

Development Activities Meeting Report (Version: 06/24/2020)

This report created by the Neighborhood Planner and included with staff reports to City Boards and/or Commissions.

Logistics	Stakeholders
Project Name/Address: 1403 and 1405 Sarah Street (2-unit residential at each)	Groups Represented (e.g., specific organizations, residents, employees, etc. where this is evident):
Parcel Number(s): 3-M-112 and 3-M-113	SSCC Members Local Review Committee
ZDR Application Number: DCP-ZDR-2022-02281 and DCP-ZDR-2022-02280	Chamber of Commerce Area residents
Meeting Location: Zoom	Applicant presenters DCP staff
Date: 6/16/22	
Meeting Start Time: 6:00pm	
Applicant: Drew Miller (attorney representing property owner and area resident), Arthur Lubetz (architect), Tiffany Abrams (property owner)	Approx. Number of Attendees: 27
Boards and/or Commissions Request(s): ZBA	

How did the meeting inform the community about the development project?

Ex: Community engagement to-date, location and history of the site, demolition needs, building footprint and overall square footage, uses and activities (particularly on the ground floor), transportation needs and parking proposed, building materials, design, and other aesthetic elements of the project, community uses, amenities and programs.

Demolished or going to demolish two existing buildings and construct a new building on each parcel, each building having two units. 6-foot wide walk-in garden in between the two buildings. Applicant seeking a variance because buildings will go up to the edge of the property lines. Rooftop decks for both buildings. Building heights of ~30 feet. Off-street parking spaces in the front of the buildings (two cars under each building), requiring curb cuts. Similar design to a house built next door, also by same architect. Applicants shared photos with perspectives from Sarah Street, the sidewalk conditions, the neighboring building the architect designed four years ago, views of the rear of the property and looking towards other parts of the property, and a view looking across Sarah Street. The white brick building shown in photo is to be removed and replaced by the second proposed building. Each building has a niche carved out of the building to put windows in, and they won't be forced to close if someone builds next door. The curb is 4.25 to 5" in height. Applicant team showed interior plans of the proposed buildings and locations of living, dining, kitchen, bedroom, and bathroom spaces – units appear to have one or two bedrooms and two bathrooms and a living/dining/kitchen space. One unit is the second floor and another unit is the first floor plus basement (labeled as "ground floor" space though it is actually located below ground). There is also a terrace above the second floor. Both buildings are near mirror-images of each other. They showed a side elevation view on west side of building with the stair tower. On top of stair is a mechanical penthouse and goal is to abate noise, houses the condensers and fans, and these to be hidden behind walls and walls to be insulated. To the side of that is a railing and the roof terrace.

Rendering of front shown, with the large glass living room window, cars under each, and door and window from stair tower. Perspective views also shown from a few angles. Mechanical tower and stair up to terrace is rust color part of building.

Input and Responses

Questions and Comments from Attendees	Responses from Applicants
[Chat, during presentation]: I believe you cannot plant trees, as they require ~10 ft to plant, are these drawings taking that into account?	
[B. Mendoza, direct neighbor, chat, during presentation]: but that building was technically “maintaining” the old/existing property wall. It was built on the old foundation after the fire when Dan lived there. It was not built to the property line adjacent to our home (only front and back) [D. Dingus, direct neighbor, chat, during presentation]: Yes that is correct.	
[D. Dingus, direct neighbor, chat, during presentation]: I have to leave but please record I oppose these variances submitted	
[SSCC contact]: Could you explain in detail what variances you are seeking and what is allowed?	Setback variances – which I believe are 15 feet (not sure exact number), and we’re trying to go almost to property line. Would not be peculiar or outside of what is on this block in the neighborhood. The previous homes on this lot also went to the property line. The home to the right that also goes to its property line.
[SSCC contact]: I understand it is not out of the ordinary, but you didn’t exactly answer my question. Can the architects answer question?	This building is like the building we did next door, which is right on property line along Sarah Street in front, and a few feet off property line in rear. They park 3 cars underneath building, whereas we plan 2 cars underneath ours.
[SSCC contact]: I’m asking about the building you propose to build.	This building will be 2 stories high with a basement and mechanical tower. The top of mechanical tower will be ~30 feet above ground, allowable. We’re building to the back property line. The buildings on the back are on their property line, so this building is contextual with what exists in and around it, in terms of its setbacks.
Are the only variances setback variances, and everything else is of right?	I believe that that is correct. Building is only 2 stories, three stories is allowed. Building will have 2 parking places, located under the building like the building next door. The building

