

**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 **April 22, 2021** 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, **April 22, 2021** to the Chief Inspector/Zoning Officer, Rodney Sarver at 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. 1821

OWNER: Steven and Carol Baicker-Mckee, 326 Dixon Ave, Pittsburgh, PA 15216

APPELLANT: Steven and Carol Baicker-Mckee, 326 Dixon Ave, Pittsburgh, PA 15216

LOCATION: 635 Overlook Dr, Pittsburgh, PA 15216

The applicants are seeking a variance for the proposed construction of a detached enclosed Sports Court in the rear yard which exceeds the maximum Building Height of 14' and is proposed to be internally illuminated. If the proposed building is determined to be an accessory structure, it shall not exceed 14' per Section 203.5.4.1.2 and the proposed Sport Court, shall not be illuminated per Section 803.3.7, both of Chapter XX the Zoning Ordinance.

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

§203 R-2 Single-family Residential District.

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:

203.5.4 Building Height.

203.5.4.1 Residential Uses.

203.5.4.1.2 Maximum Building Height — Accessory Use or Structure: fourteen (14) feet.

§803 Accessory Uses. *Accessory Uses* or *Structures* are permitted in any zoning district in connection with any *Principal Use* lawfully existing within such district. No *Accessory Use* or *Structure* shall be established or constructed until the primary *Use* or *Structure* is constructed and unless evidence of compliance of such *Use* or *Structure* shall have first been issued. *Accessory Uses* or *Structures* deemed to be similar in nature, as determined by the *Zoning Officer*, may also be allowed.

803.3 For Residential Uses, the following Accessory Uses or Structures are permitted:

803.3.7 Sports courts limited to use by the occupants thereof and their guests providing such courts are not illuminated.

§1402 Definitions. When used in this Chapter, the following terms shall have the meanings herein ascribed to them. Where any definition is divided into classifications or categories of activities or *Uses*, each classification or category shall be considered a different activity or Use requiring separate application of the provisions of this Chapter. No part of any definition shall be varied.

Accessory Use or Structure: an *Accessory Use* or *Structure* is one that:

- Is subordinate to and serves a *Principal Building* or a *Principal Use*; and
- Is subordinate in area, extent and purpose to the *Principal Building* or *Principal Use* served; and
- Contributes to the comfort, convenience or necessity of the occupants, business or industry in the *Principal Building* or *Principal Use* served; and
- Is located on the same *Lot* as the *Principal Building* or *Principal Use* served, except as otherwise expressly authorized by the provisions of this Chapter.
- Any *Accessory Structure* which becomes attached or connected physically to the *Principal Building* including but not limited to a porch, deck, veranda, or other appendage, shall from and after the time of such connection or attachment be considered to be a part of the *Principal Building* and not be considered to be an *Accessory Structure*.

Building Height: the vertical distance measured from the average elevation of the proposed *Finished Grades* immediately adjacent to the front of the *Building* to the highest point of the roof for flat roofs, to the deck line of mansard roofs, to the mean height between eaves and ridge for gable, hip and gambrel roofs. If there are two (2) or more separate roofs on a single *Building*, the height of such *Building* shall be calculated from the highest roof.

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/2no1821