



**Division of Development Administration and Review**

City of Pittsburgh, Department of City Planning

412 Boulevard of the Allies, Second Floor

Pittsburgh, Pennsylvania 15219

**ZONING BOARD OF ADJUSTMENT**

**Date of Hearing:** October 2, 2025  
**Date of Decision:** November 16, 2025

**Zone Case:** 120 of 2025  
**Address:** 1503 Westfield Street  
**Lot and Block:** 35-D-71  
**Zoning Districts:** R1D-H  
**Ward:** 19  
**Neighborhood:** Beechview

**Request:** Fence

**Application:** BDA-2025-06515

Variance	Section 912.04.K	Fences in front yards shall be no higher than 4' and open; 6' high privacy fence proposed
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**Appearances:**

Applicant: Suzanne Bartko, James Bartko

**Findings of Fact:**

1. The Subject Property is located at 1503 Westfield Street in an R1D-H (Residential One Unit Detached High Density) District in Beechview.
2. The house on the Subject Property is set back approximately 20' from Westfield Street.
3. A 4' high chain link fence encloses the entire front yard, with 0' setbacks from the front and both interior side property lines. The existing fence complies with the requirements of Section 912.04.K. It is the only fence in the front yard of any of the parcels in the immediate vicinity.
4. Without obtaining permission from the City, the Applicant attached a 6' high semi-opaque mesh privacy screen to the 16'-6" section of the existing fence along the property line shared with the parcel at 1509 Westfield Street, from the porch to the front property line.
5. The Applicant asserted that the additional fence height/screening is intended to improve privacy along the shared property line.

6. The Applicant presented photographs of other fences and asserted that additional fence height/screening does not have any significant impacts on the surrounding neighborhood. None of the fences depicted in the photographs are similar in materials or context to the additional fence height/screening that was installed on the Subject Property.

7. The Applicant did not provide any evidence of any hardship or condition associated with the property that prevents compliance with the Code's requirements for fences or that the variances requested are the minimum that would provide relief. The existing 4' chain link fence demonstrates that Code compliance is possible.

8. The Applicant simply expressed a preference for a more significant separation between the Subject Property and the 1509 Westfield Street property.

9. Opal Middleton, the owner of the 1509 Westfield Street property, submitted a letter to the Board to support the request for the additional fence height. However, Ms. Middleton objects to the materials that the Applicant used to extend the height of the existing chain link fence, based on the negative aesthetic impacts of the screening material.

### **Conclusions of Law:**

1. Section 912.04.K provides that, in front or side yards, "only open and ornamental fences are permitted" and that the height of fences in front or side yards "shall be no taller than four (4) feet."

2. Section 912.02 provides that where fences are installed in R Districts, the finished side must face the adjacent property.

3. In violation of the Code's requirements, the Applicant installed a 6' fence, which is not open or ornamental, in the side/front yard. The Applicant now seeks after-the-fact variances that would allow for the fence extension/screening, as installed.

4. In seeking a variance, the applicant is required to provide evidence of some unique feature or condition of the property that prevents compliance with the Code's requirements. The variance requested is to be the minimum that would afford relief and is not to have any significant impacts on the surrounding area. See Code Section 922.09.E.

5. The Applicant did not provide any relevant evidence under the variance standards.

6. It is within the Board's authority to deny the requested variances and to require the removal of the fencing that was installed without the required approvals.

7. Based on the evidence presented, however, it is clear the current owners of the abutting properties agree that a 6' fence to separate the parcels would be preferable to the existing 4' chain link fence or to any kind of open and ornamental fence that would comply with the Code.

8. In other locations where the Board has granted variances to allow for a 6' fence in a side or front yard, it has required that the fence include some open element (for instance, shadow-box wood fencing or an upper 2' of lattice). It has also allowed landscaping features,

including hedges, with a height greater than 4'. The Board has not permitted stockade fencing or other types of fully opaque screening or fencing.

9. Based on the circumstances described here, the Board concludes that it is appropriate to grant for a variance to allow a 6' fence on the Subject Property, along the property line shared with the parcel at 1509 Westfield Street, subject to these conditions:

- The 6' screening fence, as installed, must be removed within 6 weeks of this decision;
- If a replacement fence is installed, it may extend to a height of 6' but must contain some open and/or ornamental element;
- The fence must be entirely on the Subject Property and no part of it can extend over the property line; and
- If the fencing has finished and unfinished sides, the finished side must face the adjacent property.

**Decision: The Applicant's request for a variance from Section 912.04.K to allow a 6' high fence on the Subject Property, along the property line shared with the parcel at 1509 Westfield Street, is hereby APPROVED; subject to these conditions:**

- **The 6' screening fence, as installed, must be removed within 6 weeks of this decision;**
- **If a replacement fence is installed, it may extend to a height of 6' but must contain some open and/or ornamental element;**
- **The fence must be entirely on the Subject Property and no part of it can extend over the property line; and**
- **If the fencing has finished and unfinished sides, the finished side must face the adjacent property.**

s/Alice B. Mitinger  
**Alice B. Mitinger, Chair**

s/Lashawn Burton-Faulk  
**LaShawn Burton-Faulk**

s/ John J. Richardson  
**John J. Richardson**

Note: Decision issued with electronic signatures, with the Board members' review and approval.