Questions and Comments from Attendees	Responses from Applicants
	<p>will face front property line like building next door. Variance is to build on side property lines almost up to property lines, similar to several other properties. And buildings in the rear are on the property line and actually one uses concrete slab on this project's property. South Side is dense neighborhood.</p> <p>Another variance is that this is zoned single family and we're asking for two units in it. We will also ask for curb cut.</p> <p>Not sure how many people lived in the old buildings, it was all over the place.</p>
<p>The building that was torn down, it was one man named Dan who used to live there. Others in neighborhood may also know. I can't speak for the building that is partially demolished.</p>	
<p>Variations you're discussing do not capture everything encompassed in this project. Needs more discussion. Parking spaces are not deep enough at 17ft and you may need a variance for that. I think 19 ft is required. [DCP staff added: 19 ft required.]</p>	<p>Parking spaces are 18 feet.</p>
<p>Rather than discuss how neighborhood looks, consider that Zoning interprets contextuality as based on feet off the property line next to the adjacent property. On the side beside building you designed previously, it was 3 feet of setback there. On the far side beside the building facing 14th St, there appears to be a 3ft breezeway in rear of that property, and so contextuality suggests 3 ft off property line. Also, decks as drawn are accessory to the building and subject to separate setbacks – need accessory variances. We have routinely said we don't want arms hanging over streets on these properties. The conversation about accessory setbacks is different from structured setbacks.</p>	<p>The three sides of our terrace have a 2.5 or 3 ft wide planting area so nobody can get near the edges.</p>
<p>That's key to know. I don't see it on the drawing. Certainly the deck space would be subject to the front setback at least there.</p> <p>Are you doing this under condo rules with a condo board or owned in fee by a single owner? What's the plan long term for how you will own and develop it? [similar question about condos also in chat]</p>	<p>I was under the assumption that it was going to be apartments until yesterday, and just found out will be condos, so still need to sit down and discuss as a team what the overall plan will be.</p> <p>Property owner: goal is to have all be separately parceled so that in the event they need to be sold, we could sell them separately.</p>
<p>So will they be rental properties at this point?</p>	<p>Yes.</p>

Questions and Comments from Attendees	Responses from Applicants
I'm seeking to understand interior plan. You keep saying it's only 2 floors. "Ground floor" shows a bedroom, where is that? Is that basement?	Yes a basement.
So enter through door at side, then can go to first floor, or go up to second floor, and a basement. I was confused...	We don't need a variance for that.
If these are planned to be condos on separate parcels so can be sold by declarant individually, are you still looking for R2 use? This is Residential Single Family Attached as Base Zoning District. You're asking to do a non-conforming to non-conforming on one building, saying demolish 2-family and put a new 2-family in. And on other parcel demolish a single-family and move to 2-family. But if a condo, how does it impact that? Lot consolidation and multi-family condo?	It's two duplexes and there will be two apartments on each side so that whether they are sold or rented, it will be the same apartment, the same height, the same width, the same everything. They will be rented for a while but I don't know what owner Tiffany has in mind for future.
Does owner want to be able to sell 4 separate units?	The goal at the start of this was to have 4 condo units at the end of the day, which I plan and intend to keep. But I would like to preserve the option at some point to sell one or two of them if I want. But my intention is to just hold them.
I don't know how that impacts your request to change use.	<p>I have done many condos and it's just a legal thing. As far as Zoning concerned, they don't care if rented or owned.</p> <p><i>DCP Staff: correct, the use is not based on rental or ownership, it's based on number of units.</i></p> <p>What we need is the condo documents if it were to be a condo, with Ms. Abrams being the declarant, and then would present condo docs if there was in the future a person to purchase condo units (if they in fact become condos).</p>
You said buildings are mirror images. Gardens are internal in between the two buildings?	Yes.
That's why 6-feet down center, since the egress from basement dwelling unit?	No, the egress from the basement will be through the main door.
But your second fire exit?	We do not need a second fire exit since just two units. Reason for notches is that could also be potential escape in emergency.
[B. Mendoza, direct neighbor to 1405 Sarah St]: We live at 106 15 th Street where the image says B. Mendoza. What does almost to property line mean? What is actual set-back you're proposing? Happy there is an elegant design and for it to be owned rather than apartments. Several questions: (1) The variance being almost to	No you cannot walk on the green roof, you'd kill the grass, there'd be no access to that, just green for environmental reasons.

