



**Division of Development Administration and Review**

City of Pittsburgh, Department of City Planning

200 Ross Street, Third Floor

Pittsburgh, Pennsylvania 15219

**ZONING BOARD OF ADJUSTMENT**

**HEARING AGENDA**

**August 11, 2011**

**Date of Hearing:** August 11, 2011

**Time of Hearing:** 9:10

**Zone Case 146 of 2011**

5231 Penn Avenue

**Zoning District:** R1D-H

**Ward:** 10

**Council District:** 8, Councilperson Rev. Burgess

**Neighborhood:** Garfield

**Applicant:** Beth Nelson, Desmone and Associates

**Owner:** Fred Danovitz

Conversion of 3 story educational use to offices on all three floors of an existing 3 story structure

**Variance:** 921.02.A.4

Change of one non-conforming use to another

Appearances

For Appellant:

Objectors:

Observers:

**Past Cases & Decisions:**

**Notes:**

Certificate of Occupancy #27762, dated 6/29/1974; "Basement and First Floor Business Office and incidental storage and two integral parking stalls and one vacant dwelling unit to remain vacant."

Certificate of Occupancy #82151, dated 10/15/2001; "School for Children ages 13-18 - operating Mon.-Fri. between hrs of 8 a.m. and 8 p.m. maximum of 74 children and 15 staff members. 6,000 sq. ft. on second floor and use of 15 spaces in parking lot."

Certificate of Occupancy #200700824," dated 5/14/2007; "Use of additional 10,000 sq. ft. on ground floor (lobby), 2<sup>nd</sup> and 3<sup>rd</sup> floor; for a total of approximately 16,000 sq ft for use as a secondary school for ages 13-18 and with a maximum of 110 students."

**Date of Hearing:** August 11, 2011

**Time of Hearing:** 9:20

**Zone Case 147 of 2011**

2268 Tilbury Ave

**Zoning District:** R2-L

**Ward:** 14

**Council District:** 5, Councilperson Doug Shields

**Neighborhood:** Squirrel Hill

Arthur L. & Marcia Kraut - Owner / Applicant

Enclosure of front porch for mud-room and 5' x 8' deck on the front of an existing 2 story single family dwelling

**Variance:** 903.03.B.2

30' front set back required and 11' requested

Appearances

For Appellant:

Objectors:

Observers:

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

**Notes:**  
N/A

**Date of Hearing:** August 11, 2011

**Time of Hearing:** 9:30

**Zone Case 150 of 2011**

5491 Penn Ave

**Zoning District:** LNC

**Ward:** 11

**Council District:** 9, Councilperson Rev. Ricky Burgess

**Neighborhood:** Garfield

Friendship Development Associates Inc./Jeff Catalina–  
Owner/Applicant

Use of a portion (3,150 sq. ft.) as restaurant (general) on 1<sup>st</sup> floor of 4  
story structure with outdoor patio for 40 people

**Variance:** 911.04.A.57

Restaurant (General) is a  
special exception in the  
LNC zoning district

Appearances

For Appellant:

Objectors:

Observers:

**Past Cases & Decisions:**

**Notes:**

Certificate(s) of Occupancy  
(ies), various, condo units  
and first floor commercial  
space.

**Date of Hearing:** August 11, 2011

**Time of Hearing:** 9:40

**Zone Case 154 of 2011**

1828 Realty Ave

**Zoning District:** R1D-H

**Ward:** 19

**Council District:** 4, Councilperson Natalia Rudiak

**Neighborhood:** Beechview

Lisa Karraker. - Owner / Applicant

24' x 24' 2 car detached garage on a remote lot from primary use at 1746 Broadway Ave.

**Special Exception:** 914.07.G.2 (a)(1) Off-site parking is a special exception, and the distance from the primary use must be 1,000 ft., and the distance measured is greater

**Variance:** 903.03.D.2 Exterior side yard set back of 15' is required and 7' is requested

**Variance:** 912.01.D Accessory uses and structures must be located on the same zoning lot and in the same zoning district as the primary use; the proposed use and structure is in the same zoning district, but not on the same zoning lot

Appearances

For Appellant:

Objectors:

Observers:

**Past Cases & Decisions:**

**Notes:**

Certificate of Occupancy for 1746 Broadway Ave., "Use of fifteen (15) 3' x 5' solar panels on the roof of an existing 2 story single family dwelling." Dated 12/15/2010.

**Date of Hearing:** August 11, 2011

**Time of Hearing:** 9:50

**Zone Case 155 of 2011**

2139 Wharton Street

**Zoning District:** UI

**Ward:** 16

**Council District:** 3, Councilperson Bruce Kraus

**Neighborhood:** Southside Flats

Howard Berger/Ernie Sota - Owners/Applicant

New four story building for multi-unit residential with 18 units, 20 parking spaces and ?? bike parking spaces

**Special Exception:** 911.04.A.85

Multi-unit residential is a special exception in the UI zoning district

**Variance:** 916.02.A.1©

15' interior side yard set back required 0' provided, 15' rear set back required 5' front setback required 0' provided as per residential compatibility

**Variance:** 904.07.C

10' exterior side yard setback required and 0' required

**Variance:** 916.04.C

Parking may not be within 15' of residential properties as per residential compatibility standards, and 0' provided

Appearances  
For Appellant:

Objectors:

Observers:

**Past Cases & Decisions:**

N/A

**Notes:**

N/A

**Date of Hearing:** August 11, 2011

**Time of Hearing:** 10:00

**Zone Case 157 of 2011**

1621 St. Patrick Street

**Zoning District:** H

**Ward:** 17

**Council District:** 3, Councilperson Bruce Kraus

**Neighborhood:** South Side Flats

Michael Wright - Owners/Applicant

Change from a single family dwelling to a two family dwelling

**Variance:** 911.02

Two Unit Residential Not Permitted in H zoning district

Appearances

For Appellant:

Objectors:

Observers:

**Past Cases & Decisions:**

**Notes:**

2/24/2009-Certificate of Occupancy, "Use of Two Story Structure as Single Family Dwelling."

**Date of Hearing:** August 11, 2011 *Continued from June 23, 2011*

**Time of Hearing:** 10:10

**Zone Case 112 of 2011**

216 38<sup>th</sup> St & 3718-20 Butler St

**Zoning District:** R1A-H & LNC

**Ward:** 6<sup>th</sup>

**Council District:** 7, Councilperson Patrick Dowd

**Neighborhood:** Lawrenceville

Daniel & Susan Sufak/ Derek Buruell – Owner / Applicant

Use of Restaurant (General) with liquor license and Live entertainment; also a off-site dumpster at 216 38<sup>th</sup> Street

**Special Exception:** 911.04.A.57 use of restaurant (general) with liquor license and live entertainment is a special exception in the LNC zoning district

**Variance:** 912.01.D accessory uses and structures must be located on the same zoning lot and in the same zoning district as the primary use; neither applies

**Variance:** 916.02.A.7 Residential compatibility standards requires 15' side yard setback for first 50' from residential property and 0' requested (for fence and dumpster)

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

**Notes:**

Certificate of Occupancy # OCC10-01286, "2200 sq ft on 1<sup>st</sup> floor as restaurant (limited) with two outdoor concrete patio seating areas at rear of existing three story structure; 8' x 15' and 10' x 21' with roof above and 6.5' privacy fence along rear and portions of side yards at rear."

**Variance:** 916.04.B

Residential compatibility standards requires dumpsters to be 30' from residential properties and 0' requested

Appearances  
For Appellant:

Objectors:

Observers: