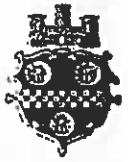


COPY



Division of Development Administration and Review
**Protest Appeal from the Decision of:
Zoning Administrator and/or Chief of the
Bureau of Building Inspection**

ZBA Case # 274/13 Hearing Date Decem 5, 2013 Time 9:30a. w.

Address of Property Involved in the Protest: 4614 Carlton Street
Pittsburgh, PA. 15201 Ward 9th
Property Owner's Name: Wylie Holdings LP Penn Pioneer
Enterprises, LLC Phone Number 412-345-1999
Mailing Address: 4933 Butler St.
Pittsburgh, PA. 15201

Protestant's Name: Joyce McManus, Kenneth Zaborowski &
Daniel Zaborowski Phone Number 412-480-3743
Address: 4620 Carlton Street
Pittsburgh, PA. 15201

Reason for Protest Appeal: See Exhibit "A" attached

List the names and mailing addresses of ALL PROPERTY OWNERS abutting and adjacent to the address of the property involved in this appeal: (Attach separate sheet if necessary)

- David McGrane, 4611 Carlton St. Pgh, PA. 15201
- Pridewell, LLC, 4612 Carlton St. Pgh, PA. 15201
- Don and Barbara Schnelbach, 4625 Carlton St., Pgh, PA. 15201
- Natalie Peters, 4622 Carlton St., Pgh, PA. 15201

AFFIDAVIT

COMMONWEALTH OF PENNSYLVANIA)
COUNTY OF ALLEGHENY(SS)

Deponent being duly sworn says that he/she is the authorized agent for the individual or organization initiating this protest and that all statements and data furnished with this application are true and correct.

Sworn to and subscribed before me this 18th day of October 2013

<u>Diane C. Salice</u> Notary Public/Seal	<p>COMMONWEALTH OF PENNSYLVANIA Notarial Seal Diane C. Salice, Notary Public City of Pittsburgh, Allegheny County My Commission Expires Sept. 25, 2016</p>	<u>McManus</u> Applicant's Signature
--	--	---

Exhibit "A"
Zoning Board Appeal

We are appealing the attached determination of Mary K. Russo approving the Application for Zoning dated February 1, 2013 (which we were not made aware of until October 5, 2013) for the following reasons:

1. We were never made aware of this permit. There was never a hearing, nothing was posted;
2. **We object to a "zero" side setback;**
3. The house located at 4620 Carlton Street was never abutted against any property on the side relating to the construction of the above;
4. There was a 3ft. wide right-of-way between the former houses and 4620, allowing access to the backyard of 4620. If there is an abutment, we cannot exit the street from the rear in case of an emergency;
5. The side of this house has ventilation pipes for the furnace and dryer, cable wires and the electric meter. This house also used to have 6 windows on that side of the house, which is now covered with siding;
6. The residence at 4620 is showed to have been built around 1910. Any interruption to this foundation could cause a dangerous situation for all involved.
7. In regard to the Zoning Code section 925.06.2 Zero Setback on One or Both Sides states as follows:

The applicant may reduce the side setback to zero when the side of the abutting property has a zero side setback when both building walls **abut each other**. (4620 never abutted any property). It is considered a Row End on the assessment page.

7. In regard to the Zoning Code Section 925.06C.2 Contextual Side Setbacks states in part as follows:

The contextual side setback shall apply only to primary uses and structures. A Contextual Side Setback may fall at any point between the required side setback and the side setback that exists on a lot that is adjacent and oriented to the same street as the subject lot, but shall be a **minimum of three (3) feet**.

8. The plans for the Carlton Street Townhouses also state 3 stories (excluding garage, 63% below grade). I was told that the legal height for construction in the city is 3 stories. The plans also state 0 feet (contextual).



CITY OF PITTSBURGH

Department of City Planning

200 Ross, Pittsburgh, PA 15219
412-255-2241 412-255-2561 (fax)

Luke Ravenstahl - Mayor

Susan Tymoczko- Zoning Administrator

This document verifies the receipt of a Zoning Application and fulfillment of all Zoning requirements. Since this document does not constitute a permit, please submit the following application(s) at the Bureau of Building Inspection (BBI):

Residential Building Permit Application - Voucher Number: 13-B-00189

Property Address: 4614 CARLTON ST
Date: 2/1/2013 12

Parcel: 0049C00246000000
Ward: 9 Zone: RIA-H

Applicant: CDC LLC 112 N EVALINE ST PITTSBURGH, PA 15224 412-345-1999	Owner: WYLIE HOLDINGS LP PENN PIONEER ENTERPRISES LLC 4933 BUTLER ST PITTSBURGH, PA 15201 412-345-1999
--	---

Work Description: FOUNDATION PERMIT ONLY FOR 3 ATTACHED ONE FAMILY DWELLINGS ON 3 LOTS (NEW ADDRESSES 4614, 4616, 4618 CARLTON ST)

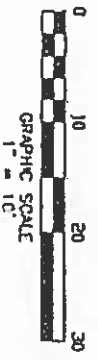
Approved for Zoning by: <i>Mary Russo</i>	Date: <i>2/1/13</i>
**** IF AN OCCUPANCY IS REQUIRED, THIS MUST BE NOTARIZED**** STATEMENT OF TRUTH COMMONWEALTH OF PENNSYLVANIA, COUNTY OF ALLEGHENY Deponent, being duly sworn, says that they are the:	
<input type="checkbox"/> Owner of record of the property for which this application is being made and that all of the statements and data furnished with this application are true and correct.	
<input checked="" type="checkbox"/> Authorized agent for the owner of record of the property for which this application is made and as such has express authority to bind such owner to all terms and conditions of any Occupancy Permit issued pursuant to this application and that all of the statements and data furnished with this application are true and correct.	
Sworn to and subscribed before me this <i>1st</i> day of <i>Feb</i> 20 <i>13</i>	
Notary Public	<i>X Ryan Englund X</i> Applicant (signature) Applicant (printed)

TO BE COMPLETED BY THE BUREAU OF BUILDING INSPECTION

Senior Inspector:		Date:	
Electrical Inspector:		Date:	
Mechanical Inspector:		Date:	
Fire Inspector:		Date:	
Accessibility Inspector:		Date:	
Project Chief:		Date:	
BBI Chief:		Date:	
Violations: [] Yes [] No	Demolition Supervisor Approval for Construction		Date
Condemned: [] Yes [] No			

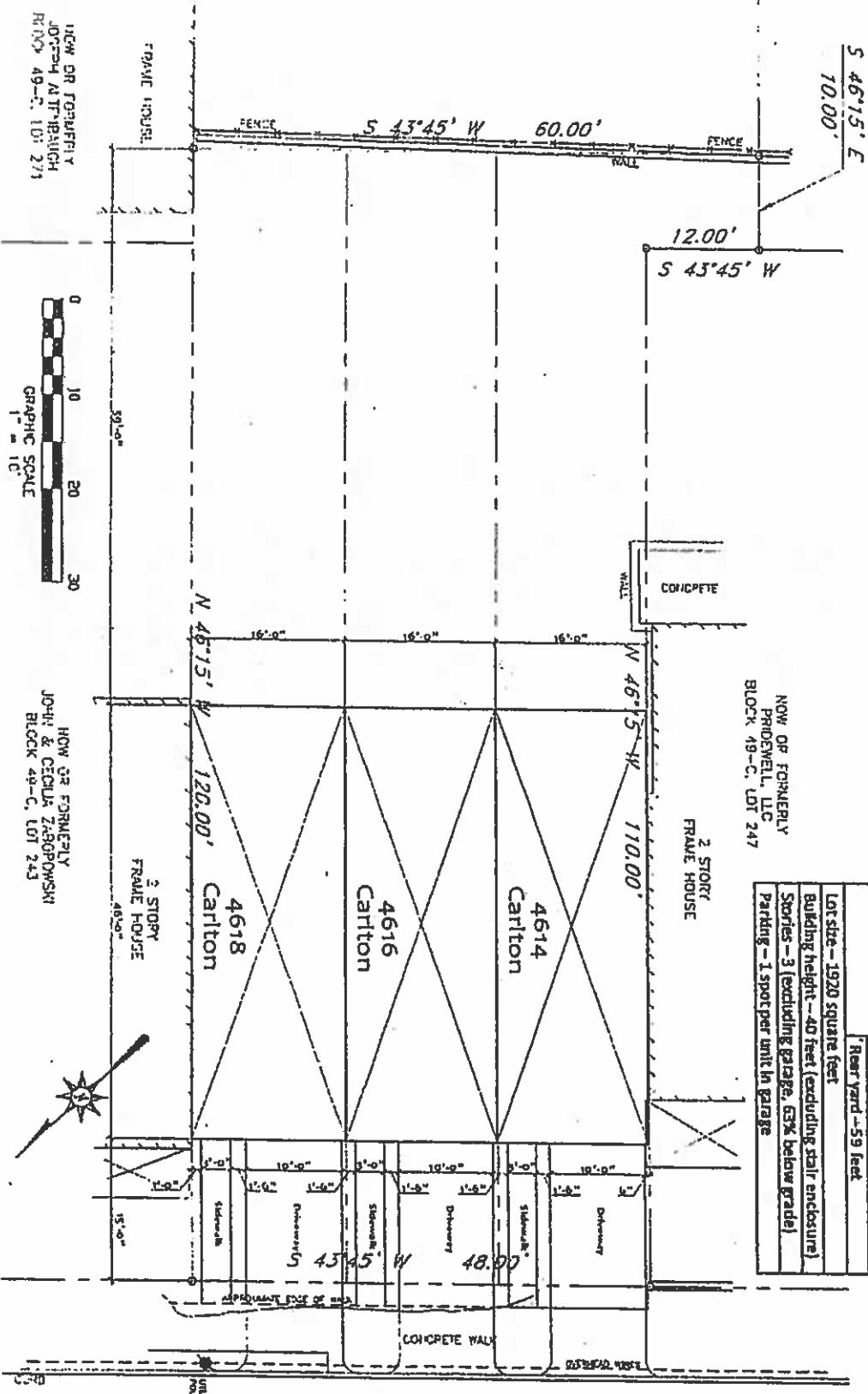
NOTE: PLEASE BE ADVISED THAT THIS DOCUMENT IS NOT A PERMIT.

NOW OR FORMERLY
JOSEPH A. TRUBAUGH
BLOCK 49-C, LOT 243



1 Site Plan
Scale: 1" = 30'

NOW OR FORMERLY
JOHN & CECILIA ZASPOWSKI
BLOCK 49-C, LOT 243



NOW OR FORMERLY
PRIDEWELL, LLC
BLOCK 49-C, LOT 247

Zoning Information	
3 - Single family detached dwellings	
Address: 4614-18 Carlton St 15201	
Current user: vacant lot	
Setbacks	Front yard - 15 feet Side yard - 0 feet (contextual) Rear yard - 59 feet
Lot size - 1920 square feet	
Building height - 40 feet (excluding stair enclosure)	
Stories - 3 (excluding garage, 63% below grade)	
Parking - 1 spot per unit in garage	

CARLTON STREET - 50'

Carlton Street Townhouses

REVISIONS

SCHEMATIC DESIGN DRAWING
Not For Construction

DATE ISSUED:
1/14/2018

ARCHITECT:
Milton Duse
3000 North 17th
Philadelphia, PA
215-426-8888
www.miltonduse.com

OWNER:
Wyler Holdings, L.P.
Joseph Robinson
1000 North 17th
Philadelphia, PA 19101
Tel: 415-418-4145
www.wyler.com

These Townhouse Buildings LLC
These Buildings LLC
1000 North 17th
Philadelphia, PA 19101
Tel: 415-418-4145
www.thesebuildings.com

ENGINEER:
Milton Duse
3000 North 17th
Philadelphia, PA
215-426-8888
www.miltonduse.com

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215-426-8888
www.miltonduse.com



100 N. 17th St.
Philadelphia, PA 19104
www.cpc.com

CDC
 CONSULTING DESIGN GROUP, LLC
 112 14 Republic Bldg
 Philadelphia, PA 19102
 Phone: 215-563-1000
 www.cdcintl.com

301770-0010-000
 The City of Philadelphia, PA
 Department of Public Works, PA
 15th and Market Sts.
 Philadelphia, PA 19102
 Phone: 215-686-1000
 www.phila.gov

CARLTON STREET TOWNHOUSES
 4141 Carlton St.
 Philadelphia, PA 19104

OWNERS:
 Wolfe Holdings, L.P.
 America's Builders
 4925 Brier Road
 Philadelphia, PA 19124
 Phone: 215-461-1200
 www.wolfeholdings.com

John Pomeroy, Esquire, LLC
 15th and Market Sts.
 Philadelphia, PA 19102
 Phone: 215-563-1000
 www.jppomeroy.com

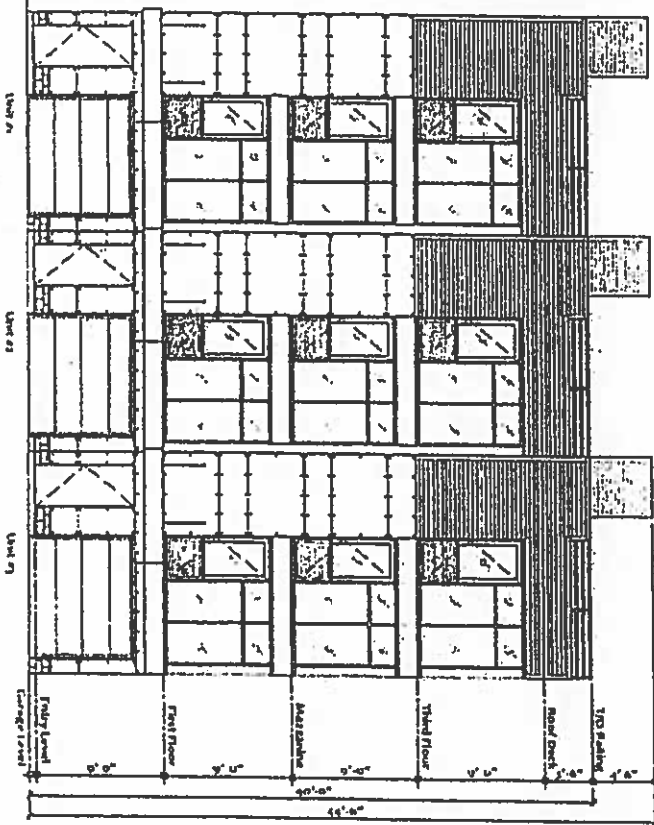
ARCHITECT:
 Milton Spid
 2000 Locust Walk
 Philadelphia, PA 19103
 Tel: 481-328-0000
 Fax: 481-328-0000
 www.miltonspid.com

SCHEMATIC DESIGN DRAWING
 2nd Floor, 3rd Floor, 4th Floor
DATE ISSUED:
 November 29, 2011

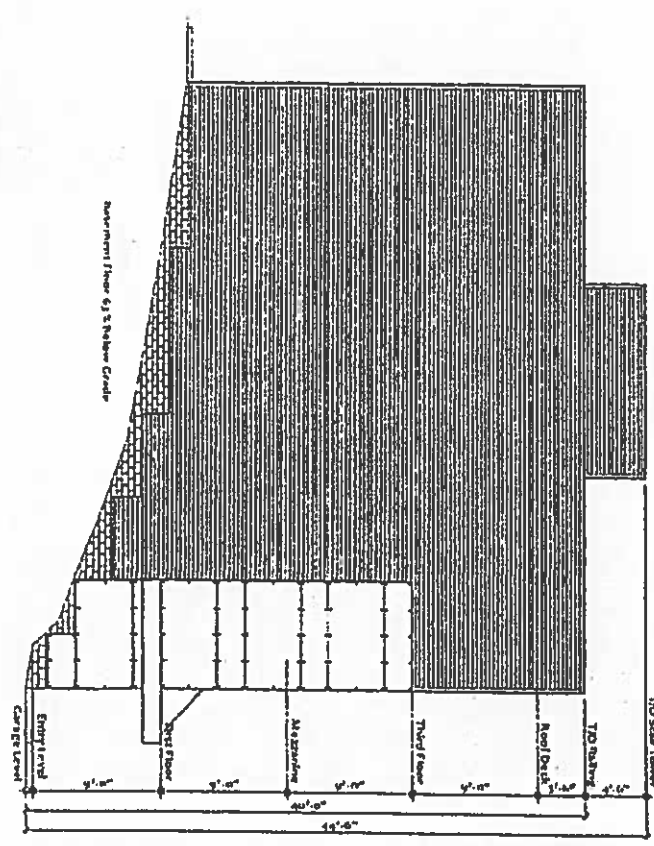
REVISIONS:

Carlton Street
 Townhouses

A3.1
 ELEVATIONS



1 Front Elevation
 SCALE: 1/8" = 1'-0"



2 Left Elevation
 SCALE: 1/8" = 1'-0"