Questions and Comments from Attendees	Responses from Applicants
<p>property line. Our house was impacted by fire and that's why new house is on corner because the old house was burnt down by fire. The house was built to old foundation and so didn't need variances. Our house, when rebuilding from fire damage, we were forced to build to the setback rules. We have kids and a tiny yard there. We'd be worried that there would be damage to the work we've done, if it's built to our fence. We'd have no light in our back yard if one is so tall. We're worried about being sucked in. So, what is exact setback? (2) Is there access to the green roof?</p>	
<p>[B. Mendoza, direct neighbor]: Are there windows on the sides of the building?</p>	<p>The windows are in the two notches, only those.</p>
<p>Design looks great but can you keep the rule of the 3ft setback? That would allow light to be maintained to our property.</p>	<p>Can you point to your property? We're two stories high, how high is your property?</p>
<p>[B. Mendoza, direct neighbor]: [pointed out property location] 3 stories high, but concern is not height of building, but that we will end up with a 20 ft wall right behind our property at our fence. Dan's house was set about 3 ft back. We have 2 kids who play back there, plants, it would make it a very closed in space, that's our concern. It's nice to have higher end design in our neighborhood and any kind of improvement feels good.</p>	<p>Our lots are 22ft wide and 21.5 feet wide. We are going to bring our buildings within a foot or 1.5 ft of property line. Because walls have to be thick to be environmentally positive, and when consider a narrow lot like that, we can't make it work if we don't have 1 or 1.5 ft off property line.</p>
<p>[B. Mendoza, direct neighbor]: 1.5 feet is better than on the property line.</p>	<p>No, they're not on the property line. They'll be at least a foot off the property line, because foundations will go in and to accommodate the bottom of footing will need another foot at least anyway. So they'll be close to property line but not directly on it.</p>
<p>Your drawing seems a bit confusing though because you show proposed boundary and site boundary and they align. So we need clarification.</p>	<p>It will be a foot off property line.</p>
<p>[B. Mendoza, direct neighbor]: It would be great if it were three feet – that's the rule. Positive to have the parking underneath, so that's positive to have that curb cut to eliminate cars from street. No other comments.</p>	
<p>[D. Dingus, direct neighbors beside rear corner of 1405 Sarah Street, at 104 15th Street] Please record I opposed these variances submitted. We are also concerned with building to the property line.</p>	<p>Their property is very close to the property line. The corner of our plan is within 1-1.5 ft of their house. They don't have any open space.</p>
<p>[B. Mendoza, direct neighbor] Alley way exists and it is at least 3 feet away.</p>	<p>But the alley way is on this property of ours. And that's really a slab of concrete.</p>

Questions and Comments from Attendees	Responses from Applicants
It's on 1403-1405 property?	Yes, you can see it on both.
[B. Mendoza, chat]: No, it has an alley way, It is at least 3 feet away. It runs parallel to 106. Dingus is 104 15 th St. The alley runs all the way to 15 th street, not to 14 th .	
B. Mendoza is saying it is not, it runs parallel to 106 15 th St.	Their building goes to their side yard on both sides. I think the fronts are all zero. They do have a small space behind their building.
[S. Dingus, chat]: The Dingus are also concerned with building to the property line. We have a court yard.	
Do you have a survey you can put on the screen?	The survey shows dashed line shown on our drawing. Done by Liadis Engineering.
I'm curious if there's another drawing showing property lines and existing footprints.	We show all adjacent property to us, and there is nothing to the left of us. And the Notkins building we did has 3.5 feet near us and back of fence. And this other spot is an empty lot. Buildings behind us are very close to our property line.
It might be easier to understand where lines are and footprints are if on same sheet of paper. That might help understand the setback question.	The drawing we did is from the Liadis survey. I have the original survey if you need it.
I'm just trying to understand property lines vs. footprints relative to setback questions, all on one sheet of paper.	If you see the small dashed lines on this particular drawing, that was the building that used to exist on that particular property that no longer exists. [comment about building that burnt down]. So you can see the impact of this new building relative to what was originally there. What's over the top is what's proposed. That's correct.
[B. Mendoza, in chat] no, the buildings that burned were on 15 th . Dan's was torn down recently after he passed.	
As far as set back variances, go, if argument is for contextual it would be helpful to illustrate that better. As far as side yard setbacks it sounds like there are some questions about that.	
Larger question is about use variance. Zoning question is about density control. Question is what is the hardship that requires this density increase above what is allowed by right in zoning?	1403 had apparently already gotten some sort of variance at some point in time because Allegheny County Assessment is listed as two-family.

Questions and Comments from Attendees	Responses from Applicants
I'm asking about the other one.	We're going to take that one building from single family to two family. Between these two properties, we're just seeking to increase by one family.
I understand that, but what hardship do you have?	What do you mean hardship?
<i>DCP Staff: You need to demonstrate a hardship to successfully ask for a variance because a variance is something that is not adhering to the Zoning code.</i>	
What's your hardship for increasing density?	The hardship is going to be that if we don't do this, essentially you'd want us to build a giant building on this property for one family. I don't think that feasibly would work to find someone to have the ability to have funds to buy that. In terms of improving the value of the neighborhood, it would be better to have two families, which is two different taxpayers to get tax money from. Ability to build Single Family would not be feasible.
I'm trying to help you. The Zoning Review folks are going to ask that.	
There are single-family homes that are built or renovated on South Side.	I do think there is a need for some decent housing for young professionals who maybe cannot afford a single-family residence just yet.
That's really not an argument, because when you decide to rent or sell, you'll give it to whoever meets your price point, you're not going to only sell to a young professional so it can be affordable. On another property we had this situation too, and cannot necessarily hold it for that. Or if did, maybe young professional will sell it to a parent of a college kid who will then seek to get money back after student graduates. Depending on selling price, it probably will not be affordable to a young professional. It's not an argument Zoning will consider.	
[Dingus chat]: We tried reaching out to lawyer for 1405 about purchasing that property, and were going to make it green space	
[chat]: we have 3 br. there are lots of 4 brs. all the new developments are very high ticket builds	

Questions and Comments from Attendees	Responses from Applicants
<p>Usually what we see come through this group are developments with parking and curb cuts similar to what is here, but then a three-story structure above, usually slab on grade, with a 1/3 coverage mezzanine above third floor, a rear-facing deck, with mechanicals in front inside a mechanical enclosure to hide view and set back from street so as to not impact sight-line, and it stops at three stories. Envelope allows certain amount. To say that there is a hardship to put in a three-story mezzanine single-family home where see that on lots built smaller than this, I think that will be difficult to argue.</p> <p>Last thing I'd ask – with this cut out, especially on 1403, you won't have 32 inches of egress, especially with that basement window. How get egress out of basement window onto Sarah Street for emergency access? If there's not an easement, I'm not sure how that's working.</p>	<p>2-story buildings like duplexes like these require do not require a second way out.</p>
<p>If we are worried about prices for a single family to fund the house, why aren't we talking about the inclusion of parking? City Planning says that a single parking space per unit drives up the cost of an affordable housing development by 12.5% on average.</p> <p>I live at 112 S 15th St, just across the way from Sarah on 15th. Housing affordability is super important. Many problems with parking structure and inclusion of trees on property where there isn't room. City says that this drives up pricing of housing and if we're concerned about affordability, this will exacerbate issue. A study commissioned by Transportation Alternatives found that residents with guaranteed off-street parking were 75% more likely to drive to central business districts rather than take easily available public transportation. This location has many public transit options but inclusion of more spaces for cars is not useful or desirable. Curb cut outs make it harder for pedestrians to walk. I've watched neighbors in motorized scooters or wheelchairs choose the street because of the inability to take the sidewalks today and curb cuts will make it harder. Also, there will not be enough room to plant the trees because of the curb cuts, and so we're increasing amount of cars and reducing tree planting. At that stop sign at Sarah, cars fly by and it will pose a safety risk for cars backing out onto that street.</p>	<p>We are proposing exactly what is next door to us, and there is a picture of it.</p>
<p>[chat] I wouldn't expect that design like this would be "affordable" - I mean at least 300, right?</p>	
<p>That's a two car garage...</p>	<p>Three-car garage.</p>
<p>But now you're adding additional curb cuts so more cars coming out. Four more cars coming out onto an extremely busy street.</p>	

Questions and Comments from Attendees	Responses from Applicants
The entire block becomes one big curb cut.	
New builds now do not actually need a parking space in order to be approved by the City.	
<p>Yes, that was 2001 legislation.</p> <p><i>DCP Staff: There was recent legislation about Single-Family attached dwellings not requiring parking space, but just for that specific use.</i></p>	As I read current zoning code, Zach is actually asking us to get variance to NOT get parking spaces.
I would support that.	But if we did that, those people would need to have on-street parking, and then for those who live in neighborhood you know it's impossible to find on-street parking.
I disagree. We find it eventually.	Maybe Shadyside is similar, but hard to think about areas as bad as in South Side.
<p>But I think it's disingenuous to assume people moving here have to have a car to live here. You don't need to have a car to live in Pittsburgh. If anything, it destroys the neighborly feel if you cut out trees, having more parking structures that you walk by. I don't want to live next to a bunch of parking spaces/garages instead of front doors and where everyone having to live on second floor.</p>	
[Chat] i'm parked in front of my house right now	
Question – house partially demolished (1403 Sarah St) was it a habitable two-family home?	When we purchased it, it had two structures on it, one that was habitable and one that was not. It was already a duplex, but back unit had gotten so bad as to not be habitable. Front unit was habitable. We waited until tenants completed lease to move out, and that's why that last building is still there.
So you actually could keep that and build onto the back of that?	<p>No, the building was in terrible shape.</p> <p>Technically yes, with one unit in front and other in back, and other lot empty.</p>
You could have built on the other lot?	No, it wouldn't pencil for us, so we wouldn't do that.
If it's a 4-bedroom dwelling and only parking for 2 cars, does that mean anything?	A unit has to have a kitchen, and these four apartments will each have a kitchen and each have two bathrooms.

Questions and Comments from Attendees	Responses from Applicants
How many bedrooms?	Two
One bedroom in basement, one on first floor and two on second floor -- that's four bedrooms.	No, the room in the basement is really anything you want to use it for, and then there is a bedroom on the first floor. The second floor has two bedrooms on the same floor.
Two units per building. So if person that moves into first unit has two cars and person moving into second unit has two cars, you'll have four cars and two parking spaces.	Second car of unit would go on street or get smart and sell it
Curb cut going the entire length makes more sense than this down, up and down curb cut. On other property it's one continuous cut, which makes more sense if curb cuts ever become an issue.	I agree with you. I am handicapped and you're right in your description, in my opinion.
I don't want to be rude, but I don't like what these look like. Our neighborhood is historic, and the existing homes reflect that historic value of neighborhood, and these are so modern they don't fit in. I'd like the proposal to gather some historic aspects of neighborhood other than giant cement boxes. We're not a modern neighborhood.	We're in the 21 st century, and these new buildings seem to be a lot better than the two buildings that are coming down, which were dirty, falling apart, unpleasant, and smelly.
[Chat]: Agree with her concern.	
I'm not saying the buildings need to stay up. If they're a hazard I understand they need to be taken down. But even new ones could have nice brick and fit more into the neighborhood.	What exactly would you like to see?
[Chat] I agree with the comment	
I'd like to see something that matches the house in neighborhood.	It matches house next door.
But not to others in neighborhood. For example, there could be wooden detail or brick or other approaches that fit in better.	
There's an example across the street. They are not exactly Victorian but has a look that she's referencing.	I understand appeal of living in South Side as historic neighborhood and E Carson Street and its restrictions. If you come down Fox way, my neighbor has a home that looks exactly like this with two rooftop decks one in front and one in back, and as drive around neighborhood you're seeing more and more buildings looking like this. So I hear your concern about newer buildings moving in. But if you want to try to protect, I think you want to go to City Council and expand

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	<p>where historic district lies to prevent more modern homes. People are permitted to do so now, and so people will do so.</p> <p>We did a modern house on North Side historic district and it was reviewed and accepted and built. Do we all want to look backward or look forward?</p> <p>In any community, many different opinions about architecture, unless designated area with only one type of building allowed.</p>
<p>I agree with what you say and that different tastes in architecture. But in terms of building for future, we should care about curb cuts. Building for the cars is not building for the future. We need to be cutting back on that as a main focal point for people living in a dense neighborhood. We need to think about building welcoming spaces not dominated by cars. I moved in in 2019, I'm 30 years old, I don't plan on leaving any time soon. I care deeply about future of this space. I care about style of house, but it's not an historic district and I understand you have ability to build what's desired. But we should make cars focal point at street level. Not thinking about accessibility, emissions, or future if we're doing that.</p>	
<p>[SSCC contact]: One of our DAM members could not attend, and wanted to share comments from David Mitchkie [sp?] which we will read aloud:</p> <p>"Regarding the variance request for setbacks – the applicants do not represent adjacent structures of 1401 to west and 110 S 15th street to the east. Therefore we have no way of knowing setback conditions are for the two adjacent properties or any of the surrounding properties." Note: This commenter had the presentation sent earlier, though we now received applicant's final presentation only this morning.</p> <p>"The City's interpretation of setbacks is to match the condition of the adjacent properties. It appears the 5ft x 3.5ft garden for 1403 will abut the existing structure at 1401 and the garden will be a light shaft enclosed on all four sides. It appears the structure at 110 S 15th St is built 3 feet from property line as the air conditioning units are located in this area. Contextual setbacks would require that 1405 would match 3-foot side yard setback."</p> <p>"The applicant will need to clarify the hardship for setback variances. Regarding the parking spaces, I'm concerned that length of 17 feet parking is sufficient not to prevent large vehicles from overhanging sidewalk and creating obstruction if vehicles don't fully pull in. For example, a Ford F150 is 17.4 inches long, and a Cadillac Escalade is</p>	<p>There is an error on our drawings. It's not 17 ft it's 18 ft. Secondly, fact is that the sidewalk next door has a very slight slope and easy to walk from one end to the other.</p> <p>The reason our building looks the way it does is that the fronts of our building face south and we were trying to get as much light into them as we can, which will cut down heating costs in winter, raise A/C costs. Will be very environmentally-considered buildings.</p>

