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 #274/2013  Hearing Date: December 5, 2013  Time: 9:30 a.m.

Address of Property Involved in the Protest:
4614 Carlton Street
Pittsburgh, PA. 15201

Property Owner's Name:
Wylie Holdings LP Penn Pioneer Enterprises, LLC
4933 Butler St.
Pittsburgh, PA. 15201

Mailing Address:

Protestant's Name:
Joyce McManus, Kenneth Zaborowski &
Daniel Zaborowski

Address:
4620 Carlton Street
Pittsburgh, PA. 15201

Reason for Protest Appeal:
See Exhibit "A" attached

Ward 9th
Phone Number 412-345-1999

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

COMMONWEALTH OF PENNSYLVANIA
COUNTY OF ALLEGHENY

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 November 2013

Diane C. Salcone, Notary Public
City of Pittsburgh, Allegheny County
My Commission Expires Sept. 25, 2016

COMMONWEALTH OF PENNSYLVANIA
Notary Public/Seal
Applicant's Signature

MEMBER, PENNSYLVANIA ASSOCIATION OF NOTARIES
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)

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

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

Parcel: 0049C00246000000
Ward: 9
Zone: R1A-H

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

Approved for Zoning by: Mary Russo
Date: 1/1/13

**** 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 that:

[ ] 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.

[ ] 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 the 25th day of July 2013

Notary Public

[ ] Yes [ ] No

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: 

BBB 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.