; 3 signs proposed

Appearances  
For Appellant:

Objectors:

Observers:

**Past Cases and Decisions:**

ZBA 4 of 2014, applicant's request for reconstruction of existing service station; 20 on-site parking spaces including one handicap stall was approved.

**Notes:**

Certificate of Occupancy 87573, dated 11/10/2004, permitted occupancy "Convenience store with gasoline sales drive thru to remain (36ft x 94ft & 385ft x 20ft T-shape canopy over pumps and entrance to store) with 22 parking stalls including one handicapped stall".

Commercial Sign Permit 14-SGN-00099, work description "Replace existing 14ft x 7ft double-faced illuminated business ID pole sign for gas station"



**Date of Hearing:** September 11, 2014  
**Time of Hearing:** 9:50  
**Zone Case 206 of 2014**

4117 Liberty Ave

**Zoning District:** NDI

**Ward:** 9

**Council District:** 7, Councilperson Deborah Gross

**Neighborhood:** Bloomfield

**Applicant:** Lighthouse Property Development & Management LLC

**Owner:** Light Harvey F & Lenore L

480 sq. ft. wall mounted business ID sign for C-LEVELED.

**Variance:** 919.03.M.6 (a) maximum 80sq.ft. in sign face area permitted and 480sq.ft. requested

maximum height above grade 40ft permitted and 44ft requested

Appearances

For Appellant:

Objectors:

Observers:

**Past Cases and Decisions:**

ZBA 296 of 1991, appellant's request for the occupancy of an existing one-story structure as a day-care center for 70 children of ages 6 weeks to 6 years was granted with conditions.

**Notes:**

Certificate of Occupancy 61804, dated 12/17/1991, permitted occupancy "Use of 12,000 sq. ft. on second floor as offices".

Certificate of Occupancy 61763, dated 12/11/1991, permitted occupancy "Use of 8,000 sq. ft. of first floor as offices for Allegheny County Children & Youth Services"

Certificate of Occupancy 63658, dated 9/23/1992, permitted occupancy "Use of 3,000sq. ft. of first floor for medical consultation offices"

Certificate of Occupancy 65540, dated 8/2/1993, permitted occupancy "One story office building with 5'8" x 12" open porch with steps in front".

**Date of Hearing:** September 11,2014  
(continued from July 24,2014)

**Time of Hearing:** 10:00

**Zone Case 165 of 2014**

1423 Liverpool St

**Zoning District:** R1A-H

**Ward:** 21

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

**Neighborhood:** Manchester

**Applicant:** Hill Property Investments LLC

**Owner:** Womens Christian Assn

Use of existing three story structure as office(limited) with accessory parking area to be located on the adjacent lot(22-P-79).

**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 35219, dated 2/1/1979, permitted occupancy "Continued use of existing building for boarding home for elderly women consisting of 19 single bedrooms and three double bedrooms. (Licensed by the State as a Personal Care Boarding Home and recognizing as such by the city for spacing purposes".

Certificate of Occupancy 53730, dated 8/18/1988, permitted occupancy "Accessory 4 stall parking area (one designated handicapped) in easterly side yard, to existing boarding home for the elderly".

Certificate of Occupancy 87280, dated 8/30/2004, permitted occupancy"2 1/2 story structure occupied with assisted living facility, class A, for a maximum of 6 residents (hospice care), and with accessory offices on 1<sup>st</sup> floor for admin/mgmt. of this facility only".

**Date of Hearing:** September 11, 2014  
**Time of Hearing:** 10:10  
**Zone Case 210 of 2014**

527 Paulson Ave

**Zoning District:** R1A-H  
**Ward:** 12  
**Council District:** 9, Councilperson Rev. Ricky Burgess  
**Neighborhood:** Larimer  
**Applicant:** Williams A D & Henrietta B  
**Owner:** Williams A D & Henrietta B

Use of existing structure as child care (limited); up to 6 children.

**Special Exception:** 911.04.A.12 child care(limited) is a Special Exception in R1A zoning district

Appearances  
For Appellant:

Objectors:

Observers:

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

**Notes:**  
N/A