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<p>17.5 inches in length, which I've seen regularly park in 1800 block of Fox Way."</p> <p>The commenter also sent up some marked-up documentation.</p>	
<p>Clarification on the parking: you said it's actually 18 ft from bldg. to end of parking space.</p>	<p>Correct.</p>
<p>My quick review shows City of Pittsburgh requires 19 feet. Are you saying that's a variance requested, do you want 18 ft? What is your final argument?</p>	<p>I guess we'll ask for a variance. But I'm wrong person to ask that, I have a car ~12 ft.</p>
<p>May I ask if the building owner is local? and what is the plan for managing the occupants of this space if the hardship is shown to make this a multifamily unit and they are rented?</p>	<p>We are not local but have lots of family in Pittsburgh and are there often. We also own other locations in Pittsburgh and we have property management services we would employ.</p>
<p>[D. Dingus, direct neighbor]: I own 104 S. 15th Street, which butts up against back of the house. There are a number of different variances. I haven't been on the entire call due to conflicts. You mention wanting light and facing front. But replacing two smaller homes with four large units with parking and different variances casts a big shadow on the rest of those homes.</p>	<p>Our building is only 20 feet high.</p>
<p>[D. Dingus, direct neighbor]: Then add air conditioner and rooftop deck...</p>	<p>Roof deck is open to air and is not enclosed space</p>
<p>[D. Dingus, direct neighbor]: You spent a lot of time discussing the other home. I do acknowledge they're well done. But we're not looking to jam additional houses in. Those houses were burnt to the ground and only stopped at my house because of a gap in between. We wouldn't have ended up with any of these homes had we had ample space in between each of them. So on record, I not only oppose parking variances and variances going up across the house, but all variances. You're replacing homes that were much smaller by casting big shadows on the rest of them and creating safety hazards.</p>	<p>I don't agree.</p>
<p>[D. Dingus, direct neighbor]: You don't have to, you just have to show your variances are ok, and I will oppose the variances.</p>	<p>Thank you. We respect that. On Google Streetview, it appears 1403 Sarah St. was a larger structure that appeared to be 3-story structure. One next to it was one story and looked like a row house. At any point, anyone could have torn it down and built something that was 30 feet high that looked like structure next to it. So I understand that it will change what used to be, but in terms of what could be, I don't think there will be a change.</p>

Questions and Comments from Attendees	Responses from Applicants
[D. Dingus, direct neighbor]: That's not true though if you're asking for variances.	But we're not asking for a height variance.
[D. Dingus, direct neighbor]: Is there a variance to move up to the property line?	Yes.
[Chat] But it would follow the setback rules [Chat] What about setback variance?	
[D. Dingus, direct neighbor]: Height is not the issue. You're asking for additional variances that are different than what could be built. So you can talk about what could be, but not what could be without variances.	If we built anything else on either one of these lots, the lots are 22ft and 21.5 ft. If we used the necessary side variances for both, we'd have 11 feet to build a building in.
[D. Dingus, direct neighbor]: You're a great architect I'd be curious what it looks like.	I'm not that good -- I cannot manufacture space where it doesn't exist.
[D. Dingus, direct neighbor]: I agree. You cannot buy a property without variances that would accommodate something that can't be.	
I understand height isn't an issue and is of right. But to tell us you'd build at 11ft wide, you have a 6ft gap necessitated by basement bedrooms and a desire to not connect 4 units so that they don't need to be sprinkled. I understand no one wants a 4-unit party wall given cost and sprinkling, but if need for variance is due to width, by not creating party wall between two properties own, you are choosing convenience rather than hardship/necessity. I know there is an economic reality, but I don't think you score points with that approach here.	That's not true about basement bedroom.
These properties – Dan's and the other – were not expensive to buy. Wouldn't it be nice to have a single family home here with a yard. We see at Mexican War Streets a lot of yards, often because properties had to be demolished, so people purchased house next door and put up a nice yard. Don't have that on South Side because most of buildings are not in as bad shape as on Mexican War Streets. When think about community interest, we want to have property owners not an increase in number of rental property. Would be wonderful to entice a family to purchase this place if had a nice yard.	The single-family home and with yard in front/back is a suburban prototype and is not contextual to the dense South Side.
[B. Mendoza, chat]: yes! my kids would love neighbors with kids and a yard to play in 😊	
We have gardens in South Side and we're doing a tour soon with SSCC. In terms of South Side contextuality, I would disagree, I don't think we necessarily have to keep up with density.	

Questions and Comments from Attendees	Responses from Applicants
I don't think we're talking about keeping up with density as much as density above a certain variable. Gardens or open space are open to discussion/debate.	
<i>DCP staff: to clarify, what gets built doesn't have to be single-family detached house, could be a Single Family attached. Without variances, could have up to 15-17 ft wide houses sharing a party wall. That is a possibility without variances.</i>	You'd have two buildings, attached.
[Chat] I would say it is fairly common to have a double lot with a yard	
You might be able to get three units in with little push-back. With party wall, with duplex on left and single-family on right, on wouldn't have four units and wouldn't worry about sprinklers. I'm looking at what is really necessity and what's really going on here.	Building we did at corner was three units and had at least three parking spaces in exactly same position as our parking places will be. That building is along property line on Sarah St and on property line along street in front of it.
Not sure two wrongs make a right here.	No, but that building is not a wrong. I designed it and it's attractive and it's modern.
[Chat]: and that already increased density. it used to be a business and a single apartment	
[D. Dingus, direct neighbor]: I'm not taking away from attractiveness of your work. But with variances, you're taking away from what's around it. And you're basically saying we'll build up to line and have a pretty building and screw everyone else.	So you'd be happier if we pushed the two separate buildings together?
[D. Dingus, direct neighbor]: If you push them together and remove the variances and adhere to what's available, I'm not sure we have an argument.	[owner] To clarify, you would prefer that on 1403 side just go to 30 feet and put units there, and do a separate single family on other side? [architect] No, we could push the two of them together and have a minor variance on the sides.
[D. Dingus, direct neighbor]: We need to get to a point where there are no variances.	But why are there variances in the code?
[D. Dingus, direct neighbor]: To permit reasonable economic development that doesn't infringe on others.	So how are we infringing?
[D. Dingus, direct neighbor]: You're going over the line and want parking and curb cuts. We need to address issues, not what you're already defining as permitted... <i>[rapid back and forth discussion...]</i>	<i>[rapid back and forth]</i>

