



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: June 5, 2025
Date of Decision: July 11, 2025

Zone Case: 60 of 2025
Address: 121 44th Street
Lot and Block: 80-P-50
Zoning Districts: R1A-VH
Ward: 9
Neighborhood: Central Lawrenceville

Request: Use of existing building on front of parcel for two residential units

Application: BDA-2025-02740

Variance/Review	Section 911.02	Three-unit residential prohibited in R1A-VH District
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Appearances:

Applicant: Janelle Figalli, Alexis Wheeler

Findings of Fact:

1. The Subject Property is located at 121 44th Street in an R1A-VH (Residential One Unit Attached Very High Density) District in Central Lawrenceville.
2. The dimensions of the Subject Property are 36'-0" by 100'-0" (3,600 sf).
3. Located on the property are a two-story building that fronts onto 44th Street and a two-story building that fronts onto Locarna Way.
4. A 1988 Certificate of Occupancy permits the use of the Subject Property for "use of 2-story one family dwelling (front) and 2- story one family (rear)."
5. The Applicant explained that the building on the 44th Street side of the parcel has been used for two residential units for a significant period of time.
6. The Applicant submitted photographs of separate utility meters, kitchens, and entrances for the two units in building on the 44th Street side.
7. The Applicant noted that several other structures that are used for more than one residential unit are in the proximate area of the Subject Property.

8. Pursuant to the 1958 Zoning Map for the City of Pittsburgh, the zoning district designation for the Subject Property was M4 ("Heavy Industrial") District, where two-unit residential uses were not permitted.

9. The City of Pittsburgh's 1997 Zoning Map indicates that the zoning district designation for the Subject Property was, at least as of 1997, RT-2 (Two Family Residence) District, where two-unit residential uses were permitted by right.

10. The Applicant submitted a copy of an ordinance from 2005 that changed the zoning district designation for the Subject Property from RM-M (Residential Multi-Unit, Moderate Density) to R1A-H.

11. No one appeared at the hearing to oppose the request.

Conclusions of Law:

1. Pursuant to Section 911.02, two-unit residential uses are not permitted in R1A-VH Districts.

2. The Applicant presented credible evidence that the use of the Subject Property for three residential units predates the current R1A-VH District designation.

3. Use of the parcel for three residential units has not had a significant impact on the surrounding neighborhood.

4. Consistent with the evidence that testimony presented, and the legal principles relating to nonconforming uses, the Board concludes that the use of the Subject Property for two residential units predates the current Zoning Code provisions and is legally nonconforming.

Decision: The use of the Subject Property for three residential units, with two units in the building on the 44th Street side and the third unit in the building on the Locarna Way side, is legally nonconforming and may continue.

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.