

**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 virtual hearing on Thursday evening December 3, 2020 at 7:00 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 by emailing before noon on Thursday, December 3, 2020 to the Chief Inspector/Zoning Officer, Rodney Sarver at [rsarver@mtlebanon.org](mailto:rsarver@mtlebanon.org) who will then invite you to the virtual hearing. Please note, all comments will become part of the official transcript of the hearing.

**APPEAL NO. 1814**

**OWNER:** Christopher Edwards 296 Magnolia Place, Pittsburgh, PA 15228

**APPELLANT:** James Speck, LGA Partners, 1425 Forbes Ave, Ste 400, Pittsburgh, PA 15219

**LOCATION:** 296 Magnolia Place, Pittsburgh, PA 15228

The applicant is seeking a variance for the construction of an addition and attached garage with deck above, on the rear of the dwelling. The existing structure is nonconforming due to the reduced distance of the total side yards and the minimum single side yard of 4.96', and the existing front yard along Ashley Alley is roughly 5.3' +/- . The proposed minimum single side yard is 4.9' +/- and the proposed front yard along Ashley Alley is 1' +/- . Thereby the requested variance is a further reduction of the existing non-conforming setbacks as mentioned.

The appellant is requesting a variance to Ordinance No. 2636, Chapter XX, and the following sections:

203.5 Area and Bulk Regulations. In the R-2 District, the following regulations shall be observed on each *Lot*, and on each *Lot* upon which a *Building* or *Structure* is erected, altered, enlarged or maintained:

203.5.1 Lot Width Requirements. 203.5.1.1 Residential Uses. 203.5.1.1.1 *Minimum Lot Width*: fifty (50) feet.

203.5.2 Lot Area Requirements. 203.5.2.1 Residential Uses. 203.5.2.1.1 *Minimum Lot Area*: six thousand (6,000) square feet.

203.5.3 Yard Requirements.

203.5.3.1 Residential Uses. 203.5.3.1.1 Front Yard. 203.5.3.1.1.1 *Principal or Accessory Use or Structure*: As shown on the *Recorded Plat*; if none is shown on the *Recorded Plat*, where a *Lot* is situated between two (2) *Lots* having on each a *Principal Use*, the *Front Yard* shall be the average of the *Front Yards* of the adjacent *Principal Uses*.

203.5.3.1.2 Side Yard. 203.5.3.1.2.1 *Principal Use or Structure*: two (2) *Side Yards* required, totaling fifteen (15) feet when measured from the *Building* to the property line, but in no case shall any *Side Yard* be less than five (5) feet.

903.4 Expansion or Extension of *Nonconforming Buildings or Structures*.

903.4.1 A Nonconforming Building or Structure may not be expanded, extended or increased in size in any manner except pursuant to a Variance obtained from the Zoning Hearing Board in accordance with applicable laws and ordinances and such reasonable conditions and safeguards as may be imposed by the Zoning Hearing Board.

903.4.2 For Dwellings, if the reason for the existing nonconformity consists only of a dimensional nonconformity of Required Yards, then expansion may occur without a Variance if such expansion, extension or other increase in size in itself does not: (i) increase the dimensional nonconformity nor (ii) extend it into new area. In addition, the expansion must conform with all applicable ordinances and laws, provided that there shall not be a reduction of the total Side Yard requirement for new construction.

1402 Definitions.

Lot, Corner: a *Lot* abutting two (2) intersecting *Streets*, where the interior angle of intersection does not exceed one hundred thirty-five (135) degrees. The *Yards* adjacent to both *Public* and *Private Streets* shall be considered *Front Yards* when determining appropriate setbacks.

Yard, Front: an open space extending the full width of the *Lot* between a main front *Building Line* and the *Front Lot Line*, unoccupied and unobstructed by *Buildings* or *Structures* from the ground upward, the depth of which shall be the least distance between the *Front Lot Line* and the front of the main front *Building Line*. On *Corner Lots*, the *Front Yard* shall be both *Yards* that front on the *Streets*. In the case of *Uses* or parcels without a *Principal Building*, the *Front Yard* shall be a line drawn parallel to the *Front Lot Line* a distance equal to the depth of the required *Front Yard* setback.

The total lot area is 4,622.40 square feet, whereas the ordinance has a minimum lot size of 6,000 square feet.

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**

Rs/2no1814