Questions and Comments from Attendees	Responses from Applicants
[D. Dingus, direct neighbor]: Let me be clear. As long as you talk about designing house with variances, I will keep talking about why I don't want you infringing on those variances. I want that on the record and I want it clear. If you keep talking about why you want to go across those barriers, I'll keep talking about why you shouldn't be permitted.	Would your house/building meet existing zoning?
[D. Dingus, direct neighbor]: It was built in 1890. This is 2022. You don't build with asbestos, things change. There's a reason why we have zoning and these variances.	Is it three feet that are keeping you from saying yes? If we push buildings together, no issue?
[D. Dingus, direct neighbor]: No, that's not true, your architect just said he needed more space and to go over the line. I just told you to come up with a plan that doesn't violate the variances and you can't meet those demands. You talk about an 11 ft house where somebody had a modest 2-story house that didn't infringe on anybody.	Isn't there an advantage to having four units with an increased tax base?
The people who live across the street, or Dan, or nearby don't get those tax dollars, maybe they get increased trash collection or something like that, but he's talking about quality of life on South Side.	Wouldn't having nicer, newer places for people to live help quality of life?
It does unless it impacts on the quality of life of people who currently live there. If variances are approved, it impacts his quality of life.	
[B. Mendoza, direct neighbor, chat]: nicer and new is excellent - what we are saying is don't build all the way to the property line	
[D. Dingus, direct neighbor]: You're saying you want all this light to let in, but then you're infringing on others and detracting from others around it. There are six houses that butt up against it.	Yes, and your lot is one of them.
[D. Dingus, direct neighbor]: Yeah, 25 years.	You're only 1 or 2 feet away from our property line.
[D. Dingus, direct neighbor]: The entire house goes through that entire lot, about 15 feet or more of my house goes through that lot directly. I'm here addressing my issues but also addressing for those who don't have a voice.	But your house doesn't comply with zoning as it is.
[D. Dingus, direct neighbor]: It was built in the 1890s. <i>DCP Staff: houses built prior to zoning code don't have to adhere to zoning code.</i>	
[Chat:] Building a house in 2022 should not be compared to houses built in the 1800s	

Questions and Comments from Attendees	Responses from Applicants
<p>Over the counter, you would get variance up to contextual setback. But question is when have gaping hole in middle, why infringe on adjacent property when leaving so much meat on the bone down middle of lot. Not sure if having productive discourse at this point. We all know what rules are. At this point, comes down to what you're really requesting – a one foot variance on parking depth, any accessory variances for decking, etc.</p>	<p>Deck does not require a variance. Only variances are curb cut for the parking, and the side yards.</p>
<p>We would like to see a more technical drawing of where these elements lie, and will be discussed by groups here and you'll have a hearing and can post it.</p>	<p>The building on west of 1403, when talking contextually, it touches property line on left and on back. The one next to 1405 is 2.5 feet off property line.</p>
<p>We're not talking about west and south. We're talking about adjacent property line. The building to the west of 1403 is built to zero foot line and so you're saying context there allows you to build to zero foot?</p>	<p>Yes, and Mr. Dingus' property is maybe a foot or so away from our property line. And others are in same line as his. And property we did building for is ~3ft off property line. And their front lines are on property lines.</p>
<p>[D. Dingus, direct neighbor]: Not true. Ours are 4 feet off property line.</p>	<p>Our survey says otherwise.</p>
<p>[Chat] Perhaps these drawings need to be updated to what will really be here</p>	
<p>[SSCC contact]: Does anyone else have any questions that haven't been asked so far, because what happens next is community has 30 days to submit feedback before can present this to zoning, so if anyone has any questions not asked, please ask now. Within 30 day review period, can accept additional questions. We've worked with some developers in the past to revise their drawings within 30 day period, to get more clarity (e.g. with variances and property lines in this case). Possibly another meeting again or DAM meeting in July.</p>	
<p>[Other SSCC contact]: Often developers, once they have heard from the community, they have made revisions and shared those. Key is for developers to hear from community not to just have developers tell community what they will do. City put a process in place since they wanted the community to have a more sophisticated approach in looking at development. Important for you all to go back and think about what you've heard today. We'll communicate among ourselves. Others may be looking at this meeting and providing input. You either come back and meet with us or go to ZBA and we share concerns that we have.</p>	<p>To clarify, based on what happening tonight, biggest concerns from north side property line and east side property line, and if we could get two feet off of the back property line and three feet off the east property line that would make everyone happier since within what previous buildings were located in. is that correct?</p>
<p>[B. Mendoza, direct neighbor, Chat:] Yes</p>	

