

**ZONING HEARING BOARD
MT. LEBANON, PENNSYLVANIA**

ZONING HEARING NOTICE TO PROPERTY OWNERS & INTERESTED PERSONS

Mt. Lebanon, Pennsylvania wishes to advise that the Zoning Hearing Board will conduct a public hearing in the Commission Chambers of the Mt. Lebanon Municipal Building, 710 Washington Road, on Thursday evening March 3, 2016 at 7:30 p.m. (prevailing time).

The following appeal is listed for hearing at which time - as a property owner within 200 feet of the property in question or an interested person - you are invited to submit your view on the matter in person, by writing, or by representatives.

APPEAL NO. 1737

OWNER:	Eve Abu Obaid 904 Miami Avenue Pittsburgh, PA 15228
APPELLANT:	Crystal Garry 110 Cedar Boulevard Pittsburgh, PA 15228
LOCATION:	110 Cedar Boulevard Pittsburgh, PA 15228

The appellant is requesting a variance, an appeal from municipal action and a validity challenge as provide for in Ordinance No. 2636, Chapter XX, for the following Zoning Code sections and definition:

§619 No-Impact Home-Based Business. No-Impact Home-Based Businesses shall be subject to the following requirements:

619.1 A Home Occupation Permit shall be required for all No-Impact Home-Based Business before any portion of the Building may be used for such Use. The Home Occupation permit shall be issued only upon certification by the Zoning Officer that the business complies with this Section.

619.2 No more than fifteen percent (15%) or three hundred fifty (350) square feet of the Floor Area of the Dwelling Unit(s), whichever is less, shall be devoted to the No-impact Home-based Business. This requirement shall not apply to Adult Family Day Care Homes or Family Day Care Homes.

619.6 No mechanical, electrical or other equipment that produces noise, electrical or magnetic interference, vibration, heat, glare or other nuisance outside the residential or Accessory Structure shall be used.

619.7 No No-Impact Home-Based Business shall be permitted which is noxious, offensive or hazardous by reason of hours of operation, vehicular traffic, generation or emission of noise, vibration, smoke, dust or other particulate matter, odorous matter, heat, humidity, glare, refuse, radiation or other objectionable emissions.

Definition: No-Impact Home-Based Business: a business or commercial activity administered or conducted as an Accessory Use which is clearly secondary to the Use as a residential Dwelling and which involves no customer, client or patient traffic, whether vehicular or pedestrian, pickup, delivery or removal functions to or from the Premises, in excess of those normally associated with Residential Use. The business or commercial activity must satisfy the following requirements:

- The business activity shall be compatible with the Residential Use of the property and surrounding Residential Uses.
- The business shall employ no employees other than Family members residing in the Dwelling.
- There shall be no display or sale of retail goods and no stockpiling or inventory of a substantial nature.
- There shall be no outside appearance of a business use, including, but not limited to, parking or lights.
- The business activity may not use any equipment or process, which creates noise, vibration, glare, fumes, odors or electrical or electronic interference, including interference with radio or television reception, which is detectable in the neighborhood.
- The business activity may not generate any solid waste or sewage discharge, in volume or type, which is not normally associated with Residential Use in the neighborhood.
- The business activity shall be conducted only within the Dwelling and may not occupy more than twenty-five percent (25%) or three hundred fifty (350) square feet of the Floor Area of the Dwelling Unit, whichever is less.
- The business may not involve any illegal activity.
- The business activity must be conducted within the principal Structure.

The appellant is requesting these challenges to permit the continued use of the property for a No Impact Home Base Business; Child Daycare and provide outside activities for the children.

The property is zoned R-2 Single-Family Residential District.

The application for this request was received by the Chief Inspector and it was determined that the matter should properly come before the Zoning Hearing Board. Ordinance No. 2636, Chapter XX, Part 12, section 1201, empowers the Zoning Hearing Board to act in this appeal.

**MT. LEBANON, PENNSYLVANIA
ZONING HEARING BOARD**

Jb/2no1737

David Harouse
Chairman