Questions and Comments from Attendees	Responses from Applicants
<p>You'd also have to address your hardship of going from conforming to non-conforming on the eastern parcel [1405 Sarah St]. It's a bit harder to understand necessity or hardship on that.</p>	
<p><i>DCP Staff: Also if instead of two feet in back had three feet, depending on contextual, you might not even need a variance.</i></p>	<p>In fact, 1403 touches back property line and touches west property line.</p>
<p>The argument for contextual setbacks can be made with clear drawings. But issue of use variance, that is a very high bar at ZBA so would need a really great argument for why that is a hardship that they should resolve through a variance.</p>	
<p>I'd like to hear from Dan Dingus if the applicant's summary is accurate.</p>	
<p>[D. Dingus, direct neighbor:] I'm not as concerned about the parking because frankly not many people park on that side now. If can get off street, I'd be open to a 1-ft variance, since most people do not have Cadillac Escalade. I think building something that conforms to current codes and not butting up against other properties with any type of variance is really important for us all to have a good living area and that's most important to me.</p>	<p>If we look at 1403, the existing building is on the rear property line and on the west property line. The building we're proposing at 1405 is about 2.5 feet off property line. [other part] is some feet off property line. So 1403 by contextual relationships could ask for that without any variances. The variances we have to ask for on 1405 have small lines between end of building and end of property line. In the image, the dashed line shows how 1403 touches the back property line and west property line. 1405 is not on the property line and the side property line is about 2.5 ft off property line. It's not like we're trying to build some huge building to cast shadow over whole neighborhood – building is only 20 ft high. Only variances are rear setback for 1405 and side setback for 1405.</p>
<p><i>DCP Staff: You may need a variance for rear setback of 1403 as well. Contextual setbacks are not related to buildings once on the site, but related to other buildings on that block.</i></p>	<p>1403 building is still there.</p>
<p><i>DCP Staff: But it will be demolished, right?</i></p>	<p>Yes, but we could keep it there until get setback, if we need to. What is this conversation about?</p>
<p>[Zach T, chat]: I would be opposed to a 1 foot variance for the record for off street parking</p>	
<p>[B. Mendoza, direct neighbor]: The conversation is about 2.5 feet. It's 1405 that is the concern. All of us on call are neighbors of 1405. The other units are rental units that turn over frequently, frankly they are problem units and they're not on the call and those people are renters not on the call that don't care. But we're not going to</p>	<p>You're in the gray house that was just renovated?</p>

Questions and Comments from Attendees	Responses from Applicants
<p>talk about that. We're home owners – Dan for 25 years, me for 15 years. I'm super excited about new and nice and would love new neighbors and increase in property value. We personally have modern taste, and when we rebuilt after fire, we have lots of windows in the back, lots of light, but we're just saying, don't build to property line and it sounds like you want to build 1 foot away instead of 3 feet away.</p>	
<p>[B. Mendoza, direct neighbor]: Yes.</p>	
<p>You spoke earlier, right?</p>	
<p>[B. Mendoza, direct neighbor]: Yes.</p>	
<p>[SSCC contact]: Anyone else have other questions/comments?</p>	<p>We've been talking for 1 hour 15 min for 3 feet. Making a joke to take edge off.</p>
<p>You're talking with community people who care. We appreciate discussion.</p>	
<p>[D. Dingus, direct neighbor]: We have confidence you can make this work within the outlines.</p>	
<p>Street trees, I love them, they're great, but check regulations – I think need 30 sq feet for tree pit (3x10).</p>	
<p>[SSCC contact]: Thank you for being on here tonight. Let's review one more time the next steps in the process. Community has right for the next 30 days to provide comment. A lot of people will probably view this after the fact to review and digest and comment. We have worked with developers in the past to look at revised drawings, designs, and address concerns that residents have by revisions to those designs. After 30-day period, we will submit a letter to zoning board of adjustment with reactions to the process, stating what was talked about tonight and future steps in next 30 days. Also some people have taken 30 days to revise drawings and come back to the next DAM meeting, which will be third Thursday of July (7/21) so you could also pencil that in as an opportunity. <i>[Discussed how public can provide public comment to ZBA, and DAM report to be sent to ZBA]</i></p>	

Questions and Comments from Attendees	Responses from Applicants
[SSCC contact]: Project team – you’re not yet on schedule for ZBA?	<p>Currently we’re not, application still being reviewed.</p> <p>Thank you everyone for the time and input.</p>

Other Notes

The applicant team returned to present an update with the South Side Community Council’s during its July 21st session, as a courtesy follow-up meeting, and shared its design changes since this June DAM and there was Q&A with the community members. By the end of that meeting, there was a question from the community seeking to confirm if the applicant team would have their full variance package presented to ZBA.

Planner completing report: Thomas Scharff